



**PLANNING COMMISSION  
MEETING MINUTES  
7:00 PM - Thursday, June 02, 2022  
*Telephone/Video Conference Only***

**CALL MEETING TO ORDER**

At 7:01 p.m. Chair Blockhus called the meeting to order.

**ESTABLISH QUORUM**

PRESENT: Chair Doran, Commissioners Ahi, Bodner, Marek, Roche and Steinle

ABSENT: Vice-Chair Mensinger

STAFF: Development Services Director Zornes, City Attorney Houston, Deputy Attorney Ramakrishnan, Interim Planning Services Manager Golden and Associate Planner Liu

**PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA**

None.

**ITEMS FOR CONSIDERATION/ACTION**

**CONSENT CALENDAR**

**1. Planning Commission Minutes**

Approve minutes of the regular meeting of May 5, 2022.

Action: Upon motion by Commissioner Steinle, seconded by Commissioner Bodner, the Commission recommended approval of the minutes from the May 5, 2022 Regular Meeting.

The motion was approved (6-0) by the following vote:

AYES: Chair Doran Commissioners Ahi, Bodner, Roche, and Steinle

NOES: None

ABSENT: Vice-Chair Mensinger

**DISCUSSION**

**2. SB9 Objective Standards Commission Feedback**

**STAFF PRESENTATION**

Associate Planner Liu provided a brief presentation of Phase II of the SB9 Objective Standards Commission Feedback.

**COMMISSION QUESTIONS/COMMENTS**

Chair Doran asked commissioners for feedback how to proceed with the discussion.

Commissioner Bodner suggested going down the list.

Commissioner Ahi agreed since this is the first time they are discussing it.

Chair Doran asked staff for clarification on the timeline to get their feedback on the SB9 objective standards back to City Council.

Interim Planning Services Manager said they are trying to get back to the City Council as soon as possible.

Commissioner Steinle suggested focusing on land use issues like lot coverage and floor area ratio and the policies behind them, and not discussing items which are more focused on DRC related issues.

Deputy Attorney Ramakrishnan said Commissioner Steinle makes sense when you think about the Planning Commission's role. Our design standards did not change zoning, they were strictly design which they were able to adopt by resolution under our zoning code. We are not able to change any zoning requirements without an ordinance. Do we need to change zoning requirements for SB9 projects to allow flexibility or not and what might that look like is his particular interest in the Commission's feedback?

Chair Doran opened the Public Comment period with a four-minute time limit.

#### PUBLIC COMMENT

Resident Jon Baer stated that he was a previous Planning Commissioner at a time that they did both commercial and residential design review. The Commission did a great job on adopting objective standards for commercial development. He said the City of Palo Alto did a great job in adopting objective standards per different neighborhood characters and encouraged Los Altos to look at what they did. Commercial objective standards were based on the zoning district. Residential objective standards should look at the different characteristics of each neighborhood. He discussed the scope between the DRC and PC's roles. The goal in the objective standards for commercial development was to codify what already existed. Are there changes that may be beneficial to make for SB9 projects? It is important that we have guidelines that reflect our community and are objective.

Resident Anne Paulson agrees with having objective standards that everyone can understand and to give consideration of different design standards for multiple family units on one site.

Chair Doran closed the Public Comment period and Commission discussion proceeded.

#### COMMISSION DISCUSSION

Council Liaison Jonathan Weinberg said Council wants input from both the PC and DRC, but not focused on any one uniform standard. If PC wants to focus on land use issues, that is their purview, but they do not have to limit their comments/feedback to just land use issues.

Chair Doran stated she wanted to deal with higher level issues like floor area ratio and plate heights, and not focus on issues like "paint color". She wants to develop a high-level list for land use planning.

Commissioner Steinle said every commission has a specific area of focus and theirs is land use.

The Commission agreed to make a comprehensive list of their comments.

**Commissioner Ahi**

- Do we want to encourage side by side or flag lot configurations for lot splits?
  - Driveway considerations for new lots.
  - Reduced floor area of flag lots.
- Floor Area
  - Increase by 5% from 35% to 40%.
- Coverage
  - Increase by 5%.
- Setbacks
  - Second floor setbacks – reduce to less than 7.5 feet.
- Incentives to provide greater setbacks (reduced or elimination of daylight plane, taller plate height)
- Need to look at double street frontage lots.
- Screening for grade changes between properties.
- More visual diagrams on how lots can be subdivided per requirements to inform our discussion.

**Commissioner Steinle**

- Allow flexibility to encourage more two-story development (i.e. increase lot coverage allowances for two-stories).
- Look at floor area ratios for two-story residences and setbacks for second stories.
- Look at coverage intensity which is a combination of coverage and the number of residents and the ways the parcel is used, but not just simply coverage of the area.
- Come up with a different design approach.

**Commissioner Bodner**

- Allow for more flag lots.
- Supports increasing floor area ratios by 5%.
- Supports making it easier for second story development.
- Finds incentivizing owners to provide greater setbacks interesting and a win-win.

**Commissioner Roche**

- Likes the idea of flag lots.
- Good idea incentivizing greater setbacks to let the applicant do more.

**Commissioner Marek**

- Nothing to add.

Deputy Attorney Ramakrishnan said some cities would not allow pre SB9 second story setbacks.

**Chair Doran**

- Plate height incentives. An 8-foot 3-inch plate height for the second story is low.

**Commissioner Ahi**

- Should be a 10-foot first story plate height and a 9-foot six-inch second story plate height since that is the desire.

Chair Doran

- Also affects a pitched roof or flat roof. There are other factors that we need to be specific about when we talk about setbacks.

Commissioner Ahi

- There is a desire for a second floor and it makes sense to have a 7.5 foot setback more than the first story on a wider lot, but it would look funny on a narrow lot as these new lots are created.
- Need to decide side by side lot and flag lot widths.

Chair Doran

- We do not allow two driveways. If we have the side by side, we may consider some driveway settings and design issues.

Commissioner Roche

- What did we decide on the access for double frontage lots and lots with elevation differences?

Commissioner Ahi

- Limit the access to one side for both units
- Staff may need to look at how many lots actually have greater elevation differences in the city and require more landscape screening if the difference is two feet or more.

Chair Doran

- We may not have too many of these lots.

Interim Planning Services Manager Golden asked if the question is from a subdivision perspective or privacy issue?

Commissioner Ahi

- The email was about privacy. Maybe if the grade is greater than the other parcel in elevation at a certain number of feet, than we should require landscape screening.

Commissioner Steinle

- Consider window design like in the commercial standards so someone is not looking into their neighbor's yard directly.
- Questioned the Stevens Place and Marshall Court duplex area and whether the lower elevation is fair to the surrounding R1-10 district. That is the place we want to look to as a starting point on discussing the lot elevation difference issues.

Interim Planning Services Manager Golden said that was the R3-4.5 zoning area that he worked on, and the natural grade is different. It is hard for owners to justify that their privacy can be protected. It may not be practical. Owners should be aware when they purchase a lot that there is an upslope, and it may have potential impacts. It may not be feasible to protect their privacy due to natural grade positions.

Chair Doran

- We should have some footnotes on these elevation differences because it is an existing issue on some of these lots.

Interim Planning Services Manager Golden said some standards for screening can be clarified like with the DRC when there are concerns about potential privacy impacts from views for a two-story house and privacy screening is applied. With regards to a one-story house, the need for screening is reduced because of less potential views.

Commissioner Roche

- When discussing landscape screening keep in mind, we are now talking about four-foot setbacks and higher plate heights.

Chair Doran

- Privacy is something we need to talk about and not get into the pitfall of legislating frosted windows for people like we do in commercial development. We have to set some sort of standard or definition about it.

Recommended Items from Staff:

- Revise APPENDIX 1, 2.D through G excluding E., to include appropriate setbacks for all residential zoning districts (the setbacks for R1-10 is the only one provided);

Commissioner Steinle

- Defining approach with what was discussed tonight. If we have a good approach it will be easier to talk about those considerations if they have those principles in mind.

Chair Doran

- Noted what Palo Alto is doing with their different zones and said this needs to be looked into further.
- Address height/bulk/scale for non-traditional construction methods that do not have a “plate” structure member;

Chair Doran

- Discuss plate heights when looking at roof lines that are not traditional. Some are more contemporary.

Commissioner Ahi

- Watched the DRC meetings for non-traditional homes, and the DRC wanted a more humanized scale.
- Should be aware and mindful of the overall bulk and height they are proposing.
- The daylight plane should align with the ADU daylight plane.
- Determine the daylight plane once the second-floor setback is established.

Interim Planning Services Manager Golden said many daylight plane regulations are in place. We may want to go to the intent of why and how the daylight plane was put in place in the first place. It becomes complex and convoluted and we may want to simplify it.

Chair Doran

- What is the intent of the daylight plane and what does it protect?

Interim Planning Services Manager Golden said it is for the protection of daylight and air circulation for abutting properties.

Commissioner Ahi

- Agreed with Interim Planning Services Manager Golden that the different daylight planes are complicated.

Commissioner Steinle

- Can staff circulate the minutes before the meeting? It would be easier for the commissioner's work if some draft can be shared.

Deputy Attorney Ramakrishnan said it was okay for staff to summarize and share the list but to be very careful that it does not result in a serial meeting and violate the Brown Act. He said not to send the list back and forth between Commissioners as communication.

Commissioner Steinle acknowledged this.

Development Services Director Zornes said the Commission will have the minutes for the next PC meeting and then this item will be discussed at an off-calendar meeting.

### **3. 2022 City Council Meeting Assignments for PC**

The Commission briefly discussed the assignment rotation for the City Council meetings.

Chair Doran suggested if they cannot make a meeting they can just listen to the recording and report back.

Commissioner Bodner said it is good practice to be at the meeting if there is an item that came before the Planning Commission to answer any questions. If there is nothing on the agenda that came before the Commission, they can just watch the recording.

Interim Planning Services Manager Golden clarified their roles when they are assigned to a City Council meeting and how they can attend and report back on items.

### **COMMISSIONERS' REPORTS AND COMMENTS**

None.

### **POTENTIAL FUTURE AGENDA ITEMS**

Interim Planning Services Manager Golden went over the items on the next two upcoming meetings.

**ADJOURNMENT**

Chair Doran adjourned the meeting at 8:21 PM.

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Steve Golden  
Interim Planning Services Manager