



CITY OF PALO ALTO CITY COUNCIL ACTION MINUTES

Regular Meeting
January 13, 2020

The City Council of the City of Palo Alto met on this date in the Council Chambers at 6:01 P.M.

Present: Cormack, DuBois, Filseth, Fine, Kniss, Kou; Tanaka arrived at 6:04 P.M.

Absent:

Agenda Changes, Additions and Deletions

None.

Minutes Approval

1. Approval of Action Minutes for the December 9 and 16, 2019 and January 6, 2020 Council Meetings.

MOTION: Council Member Cormack moved, seconded by Council Member Kniss to approve the Action Minutes for the December 9 and 16, 2019 and January 6, 2020 Council Meetings.

MOTION PASSED: 7-0

Consent Calendar

Council Member Tanaka registered a no vote on Agenda Item Number 3.

MOTION: Vice Mayor DuBois moved, seconded by Council Member Cormack to approve Agenda Item Numbers 2-6.

2. Park Improvement Ordinance 5487 Entitled, "Park Improvement Ordinance of the Council of the City of Palo Alto for Renovations and new Amenities at Rinconada Park as Recommended by the Parks and Recreation Commission.
3. Approval of an Exemption From Competitive Solicitation and Approval of Amendment Number 1 to Contract Number C20176003 With Universal Semiconductor Inc. d/b/a Universal Security Company for Security Guard Services, Increasing Maximum Compensation by

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\$425,062 to add These Services at the Regional Water Quality Control Plant, for a Total Not-to-Exceed Amount of \$897,344.

4. Policy and Services Committee Recommends the City Council Approve the 2020 Legislative Guidelines and Updated Advocacy Manual.
5. Park Improvement Ordinance 5488 Entitled, "Park Improvement Ordinance of the Council of the City of Palo Alto for Installation of Electric Utility Equipment at Peers Park as Recommended by the Parks and Recreation Commission."
6. Authorize and Approve an Additional \$10.5 Million Loan From the Housing In-lieu and Impact Fee Funds for a Total City Contribution of \$20.5 Million for the Development of the 100 Percent Affordable Housing Project at 3705 El Camino Real (Wilton Court); and Approve Budget Amendments in the Residential Housing In-lieu Fund, the Commercial Housing Fund, and the Residential Impact Fee Fun.

MOTION PASSED FOR AGENDA ITEM NUMBER 3: 6-1 Tanaka no

MOTION PASSED FOR AGENDA ITEM NUMBERS 2, 4-6: 7-0

Action Items

7. PUBLIC HEARING: Objections to Weed Abatement and Adoption of Resolution 9875 Entitled, "Resolution of the Council of the City of Palo Alto Ordering Weed Nuisance Abated."

Public Hearing opened and closed without public comment at 6:28 P.M.

MOTION: Council Member Cormack moved, seconded by Council Member Filseth to adopt a Resolution ordering the abatement of weed nuisances in the City of Palo Alto.

MOTION PASSED: 7-0

8. PUBLIC HEARING: Adoption of an Interim Urgency Ordinance 5489 Entitled, "Interim Urgency Ordinance of the Council of the City of Palo Alto to Implement State Legislation Effective January 2020 Regarding Accessory Dwelling Units and Junior Accessory Dwelling Units Amending Palo Alto Municipal Code Title 18 (Zoning) Section 18.04.030 of Chapter 18.04 (Definitions), and Section 18.42.040 (Accessory and Junior Accessory Dwelling Units) of Chapter 18.42 (Standards for Special Uses)." Environmental Assessment: Exempt From Review Under the California Environmental Quality Act (CEQA) Pursuant to Public

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Resources Code Section 21080.17 and CEQA Guidelines Sections 15061(b)(3), 15282(h), 15301, 15302, and 15305.

Public Hearing opened at 7:16 P.M.

Public Hearing closed at 7:20 P.M.

MOTION: Vice Mayor DuBois moved, seconded by Council Member Kniss to adopt an Interim Urgency Ordinance Amending Title 18 (Zoning) of the Palo Alto Municipal Code to Amend Requirements Relating to Accessory Dwelling Units (ADUs) and Junior Accessory Dwelling Units (JADUs), to be effective upon adoption, including the following:

- A. Allow Staff to make minor corrections to the Ordinance to align with State Law; and
- B. Include a catch-all clause.

AMENDMENT: Council Member Kou moved, seconded by Council Member XX to add to the Motion "when a deed restriction is recorded, it shall run with the land and will be binding to future owners of the property."

AMENDMENT WITHDRAWN BY THE MAKER

INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER to direct Staff to research whether there should be a termination of permits for ADUs and JADUs as part of the updated Ordinance.

AMENDMENT: Council Member Kou moved, seconded by Mayor Fine to add to the Motion "In order to ensure these ADUs and JADUs are used as rentals, require the Owner and all successors in interest in the subject property shall agree to respond to the City of Palo Alto's annual survey of Owners of all ADUs and/or JADUs to determine use, code consistency and for reporting purposes to the State Department of Housing and Community Development (HCD)."

AMENDMENT FAILED: 3-4 DuBois, Filseth, Kou yes

INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER to add to the Motion that an ADU or JADU shall not be rented for periods of less than 30 consecutive days.

AMENDMENT: Council Member Tanaka moved, seconded by Council Member XX to direct Staff to research whether it is possible to allow underground parking for ADUs and JADUs in order to reduce impacts to street parking as part of the updated Ordinance.

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AMENDMENT FAILED DUE TO THE LACK OF A SECOND

MOTION AS AMENDED: Vice Mayor DuBois moved, seconded by Council Member Kniss to adopt an Interim Urgency Ordinance Amending Title 18 (Zoning) of the Palo Alto Municipal Code to Amend Requirements Relating to Accessory Dwelling Units (ADUs) and Junior Accessory Dwelling Units (JADUs), to be effective upon adoption, including the following:

- A. Allow Staff to make minor corrections to the Ordinance to align with State law;
- B. Include a catch-all clause;
- C. Direct Staff to research whether there should be a termination of permits for ADUs and JADUs as part of the updated Ordinance; and
- D. An ADU or JADU shall not be rented for periods of less than 30 consecutive days.

MOTION AS AMENDED PASSED: 7-0

Council took a break at 8:03 P.M. and returned at 8:15 P.M.

- 9. PUBLIC HEARING: Adoption of Resolution 9876 Entitled, "Resolution of the Council of the City of Palo Alto Establishing a new Priority Development Area (PDA) in Downtown/University Avenue" and Resolution 9877 Entitled, "Resolution of the Council of the City of Palo Alto [for] new Priority Conservation Areas (PCA) in Baylands and Foothills With Proposed or Modified Boundaries;" and Consideration of Planning and Transportation Commission's Recommendation for a PDA Designation Along El Camino Real and Other Eligible Areas Citywide. The Application for PDAs and PCAs and the Accompanying Resolution(s) are not a 'Project' as Defined by the California Environmental Quality Act (CEQA) and is Exempted From CEQA Review.

Public Hearing opened at 8:22 P.M.

Public Hearing closed at 8:26 P.M.

MOTION: Mayor Fine moved, seconded by Council Member Kniss to:

- A. Adopt a Resolution designating a new Priority Development Area (PDA) in Downtown/University Avenue; and
- B. Adopt a Resolution designating new Priority Conservation Areas (PCAs) in the Foothills and the Baylands.

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MOTION SPLIT FOR THE PURPOSE OF VOTING

MOTION PART A PASSED: 4-3 DuBois, Filseth, Kou no

MOTION PART B PASSED: 7-0

10. PUBLIC HEARING: Adoption of an Interim Ordinance Amending Title 18 (Zoning) of the Palo Alto Municipal Code to Temporarily Allow Overnight Safe Parking on Sites in all Zoning Districts With a Church or Religious Institution, Establishing Related Regulations, and Finding the Ordinance Exempt From the California Environmental Quality Act (CEQA) Under Guidelines Section 15301.

Public Hearing opened at 9:08 P.M.

Public Hearing closed at 9:24 P.M.

MOTION: Vice Mayor DuBois moved, seconded by Council Member Kou to:

- A. Find the proposed Ordinance exempt from the California Environmental Quality Act pursuant to Section 15301 of the CEQA Guidelines;
- B. Adopt an Interim Ordinance Amending Title 18 (Zoning) of the Palo Alto Municipal Code to Temporarily Allow Overnight Safe Parking as an Ancillary Use to a Churches and Religious Institutions Use in All Zoning Districts Where Churches and Religious Institutions are an Allowed Use, and Establishing Temporary Regulations Related to Safe Parking, Including a Maximum Number of Vehicles Per Night on Each Site, with the following changes:
 - i. Notice would be given to immediate neighbors;
 - ii. Establish a pilot period of 18 months;
 - iii. Delete Section 13, removing the sunset;
 - iv. Return to Council for review prior to March 2022;
 - v. Direct Staff to continue to work on safe parking phases and consider:
 - a) Removal of the requirements for this to be done only by religious institutions;
 - b) Look at process to allow lots to host more than 4 vehicles; and

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- c) Look at safe parking for oversized vehicles

AMENDMENT: Council Member Cormack moved, seconded by Council Member Tanaka to amend the Motion Part B. i. to state "Notice will be given to residents within 600 feet" and delete from the Motion Part B. v.

AMENDMENT SPLIT FOR THE PURPOSE OF VOTING

AMENDMENT RESTATED: Council Member Cormack moved, seconded by Council Member Tanaka to:

- A. Delete from the Motion Part B. i.
- B. Delete from the Motion Part B. v.

AMENDMENT SPLIT FOR THE PURPOSE OF VOTING

AMENDMENT PART A PASSED: 4-3 DuBois, Fine, Kou no

AMENDMENT PART B PASSED: 4-3 DuBois, Filseth, Kou no

MOTION AS AMENDED: Vice Mayor DuBois moved, seconded by Council Member Kou to:

- A. Find the proposed Ordinance exempt from the California Environmental Quality Act pursuant to Section 15301 of the CEQA Guidelines;
- B. Adopt an Interim Ordinance Amending Title 18 (Zoning) of the Palo Alto Municipal Code to Temporarily Allow Overnight Safe Parking as an Ancillary Use to a Churches and Religious Institutions Use in All Zoning Districts Where Churches and Religious Institutions are an Allowed Use, and Establishing Temporary Regulations Related to Safe Parking, Including a Maximum Number of Vehicles Per Night on Each Site, with the following changes:
 - i. Establish a pilot period of 18 months;
 - ii. Delete Section 13, removing the sunset;
 - iii. Return to Council for review prior to March 2022;

INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER to change the Motion Part B. ii. to state "remove the sunset provision."

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MOTION AS AMENDED RESTATED: Vice Mayor DuBois moved, seconded by Council Member Kou to:

- A. Find the proposed Ordinance exempt from the California Environmental Quality Act pursuant to Section 15301 of the CEQA Guidelines;
- B. Adopt an Interim Ordinance Amending Title 18 (Zoning) of the Palo Alto Municipal Code to Temporarily Allow Overnight Safe Parking as an Ancillary Use to a Churches and Religious Institutions Use in All Zoning Districts Where Churches and Religious Institutions are an Allowed Use, and Establishing Temporary Regulations Related to Safe Parking, Including a Maximum Number of Vehicles Per Night on Each Site, with the following changes:
 - i. Establish a pilot period of 18 months;
 - ii. Remove the sunset provision; and
 - iii. Return to Council for review prior to March 2022.

MOTION AS AMENDED PASSED: 7-0

State/Federal Legislation Update/Action

None.

Adjournment: The meeting was adjourned at 10:28 P.M.