



Planning & Transportation Commission Action Agenda: August 30, 2023

Council Chambers & Virtual
6:00 PM

Call to Order / Roll Call

6:00 pm

Chair Summa called the meeting to order.

Ms. Madina Klicheva, Administrative Associate, conducted the roll call and announced all Commissioners were present.

Oral Communications

The public may speak to any item not on the agenda. Three (3) minutes per speaker.^{1,2}

Chair Summa invited members of the public to share their comments with the Commission on items not on the Agenda.

Mr. Mark Weiss commented that City Council recently approved a budget of \$400,000 to fix the fountain at Lytton Plaza. He submitted a short essay to the City Council, the Commission and the City Manager's office expressing his descent about taxpayers paying to fix the foundation. Lytton Plaza had long been a place to gather and he believed it should be the billionaires listed on the plaque in the plaza who should pay to fix the fountain.

Agenda Changes, Additions and Deletions

The Chair or Commission majority may modify the agenda order to improve meeting management.

Ms. Amy French, Chief Planning Official, reported there were no changes proposed by Staff.

City Official Reports

1. Directors Report, Meeting Schedule and Assignments

Ms. Amy French, Chief Planning Official, shared the City Council would be reviewing several Planning Commission items at their September meetings, including 340 Portage and the Permanent Parklet Program. Commissioner Hechtman was the Council liaison for September and she shared she would be sending him materials on the items shortly. In September the

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1 Planning and Transportation Commission (PTC) will be reviewing the Housing Element
2 Implementation Ordinance.

3 Mr. Rafael Rius, Senior Transportation Engineer, shared Staff met with several residents
4 regarding the Middlefield/Lincoln intersection. Staff would soon begin work to improve the
5 sight lights, striping and signage at the intersection with the understanding that a more
6 permanent solution would be discussed at the PTC in the fall of 2023.

7 Commissioner Templeton asked if they received reports about how the deterioration of the
8 pavement along El Camino Real affected the safety of Palo Alto residents.

9 Mr. Rius answered he was unaware of there being statistical data available.

10 Commissioner Templeton shared she wanted to know if the statistics regarding collision trends
11 were publicly available in order to understand how the deteriorated pavement was affecting
12 children biking to and from school along El Camino Real. She emphasized that the condition of
13 the road was very dangerous.

14 Mr. Rius acknowledged that sometimes the data was months and/or years old.

15 Commissioner Templeton encouraged Staff to work with the Police Department on having up-
16 to-date data.

17 Commissioner Reckdahl echoed Commissioner Templeton's request and asked Staff to provide
18 a monthly report on statistics regarding bicycle and pedestrian collisions.

19 Mr. Rius remarked he'd put in another request with the Police Department, but noted they
20 were going through an upgrade with their database system.

21 Ms. French shared that in July, the City applied to a new Priority Development Area (PDA) called
22 Bayshore Alma San Antonio (BASA). Staff was targeting a date in September to discuss it with
23 the PTC and then bring the item to the City Council at their September 18, 2023 meeting.

24 Commissioner Templeton recalled seeing an article about the City's funding application for the
25 rail crossings.

26 Mr. Rius answered he would follow up with the Rail Corridor Project Manager and provide an
27 update at the next meeting.

28 Commissioner Templeton requested Staff share the newspaper article with the Commission
29 regarding the matter.

30 **Action Items**

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1 Public Comment is Permitted. Applicants/Appellant Teams: Fifteen (15) minutes, plus three (3) minutes rebuttal.
2 All others: Five (5) minutes per speaker.^{1,3}

3 2. LEGISLATIVE: Recommendation to City Council Regarding Proposed Amendments to
4 Palo Alto Municipal Code (PAMC) Title 18 (Zoning) and Title 9 (Public Peace, Morals
5 and Safety), Chapter 9.10 (Noise) to Facilitate the Installation of Electrification
6 Equipment for Residential Development

7 Chair Summa commented the Commission received a late submission from Staff that had
8 substantive changes and she believed the Commission did not have enough time to digest it.
9 She suggested that the Commission ignore it, but invited other Commissioners to share their
10 thoughts.

11 Commissioner Akin believed Staff would be able to guide the Commission through the changes.

12 Commissioner Hechtman expected Staff to explain the At Places memos and its changes.

13 Commissioner Templeton echoed Chair Summa's comment that the Commission did not have
14 time to read and digest the changes.

15 Vice-Chair Chang confessed she was not aware that a memo was sent out and requested that
16 Staff explain what it said.

17 Chair Summa mentioned the public did not have time to digest the materials either but was
18 supportive of Staff going over the changes. In the future, she would not allow submissions to
19 be considered past the 72-hour requirement.

20 Ms. Amy French, Chief Planning Official, said Staff recommended that the Commission
21 recommend the adoption of the draft ordinance to the City Council. The proposed ordinance
22 included the changes recommended by the PTC in December of 2022 as well as additional
23 changes proposed by Staff. The objective was to remove barriers and encourage electrification
24 in the City. In June 2023, Council adopted an Accessory Dwelling Unit (ADU) ordinance that
25 modified noise-producing equipment for ADUs. Staff, with the help of a consultant, proposed
26 several concepts to address noise-producing equipment within setbacks. The City's current
27 Noise Ordinance did not allow decibels (dBA) above the local ambient outside of the property
28 plane. Staff explored the surrounding community's Noise Standards for nighttime and theirs
29 ranged from 40 dBA to 50 dBA. Regarding Table 1, the At Places Memo included labels about
30 equipment sound levels in 40 dBA areas and sound levels at 50 dBAs areas with a minimum
31 setback of 3-feet from the receiving property line. Also included in the At Places Memo was the
32 elimination of "i" under Heat Pump Condenser Units and that was proposed to be removed
33 because it caused confusion between the language and Table 1. With respect to the Home
34 Improvement Exception, Staff proposed eliminating the reference to eight dBA in Item 16 that

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1 talked about eight dBA. Also, included in the At Places Memo was a revised chart showing a
2 maximum of 39 dBA at 3-feet from the property line for noise producing equipment.

3 Commissioner Templeton asked if Staff's presentation was only about the At Places Memo.

4 Ms. French answered the presentation and included an explanation as to why Staff was
5 proposing as change as well as the At Places Memo.

6 Vice-Chair Chang appreciated Staff's explanation about the At Places Memo language. With
7 respect to ambient noise, Staff suggested raising the local ambient noise levels in Palo Alto
8 Municipal Code (PAMC) Chapter 9.10 to a minimum of 50 dBA for the flats and 40 dBA for the
9 Foothills. She asked what the existing minimums were.

10 Ms. French answered the Code did not specify what the ambient level is, but the
11 Comprehensive Plan had a chart that highlighted different sections of the City and their
12 ambient levels.

13 Vice-Chair Chang summarized the recommendation was to change the approach from
14 equipment not allowing 6 dBA above ambient noise levels to a flat ambient noise threshold for
15 equipment.

16 Mr. Jonathan Lait, Director of Planning and Development Services, confirmed that was correct.
17 Staff was trying to define a level of ambient noise that if the equipment was within that
18 threshold then the equipment was compliant with the City's Noise Ordinance. The goal was to
19 allow noise producing equipment without requiring a Noise Study and other requirements to
20 help further along the City's goal of electrification.

21 Vice-Chair Chang understood the baseline of 40 to 50 dBA was determined based on
22 benchmarking against other municipalities.

23 Mr. Lait concurred and added that it was also based on local observation.

24 Vice-Chair Chang asked if there were other local observation data points available.

25 Ms. French showed the ambient noise level map from the Comprehensive Plan which
26 highlighted areas around the city and their weighted ambient noise level.

27 Mr. Lait invited Mr. to provide examples of equipment that produces 40 dBA and 50 dBA.

28 Mr. Michael Thill, Illingworth and Rodkin, remarked the 40 and 50 dBA thresholds were
29 established based on Illingworth and Rodkin's files from noise measures made in and around
30 the City of Palo Alto.

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1 Commissioner Reckdahl referenced Slide 12 and asked if the Home Improvement Exception was
2 a Director's Waiver or required Council Approval.

3 Ms. French mentioned the exception applied to R-1 and other residential zones. It was a
4 discretionary application with a fee that directed Staff to compare the request to the purpose,
5 applicability and findings for the exception. It was a Director's level decision and it used the
6 same process flow as the Individual Review Applications.

7 Commissioner Reckdahl asked who was allowed to appeal the decision.

8 Ms. French answered it could be neighbors or the applicant.

9 Commissioner Reckdahl asked about the 2 dBA limit.

10 Ms. French explained it was removed to allow for a more generic statement and reduce
11 confusion between the table and the language.

12 Commissioner Reckdahl was nervous that there was no longer a limit.

13 Mr. Lait said that currently there was no provision in the Home Improvement Exception to
14 request a deviation from the standard. The 2dBA threshold was a threshold that most folks
15 could not hear and going through a process for a 2dBA change was a hinderance.

16 Commissioner Reckdahl agreed but was concerned that now there was no maximum and
17 invited the consultants to share their thoughts.

18 Mr. Lait interjected that the removal of the language was a policy decision that the Commission
19 must consider. If an applicant could not meet the noise standard, a Noise Study would be
20 required. If that flexibility was not acceptable, the Commission could establish a maximum limit
21 and suggested that the consultant provide details on what an appropriate standard may be.

22 Mr. Thill concurred a 1 dBA noise change in noise levels was not detachable outside of a
23 laboratory, a 3 dBA change was barely detachable and a 10 dBA change would be double the
24 loudness. He believed an exceedance of 2 dBA was not worth pursuing.

25 Commissioner Reckdahl stated he did not want to over-legislate but was concerned about
26 allowing the Director the power to determine what was right. He suggested the limit be 12 dBA
27 above ambient and believed that would allow flexibility.

28 Commissioner Akin understood the current Noise Ordinance had no Objective Standard.

29 Ms. French concurred currently noise-producing equipment was allowed to go 6 dBA above
30 ambient levels.

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1 Commissioner Akin shared that per his measurements, the measurement nighttime ambient
2 levels in the flats was 38 dBA at night with 48 dBA during the day. He understood the proposal
3 was to allow noise to reach up to 50 dBA at night and that was applicable to everything.

4 Ms. French clarified the intent was that the threshold applied to electrification equipment.

5 Mr. Lait confirmed that the threshold was applied to other noise producing equipment.

6 Ms. French noted electrification equipment as defined in the ordinance.

7 Commissioner Akin remarked it was a worthy goal to streamline the electrification process and
8 he appreciated the presumed compliance approach. With that said, he wanted to understand
9 what the environmental impacts and unintended consequences would be. He agreed there had
10 been several studies highlighting the connection between noise pollution and health. Those
11 findings were the reason he was hesitant to increase the ambient noise level for all sources
12 permanently.

13 Mr. Lait commented that every noise meter is calibrated differently and he invited Mr. Thill to
14 speak to that more. Also, the data that was relied upon was consistent with neighboring cities
15 as well as the data that Illingworth and Rodkin had collected.

16 Commissioner Akin noted his question for the consultant was about the local noise survey.

17 Mr. Lait explained that heat pumps use an inverter and the inverter was not always running,
18 but he acknowledged that any noise can be bothersome.

19 Commissioner Templeton appreciated the discussion. She opposed the ordinance having a
20 boundary imposed upon the Director because the ordinance included an appeal process.

21 Commissioner Hechtman agreed with Commissioner Templeton's comment, but one pro to
22 having a max was to provide an expectation to the laypersons buying the equipment. He
23 referenced Page 8 or 10 of the Staff Report which noted that the Commission did not have
24 purview beyond Titles 18 and 21. Though Staff was seeking a recommendation on Title 9
25 because it affected Titles 18 and 21. The title of the item only referenced Titles 18 and 9 and
26 Chapter 9 and he requested Staff's assistance when the Commission started forming motions.
27 He requested Staff determine the correct capitalization or lowercase letters for "electrification
28 equipment" and follow one throughout the ordinance. Also, in Section 2, Section 18.10.040,
29 Development Standards, Subpart 1, he suggested Staff consider the punctuation in the fifth
30 sentence. If the proposal was to remove little i under heat pump, he recommended the
31 lettering be fixed and in Section 5, 18.40.060, he asked what a "required yard" was.

32 Ms. French explained it was the setback.

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1 Commissioner Hechtman recommended the word “setback” be used instead of “required
2 yard”. He supported the direction Staff was proposing and recognized this was the first time he
3 had witnessed Staff submitting changes in an At Places Memo.

4 Commissioner Templeton asked if Commissioner Hechtman wanted the abbreviation of
5 “electrification equipment” to be consistent with the list of equipment outlined in the
6 ordinance.

7 Commissioner Hechtman explained a defined term is often capitalized and that was used across
8 ordinances to help folks know it was a defined term.

9 Commissioner Templeton asked if “electrification equipment” was the list Staff was referring
10 to.

11 Ms. French answered yes.

12 Commissioner Hechtman acknowledged that the language with those two words together was
13 new.

14 Chair Summa assumed on Packet Page 15 that Title 21 was a typo because Title 21 was not
15 relevant to the matter.

16 Ms. French clarified Title 21, subdivisions, was within the purview of the Commission as was
17 Title 18. There was no requirement that the Commission provide a recommendation to the City
18 Council on Title 9.

19 Chair Summa asked if there were any public speakers for the item.

20 Ms. Madina Klicheva, Administrative Assistant, announced there were no public speakers for
21 the item.

22 Commissioner Akin inquired how the equipment noise levels were validated.

23 Mr. Thill explained the Equipment Ratings Table was based on an evaluation of over 100
24 different equipment that were installed recently in the city as well as other equipment
25 documented. The equipment’s data were analyzed and were considered accurate for the
26 assessment.

27 Commissioner Akin understood there was a standardized procedure and it was assumed that all
28 manufacturers followed those procedures.

29 Mr. Thill confirmed that was correct.

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1 Commissioner Akin appreciated the suggested guidelines and the potential use of noise
2 barriers. He asked if noise barriers were evaluated and was there any recommendation from
3 Staff on the matter.

4 Mr. Thill explained to create a worst-case scenario, the proposed setbacks did not consider a
5 noise barrier, reflections and other complicating issues.

6 Commissioner Akin noted there would be barriers of certain sizes and types that may not be
7 allowed to exist in a setback, but there could be others that are allowed. He recommended
8 what barriers are allowed in a setback be made available to the public. With respect to Title 9,
9 he questioned if there were any recommendations in the guidelines that the Council may want
10 to make mandatory and information on barriers may be useful in that discussion. He asked
11 what types of ambient noise level surveys had been performed.

12 Mr. Thill answered for this project an ambient noise survey was not performed but rather
13 gathered points from data from past projects. The data used highlighted that 90 percent of the
14 time nighttime ambient noise levels were between 42 and 44 dBA. Those coupled with Palo
15 Alto's existing threshold of 6 dBA above ambient aligned with the thresholds that made sense.
16 Again, the purpose of the update was to remove barriers to electrification equipment while
17 providing a comfortable noise level.

18 Vice-Chair Chang asked for more details on that language in 9.10.030.

19 Ms. French answered if the local ambient was 52 dBA, then folks were allowed to go 6 dBA
20 above that.

21 Vice-Chair Chang was confused because the proposal was to have a set level of 40 to 50 dBA for
22 ambient noise throughout the city.

23 Ms. French noted there were areas in the city above 50 dBA. In those areas above 50 dBA, the
24 noise level was allowed to go up an additional 6 dBA.

25 Mr. Lait recalled during Staff discussion, it was mentioned that the provision was to be
26 modified.

27 Mr. Albert Yang, City Attorney, explained if the ambient was above 50 dBA then the table would
28 not apply to that area and the standard was meant to address areas that the table did not.

29 Vice-Chair Chang reference 9.10.20 which stated that "for the purposes of the Chapter, in no
30 case shall the local ambient be considered or determined to be less than 30 for interior noise,
31 40 in the Palo Alto Foothills areas and 50 in all other sections".

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1 Mr. Yang agreed but in noisier areas, provision C would be applicable.

2 Vice-Chair Chang stated if the table were used, theatrically a person could install noise
3 producing equipment closer to the property line but then a noise study would be required.

4 Mr. Yang confirmed that was correct.

5 Mr. Lait clarified if equipment were proposed for a noisy neighborhood, the equipment could
6 go up to 6 dBA above the ambient level.

7 Commissioner Lu asked how the setbacks and tables worked for multi-family units.

8 Mr. Lait predicted that tenants would not be installing noise producing equipment but in any
9 event, the property was still subject to the setbacks.

10 Commissioner Lu said in a condominium situation, the equipment could be placed somewhere
11 in setbacks for the whole property as long as the neighborhoods agreed.

12 Mr. Lait believed Covenants, Conditions and Restrictions (CC&R) would come into play.

13 Commissioner Lu asked if the surrounding cities had variations in ambient noise similar to Palo
14 Alto.

15 Mr. Thill stated based on his experience, when the ambient exceeded the noise limit. Then the
16 ambient became the limit or it was ambient plus a specific number.

17 Commissioner Lu shared that his questions were to understand if it would be a problem to have
18 two different thresholds within the city. He asked why two thresholds were being proposed.

19 Mr. Thill reiterated the flats are very urbanized, which was similar to surrounding cities, and
20 there were areas, such as the Foothills, where noise levels were reduced. It was understood
21 that a quieter nighttime ambient threshold must be applied to the quieter areas.

22 Commissioner Lu understood the motivation was to keep the quieter areas quiet.

23 Mr. Thill confirmed that was correct.

24 Commissioner Lu remarked he understood why Staff was proposing to have two different
25 levels. He asked where the dividing line was between the flats and the Foothills.

26 Ms. French stated there was no map identifying that line.

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1 Commissioner Lu argued there were many hilly areas where a lower noise level may apply that
2 are not in the Foothills.

3 Mr. Lait remarked there were some reference materials in the Comprehensive Plan and Staff
4 will review those. He noted Section C (i) addressed the situation where the noise level exceeded
5 ambient thresholds.

6 Commissioner Lu asked what the City was considering to help multi-family structures to
7 electrify since they were over 40 percent of Palo Alto's housing stock.

8 Mr. Lait said the City has expressed an interest in advancing the technology and streamlining
9 the Building Permit process. The City's Utility Department was working on incentives for multi-
10 family dwellings and Staff would pass that knowledge to the Commission.

11 Mr. Thill explained that noise-producing equipment was normally placed on the roof of multi-
12 family structures.

13 Commissioner Lu understood that due to the constraints if multi-family structures, the City at
14 this time was not seeking to accelerate the electrification of condos.

15 Commissioner Templeton objected that Palo Alto should not be classified into the flats and the
16 Foothills. It was an offensive comment and all residents should be allowed to live in a quiet
17 place.

18 Chair Summa agreed that having two noise levels was ridged and there were many places in the
19 city that were quiet and should allowed to remain quiet.

20 Commissioner Reckdahl remarked that other cities have multiple noise categories and it was
21 not a unique situation. He shared Commissioner Akin's concern about allowing noise to
22 increase for all noise sources. He asked if the ordinance could apply only to electrification
23 equipment.

24 Mr. Lait remarked that technology was advancing and machines were becoming quieter on all
25 fronts.

26 Commissioner Reckdahl asked how car noise was legislated.

27 Mr. Yang predicted it was regulated by the State of California. He mentioned the ordinance
28 could be tailored to apply to only electrification equipment.

29 Commissioner Reckdahl what the most common source for noise complaints.

30 Mr. Lait answered leaf blowers.

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1 Ms. French added generators.

2 Mr. Yang suggested moving the regulations regarding ambient levels from the definitions and
3 into Section 9.10.030 (c).

4 Mr. Lait noted from an administrative perspective it was not a best practice to have different
5 standards for one piece of equipment versus another piece of equipment that did the same
6 thing. He encouraged the Commission to not bifurcate the standards into two different pieces
7 of equipment.

8 Chair Summa believed the proposal made too many assumptions about existing ambient
9 noises. She noted that cheaper equipment is noisier and she worried that many landlords
10 would go with the cheaper equipment. That would affect tenants living in the units as well as
11 neighbors. She believed 40 to 50 dBA was not flexible enough and would result in more noise.
12 Also, on Packet Page 30, under equipment placement recommendations, she recommended
13 that the bullets be made into requirements. She asked if a complaint was made about a new
14 piece of equipment, would the owner have to replace the equipment. Also, there was no
15 process for a homeowner to ask that their ambient level be respected if they live in a noisier
16 part of the city. While she wanted to see provisions that allowed flexibility on where the
17 equipment could be placed, she did not feel as flexible on the impacts of sound.

18 Commissioner Hechtman stated the proposal was not to raise the ambient noise level and Staff
19 had stated that the language should be changed to reflect that. He acknowledged that a
20 significant barrier to folks electrifying was having to do a noise study and that was unworkable.
21 He agreed there were quieter parts in the flats but everyone had the same pros and cons when
22 living in the more urbanized areas. The approach proposed mimicked what surrounding cities
23 were doing. He acknowledged that he had not thought about having different ambient noise
24 thresholds as classism. If that was a concern of the Commission then a standardized ambient
25 level of 50 dBA could be applied City-wide. With respect to cheaper equipment, the applicant
26 will have to go through a process and Staff will flag equipment that does not meet the
27 standards.

28 Commissioner Templeton stated while she understood the goal, there were several unintended
29 consequences and those consequences will affect folk's way of life.

30 Commissioner Reckdahl asked if changing the general, City-wide Noise Ordinance was within
31 the purview of the Commission.

32 Mr. Lait remarked Staff was interested in understanding if the Commission supported the
33 recommendations. Council was eager to have all of the electrification enhancements before
34 them for review. What was proposed was data backed and Staff did not believe the proposals
35 were unreasonable.

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1 Commissioner Reckdahl stated Mr. Thill had stated the current ambient noise levels for Palo
2 Alto were between 43 42 dBA and with the addition of 6 dBA he recommended 50 dBA. The
3 proposal was to have 50 dBA be the floor and he asked Mr. Thill to explain his reasoning as to
4 why above 50 dBA was not considered noisier.

5 Mr. Thill clarified the proposal was not to allow an exceedance over 40 and 50 dBA.

6 Commissioner Reckdahl remarked that was not the way the ordinance was written.

7 Mr. Lait commented the current standard was the exceedance of 6 dBA and that was being
8 replaced with the table which would become the new standard.

9 Commissioner Reckdahl inquired if an applicant was located in an area with an ambient level of
10 70 dBA, could their equipment not go any higher than what was listed in the table.

11 Mr. Lait explained the change identified in the At Places Memo was if an area is over 50 dBA.
12 Then the existing provision in the Code that the equipment could go 6 dBA above ambient
13 applied.

14 Commissioner Reckdahl noticed the ordinance stated that under no condition could the
15 ambient be below 50 dBA.

16 Mr. Lait acknowledged the City did not know the ambient at every residential home. The
17 proposal is to establish a presumed ambient level of 50 dBA for the flat and a presumed
18 ambient in the Foothills of 40 dBA.

19 Commissioner Reckdahl restated the ordinance had conflicting language.

20 Mr. Thill agreed that the references to ambient did confuse the language but with regard to
21 electrification, the noise standard was either 40 dBA or 50 dBA and there was no adjustment
22 based on the ambient.

23 Commissioner Lu recalled the Commission was concerned at their prior meeting about
24 encroachments into front and side setbacks. He asked if that was explored and if there other
25 alternatives that needed to be considered.

26 Mr. Thill stated that was a trade-off that had to be considered as to whether the equipment
27 would be allowed to encroach into the setback and whether there could be increased noise due
28 to that encroachment.

29 Commissioner Lu understood that a larger encroachment would require quieter equipment and
30 that there was an understanding that encroachments would not affect ambient levels.

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1 Mr. Thill confirmed that was correct and the proposed table allowed for encroachment up to 3-
2 feet from the property line. He asked where in the ordinance did it state the amount of
3 encroachment that was permissible.

4 Mr. Lait answered it was referenced on Page 6 of the ordinance but acknowledged that the
5 language should be modified to include 3-feet.

6 Mr. Yang clarified that equipment could only encroach up to the distance identified in the table.

7 Commissioner Lu stated his support for a motion that recommended a City-wide 50 dBA limit.

8 Commissioner Akin commented that Mr. Thill described his measurement technique which was
9 the sound level that was happening 90 percent of the time, but the local ambient measures
10 described in the existing Noise Ordinance were different. It was a level that was hit twice within
11 a specific period of time which equated to a lower ambient level. If those lower numbers are
12 used then there would be an increase to the ambient levels and that would require more
13 separation between equipment and structures to reduce the impact. He encouraged Staff to
14 resolve the ambiguity in how the measurements are taken.

15 Vice-Chair Chang appreciated Commissioner Akin's comment and noted she agreed with
16 Commissioner Reckdahl that the proposed ordinance was conflicting with the intent. The intent
17 was to define ambient and eliminate the addition of 6 dBA above ambient for electrification
18 equipment only.

19 Mr. Lait confirmed the ambient plus 6 dBA was being replaced by the table.

20 Vice-Chair Chang remarked the problem with that was that the definition of local ambient in
21 9.10.20 (d) was being used in Section 9.10.30 (a). With that said, she was happy to see that
22 9.10.30 (c) (i) was proposed to be eliminated.

23 Mr. Yang answered the point was well taken and he suggested removing all changes to the
24 concept of local ambient. Instead, the table would say for specific neighborhoods it would be
25 column one and other neighborhoods would be column two. If the local ambient was above 50
26 dBA then the existing ambient plus 6 dBA condition applied.

27 Vice-Chair Chang suggested that 9.10.30 (a) become 9.10.30 (c).

28 Mr. Yang remarked that was not necessary because removing all the changes to the local
29 ambient allowed 9.10.30 (a) to become status quo.

30 Vice-Chair Chang asked what was the purpose of 9.10.30 (a).

31 Mr. Yang answered it was the existing for all equipment that was not electrification equipment.

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1 Vice-Chair Chang stated if a person wanted a rooster they would have to measure the ambient
2 and the noise.

3 Mr. Yang answered yes.

4 Vice-Chair Chang said that leaf blowers were not electrification equipment.

5 Mr. Yang answered that was correct.

6 Chair Summa understood the ordinance did not address pool equipment noise.

7 Vice-Chair Chang understood those would be governed by the ambient regulations.

8 Mr. Yang answered yes.

9 Vice-Chair Chang asked if that discussion addressed Commissioner Reckdahl's concern.

10 Commissioner Reckdahl replied yes.

11 Vice-Chair Chang recommended that any motion capture the problem that was just discussed.

12 Mr. Yang shared he would type up some language to share with the Commission during that
13 time.

14 Commissioner Templeton remarked she could not support the proposals because decibels were
15 an algorithmic scale and 50 dBA was twice the amount of noise of 40 dBA. The community had
16 raised many concerns about much lower noise deltas.

17 Mr. Lait pointed out that the City allowed equipment to go 6 dBA beyond the 42 dBA and so it
18 was not doubling the amount of noise.

19 Commissioner Templeton stated she was referring to the table and there were areas where it
20 was stated it was 50 dBA and that was incorrect.

21 Mr. Lait explained it was stated as 50 dBA because it considered the ambient at 43 dBA plus 6
22 dBA.

23 Commissioner Templeton pointed out the City was not going to be measuring the ambient
24 anymore but rather setting a limit and that may not be fair to some residents.

25 Commissioner Reckdahl noted the columns pertained to the sound rating of the equipment.

26 Commissioner Templeton noted that areas were being designated at 50 dBA when that may not
27 be accurate.

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1 Mr. Lait reiterated that the table respected the 50 dBA at the property line and the proposal
2 was not to double but rather reflect current practices.

3 Commissioner Templeton pointed out that the data states that the ambient should be
4 measured and that it was different from house to house.

5 Mr. Lait restated that noise levels could not exceed 50 dBA at the property line and that lower
6 equipment must be setback further from the property line.

7 Commissioner Templeton asked if decibels degraded that quickly.

8 Mr. Lait stated that information was provided by the consultant.

9 Commissioner Templeton said that was different information than what was shared on other
10 City projects such as the train crossings.

11 Commissioner Reckdahl stated the current regulation was equipment at 49 dBA could be placed
12 on the property line and what was being proposed was not drastically different than current
13 regulations.

14 Commissioner Templeton stated any increase in noise will be noticed by folks who are sensitive
15 to noise. While she appreciated the effort to simplify the electrification process, she could not
16 support the proposal as presented.

17 Commissioner Hechtman asked if the Commission could make a recommendation on Title 9.

18 Mr. Lait restated PTC did not have the authority of Title 9, but Staff wanted to engage the PTC
19 in the discussion on the policy decision.

20 Commissioner Hechtman inquired if the PTC could make a recommendation on only Title 9.

21 Mr. Yang reiterated that PTC must review changes to Titles 18 and 19, but it may also provide
22 recommendations on other matters related to planning and transportation.

23 Commissioner Hechtman acknowledged that he understood Commissioner Reckdahl and Vice-
24 Chair Chang's comments regarding the ordinance's language and agreed with them. He was
25 supportive of having a City-wide noise level of 50 dBA applied to all types of facilities.

26 Chair Summa understood the intention was to maintain the same decibel level for all facilities
27 but allow more flexibility in the setback for electrification equipment. Unless the decibel level
28 were to increase and then the setback would be set back further from the property line.

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1 Mr. Lait confessed he could not track the Chair’s comment. He indicated that Mr. Yang had
2 provided some language for a motion and requested it be placed on the screen for discussion.

3 Commissioner Templeton rephrased the question of the different distances in the setback
4 related to mitigating the additional noise.

5 Mr. Lait answered yes.

6 Chair Summa understood that other electrification equipment would fall under the ambient
7 plus 6 dBA.

8 Mr. Lait confirmed that was the way the potential motion was drafted and mentioned he did
9 not see a difference between a heat pump’s noise and an AC condenser.

10 MOTION

11 Commissioner Reckdahl moved the motion as drafted by Mr. Yang.

12 SECOND

13 Vice-Chair Chang seconded.

14 Commissioner Reckdahl believed the motion would simplify the process of electrification and
15 was consistent with his thinking about noise.

16 Commissioner Templeton asked if the language regarding flats and Foothills was intentionally
17 retained.

18 Mr. Lait remarked the Commission could change the language now or Staff could modify it on
19 the way to Council.

20 Commissioner Reckdahl recommended the language be changed to “suburban” and “rural”.

21 Commissioner Templeton supported that but mentioned that Barron Park considered itself
22 rural.

23 Commissioner Reckdahl agreed.

24 Vice-Chair Chang stated she seconded the motion because it limited the changes to furthering
25 the goals of electrification and limited the effects of the changes on the Noise Ordinance to the
26 goal of electrification. She supported changing the language from “flats and Foothills” but did
27 not have an opinion on what the language should be.

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1 Commissioner Akin suggested the areas be labeled the 40 dBA zone and the 50 dBA zone.
2 Those have to be defined by a map and in the future more zones may need to be added.

3 Commissioner Reckdahl stated he was not wedded to any particular terminology.

4 Mr. Yang noted there was no longer a 40 dBA zone or 50 dBA and previously they were defined
5 as the Foothills being the 40 dBA zone. Any type of differential would require a location.

6 Mr. Lait clarified the “rural hillside area” would be the 40 dBA on the map and the “suburban
7 area” would be the 50 dBA.

8 Commissioner Templeton stated hillside was not required to define a rural area.

9 Mr. Lait clarified the motion will use the 40 dBA zone and 50 dBA zone.

10 Commissioner Templeton announced she could not support the motion with the use of the
11 words “rural hillside area” and “suburban area”.

12 Commissioner Reckdahl supported the words “rural and suburban”, but stated this was a
13 semantic issue and not a policy issue.

14 Vice-Chair Chang supported calling it Zone A and Zone B and then creating a map.

15 Commissioner Templeton noted using “rural and suburban” were the canonical examples of 50
16 and 40 in the decibel chart.

17 MOTION AMENDED

18 Commissioner Reckdahl supported using “rural and suburban”.

19 Vice-Chair Chang agreed.

20 Commissioner Hechtman understood that the city’s edge has less dense zoning.

21 Ms. French suggested the language be “residential and open space”.

22 Chair Summa asked if the two zones being discussed used the same table for setbacks.

23 Ms. French explained open space had a 30-foot setback.

24 Chair Summa inquired if the table made sense for RE-NOS.

25 Commissioner Reckdahl answered yes because it depended on how much noise was being
26 placed on the property line independent of how big the lot was.

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1 Commissioner Hechtman agreed.

2 Ms. French confirmed the greater the setback for louder equipment.

3 Commissioner Hechtman understood the table only applied to electrification equipment.

4 Ms. French concurred.

5 Chair Summa commented that the existing Noise Ordinance did not work but the proposed
6 motion would make enforcement easier. With that said, she was still hesitant to support the
7 motion as proposed.

8 Commissioner Reckdahl noted that if it does not work then the ordinance could be changed.

9 Chair Summa shared that she could support the motion because it would make enforcement
10 easier.

11 Commissioner Hechtman said he understood that the City wanted a higher dBA standard for
12 electrification equipment to encourage it. With that said, he asked how would applicants know
13 what their current ambient noise is absent of a noise study.

14 Mr. Yang stated if the presumed levels are eliminated then the second sentence of Item 2 of
15 the motion can be removed.

16 Commissioner Reckdahl wanted the language to remain in the motion.

17 Mr. Yang proposed an alternative language for the second sentence.

18 Commissioner Lu asked if the sentence should just read “in the suburban area”.

19 Mr. Yang answered no because the suburban area was presumed to be at 50 dBA or below.

20 Commissioner Hechtman remarked that Staff presented a good proposal, the Commission had
21 a good discussion on where the sticking points are, but the proposed motion was too
22 complicated to modify on the fly. He asked if Staff was comfortable bringing the item back to
23 the Commission at the next meeting to better understand what PTC was recommending to the
24 Council.

25 Commissioner Reckdahl stated the motion was better than what was presented.

26 Commissioner Hechtman agreed but the first column of the setback table did not apply if there
27 was no 40 or 50 dBA differential and the second column did make sense if there was no 50 dBA
28 base level which was eliminated in the motion.

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1 Commissioner Reckdahl restated that a map would be drafted that identified the rural and
2 suburban areas.

3 Vice-Chair Chang commented where a person lived defined which column applied and folks did
4 not need to know the ambient noise level.

5 Commissioner Hechtman stated two new standards were being created that did not exist in the
6 Palo Alto Municipal Code. The existing threshold was 40 dBA, but the second column of the
7 table was keyed to a 50 dBA that did not apply to any area in the City.

8 Commissioner Templeton assumed that the motion changes implied that the table would be
9 updated to match.

10 Commissioner Hechtman restated that the motion intended to double the noise at the property
11 line for electrification equipment and that should be recognized.

12 Vice-Chair Chang noted it did not double what was currently allowed. It was equivalent to what
13 was currently allowed and that was reflected in the table.

14 Commissioner Hechtman asked what was the intention of the first column of the table.

15 Vice-Chair Chang explained it translated that rationale into numbers for a quieter area.

16 Commissioner Hechtman indicated that he understood.

17 Vice-Chair Chang stated she appreciated Commissioner Hechtman's line of questioning.

18 Commissioner Templeton was skeptical of the data presented in the table because of the
19 example of AC units at 100 feet being at 60 dBA and then that noise degraded down to 50 dBA
20 at 10 feet away. That conflicted with what her research had explained. She requested that Mr.
21 Thill explain column three of the table to the Commission.

22 Mr. Thill explained an applicant would bring the manufactory's noise rate to the City. That
23 rating would be used against the table to determine what the minimum setback would be. The
24 calculations used were generic.

25 Commissioner Templeton interrupted and asked why the table stated that an AC unit at 100
26 feet at 60 dBA would degrade down to 50 dBA at 10 feet away.

27 Mr. Thill acknowledged that there was a wide variety of AC systems.

28 Commissioner Templeton stated the decibel degradation would be consistent throughout.

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1 Mr. Thill agreed but the noise output of a larger air handler was much greater than a smaller
2 one.

3 Commissioner Reckdahl asked if Attachment A was the At Places Memo or the original
4 proposal.

5 Mr. Yang answered it was the original and Point Four of the motion incorporated the At Places
6 Memo.

7 VOTE

8 Ms. Klicheva conducted a roll call vote and announced the motion passed 7-0

9 MOTION PASSED 7(Akin, Chang, Hechtman, Lu, Reckdahl, Summa, Templeton) -0

10 **Commission Action:** Motion by Reckdahl, seconded by Chang. Pass 7-0

11 **Approval of Minutes**

12 Public Comment is Permitted. Five (5) minutes per speaker.^{1,3}

13 3. Approval of Planning & Transportation Commission Draft Summary Minutes of July
14 12, 2023

15 MOTION

16 Commissioner Akin moved that the PTC accept the minutes.

17 SECOND

18 Chair Summa seconded.

19 Ms. Madina Klicheva, Administrative Assistant, conducted a roll call vote and announced the
20 motion passed 5-0-2.

21 MOTION PASSED 6(Akin, Chang, Lu, Reckdahl, Summa, Templeton) -0- 2(Hechtman abstain)

22 **Commission Action:** Motion by Akin, seconded by Summa. Pass 6-0-1 (Hechtman abstain)

23 4. Approval of Planning & Transportation Commission Draft Verbatim & Summary
24 Minutes of July 26, 2023

25 MOTION

26 Commissioner Hechtman moved approval as revised.

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1 SECOND

2 Commissioner Akin seconded.

3 Ms. Madina Klicheva, Administrative Assistant, conducted a roll call vote and announced the
4 motion passed 5-0-2.

5 **Commission Action:** Motion by Hechtman, seconded by Roohparvar. Pass 6-0-1 (Lu abstain)

6 **Committee Items**

7 None

8 **Commissioner Questions, Comments or Announcements**

9 Commissioner Templeton echoed Chair Summa's earlier comment that because of the new
10 information presented last minute. The Commission had a hard time understanding the
11 changes which resulted in a longer process.

12 Chair Summa asked if the Housing Incentive Program (HIP) was going to be reviewed with the
13 Housing Element zoning changes.

14 Ms. Amy French, Chief Planning Official, could not say what was included in the item coming to
15 the Commission at the next meeting.

16 Commissioner Lu asked if there was any update on resubmitting the Housing Element.

17 Ms. French shared that Staff was working on a response to the most recent 90-day comment
18 letter.

19 Chair Summa adjourned the meeting.

20 **Adjournment**

21 9:05 pm

22

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