



# CITY OF PALO ALTO CITY COUNCIL FINAL 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.

## Oral Communications

Chris Robell opposed Measure G because it was fiscally irresponsible and would fund unspecified projects. It utilized an unfair taxation methodology and constrained the supply of homes on the market.

Margaret Heath remarked regarding the landlord's poor treatment of Khoury Market in College Terrace. She requested the Council enforce the fines attached to the conditions of approval for College Terrace Centre.

Taylor Brady, College Terrace Residents Association read a letter from the College Terrace Residents Association regarding College Terrace Centre and the closing of Khoury Market. Without a grocery store or the fines incurred for the absence of a grocery, College Terrace Centre was not providing a public benefit.

Annette Ross urged the Council to enforce the fines imposed for the lack of a grocery store in College Terrace Centre.

Bob Moss encouraged the Council to continue studying an overpass at Churchill Avenue because of traffic congestion. The community was going to lose its vitality if Churchill was closed.

Fred Balin noted the community learned of the City's inability to impose the \$2,000 per day fine on College Terrace Centre. Someone needed to look into College Terrace Centre's application to change the paint colors because it was filed and accepted the same day.

# FINAL MINUTES

Gary Fine commented that the time for a grocery store in College Terrace Centre had passed. The Council needed to change the required use of the space.

## 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 \$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

# FINAL MINUTES

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

Council Member Tanaka indicated his primary concern regarding Agenda Item Number 3 was whether the full amount of the amendment was necessary.

## City Manager Comments

Ed Shikada, City Manager reported residents could provide input regarding City Council Priorities through January 24, 2020. City Staff was planning interim modifications to the Ross Road Bicycle Boulevard Project and had launched surveys that informed the Bicycle Boulevard Report to the Council. The first round of polling on a Business Tax was underway. As of January 1, 2020 distribution of plastic straws and utensils was not allowed at Palo Alto markets, farmer markets, restaurants and all facilities serving food or drink. Plastic produce bags were banned in favor of compostable bags. The soft launch of the Utilities Department's online account management service, MyCPAU, had begun. The communitywide launch of MyCPAU was expected later in the spring. The Rail Expanded Community Advisory Panel (XCAP) was going to meet on January 15, 2020. Community Youth Service was planned for January 20, 2020. The North Ventura Coordinated Area Plan (NVCAP) Working Group was going to meet on January 21, 2020. The first session of the Word on the Street series was scheduled for January 30, 2020. An interdepartmental working group was reviewing the issues of workplace safety and security across all City facilities. Agenda Item Number 3 was one component of workplace safety and security.

Molly Stump, City Attorney advised that Staff would soon present some items regarding the requirement for College Terrace Centre to provide a public benefit in the form of a grocery store. The first item was going to be a revision of the administrative penalty schedule.

## 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.

# FINAL MINUTES

Ed Shikada, City Manager reported a couple of construction sites were on the list of abatement sites. As work proceeded on the construction sites, the sites were going to be removed from the list.

Mayor Fine asked if the City had received any written objections to weed abatement.

Beth Minor, City Clerk replied no.

Council Member Filseth requested clarification of the monitoring period.

Moe Kumri, Santa Clara County Weed Abatement Manager explained that a property in the weed abatement program remained in the program until it demonstrated three consecutive years of voluntary compliance.

Council Member Filseth asked if the property was inspected each year.

Mr. Kumri replied yes.

Council Member Cormack expressed disappointment in learning three organizations were on the list.

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

Jonathan Lait, Planning and Development Services Director reported a suite of new laws affected regulations for Accessory Dwelling Units (ADU) and Junior Accessory Dwelling Units (JADU). If local government regulations were not aligned with State regulations, they were automatically invalidated as of January 1, 2020. The Proposed Urgency Ordinance was going to align the City's regulations with State regulations, and both were going to apply to

# FINAL MINUTES

ADUs. Adoption of an Urgency Ordinance required support by four-fifths of the Council. An Urgency Ordinance became effective immediately and was going to be valid for one year. Changes in State law limited local discretion in adopting an ADU Ordinance; expanded the type of ADUs that had to be ministerially approved; allowed an ADU and a JADU on a property zoned for a single-family residence; allowed ADUs in the non-livable spaces of multifamily buildings; and required review of permits within 60 days. The Proposed Urgency Ordinance removed the City's requirement for owner occupancy, discretionary standards for street access and privacy, and replacement parking when a garage was converted to an ADU. The At-Places Memo addressed revisions to the Proposed Ordinance.

Mayor Fine explained that the City's ADU Ordinance was invalid, and State law prevailed. Staff planned to return later in 2020 with regulations for ADUs.

Council Member Kniss requested the number of ADU applications submitted to date, the number of permits issued and the number of ADUs under construction or completed.

Mr. Lait indicated 150 ADU applications had been filed since June 2017. Permits were issued for 12 ADUs in 2017, 28 or 38 ADUs in 2018, and 62 ADUs in 2019. The Council had recently revised the impact fees assessed to ADUs, and the State law eliminated impact fees for ADUs of less than 750 square feet.

Council Member Kniss noted construction costs had proven to be greater than people had anticipated.

Mr. Lait advised that some ADU projects had been problematic for a variety of reasons. When Staff returned later in the year, they planned on proposing revisions to the administration of ADUs.

Council Member Cormack inquired regarding the length of time to review ADU applications.

Mr. Lait advised that the goal was to issue permits over the counter. Staff wanted to make obtaining an ADU easier.

Council Member Cormack asked if Staff planned to communicate the changes to the public.

Mr. Lait answered yes.

Council Member Cormack inquired about changes to the required setback.

# FINAL MINUTES

Mr. Lait explained that State law required a 4-foot setback for all ADUs. The City had required a 3-foot setback for conversion of garages to ADUs.

Council Member Cormack suggested additional time for review of the provisions in the At-Places Memo was helpful.

Vice Mayor DuBois asked if a subsequent Urgency Ordinance would be required to fix an error in the Proposed Ordinance.

Mr. Lait responded yes. If the Council adopted the Proposed Ordinance, Staff was going to submit it to the California Department of Housing and Community Development (HCD) for review. HCD would determine whether the Ordinance was consistent with State law. If the Ordinance was not consistent, the City had 30 days to cure the mistake.

Vice Mayor DuBois asked if JADUs counted towards the City's Regional Housing Needs Assessment (RHNA) allocation.

Mr. Lait replied yes.

Vice Mayor DuBois suggested Staff would have to track the construction of JADUs.

Mr. Lait indicated Staff tracked ADUs as part of the permit process.

Vice Mayor DuBois inquired regarding the definition of an existing structure.

Mr. Lait explained that structures were homes, garages and accessory structures.

Vice Mayor DuBois requested the zones in which ADUs were allowed.

Mr. Lait answered all residential zones.

Vice Mayor DuBois noted conflicting language regarding any lot and any lot that permits a single-family dwelling.

Mr. Lait asked the Council to include in a Motion direction to Staff to verify that the language was consistent with State law.

Vice Mayor DuBois asked about the interaction of State requirements with the City's requirements for residences near open space.

Mr. Lait explained that the City was able to impose regulations on ADUs that exceeded a height of 16 feet or contained two stories. City requirements for that type of ADU remained in place.

# FINAL MINUTES

Vice Mayor DuBois noted the State law placed a moratorium on owner occupancy requirements until 2025; however, the City required owner occupancy.

Mr. Lait advised that recording a deed restriction for owner occupancy slowed the processing of applications.

Vice Mayor DuBois asked how the City could enforce the State's prohibition of the short-term renting of ADUs.

Mr. Lait did not know. Enforcement was based on complaints.

Vice Mayor DuBois requested the materials for the public include the State prohibition on short-term rental of ADUs. He Proposed the Urgency Ordinance include a moratorium on short-term rental of ADUs for five years.

Mr. Lait related that he could embed the moratorium in the permanent Ordinance because the Proposed Urgency Ordinance would expire in a year.

Vice Mayor DuBois commented that if the provision made construction of ADUs more difficult administratively, the Council was going to need to review enforcement.

Council Member Kou requested the provisions of the ADU Ordinance that exceeded the State requirements.

Mr. Lait did not have a list of those provisions.

Council Member Kou requested the rationale for the Council allowing an ADU height of 16 feet in some areas and 17 feet in other areas.

Mr. Lait reported the Council could require a 16-foot height in all areas.

Council Member Kou inquired regarding the State requirements for ADU parking.

Mr. Lait clarified that State law contained some parking standards based on a number of criteria. The City's Ordinance did not require parking for ADUs or JADUs. The most recent State law prohibited local jurisdictions from requiring replacement parking for ADUs.

Council Member Kou noted the Staff Report did not refer to Assembly Bill (AB) 670, which pertained to Homeowner Associations (HOA).

Mr. Lait was going to have to update the findings and declarations to reflect the matter.

# FINAL MINUTES

Council Member Kou requested the calculation of maximum house size when there was an attached ADU and a lot size of 7,500 square feet.

Amy French, Chief Planning Official advised that maximum house size did not equate to gross floor area. In single-family residential (R-1) zones, the maximum house size was 6,000 square feet regardless of the size of the lot.

Council Member Kou asked if the 800 square foot ADU was added to the 6,000 square foot house size.

Mr. Lait answered yes.

Ms. French clarified that a maximum of 800 square feet could be added to the maximum house size.

Mr. Lait emphasized that the maximum house size was a maximum. Not all houses were able to contain 6,000 square feet due to lot size.

Council Member Kou asked if the lot coverage standard was applicable.

Mr. Lait responded yes, but State law included a preemption to lot coverage.

Council Member Kou asked if a basement was able to extend outside the house footprint by 3 feet.

Mr. Lait replied no. The language was used to define a basement.

Council Member Kou inquired regarding the 4-foot setback for an ADU located on a corner lot.

Mr. Lait explained that new construction of an ADU was subject to the 4-foot setback. Rebuilding an ADU that encroached into a setback was allowed. The State law did not contemplate corner lots and drivers' views.

Council Member Kou asked about circumstances that allowed 800 square foot and 900 square foot ADUs.

Mr. Lait indicated the City's Ordinance allowed a 900 square foot ADU, but State law established criteria based on an 850 square foot ADU.

Council Member Kou asked if an ADU could contain 1,000 square feet.

Mr. Lait answered yes. Under State law, a one-bedroom ADU was able to contain 850 square feet, and a two-bedroom ADU was able to contain 1,000 square feet. The ADU Ordinance had to be revised to allow a 1,000 square foot ADU.



# FINAL MINUTES

Council Member Filseth requested a rationale for revising the ADU Ordinance and not utilizing the State law.

Mr. Lait advised that some pending ADU projects were designed to comply with local requirements that were more permissive than State law. Without an ADU Ordinance, those applications were not able to obtain a building permit. Conversely, he thought an ADU project might comply with State law but not the more restrictive local requirements. In that case, the project was able to be approved in the absence of an ADU Ordinance. Another consideration was the City's housing policy for ADUs.

Council Member Filseth asked if many ADU applications had been denied because they did not comply with local standards.

Mr. Lait responded no.

Public Hearing opened at 7:16 P.M.

Randy Popp remarked that the Proposed Urgency Ordinance contained a number of inaccuracies that were inconsistent with State regulations. If the Council adopted the Proposed Urgency Ordinance with its inaccuracies, only the State regulations were applicable. He recommended the Council continue the item so that Staff could revise the Urgency Ordinance.

Jessica Resmini, ADU Collective agreed that the language of the Proposed Urgency Ordinance conflicted with State law. The language of the Proposed Urgency Ordinance was able to be simplified.

Public Hearing closed at 7:20 P.M.

Mayor Fine asked when Staff began drafting the Proposed Urgency Ordinance.

Mr. Lait indicated Staff began focusing on it in late December, 2019 because Staff did not understand the new law was going to become effective on January 1, 2020.

Mayor Fine inquired whether Staff could analyze public comments and revise the Proposed Ordinance as needed in a week.

Mr. Lait advised that many of the comments were contained in the Proposed Ordinance. Perhaps the Council was able to include a sentence in the Proposed Ordinance declaring in areas where the Proposed Ordinance conflicted with State law, State law prevailed. In this manner, the local Ordinance was not invalid because it conflicted with State law.

# FINAL MINUTES

Molly Stump, City Attorney added that a provision could be incorporated into the Proposed Ordinance that stated "to the extent any provision of the Ordinance is inconsistent with the mandatory requirement of State law such that the Ordinance would be found to be invalid, it is the intent of the Council that the State law provision should prevail." That statement served as a catchall to the extent that any aspect of the complicated provisions did not completely align.

Mayor Fine asked if the entire ADU Ordinance was invalid, should a single provision of the ADU Ordinance not comply with State law.

Ms. Stump responded yes. If the Council adopted the Proposed Ordinance, HCD was to review it and provide comments to Staff. If HCD raised any issues, Staff was able to return to the Council for clarification.

Mayor Fine recommended the catchall statement be incorporated into any Motion. From January through September 2019, 30 building permits were issued, but only one was finalized. The majority of the Council and community wanted more ADUs. The Council had debated many of the State's mandated changes.

Council Member Tanaka inquired regarding the rule for underground parking in residential areas.

Ms. French reported underground parking was not allowed in R-1 districts.

Council Member Tanaka noted new technologies that allowed a vehicle to be parked underground and suggested residents be allowed to use those technologies.

Mr. Lait understood at one point the City had allowed subterranean parking in residential zones. He thought the Council may want to discuss the use of such parking in all residential districts.

Council Member Tanaka felt underground parking could reduce the impact on streets.

Vice Mayor DuBois asked if the proposed catchall statement prevented the Ordinance from being deemed invalid.

Ms. Stump reiterated that HCD would review the Ordinance after its adoption.

Vice Mayor DuBois inquired whether Staff recommended the Council authorize Staff to correct additional errors, should any be found, to comply with State law.

# FINAL MINUTES

Mr. Lait answered yes.

**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.

Vice Mayor DuBois expressed some concern about short-term rental provisions. The Council needed to make these revisions.

Council Member Kniss asked if property owners were not constructing ADUs because of construction costs or a complicated permit process or something else.

Mr. Lait clarified that the City had received 150 applications and issued permits for approximately 112. Some projects had been delayed for a variety of reasons, but the process was able to be streamlined.

Council Member Kou inquired regarding the deed restriction for ADUs and JADUs.

Mr. Lait indicated the deed restriction pertained to owner occupancy, which was not required under the State law. Not all State standards were mandatory for JADUs.

**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."

Vice Mayor DuBois asked if that was already in place for deed restrictions.

Mr. Lait explained that a restriction would be shown on a title report and remained in effect until the parties agreed to remove the restriction.

Ms. Stump advised that Council Member Kou was stating property law.

Council Member Kou wanted to clearly state the deed restriction and its continuing nature.

# FINAL MINUTES

Ms. Stump advised that the language would not be consistent with current sections of the Municipal Code and that introducing the language was not a good practice.

## **AMENDMENT WITHDRAWN BY THE MAKER**

Council Member Kou opposed allowing an applicant to keep the additional square footage granted for an ADU if he chose to withdraw his application.

Mr. Lait agreed to explore that as a provision for a permanent Ordinance.

**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.

Mr. Lait clarified the scenario as the applicant did not want the ADU after it had been entitled and possibly constructed. He was going to review the issue with Planning and Legal Staff and consult State law.

Council Member Kou proposed requiring property owners to respond to an annual survey about ADUs and JADUs.

Vice Mayor DuBois asked if Council Member Kou found the provision in another city's ADU Ordinance.

Council Member Kou responded yes, Mill Valley.

Vice Mayor DuBois believed there should be some accountability if ADUs and JADUs were counted toward the City's RHNA allocation.

Mr. Lait indicated ADUs and JADUs were counted through the building permit process.

Council Member Kou wanted to ensure ADUs and JADUs were utilized for housing rather than short-term rentals.

Mr. Lait felt that would be a component of a discussion about enforcement.

Council Member Kniss preferred to discuss the provision as part of the permanent Ordinance.

Vice Mayor DuBois suggested Council Member Kou propose directing Staff to consider the issue as part of the updated Ordinance.

# FINAL MINUTES

**AMENDMENT:** Council Member Kou moved, seconded by Vice Mayor DuBois 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)."

Council Member Cormack asked if Staff conducted an annual survey of ADU and JADU owners.

Mr. Lait answered no.

Council Member Cormack was not able to support the Amendment.

Council Member Filseth inquired about the differences in preventing short-term rental of an ADU, JADU and a house.

Council Member Kou stated ADUs and JADUs were intended to generate affordable housing.

Council Member Filseth advised that there was no restriction on affordability in the Proposed Ordinance. The ADUs and JADUs were market-rate housing.

Mayor Fine did not recall any restrictions on affordability. He thought the Council may have included some provisions for Staff to explore funding assistance or fee waivers if the property owner dedicated an ADU as affordable housing.

Council Member Kou commented that the point of imposing these laws on single-family residences was to ensure an adequate housing supply at all levels. The least the City was able to do was have some accountability in whether the laws were working.

Council Member Kniss noted ADUs and JADUs did not have to be rental units. She inquired whether Staff was monitoring the City's housing stock for use and Code consistency.

Mr. Lait replied no. Current Staff resources were not able to support the proposed endeavor. The City had to enforce Code provisions as well as compel property owners to respond to a survey. A survey regarding the affordability of ADUs was in the Long-Range Work Plan.

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

# FINAL MINUTES

Council Member Kou proposed adding "consecutive" to the provision prohibiting rentals of less than 30 days.

Mr. Lait had no objection to the proposed change.

Ms. Stump added that the definition of a short-term rental was less than 30 consecutive days.

Council Member Kniss questioned whether Staff could learn of short-term rentals.

Mayor Fine indicated the community could report suspected short-term rentals.

Council Member Kniss requested the intent of Council Member Kou's proposal.

Council Member Kou explained that she wished to clarify the provision by adding the word "consecutive."

**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.

Council Member Tanaka related that members of the community had expressed concerns about the impact of ADUs on parking. Otherwise, the community supported ADUs. Perhaps Staff was able to explore underground parking for ADUs.

Vice Mayor DuBois asked if underground parking would be required for ADUs.

Council Member Tanaka answered no, it was an option. The City was not able to require parking for ADUs. Most ADU occupants parked their vehicles on the streets.

Vice Mayor DuBois recalled Staff's earlier comment that underground parking could apply to all types of housing.

Council Member Kniss recalled an investigation of underground parking in 1989. A property owner was able to utilize underground parking as long it complied with requirements.

Mr. Lait reported underground parking was not permissive for homes located in residential zones.

**AMENDMENT:** Council Member Tanaka moved, seconded by Council Member XX to direct Staff to research whether it is possible to allow underground

# FINAL MINUTES

parking for ADUs and JADUs in order to reduce impacts to street parking as part of the updated Ordinance.

## **AMENDMENT FAILED DUE TO THE LACK OF A SECOND**

Mayor Fine suggested the Council explore underground parking for all residential properties following Planning and Transportation Commission (PTC) review.

**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.

Ed Shikada, City Manager reported the January 30, 2020 "Word on the Street meeting" would be held at Ohlone School. The Rail Expanded Community Advisory Panel (XCAP) was going to meet at 5:00 P.M., rather than 4:00 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 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)

# FINAL MINUTES

are not a 'Project' as Defined by the California Environmental Quality Act (CEQA) and is Exempted from CEQA Review.

Jonathan Lait, Planning and Development Services Director reported Plan Bay Area 2050 was a roadmap to guide growth and investment in the nine-county Bay Area and was based on economy, environment, housing and transportation. The next update was scheduled for adoption in the summer of 2021. A key strategy of a Priority Development Area (PDA) was to reduce greenhouse gases (GHG) by placing housing near transportation. A Priority Conservation Area (PCA) was a regionally significant open space area that had a broad agreement for long-term protection. Staff had identified the Foothills and the Baylands as two potential PCAs. The purpose of designating PDAs and PCAs was to align local priorities with regional strategies and to make the City eligible for competitive grants for planning and capital projects. Plan Bay Area did not supersede or replace local land use authority and did not require any amendments to zoning or the Comprehensive Plan. Participation in Plan Bay Area was voluntary. The City had designated one PDA in the California Avenue area. Typical projects were related to policy or plan development or infrastructure improvements. Grant funding was not to be used for operational costs. He thought the recent replacement of a walkway in the Baylands could have benefited from grant funding provided through the PCA process. Staff and the Planning and Transportation Commission (PTC) recommended a PDA for the Downtown/University Avenue area. The PTC recommended the Council consider extending the PDA along El Camino Real. Staff proposed creating PCAs for the Baylands and the Foothills.

Public Hearing opened at 8:22 P.M.

Kelsey Banes supported the PDA and PCA concepts. The Downtown area included the second busiest Caltrain station and was a prime location for housing. Zoning changes were needed to make housing development in Downtown feasible.

Bob Moss supported designating the Baylands and the Foothills as PCAs because they were important natural resources. Designating the Downtown area as a PDA endorsed the existing and allowed development. He suggested the Council delay considering El Camino Real until it was determined whether the current projects were successful and complementary to the environment and the neighborhood.

Public Hearing closed at 8:26 P.M.

Council Member Kniss inquired regarding funding from the Metropolitan Transportation Commission (MTC).



# FINAL MINUTES

Mr. Lait advised that funding was available for projects that aligned the City's housing and transportation strategies. Demonstrating a connection between housing and transportation was an eligibility criterion for grant funding. The City received grant funding for the North Ventura Coordinated Area Plan (NVCAP) because the area was located within a half mile of a Caltrain station and the Housing Element referred to adding 200 housing units in the area. The amount of future grant funding and timeframes for grants were unknown.

Council Member Cormack requested the rationale for not including the hospital space in the Proposed Downtown PDA.

Mr. Lait explained that the Comprehensive Plan mentioned additional housing development in Stanford Shopping Center. Given the proximity of Stanford Shopping Center with Downtown, Staff included it in the Proposed PDA. Staff utilized a half-mile distance beyond a PDA boundary where projects could qualify for grant funding. The Council was able to extend the proposed boundary if they wished.

Council Member Cormack noted the PCA boundary for the Baylands extended into the water.

Mr. Lait indicated the boundary probably followed the mapping of the mean high tide.

Council Member Cormack supported a review of the Foothills PCA boundary to ensure private properties were not a part of the PCA. She expressed willingness to consider extending the PDA boundary to include El Camino Real and the implications of designating a large portion of the City as a PDA.

Council Member Filseth inquired whether grant funding could be used for bike bridges, shuttles, housing or projects of that nature.

Mr. Lait related that bicycle infrastructure would qualify for grant funding.

Council Member Filseth requested examples of projects that would qualify for grant funding.

Mr. Lait reported projects that implement City policies.

Council Member Filseth asked if grant funding would support studies or construction.

Mr. Lait indicated both would qualify.

Council Member Filseth did not believe grant funding could support the Transportation Management Agency (TMA).

# FINAL MINUTES

Mr. Lait agreed.

Council Member Filseth noted Downtown enhancements were contained in the Comprehensive Plan and needed to be implemented. If extending the PDA to El Camino Real was logical, it needed to be extended. The City was able to qualify for grant funding through PDAs and PCAs; however, the use of grant funding appeared to be constrained. The City needed to monitor the loss of local control with respect to planning. The City had a substantial history of not benefiting from regional initiatives. The Council needed to very carefully consider whether they wanted to build more dependency on remote agencies. He explained that the Council adopted policies to increase housing production, particularly affordable housing and to implement measures that prevented job growth from outpacing housing growth. It was not clear that those policies were the vision of Plan Bay Area, but those policies had not been the operational experience of Plan Bay Area. He did not believe the City was able to withdraw from the program. If the City revoked a PDA designation, it might have to repay any grant funding received for projects in the area.

Council Member Kou asked why Staff proposed a PDA, in place of the opportunity for grant funding.

Mr. Lait explained that designating PDAs and PCAs was a policy decision from the Council. Staff was not able to predict future actions of MTC or the Legislature. The usual strings attached to grant funding were time limits for projects. From a planning perspective, the City did not have to apply for or accept grant funding.

Ed Shikada, City Manager read MTC's response to a Frequently Asked Question (FAQ) regarding total amount of grant funding awarded and types of projects utilizing grant funding.

Council Member Kou understood PDAs were part of Plan Bay Area, and Plan Bay Area's planning process began with an aggressive job growth projection. The tradeoffs were too great for the City to designate another PDA.

Mayor Fine noted the PDAs and PCAs would not cause development or preservation of any designated area. Grant funding was not able to be utilized for climate change mitigations and environmental upgrades, such as upgrading and naturalizing Buckeye Creek. Focusing development in the Downtown area was logical. The goal of the PDA/PCA program was to help cities identify areas for future development or conservation and to help align funding for transportation and housing projects. MTC received a great deal of money, which they disbursed to the County of Santa Clara (County) and cities. Extending the Downtown PDA to El Camino Real made sense; however, the

# FINAL MINUTES

City had quite a few improvements to implement in the Downtown and California Avenue areas.

**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.

Council Member Kniss requested the date the City received a grant for the California Avenue area.

Mr. Lait responded 2017 or 2018. The City had received a grant for the NVCAP, which was located in the California Avenue area PDA.

Council Member Kniss noted the grant funding was utilized for study and analysis of the NVCAP.

Vice Mayor DuBois recalled Mr. Lait's remarks regarding projects within a half mile of the PDA boundary being eligible for grant funding. Perhaps the boundary for the Proposed PDA needed to be smaller. Designating a PDA had the potential to increase the City's Regional Housing Needs Assessment (RHNA) allocation when the City was having difficulty meeting its current allocation. The Comprehensive Plan called for increasing housing in the Downtown area. El Camino Real should not be considered one area, when portions were primarily residential and other portions were small strips of commercial uses abutting residential. The City would likely not remove a PDA designation.

Council Member Filseth requested the Mayor split the Motion.

## **MOTION SPLIT FOR PURPOSE OF VOTING**

Council Member Filseth assumed grant funding had to be used for the PDA.

Mr. Lait clarified that a project that benefited a PDA may qualify for grant funding.

Council Member Filseth felt the benefits of the program were marginal. MTC and Sacramento should not dictate City policy.

Council Member Cormack believed Subpart A of the Motion was an option. The Council was giving the City the ability to obtain a significant amount of money for grade separation or a transit center.

# FINAL MINUTES

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

**MOTION PASSED FOR PART B:** 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.

Jonathan Lait, Planning and Development Services Director reported Safe Parking Programs provided safe and secure locations where a household using a vehicle as its primary residence was able to park the vehicle overnight and sleep in the vehicle. Vehicles included passenger cars, vans, trucks and recreational vehicles (RV). A program served a combination of individuals, families, couples and mixed households. Safe Parking Programs provided relief and support to households experiencing a trying or difficult time. Dwelling in vehicles was a multidimensional issue that resulted primarily from the high cost of housing in Palo Alto and the surrounding region. Safe Parking Programs did not fully resolve the issues related to homelessness and vehicle dwelling. Even with effective Safe Parking Programs, persons remained homeless and/or dwelling in their vehicles. Programs served families with minors, single adults and couples. As part of the pilot program, vehicles had to be registered and insured, and the driver needed a valid California driver's license. The Policy and Services Committee discussed the Colleagues' Memo in September and November, 2019 and forwarded a recommendation to the Council. Tier 1 of the pilot program limited Safe Parking Programs to religious institutions and allowed four vehicles or fewer. Tiers 2 and 3 established Safe Parking regulations for private commercial lots and public lots and allowed more than four vehicles. The Policy and Services Committee recommended applications be approved for a 90-day initial period and were eligible for an automatic nine-month renewal thereafter. A property owner or an entity with the property owner's permission filed an application, and the Director made an administration decision regarding the applications. Subjective criteria for approval pertained to site suitability and adverse effects on the health, safety or welfare of the community. Once an application was approved, notice was given to property owners located within 600 feet of the proposed location. Anyone living or owning property within the area was able to appeal the decision within 14 days of the notice date. Any decision made by the Director was placed on the Council's Consent Calendar within 45 days. Proposed standards allowed hours of operation of 6:00 P.M. to 8:00 A.M.; restricted noise; required sanitation facilities; proof of affiliation with a case management program; contact information; a clean and safe environment;

# FINAL MINUTES

and allowed the City to revoke the permit. If the Council adopted the Proposed Ordinance, Planning and Development Services was going to begin receiving applications in March, 2020.

Council Member Kou asked if Staff discussed the proposed hours of operation with potential applicants or case managers.

Mr. Lait was not aware of such a conversation; however, Assistant Director Tanner may have done so.

Vice Mayor DuBois inquired regarding the qualifications of a Safe Parking Operator.

Mr. Lait explained that the County of Santa Clara (County) maintained a registry of service providers who followed the progress of homeless people in attaining housing.

Vice Mayor DuBois inquired regarding the process for an entity to become a Safe Parking Operator.

Mr. Lait understood an operator would be required to have a relationship with a case management program.

Public Hearing opened at 9:08 P.M.

Stephen Branz supported implementation of the pilot program. The proposal aided a small number of people; therefore, the City needed to adopt Tier 2 and 3 programs soon.

Steven Lee remarked that the pilot program was a good addition to existing homeless services. He encouraged the Council to address housing for the homeless.

Ryan Globus encouraged religious institutions to apply for a permit and supported the program.

Kelsey Banes concurred with Mr. Branz's comments. The increase in vehicle dwelling was a symptom of the housing shortage. She urged the Council to adopt the Proposed Ordinance. The pilot program was modest in its reach. The limits on hours of operation did not help people living on the margins. Allowing lots to operate 24 hours a day assisted case managers in providing services.

David Grossman was able to agree to paying \$100 per year in parcel taxes to support housing for the homeless. Permanent housing was needed. The City needed to commit to helping homeless people that had jobs in the area, had

# FINAL MINUTES

retired in Palo Alto or were longtime residents of Palo Alto. Otherwise, programs attracted homeless people from other cities, and Palo Alto's homeless population was not going to be served adequately.

Mark Mollineaux believed the City should not impose restrictions on entities willing to provide services and resources. The limit of four vehicles needed to sunset after a short trial period.

Trina Lovercheck supported a Safe Parking Program, but the City needed to allow more than four vehicles.

Sheryl Klein, Palo Alto Housing Board Chair remarked that the program would be a good short-term solution to provide stability for homeless people. She advocated in favor of adopting the Proposed Ordinance.

David Bergen encouraged the Council to adopt the Safe Parking Program. With a little bit of help, vehicle dwellers were able to transition to other programs.

Rob Schulze, Peninsula Bible Church Pastor advised that there was a strong preference for passenger vehicles but not RVs and for a limit of four vehicles per Safe Parking Lot. He and his congregation were looking forward to working with operators and to making a difference for homeless people.

Public Hearing closed at 9:24 P.M.

Mayor Fine appreciated the supportive comments from members of the faith community.

Vice Mayor DuBois remarked that Safe Parking Programs did not address issues of homelessness or housing, but they could change lives. The proposed program was far less than the Colleagues' Memo proposed, it had potential to create restrictions and contained some unrealistic timelines. He did not think the pilot program should not be limited to religious institutions and inquired regarding the City's involvement in the program after the Council adopted it.

Mr. Lait advised that Staff would be learning from the experiences of other cities and Safe Parking Operators. Staff guided applicants through the permitting process and began work on Tiers 2 and 3.

Ed Shikada, City Manager added that Staff would consult with the County to identify the need for Safe Parking locations.

Vice Mayor DuBois indicated Supervisor Simitian had reported County funding was available for this type of program, but the City needed to apply for it. Staff's recommended Motion did not direct Staff to continue working on the

# FINAL MINUTES

issue. He requested the general conditions under which the City might revoke a permit.

Mr. Lait reported the first action would be a discussion of noncompliant matters. The Proposed Ordinance addressed impacts to the general welfare. If discussion failed to resolve noncompliant matters, Staff was going to take steps to revoke a permit.

Vice Mayor DuBois noted programs in other cities did not require permitting. The Proposed Resolution contained hurdles for people who were trying to help the City and homeless people. A Safe Parking Program needed to exceed the vision of Tiers 2 and 3.

**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
    - c) Look at safe parking for oversized vehicles.

# FINAL MINUTES

Vice Mayor DuBois felt some of the requirements would severely limit religious institutions' ability to implement programs.

Council Member Kou was pleased that homeless people would have some stability and access to services through this program.

Council Member Kniss asked if the Motion expanded Tier 1 to any parking lot.

Vice Mayor DuBois answered no. Staff planned on continuing to work on the program and return to Council with additional phases.

Council Member Kniss asked if the language of the Motion could be revised to "look at the possibility of other parking lots participating in the program in the future."

Vice Mayor DuBois outlined Subpart v as occurring in the future.

Council Member Kniss asked if the emphasis could be placed on "consider."

Vice Mayor DuBois replied yes. Staff was going to present the phases over time.

Mayor Fine understood the intent of the language was for Staff to consider expanding the program to commercial lots.

Vice Mayor DuBois concurred.

Council Member Kniss advised that the Policy and Services Committee had recommended a three month permit so that any issues with the permittee was reviewed. She proposed the permits extend for 18 months with reviews every three months during the 18 month period.

Vice Mayor DuBois asked if the Council would conduct the reviews.

Council Member Kniss answered no. Whoever was running the program were going to conduct the reviews.

Vice Mayor DuBois clarified that the City could revoke a permit at any time. He inquired whether Staff would monitor the programs.

Council Member Kniss replied yes.

Mr. Lait believed the community would complain if problems occurred prior to reviews.



# FINAL MINUTES

Council Member Kniss wanted to monitor programs so that the community would not have complaints and the program could succeed. She requested a representative of Move Mountain View provide an overview of the Mountain View program.

Amber Stime, Director of Move Mountain View reported the City of Mountain View did not require faith organizations offering a maximum of four parking spaces to obtain a permit. The permitting process for organizations wishing to offer more than four parking spaces was to be streamlined. Move Mountain View enforced the rules placed on vehicle dwellers utilizing the program. The program had been in operation for 1.5 years, and she had never had to ask any of the vehicle dwellers to leave a parking lot. Vehicle dwellers kept the lots clean and reported unauthorized vehicles.

Council Member Kniss asked if Move Mountain View was a nonprofit.

Ms. Stime replied yes. Move Mountain View operated the Lots of Love program at two church parking lots and were soon to operate the program at two City parking lots. The two lots provided 30 spaces each for RVs, and a third lot provided spaces for both cars and RVs. The insurance issue was to be resolved the following week.

Council Member Kniss asked if the City of Mountain View supported Move Mountain View.

Ms. Stime advised that the City of Mountain View, the County and donations supported Move Mountain View.

Council Member Kniss suggested the Council learn about other program operators and their successes.

Council Member Cormack expressed gratitude to the organizations that had stepped forward to provide a safety net. The proposed program was modest and humane. She had proposed a Parcel Tax for affordable housing at the last Finance Committee meeting of 2019. She requested the rationale for granting a permit for 18 months.

Vice Mayor DuBois explained that the initial discussion proposed 18 months.

Council Member Cormack inquired regarding the Policy and Services Committee's discussion of notice.

Council Member Kniss indicated the Policy and Services Committee recommended notice be provided to neighbors within 600 feet because it seemed reasonable.

# FINAL MINUTES

Council Member Cormack was inclined to support the Policy and Services Committee's recommendation because more than immediate neighbors were affected by a program. She inquired regarding the sunset provision.

Mr. Lait related that the provision allowed the Interim Ordinance to sunset without Council Action.

Council Member Cormack asked if deleting the sunset provision would require another Ordinance.

Molly Stump, City Attorney answered no. The Council had the ability to delete the sunset provision from the Proposed Ordinance and in the future, delete or modify the Ordinance.

**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.

Council Member Cormack remarked that notice was important. Staff promised to develop Tiers 2 and 3.

Council Member Tanaka commented that the Policy and Services Committee had discussed "notice" extensively. Notice was important to ensure neighborhoods were not surprised and to prevent community push back. The 600 foot distance was the same distance required for notices of Conditional Use Permits (CUP). A Safe Parking Program needed to be designed to gain the community's support.

Council Member Filseth requested the Amendment be split because he could support Subpart B.i but not Subpart B.v.

## **AMENDMENT SPLIT FOR THE PURPOSE OF VOTING**

Mayor Fine defined "immediate neighbors" as the parcels abutting the proposed site, and that was probably too narrow. However, 600 feet seemed too large. He inquired about the distances contained in notice provisions of the Municipal Code.

Mr. Lait reported provisions referenced 150 and 300 feet. Applications for Individual Review were noticed to properties within 150 feet of the proposed site. Applications for CUPs, variances and the like were noticed to properties within 300 feet of the proposed site. Applications for large development projects were noticed to properties within 600 feet of the proposed site.

Mayor Fine felt 300 feet would be a more appropriate distance.

# FINAL MINUTES

Council Member Cormack agreed to a noticing distance of 300 feet.

Council Member Tanaka preferred a 600 foot distance. However, the distance was able to be reduced as programs were successful.

**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.

Mayor Fine proposed deleting Subparts B.v.a-c and revising Subpart B.v to direct Staff to continue working on the Safe Parking Program Tiers 2 and 3 and to explore a Safe Parking Program for oversized vehicles.

Vice Mayor DuBois clarified that Staff's original recommendation was to provide notice to immediate neighbors. Tier 1 allowed four cars to park on a private parking lot. A larger notification area was appropriate for a greater number of vehicles. He agreed to a notification distance of 300 feet. Subpart v stated Council's intent to implement Tiers 2 and 3. The Council needed to address parking for oversized vehicles. He inquired whether Staff intended to develop Tiers 2 and 3 if the Amendment passed.

Mr. Lait answered yes. Staff was likely to begin that work after obtaining some data from the Tier 1 pilot program.

Council Member Kou noted the College Terrace neighborhood supported a program for the homeless at a church in the neighborhood. She agreed to a 300 foot distance for notification. She felt investing in a permit every 90 days could be a barrier for faith organizations. Subpart v ensured Staff returned to the Council.

Council Member Cormack asked how it was that oversized vehicles were not already a part of Staff's work.

Vice Mayor DuBois stated oversized vehicles were not part of the Colleagues' Memo.

Council Member Filseth inquired whether a 300 foot distance was an option.

Council Member Cormack advised that Council Member Tanaka did not support it.

Council Member Tanaka preferred an option to reduce the noticing distance.

# FINAL MINUTES

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

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

Mr. Lait requested clarification of Subpart B.i.

Vice Mayor DuBois recalled the discussion about the three-month reviews being barriers to organizations.

Mr. Lait indicated the pilot period was to be 18 months, but there were no three month check-ins.

Vic Mayor DuBois proposed revising the notice distance to 300 feet.

Mr. Lait corrected his earlier statement that the Municipal Code provisions did not contain a noticing distance of 300 feet.

Mayor Fine looked forward to expanding the Safe Parking Program to commercial sites and RVs. Section 13 contained more than the sunset provision.

Ms. Stump reported the remaining language was required by State and local laws and contained in all City Ordinances. Staff wanted to retain that language but delete the sunset provision.

**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 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;

# FINAL MINUTES

**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."

Council Member Tanaka remarked that 90 day reviews would be onerous. The Policy and Services Committee recommended a 90 day pilot program so that the program would terminate quickly if there were issues with the community or the sites. He expressed concern about the long-term nature of an 18 month pilot program.

Council Member Kou asked if the Ordinance would require a second reading.

Mr. Lait advised that the Ordinance would be effective on the 31st day following the second reading. The second reading was to occur in two to three weeks.

Council Member Kou asked if Staff would develop Tiers 2 and 3 when Subpart B.v had been deleted from the Motion.

Mr. Lait replied yes. He thought in discussing the Housing Work Plan, the Council may reprioritize Staff's workload based on resources.

Council Member Kou asked if Staff would present Tiers 2 and 3 to the Policy and Services Committee or the Council.

Mr. Lait indicated Policy and Services Committee.

Council Member Cormack noted requirements for vehicle registration, insurance and driver's licenses had been issues in other cities, and those cities had provided additional funding.

**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;

# FINAL MINUTES

- 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.

### Council Member Questions, Comments and Announcements

Mayor Fine announced the Ad Hoc Committee for review of Boards and Commission would continue with the same members.

Council Member Cormack reported the Ad Hoc Committee had sent more than 180 emails to current and former Board Members and Commissioners, had completed eight interviews with Staff, which supported Boards and Commissions and were reviewing four exemplars from other cities.

Council Member Kou requested a report regarding the Cities Association of Santa Clara County Legislative Committee's decision about Senate Bill (SB) 50.

Council Member Kniss advised that the Legislative Committee did not meet.

Vice Mayor DuBois noted the Council dedicated \$10.5 million to low income housing, revised the Accessory Dwelling Unit (ADU) Ordinance and helped vehicle dwellers during the meeting.

Council Member Kniss indicated the National League of Cities would meet March 7, 2020 in Washington, D.C.

Mayor Fine stated he submitted Council Member assignments to the City Clerk earlier in the day.

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