



REGULAR MEETING MINUTES

Date: 6/4/2018
Time: 7:00 p.m.
City Council Chambers
701 Laurel St., Menlo Park, CA 94025

A. Call To Order

Vice Chair Andrew Barnes called the meeting to order at 7:00 p.m.

B. Roll Call

Present: Andrew Barnes (Vice Chair), Drew Combs, Camille Kennedy, John Onken, Henry Riggs,

Absent: Susan Goodhue (Chair), Katherine Strehl

Staff: Deanna Chow, Principal Planner, Clay Curtin, Interim Housing and Community Development Manager, Ron La France, Assistant Community Development Director/Building Official, Michele Morris, Assistant Planner, Ori Paz, Assistant Planner, Thomas Rogers, Principal Planner, Cara Silver, Assistant City Attorney

C. Reports and Announcements

Principal Planner Thomas Rogers said the City Council at its May 22 meeting approved the main elements of the Guild Theater Project and on June 5 would consider and potentially act upon the Specific Plan amendments associated with the project. He said also at the June 5 meeting the Council would consider an appeal by a number of nearby residents of the Planning Commission's action for a single-family residence at 752 Gilbert Avenue. He said the Council would also receive an informational item on a potential replacement of the City's parcel and permit data base system used by Building and Planning, Engineering and Police Departments and would hold a public hearing on the proposed 2018-2019 budget. He said if the proposed budget moved forward that the Council would consider its adoption at its June 19 meeting. He said the Council at its June 19 meeting would consider the RMU BMR Community Amenities item the Commission saw recently, and an anti-discrimination ordinance recently seen by the Housing Commission that prohibited landlords from discriminating against people using housing assistance such as vouchers.

D. Public Comment

- Pamela Jones said about six weeks prior she had addressed the Commission requesting a map that showed where development was occurring. She said at a recent Facebook event she attended that City Planning staff were present with six story boards that showed every development currently happening or was anticipated. She said the boards were beautiful and she expressed appreciation to the staff for creating them.

E. Consent Calendar

E1. Approval of minutes from the May 7, 2018 Planning Commission meeting. ([Attachment](#))

Commissioner Henry Riggs said on page 1, under Reports and Announcements, in the Chair's comments about Mr. Kahle it was unclear where it said *he then proceeded to say he did not see his service meeting any quota* as the Chair was referring to his own service and not Mr. Kahle's. He said on page 6, bottom paragraph regarding dewatering, where it stated: *He said in this instance excavating 30% of the site would result in water* to insert *likely* before *result*. He said in the last line of that paragraph to insert *for instance those* before *done by the firm over the last 30 years*.

ACTION: Motion and second (Riggs/John Onken) to approve the minutes with the following modification; passes 5-0-2 with Commissioners Goodhue and Strehl absent.

- Page 1, under *Reports and Announcements*, replace sentence: *He expressed some disappointment with the City Council deliberation process to appoint commissioners in that he thought Mr. Kahle had brought a high level of voice to the Planning Commission and he did not consider his service on the Planning Commission to meet any quota*. New sentences: *He expressed some disappointment with the City Council deliberation process to appoint commissioners in that he thought Mr. Kahle had brought a high level of voice to the Planning Commission. He said in reference to the deliberation process on his appointment that he did not consider his service on the Planning Commission to meet any quota*.
- Page 6, bottom paragraph, insert "likely" before "result." Revised sentence reads: *He said in this instance excavating 30% of the site would **likely** result in water*.
- Page 6, bottom paragraph, last line, revise to read: *He said a geotechnical report for one week of a year was not sufficient to address that unless the geologist was requested to test for likelihood of groundwater so borings were done more than one time and to look at borings in the area, **for instance those** done by the firm over the last 30 years*.

E2. Sign Review/Sharon Land Company/3000 Sand Hill Road: Request for sign review for a new monument sign that would feature text greater than 18 inches in height located near an existing office building in the C-1-C(X) (Administrative, Professional and Research District, Restrictive (Conditional Development)) zoning district. ([Staff Report #18-053-PC](#))

ACTION: Motion and second (Onken/Drew Combs) to approve the consent calendar, items E2 and E3; passes 5-0-2 with Commissioners Goodhue and Strehl absent.

1. The project is categorically exempt under Class 1 (Section 15301, "Existing Facilities") of the current California Environmental Quality Act (CEQA) Guidelines.
2. Make findings that the sign is appropriate and compatible with the businesses and signage in the general area, and is consistent with the Design Guidelines for signs.
3. Approve the sign review subject to the following **standard** conditions:
 - a. Development of the project shall be substantially in conformance with the plans prepared by C&C Studio Landscape Design, consisting of three sheets, dated received May 8, 2018,

and approved by the Planning Commission on June 4, 2018, except as modified by the conditions contained herein, subject to review and approval of the Planning Division.

- b. The applicant shall comply with all West Bay Sanitary District, Menlo Park Fire Protection District, and utility companies' regulations that are directly applicable to the project.
- c. Prior to building permit issuance, the applicant shall comply with all requirements of the Building Division, Engineering Division, and Transportation Division that are directly applicable to the project.

E3. Architectural Control/Katherine Glassey/25 Hallmark Circle:
Request for architectural control to perform exterior modifications and to add a new lower level and enclose a first floor deck to an existing single-family townhome in the R-E-S(X) (Residential Estate Suburban, Conditional Development) zoning district. (Staff Report #18-054-PC)

ACTION: Motion and second (Onken/Drew Combs) to approve the consent calendar, items E2 and E3; passes 5-0-2 with Commissioners Goodhue and Strehl absent.

1. Make a finding that the project is categorically exempt under Class 1 (Section 15301, "Existing Facilities") of the current California Environmental Quality Act (CEQA) Guidelines.
2. Adopt the following findings, as per Section 16.68.020 of the Zoning Ordinance, pertaining to architectural control approval:
 - a. The general appearance of the structure is in keeping with the character of the neighborhood.
 - b. The development will not be detrimental to the harmonious and orderly growth of the city.
 - c. The development will not impair the desirability of investment or occupation in the neighborhood.
 - d. The development provides adequate parking as required in all applicable city ordinances and has made adequate provisions for access to such parking.
 - e. The property is not within any Specific Plan area, and as such no finding regarding consistency is required to be made.
3. Approve the architectural control subject to the following **standard** conditions:
 - a. Development of the project shall be substantially in conformance with the plans provided by Wegner Construction, consisting of 19 plan sheets, dated received May 24, 2018, and approved by the Planning Commission on June 4, 2018 except as modified by the conditions contained herein, subject to review and approval of the Planning Division.
 - b. Prior to building permit issuance, the applicant shall comply with all Sanitary District, Menlo Park Fire Protection District, Recology, and utility companies' regulations that are directly applicable to the project.

- c. Prior to building permit issuance, the applicant shall comply with all requirements of the Building Division, Engineering Division, and Transportation Division that are directly applicable to the project.
- d. Prior to building permit issuance, the applicant shall submit a plan for any new utility installations or upgrades for review and approval by the Planning, Engineering and Building Divisions. All utility equipment that is installed outside of a building and that cannot be placed underground shall be properly screened by landscaping. The plan shall show exact locations of all meters, back flow prevention devices, transformers, junction boxes, relay boxes, and other equipment boxes.
- e. Simultaneous with the submittal of a complete building permit application, the applicant shall submit plans indicating that the applicant shall remove and replace any damaged and significantly worn sections of frontage improvements. The plans shall be submitted for review and approval of the Engineering Division.
- f. Heritage trees in the vicinity of the construction project shall be protected pursuant to the Heritage Tree Ordinance

F. Public Hearing

F1. Use Permit/Kevin Rose/635 Pierce Road:

Request for a use permit to partially demolish and construct a new addition and interior modifications to an existing nonconforming one-story single-family residence, and construct a new detached one-car carport in the R-3 (Apartment) zoning district. The existing residence is nonconforming with respect to the right side yard setback. The value of the work would exceed the threshold for work to a nonconforming structure within a 12-month period. ([Staff Report #18-055-PC](#))

Staff Comment: Assistant Planner Michele Morris said there were no additions to the written report.

Questions of Staff: Commissioner Drew Combs said he visited the site and there seemed to be construction occurring on site. Assistant Planner Morris said that some construction had been completed at the site. She said this use permit was an effort for the property owners to legally permit most of the work they had been doing and what they proposed to do. She said the ongoing construction was on hold. Commissioner Combs confirmed that the Planning Commission should have seen the use permit application for the project prior to any work starting.

Applicant Presentation: Matthew Sum, Senior Associate with B D Square Architecture, said the property owners contacted his firm for help in finishing the project. He said initially the project had been electrical, plumbing, and interior wall finishes permits. He said during that work a worker found dry rot on the wood frame structure, and did the replacement and added square footage without properly applying for City permit. He said an inspector doing a rough inspection noticed that they were doing more work than the scope of the permits. He said the inspector filed a “stop work” notice and contacted the property owner to get the proper permit approvals. He said his firm helped the applicant redesign the project and added a carport as there had been none.

Vice Chair Barnes opened the public hearing, and closed it as there were no speakers.

Commission Comment: Commissioner Riggs asked when the project was red tagged. Mr. Kevin Rose, property owner, said that occurred in July 2017. He said the project originally was just to upgrade the electrical and plumbing. He said that dry rot and termites were then found.

Commissioner John Onken said the project had no planning issues. He said since the project was red tagged and application was made for a use permit that he did not see any reason to delay the project. He moved to approve as recommended in the staff report.

Commissioner Combs said among the Commissioners that he had most often sought some punitive action for projects not following the planning process. He said in this instance he did not think there was any punitive action that would be more punitive than what the property owners had experienced through the project and process, and living in a trailer. He seconded the motion to approve.

ACTION: Motion and second (Onken/Combs) to approve the use permit request as recommended in the staff report; passes 5-0-2 with Commissioners Goodhue and Strehl absent.

1. Make a finding that the project is categorically exempt under Class 1 (Section 15301, "Existing Facilities") of the current California Environmental Quality Act (CEQA) Guidelines.
2. Make findings, as per Section 16.82.030 of the Zoning Ordinance pertaining to the granting of use permits, that the proposed use will not be detrimental to the health, safety, morals, comfort and general welfare of the persons residing or working in the neighborhood of such proposed use, and will not be detrimental to property and improvements in the neighborhood or the general welfare of the City.
3. Approve the use permit subject to the following **standard** conditions:
 - a. Development of the project shall be substantially in conformance with the plans prepared by BD Square Architecture consisting of 17 plan sheets, dated received May 23, 2018, and approved by the Planning Commission on June 4, 2018 except as modified by the conditions contained herein, subject to review and approval by the Planning Division.
 - b. Prior to building permit issuance, the applicants shall comply with all Sanitary District, Menlo Park Fire Protection District, and utility companies' regulations that are directly applicable to the project.
 - c. Prior to building permit issuance, the applicants shall comply with all requirements of the Building Division, Engineering Division, and Transportation Division that are directly applicable to the project.
 - d. Prior to building permit issuance, the applicant shall submit a plan for any new utility installations or upgrades for review and approval by the Planning, Engineering and Building Divisions. All utility equipment that is installed outside of a building and that cannot be placed underground shall be properly screened by landscaping. The plan shall show exact locations of all meters, back flow prevention devices, transformers, junction boxes, relay boxes, and other equipment boxes.

- e. Simultaneous with the submittal of a complete building permit application, the applicant shall submit plans indicating that the applicant shall remove and replace any damaged and significantly worn sections of frontage improvements. The plans shall be submitted for review and approval of the Engineering Division.
 - f. Simultaneous with the submittal of a complete building permit application, the applicant shall submit a Grading and Drainage Plan for review and approval of the Engineering Division. The Grading and Drainage Plan shall be approved prior to the issuance of grading, demolition or building permits.
 - g. Heritage trees in the vicinity of the construction project shall be protected pursuant to the Heritage Tree Ordinance.
4. Approve the use permit subject to the following **project-specific** condition:
- a. Simultaneous with the submittal of a complete building permit application, the applicant shall submit revised plans which shows the square-footage of driveways and uncovered parking (paving) is limited to no more than 20 percent of subject property, subject to the review and approval of the Planning Division.

F2. Use Permit/Ran Chen/1901 Menalto Avenue:

Request for a use permit to demolish an existing single-family residence and construct a new two-story single-family residence on a substandard lot with respect to lot width and area in the R-1-U (Single Family Urban Residential) zoning district. ([Staff Report #18-056-PC](#))

Staff Comment: Assistant Planner Ori Paz said staff had just distributed to the Commission a pared down plan set showing a change to the rear patio doors to a bi-fold door system and to the patio itself to tie in with the new door choice.

Applicant Presentation: Yingxi Chen, project architect, said the property owner was also present. She apologized that they had made a last minute change over the weekend to the patio door but felt it was an improvement to the project. She said to meet her clients' long term needs they decided it was best to demolish the existing home and build a two-story Craftsman-style residence. She said the proposed 2,748 square foot home was four bedroom and four bathrooms. She said the lot was substandard in width and was less than 49-feet at the front of the property. She said the open living spaces were on the left side and the enclosed areas such as the garage and guest suite were on the right side. She said on the second floor all four bedrooms were on the south side. She said the second floor was setback and had a lower roof line to reduce the mass. She said the property owner shared the floor plans with the two adjacent neighbors. She said the property owners agreed with the neighbors that on the left side they would install a trellis above the existing six-foot tall fence. She said Hardy siding and fiber glass windows would be used rather than vinyl windows as suggested by the right side neighbors. She said for privacy they minimized the glazing on both sides for the second floor. She said the neighbor at the rear of the property and on the other side of the alley commented on the existing fence and ivy planted there. She said the property owner agreed to replace the fence and to not plant ivy there.

Commissioner Onken said the note on the plans about the fiber glass windows referred to simulated divided lights with grids. He asked if those had the grids within the glass. Ms. Chen said

they had the spacer in between.

Chair Barnes opened the public hearing, and closed it as there were no speakers.

Commission Comment: Commissioner Onken said long, skinny sites like this one could be difficult. He said he thought the proposed house was successful in having its skinny face to the street gave it a small cottage-like character, which although fairly tall at the front, was consistent with the neighborhood. He said he appreciated the one-car garage with the other space perpendicular in the front.

ACTION: Motion and second (Riggs/Camille Kennedy) to approve the use permit request as recommended in the staff report; passes 5-0-2 with Commissioners Goodhue and Strehl absent.

1. Make a finding that the project is categorically exempt under Class 3 (Section 15303, "New Construction or Conversion of Small Structures") of the current California Environmental Quality Act (CEQA) Guidelines.
2. Make findings, as per Section 16.82.030 of the Zoning Ordinance pertaining to the granting of use permits, that the proposed use will not be detrimental to the health, safety, morals, comfort and general welfare of the persons residing or working in the neighborhood of such proposed use, and will not be detrimental to property and improvements in the neighborhood or the general welfare of the City.
3. Approve the use permit subject to the following **standard** conditions:
 - a. Development of the project shall be substantially in conformance with the plans prepared by Yingxi Chen Architect consisting of seven plan sheets, dated received May 29, 2018, and approved by the Planning Commission on June 4, 2018, except as modified by the conditions contained herein, subject to review and approval of the Planning Division.
 - b. Prior to building permit issuance, the applicants shall comply with all Sanitary District, Menlo Park Fire Protection District, and utility companies' regulations that are directly applicable to the project.
 - c. Prior to building permit issuance, the applicants shall comply with all requirements of the Building Division, Engineering Division, and Transportation Division that are directly applicable to the project.
 - d. Prior to building permit issuance, the applicant shall submit a plan for any new utility installations or upgrades for review and approval by the Planning, Engineering and Building Divisions. All utility equipment that is installed outside of a building and that cannot be placed underground shall be properly screened by landscaping. The plan shall show exact locations of all meters, back flow prevention devices, transformers, junction boxes, relay boxes, and other equipment boxes.
 - e. Simultaneous with the submittal of a complete building permit application, the applicant shall submit plans indicating that the applicant shall remove and replace any damaged and significantly worn sections of frontage improvements. The plans shall be submitted for review and approval of the Engineering Division.

- f. Simultaneous with the submittal of a complete building permit application, the applicant shall submit a Grading and Drainage Plan for review and approval of the Engineering Division. The Grading and Drainage Plan shall be approved prior to the issuance of grading, demolition or building permits.
- g. Heritage trees in the vicinity of the construction project shall be protected pursuant to the Heritage Tree Ordinance and the arborist report prepared by Advance Tree Care, dated January 27, 2018.

F3. Municipal Code Amendments:

Electric Vehicle Charging Space and Supply Equipment Requirements/City of Menlo Park: Review and provide a recommendation to the City Council on draft Building Code amendments for the creation of citywide electric vehicle charging space and supply equipment requirements and minor modifications to the Zoning Ordinance for consistency with the new requirements. The City Council will be the final decision-making body on the proposed changes. ([Staff Report #18-057-PC](#))

Staff Comment: Principal Planner Deanna Chow introduced Ron La France, Assistant Community Development Director/Building Official, and Ori Paz, Assistant Planner. She said distributed at the dais was an additional comment that staff had received from Diane Bailey earlier in the day.

Principal Planner Chow said in January staff had presented the Commission an updated version of the electric vehicle charging (EVC) requirements built from the OLS and RMU zoning district standards in response to City Council's interest in making those requirements citywide and increasing the regulations. She said staff received comment from the public and Planning Commission at the January 22 meeting. She said highlights of public comment included clarification on implementation such as where could EV spaces be located, and if for some reason EV chargers could not be installed, whether there was an exemption process. She noted the building code has a hardship exemption. She said also consistency in terminology between that used in the building code and in ConnectMenlo was desired. She said comments on additional provisions were made including a phased approach to implementation particularly in the additions and alterations for commercial buildings, and potentially increased requirements for new single-family residential and additions and alterations for multi-family residential as those were purely voluntary. She said Planning Commission comments included general support for the ordinance and requested more staff review on five items. She said that included how the EV space requirements were calculated for remodels and additions, a phased approach implementation, flexibility in the location for the Electric Vehicle Supply (EVS) installation, potential modification for increases in residential requirements for new construction, additions and alterations and to minimize impacts on secondary dwelling units. She said following input from the EV Charger City Council Subcommittee of Carlton and Cline, staff was presenting an updated ordinance for the Commission's consideration and recommendation to City Council.

Principal Planner Chow said for commercial additions and alterations that conduit only would continue to be required with a phased approach for EV spaces over the next three years. She said the maximum number would not change but would start at a lower threshold. She said for buildings between 10,000 and 25,000 square feet EV spaces would start at 1% of the total required parking for the affected area and increase to 5% over three years. She said for buildings greater than 25,000 square feet EV spaces would start at 2% of the total required parking to a maximum of 10%

in year three. She said the percentages and amount of EV installations for new construction did not change from what was presented to the Planning Commission in January. She said for residential alterations and additions that staff was not recommending any changes to what was proposed previously as purely voluntary with the recognition there could be cost implications. She said for new residential construction they were suggesting lowering the applicability threshold from five units to three units. She said new single-family and duplex residential would remain under CalGreen requirements. She said for EVC spaces it went from 10% of the required parking spaces to require conduit wiring and space in the panels for each unit's space to be EVC ready. She said regarding installation the increase was from 3% of the total number of parking spaces with a minimum of one to 15% of the total number of parking spaces having conduit wiring.

Principal Planner Chow said they would continue to require that chargers be universal so all electric vehicles could use them. She said a question about proprietary chargers was being clarified that the installation of proprietary chargers could be appropriate if there was access parking above the required parking amount. She said that one extra parking space could be used for a proprietary charger or an applicant could request permission through an administrative permit to be reviewed and approved by the Community Development Director. She said they also clarified that the calculation for EV space requirements was based on the affected area and not the total building area. She said EV installation could be anywhere on the site but must meet all development code. She said when the OLS and RMU districts' green sustainable building regulations were adopted there was a provision that for smaller additions the cumulative effects of those additions over five years would trigger a threshold cumulatively. She said they were clarifying that this cumulative addition did not apply to EV chargers.

Questions of Staff: Commissioner Combs asked what was prompting greater stringency than California standards for EVCs. Principal Planner Chow suggested it might be considered more progressive rather than more stringent. She said some zoning designation districts had their own specific EVC requirements such as the R4S district, the Specific Plan area, C2B zoning district, and with the adoption of ConnectMenlo the OLS and RMU districts. She said that created a set of green sustainable building regulations, one of which was EVC. She said after that adoption staff brought forward the changes to the building code in early 2017 to the City Council. She said the Council then expressed interest in having EVC regulations citywide and potentially to increase the requirements. She said input was received from different commercial and residential stakeholders as to what the appropriate requirements were. She said they heard that this was cost effective with new construction but might create disincentive to do tenant improvements if the regulations were onerous.

Commissioner Onken asked for staff confirmation that all the EVC stations were a percentage of the total number of required parking spaces for a site and not in addition to. He said unlike ADA spaces they were not restricted to EVC vehicles so that a non-electric vehicle would not get fined for using an EVC space. Principal Planner Chow said EVC requirements were inclusive of the overall parking requirements and not additive. She said there was a difference between public parking lots and publicly used parking lots on private property. She said for instance someone using the grocery store parking lot could park a non-electric car in the EVC space but not in public parking lots owned by the City as there they would get fined.

Vice Chair Barnes opened the public hearing.

Public Comment:

- Gary Wimmer, Ford Land Company, said his firm needed further explanation on how the accumulation formula was calculated for their projects on Sand Hill Road so they could get a sense of when that triggered the EV stations. He said they had already planned on a progressive EV installation program prior to the discussion on changes to the City's ordinance. He said they wanted to make sure that what they were planning was consistent with what the City would adopt and also receive credit for EV stations they installed prior to an ordinance adoption. He said they needed to have further explanation of the maximum of the formula. He said for instance if their project of older buildings was to trigger some maximum at some point in its life of 100 EVC parking stations they would need to make sure they had enough electrical power to serve those. He said generally they were in favor of the ordinance but would go on record to request time with staff to address the two questions he still had and how his firm would be affected.

Vice Chair Barnes closed the public hearing.

Commission Comment: Commissioner Riggs referred to Mr. Wimmer's question for clarification that their voluntary EVC station installation would qualify toward any future requirement triggered by construction. Principal Planner Chow said the property owner's existing EVC spaces, whether required through CalGreen or done voluntarily, would count toward meeting the maximum requirement, or cap, for the site. She said EVC spaces were a subset of the overall parking and installing too many EVC spaces was not desirable. She said Mr. Wimmer was asking about the maximum cap. She said his firm's project site had multiple buildings and the cap of required EV chargers on the site would be calculated on the total square footage of the site.

Commissioner Riggs suggested revising language regarding universal chargers to allow for change in the technology from which EVs might emerge that could not use such chargers. He commented on a potential scenario where a four-unit residential site would be required to have four EVC spaces but electrical service was not adequate to the site as that would incur cost and time to remedy. He said if PGE was the electrical provider and the serving transformer was at capacity, a project needing more electricity would require a review by PGE and a deferred payment plan to upgrade the transformer, all of which might take a year to accomplish. He asked if they could clarify in the proposal that panel space could be added but the building panel itself was not for more electrical capacity than what PGE could deliver, which would prevent an issue for the developer and City.

Mr. La France said regarding PG&E and transformers that Station 1300 was such a large development as would be 500 El Camino Real that new transformers were being installed so developments that size have that folded into it. He said for instance a four-unit infill development on Middle Avenue where the PG&E transformer might be undersized for the building and the EVC stations. He said a section of CalGreen and the building code said specifically to EVC that when there was an unreasonable hardship the Building Official had the authority to modify the requirements. He said where there was not enough power coming in from a transformer that EV charging could still be accomplished through technology but taking the load coming in and distributing it across how every many EVCs there were.

Commissioner Riggs said that was helpful for residential but for commercial users that might not

provide the needed charging for a user to get a full charge, and he would like some alternative for commercial. He said it made sense to put in the wiring when doing the grading and underground utilities and assuring that there was panel space in the electrical room but the panels themselves were not necessarily needed until the City started to see a demand at that level. Mr. La France said clarified Commissioner Riggs meant space in the wall for the panel not space in the panel.

Commissioner Kennedy asked if EV owners generally assumed that they got a full charge when they plugged into a charger. She said at a peak time there might be more draw and an owner could not assume getting the same charge as from their own personal charger. She said it should be simple to let people know that if they are charging during peak hours that they should assume there was other demand.

Mr. La France said in many areas infrastructure has not been upgraded so a problem with transformers and distribution lines existed. He said they were always working within the bounds of what PG&E could supply. He said if you have a 100 amp panel it could be loaded to 125 amps, which assumed that users would never have everything on all at once drawing a full load. He said EV activists have told staff that people with EVs drive wherever they need to during the day and charge at night.

Commissioner Onken said as part of building code they were demanding infrastructure but not a service. He said as Commissioner Riggs pointed out the demand of certain infrastructure might inadvertently trigger changes in service that could become hardships. He said he supported the draft ordinance generally and found the increases appropriate. He said it was not onerous with the safeguards that people with multiple properties doing a number of projects were not unreasonably burdened beyond the aggregate regarding parking count.

Commissioner Riggs said talking to EVC companies' sales people their goal was to have you buy. He said regarding load averaging on an electrical system that if you have 15 amp outlets the electrical service did not have to be 1500 amps. He said EVC sales people touting load averaging were misleading as that load averaging had been occurring since the construction of a building. He said he appreciated the potential for asking for an exemption but that might cause a property owner anxiety. He said he thought the exception could be written into the ordinance with approval of the Building Official.

Vice Chair Barnes confirmed with Mr. La France he could work with Mr. Wimmer on the more site specific question. He asked Principal Planner Chow if there was stakeholder consensus, noting the one speaker, on the e proposed revised ordinance. Principal Planner Chow said they had shared this proposed ordinance with the property owners who had spoken at the January meeting or attended workshops but they did not have official concurrence from those who were not present this evening.

Vice Chair Barnes said speakers previously had requested consideration for owners of multiple parcels to have EVCs located over those and not just at the parcel hitting a trigger for EVCs. He asked how that was treated. Principal Planner Chow said for one site with multiple buildings that EVCs could be clustered in a location on that site. She said if you had the same property owner but multiple properties that were tied together through a development permit they could be shared on one site as long as the parking for all properties was shared. She said if each site was independent each had to meet the requirement.

Commissioner Combs asked the reason for phasing for alteration and modifications and why not full implementation. He said three years seemed a small time horizon for construction. He said if the community recognized inherent value in having this infrastructure then he thought the inherent value of having whatever requirement considered as suitable should occur immediately. Principal Planner Chow said at the January meeting there were multiple comments by commercial property owners, who were receptive to the idea but had concerns about the cost implications, and the incremental approach was in response to those concerns.

Commissioner Riggs moved to recommend to City Council adoption of the amendment to Title 12 and Title 16 with the modification that the infrastructure requirement for EVCs include an exception to provide the space in the electrical wall / closet but not to provide the physical electrical panel if there was a request for relief from a system upgrade caused by the addition of the EVCs. Mr. La France confirmed with Commissioner Riggers that by "system upgrade" he was being specific to PG&E and transformer capacity. He said he understood Commissioner Riggs' intent and could work with the language.

Vice Chair Barnes said that the motion to recommend approval included a modification to provide an exception to not provide an electrical panel for EV infrastructure where provision would result in significant added cost for electrical service. Commissioner Riggs said that space would need to be provided in the electrical room for panel board space. Vice Chair Barnes said the last part was subject to the approval of the Building Official.

Commissioner Riggs said earlier he had requested possible flexibility to leave some room for innovation for chargers. Principal Planner Chow asked if he was suggesting that some percentage of the overall percentage did not have to be universal chargers. Commissioner Riggs said in the charts shown earlier it was shown that universal charger had to apply to all EVCs. Commissioner Combs suggested something such as meets current industry standards. Principal Planner Chow asked to clarify if Commissioner Riggs wanted flexibility to allow for a non-universal charger. Commissioner Riggs said he was seeking to allow for changes in the industry so the language used did not make it a burden on the applicant to be current. He said what was universal today might not be universal in the future. Principal Planner Chow suggested in such cases they might have to look at an existing nonconforming situation where it was universal when installed but with technology anything new would have to comply with new standard of chargers. Commissioner Onken suggested not calling the charger universal but to require that it was usable by all EVs at the time of installation based on current industry standards. Commissioner Riggs suggested saying the EVC shall recognize all current standard universal charging systems.

Vice Chair Barnes said the motion to recommend to Council to approve had two suggested changes: EVC shall recognize all current standard universal charging systems and to provide an exception to not provide an electrical panel for EVC infrastructure where the provision would result in significant added costs for electrical service but provide space in the electric closet subject to the approval of the Building Official. Commissioner Onken seconded the motion.

Principal Planner Chow asked if the exception would be applicable to all development. Commissioner Riggs noted that residential was voluntary but that the exception should apply to all development.

ACTION: Motion and second (Riggs/Onken) to recommend that the City Council approve ordinance amendments to Title 12 (Buildings and Construction) and Title 16 (Zoning) of the Menlo Park Municipal Code to update the requirements for electric vehicle (EV) charging spaces in projects involving tenant improvements or new construction and to make the regulations applicable citywide with the following recommended modifications; passes 5-0-2 with Commissioners Goodhue and Strehl absent.

1. Provide an exception for any development to not provide an electrical panel for EV infrastructure where provision would result in significant added cost for electrical service with the requirement that space shall be provided in the electrical room for panel board space, subject to the approval of the Building Official.
2. Revise language regarding universal EVCs with *EVC shall recognize all current standard universal charging systems.*

G. Regular Business

- G1. Below Market Rate Housing Program Guidelines Amendments/City of Menlo Park: Review and provide a recommendation to the City Council on modifications to the City's Below Market Rate (BMR) Program Guidelines. ([Staff Report #18-058-PC](#))

Staff Comment: Assistant City Attorney Cara Silver introduced Clay Curtin, the Interim Community and Housing Development Manager. She said they would give an update on the BMR Program Guidelines and staff's efforts to update and modernize the guidelines. She said a few months ago the Commission saw what was proposed to update the BMR ordinance and the Program Guidelines to implement a new state law AB 1505 that reinstated inclusionary housing requirements for rental housing projects. She said the next step being implemented was to update the RMU ordinance to likewise implement AB 1505. She said the third step and what they were reviewing with the Planning Commission now was to update the BMR Program Guidelines to implement some policy recommendations proposed by the Housing Commission subcommittee. She said the final step would be to come back to the Planning Commission to review the housing fee levels and to implement some additional BMR Program Guidelines connected with the housing fees and some other issues identified by the Housing Commission.

Ms. Silver said the first recommendation was to modernize the definition of household. She said the subcommittee identified a problem that the Guidelines were limited to households of related family members. She said to correct that they adopted the definition that was being used currently by the Housing and Urban Development Department and was validated by the Fair Housing Act. She said another problem identified by the Housing Commission was that the Guidelines did not permit un-housed individuals to qualify for BMR housing due to a 12-month residency restriction. She said the Guidelines now permitted an un-housed person to apply for BMR housing when certain requirements were met. She said the second set of changes being recommended was how to address over-income tenants. She said when a tenant qualified for BMR housing if their income increased the current Guidelines required that the owner actually terminate the tenancy. She said the Housing Commission thought that was an inequitable result and were suggesting that instead of immediately evicting the unqualified tenant that the tenant be allowed to remain in the unit and pay market rate rent, and when another unit became available that unit would become the BMR unit and an income qualified tenant would be placed into that unit. She said the next update was

that the current Guidelines did not reflect the current County of San Mateo income and rent levels. She said they have adjusted the tables to reflect the current rent levels and to increase the definition of moderate income from 110% area median income (AMI) to 120% AMI. She said the County's guidelines reflected the 120% AMI. She said it has the added benefit to allow more tenants to qualify for BMR housing. She said to clarify the current practice the City was using to maintain a BMR rental interest list that they kept a list but it was not ranked. She said applicants were not required to use the list but the list was made available by the City to any developer that wanted to use the list. She said they have made the list available to developers and it was being used as a resource. She said another category of changes recommended by the Housing Commission was some expanded protections for tenants displaced by the 2008 Great Recession. She said the problem was tenants that were displaced for economic reasons might have left the City and because of the 12 month residency restriction in the existing guidelines no longer qualified for BMR housing. She said they addressed that by expanding the definition of residency and allowing displaced persons that were relocated as the result of economic reasons to be able to apply for BMR housing. She said the final suggestion proposed as part of the Guidelines was recommended by staff to address concerns raised by the development community. She said there were a couple of projects that wanted to take the BMR units required as part of the project and put them into a standalone project. She said one project wanted to create a standalone senior BMR project and another development was considering partnering with a nonprofit and creating a standalone BMR project. She said the Housing Commission had some concerns about this suggestion as the BMR guidelines supported creating an economically integrated project, and recommended against that particular exception. She said they had further discussions and had some alternative language that would satisfy at least one of the Commissioners concerns about this particular exception. She said that language had been distributed to the Planning Commission and would amend section 5.1 of the Guidelines: *The BMR unit should be distributed throughout the development and be indistinguishable from the exterior unless otherwise approved by the City Council for a project in which special circumstances demonstrate a clear public benefit to grouping the BMR units together, and upon a finding that the applicant is providing more than 15% of the total number of units as affordable.* Ms. Silver said the staff recommendation was to review these updates and recommend that the City Council adopt them, and also make a finding that the actions were exempt under the California Environmental Quality Act (CEQA).

Questions of Staff: Commissioner Combs asked regarding the over-income tenant situation if there was a time limit under which the situation became untenable as the City had an obligation for a BMR unit to be provided and it was not being provided. Ms. Silver said the current proposal did not have a time restriction. She said if that was something the Commission wanted considered, they would be happy to look at that and incorporate some language. She said the City's BMR agreements have had this provision in them for a number of years. She said she understood there had not been a significant timing issue but that did not preclude that happening in the future.

Vice Chair Barnes asked if there was an indexing of the tenant's increased income as the difference between BMR rental amount and market rate rental amount might be significant and not doable by the tenant even with their increased income. Ms. Silver said that was a provision that could be added to the guidelines and individual agreements. She said it had been the case that BMR units were required to be leased only to low income tenants. She said with the previous set of Guidelines updates the City Council modified the provision to allow an affordability mix. She said that there might be some income shift that might not justify going directly to market rate, and an index might be appropriate.

Vice Chair Barnes referred to the guideline of allowing displaced tenants no longer in Menlo Park due to the Great Recession of 2008 to apply for BMR housing, and asked in terms of ranking, if that individual's application could displace someone currently living in Menlo Park. Ms. Silver said there was some discussion about whether displaced residents would receive priority but the Housing Commission did not make that recommendation. Vice Chair Barnes confirmed there was no sunset language for displaced individuals and suggested such language be included.

Replying to Commissioner Riggs, Ms. Silver said there were two lists. She said the BMR eligibility list for ownership units was prioritized. She said the BMR rental interest list was not prioritized. She said the latter list was updated by the City annually and provided to developers as requested but developers were not required to use that list.

Commissioner Riggs suggested that BMR tenants be required to annually file an economic statement and that over-income might balance out over two years. He said also that BMR units should be kept as BMR.

Vice Chair Barnes opened the public comment period.

Public Comment:

- Karen Grove said she was speaking as a resident but was a member of the City's Housing Commission and the BMR Guidelines Update Committee. She said the Housing Commission received much input from residents particularly from Belle Haven on displaced and homeless residents, and from Hello Housing, the City's contractor administering the BMR program, on the treatment of over-income tenants. She said they did a lot of listening to stakeholders to come up with the presented recommendations. She said the reason they went back to 2008 was that the low income community of Belle Haven was particularly targeted by predatory lenders in the years leading up to 2008 so when property values declined due to the recession those people were forced out disproportionately. She urged the Commission to recommend the recommended changes.

Vice Chair Barnes closed the public comment period.

Commission Comment: Commissioner Onken asked if everything being suggested passed muster with the Fair Housing Act. He asked whether they could discriminate on where a person had lived and what hardships had been suffered. Ms. Silver said they had reviewed the amendments and they passed muster under the Fair Housing Act. She said to clarify that the City was not giving a preference for where people lived or whether they were considered un-housed. She said they were just accommodating un-housed people. She said they viewed the proposed changes as changes that promoted fair housing rather than ran afoul of it. She clarified that Commissioner Onken was asking whether the requirement for a person to live in Menlo Park as a qualifier for BMR was discriminatory. She said the Guidelines allowed people to qualify for BMR housing if they lived or worked in Menlo Park, and based on that two-point qualification would not rise in their opinion to a Fair Housing Act violation.

Commissioner Kennedy said the focus as she understood in modifying the BMR Guidelines was driven in large part by the outcome of the recession. Ms. Silver said it was her understanding that

was what motivated the formation of the subcommittee and the Housing Commission's interest in that issue. Commissioner Kennedy said the City was really looking at correcting or modifying the Guidelines with some reparative effect, to at least rebalance in particular the Belle Haven neighborhood in some way and to also protect the City from having the same thing happen should another downtown occur such that least-leveraged communities were not impacted as greatly as had occurred. She said also they hoped in Menlo Park to create a little more stability in all of the communities in the event of something like a downturn occurring again. She acknowledged there might be future work on the Guidelines but the proposed amendments were going in the right direction.

Commissioner Combs asked about developers finding tenants for BMR units and that process. Mr. Curtin said that income was verified by the property owner and reported in an annual certification to Hello Housing and the City. Ms. Silver said she had seen a BMR agreement that required a developer to look at the BMR rental interest list but developers did not have to use it.

Commissioner Combs asked for specifics about standalone BMR projects. Principal Planner Chow said this came out of the ConnectMenlo discussions when talking about the 15% BMR community amenity requirement for RMU zoning district, which requirement the Council was being asked to remove as the City now had inclusionary zoning requirements. She said no specific project was being proposed rather some RMU property owners were interested in having some flexibility to create standalone development primarily for financing reasons. She said that provision required City Council approval, was an exception to the rule and not automatic.

Vice Chair Barnes questioned not having standardized administrative process under one entity. Ms. Silver said the inclusionary housing program had not been in existence for 10 years due to the Palmer court case that invalidated all inclusionary housing requirements for rentals. She said now that cities could have inclusionary housing again they would start standardizing the requirements, and this was the first step of that process.

Vice Chair Barnes said he would like the displacement list to sunset in 2023 as that was 15 years since the 2008 recession. He said also with over-income he would suggest indexing when income increased with some type of time frame whether a cycle of 12 months or 24 months and the extent rent would increase to market rate or a percentage of, to create a proportionality index associate with that. He said congruent with the standardization of the BMR list that income verification should occur every 12 months.

Commissioner Onken said he thought two years for income verification was appropriate noting it would be based on income tax return.

Commissioner Riggs said the addition of the phrase currently lives or works in Menlo Park had to be very specific so that a person who just moved to Menlo Park would not be able to apply for BMR for some period of time. He said people that were victims of predatory lending implied they were homeowners. He said if they were trying to target former Menlo Park homeowners who lost their homes and residency because of the 2008 recession than that should be stated. He said he would also like to cover the two or three tenants who might have been renting in that home. He said there was a risk of opening the doors to anyone claiming to have been a tenant in Belle Haven 10 years ago with no documentation of any kind. He said to significantly expand the demand with tenants displaced as a result of predatory lending might be out of scale with available BMR units.

He said overall he found the proposed changes very supportable with comments made by Commissioners. He said his draft motion would be for the cleanup language to move forward. He said he agreed with a sunset for the 2008 displacement, to allow two years income verification for disqualification due to over-income, indexing of rents for BMR tenants whose income increases disqualifying them for the subsidized rent amount but whose income was not sufficient for market rate rents, clarification on what the City was trying to achieve when saying the program was for people who currently live or work in Menlo Park. He said his preference was for people who lived in Menlo Park and was not sure the use of “currently” served the City.

Commissioner Kennedy asked if staff knew how quickly people rolled off the list and how far back the list went. She asked if it was feasible by 2023 to sunset every displaced person whether they rented or owned a home. Mr. Curtin said he did not have that data but he knew people were re-verified if they had been on the list a long time. He said people qualify to get on the list and qualify before they were placed. Commissioner Kennedy asked what the average wait time for persons on that list were. Mr. Curtin said he thought he could get that information. Commissioner Combs asked for clarification as the rental list was new so there was not much precedence. Commissioner Kennedy said she was referring to rental and ownership lists as she thought it important that whether you own or rent in Menlo Park, you were still a resident and deserve the opportunity to live in Menlo Park. She said she was not disagreeing that they wanted policy that had some teeth to allow them to move forward but she also wanted to make sure they were not discriminating in the language being used. She said they were trying to create a long lasting policy that looked at residency globally in Menlo Park for people who rent or own so she would like a broader context of what it meant to reside in Menlo Park. She said it might have been useful to have someone from Hello Housing as she knew a lot of the great questions raised tonight had been answered and could have been clarified.

Vice Chair Barnes confirmed that Commissioner Riggs had made a draft motion. Commissioner Riggs said he was looking for a second and encouraged any edits or additions. Commissioner Onken said he would second that the Planning Commission recommend to the City Council to update the BMR Housing Program Guidelines and that everything else was just feedback and not part of the recommendation. Commissioner Riggs said that was not a second to his draft motion. He said the Commission was not approving but making recommendation to Council so that could include the items he listed to have some action on those. Commissioner Onken withdrew his second.

Commissioner Combs said he had three concerns with aspects of Commissioner Riggs’ motion. He said the indexing idea confused him as a person was either in a BMR unit or not. He said if a person was no longer BMR he did not think they should engage in some process of indexing that individual beyond whatever the BMR threshold was. He said he had an issue with allowing flexibility for standalone projects and was fundamentally opposed. He said part of the value of this program was integration and providing BMR standalone to him represented ghetto-ization. He said he had problems with that especially as part of a larger complex. He said he had a problem with the point that the City was specifically trying to protect people who left the community because they were subject to some predatory housing lending. He said he did not know if a distinction should be made between a people who owned a home or was a renter. He said some renters were collateral damage of predatory lending schemes. He said he would like the record to highlight the concerns but not be part of the motion.

Commissioner Riggs said he accepted the logic about indexing as it was difficult to try to define a gray area and create a slide market. He said he would remove that from his motion and hope that someone would come up with a solution. He said he did not have an opinion on the flexibility of standalone. He said regarding the predatory lending victims that he did not know how to address that. He asked staff when they were talking about BMR were they including senior housing in that. Ms. Silver said the law had special options for senior housing and the affordability requirements were the same but there were certain projects where you could receive extra financing if you not only restricted income restrict but also restricted age. Commissioner Riggs asked if BMR funds could be used for senior housing. Ms. Silver said as long as the senior housing was income restricted. Commissioner Riggs said regarding standalone requests that there was certain government funding solely for projects with a single use such as senior housing. He could specify that in the motion or not include standalone flexibility at all in his motion.

Vice Chair Barnes said he would like to second the motion but with some changes if acceptable to Commissioner Riggs. He said he agreed about the indexing but for a different reason. He said if a property owner was getting tax credits or other financial incentives to have BMR units and a unit shifted from BMR to not quite market rate that could have unintended financial impacts on the property owner. He said he was willing to have that removed from the motion. He said he thought he could support the flexibility for standalone as there could be financial mechanisms that supported that and where such a project was indistinguishable from the exterior from non-BMR units. He said also in seconding the motion he would agree to the proposed amendment of Section 5.1. He said if Commissioner Riggs agreed his second would modify the motion to recommend the City Council adopt the proposed amendment, provide a sunset provision for the 2008 displacement, and add a request to review single-entity administration of the list and applicant qualifications. Commissioner Riggs said he was still concerned that they had not defined Menlo Park community members as being eligible. He said the intent was to open the door to people who had to move out of Menlo Park but instead was opening the door to people who simply did not have a connection to Menlo Park. Vice Chair Barnes said he understood a person had to be a resident in 2008 to be considered as part of the group displaced. Commissioner Riggs said he was not thinking about that as he thought that was a fairly small and defined group but was referring to an individual not having to have an address and could live or work in Menlo Park to be eligible. He said it seemed that the eligibility was getting wide in rather big steps to capture some specific individuals. Vice Chair Barnes asked if the desire was to have it preferential to Menlo Park residents or persons having a connection to Menlo Park. Commissioner Riggs answered affirmatively. He said he would modify the current "live or work in Menlo Park" to delete "work." He said for displaced persons they would just drop that as it was a 2008 issue. He said regarding allowing people who currently did not have an address that perhaps they had a Menlo Park address three out of the last five years or six out of the last 10 years. He said since this was a recommendation that staff could look at and come up with the best formula. Vice Chair Barnes suggested preference for applicants with recent live or work history in Menlo Park. Commissioner Riggs said it would probably need more than that once it was written as opposed to the Commission's recommendations. Vice Chair Barnes suggested leaving it broad and let staff create the language.

Commissioner Combs said he could support the motion as revised as he had registered his concerns regarding flexibility for standalone projects.

Ms. Silver said they were not recommending a preference for the categories the Commission had

been discussing. She said she was not sure if their motion was expressing a preference or not. Commissioner Riggs said not a preference but an inclusion as one of the modifications would open the door to people that actually did not have a Menlo Park address, and that was opening the door too widely.

Vice Chair Barnes said the motion was to recommend that the City Council update the BMR Housing Program Guidelines and the Planning Commission additionally recommends: 1) Include a sunset for the 2008 displacement provision; 2) for a single entity to administer the list and applicant management for BMR; 3) proposed amendment to Section 5.1 is included; and 4) does not exclude people with recent live/work history in Menlo Park. Principal Planner Chow asked what number 4 was clarifying. Commissioner Riggs said it was a clarification to either live or work in Menlo Park without having an actual address. He asked if Vice Chair Barnes wanted to include income verification annually. Vice Chair Barnes said his thinking was that the single entity would have best practices.

Commissioner Onken said that these preferences were purely to try to define the City's BMR interest list. He said it was not a requirement that all of the BMR tenants come off this list. He said for instance if Facebook designated that their buildings on the Prologis site would be run by Mid-pen Housing that they would not necessarily use the City's list but their own and BMR would be satisfied. Ms. Silver said that was correct under current BMR Guidelines. Vice Chair Barnes said the intent of his recommendation that the list be managed by a single entity was that it be used for all BMR units. Commissioner Kennedy asked as an example that if Facebook decided to build a whole array of housing for people who work for Facebook such as cooks and janitors, those persons would have to get on the City's BMR list and would be on the bottom of the list. She said or the building would have to be part of the BMR inventory so after the first round of people working at Facebook cycled out the inventory would be restocked with people on the existing BMR list.

Commissioner Combs said he saw the intent to have the BMR owner eligibility list be mirrored in the BMR rental eligibility list such that any BMR rentals built would be part of a pool and only one entry point to that pool with the list administered by the single entity. He said Facebook or any other developer that wanted their employees to have the BMR units would tell them to get on the City's list.

Principal Planner Chow said that for the BMR home ownership program there was a numbered list. She said people come off the list if for some reason they did not qualify such as income category or household size. She said that was different from the eligibility list for the BMR rental program. She said the St. Anton project used the state density bonus law and took on some of Facebook's BMR requirements related to their Building 20 development. She said in that instance everyone on that list was noticed there would be a lottery with numbers selected and those with selected numbers could bring in an application to see if they qualified. She said anecdotally quite a few people on that list did not qualify for one reason or another, and it was actually challenging to find the residents to fill the 37 units of that project. She said some people had been on that list for a long time as there had not been many BMR rentals particularly with the Palmer case. She said regarding public benefit that affordable housing as part of inclusionary was separate from the community amenities that would be established as part of any bonus level development.

Commissioner Riggs said he liked the idea of having a single entity in that he saw an absence of

fiduciary responsibility in the process. He said the BMR rental list was lengthy and not numbered so it seemed it would default to a lottery. He said he was not a fan of the lottery process and that it should be considered a last choice when it could not be otherwise determined what the goal or priorities were. He said he would like to have this organized but to tell a developer that they must pull from this list and that City will select the tenant made him uncomfortable. He said if they established a list and said to the developer that they have to choose from the list he could see moving to that but he could not see telling a developer who their tenants would be. He said he would rather not define the single entity as one that would completely manage the process similarly to BMR ownership program.

Vice Chair Barnes referred to consolidation of the administration of not necessarily the list but the process of: collection of information, holding of the names, the vetting, the churning of the list to keep it clean, and providing names for BMR units. Commissioner Riggs said there needed to be an organization whether the City gave it to Hello Housing, kept it in-house, or some unknown choice so that administration was complete with a complete set of rules, collected financial data annually, responded to nonconforming issues on time, and had an appeal process. He said either an external or internal control was needed functionally, responsibly and financially.

Vice Chair Barnes said they had articulated four recommendations and one was single point administration for application management for BMR housing providing structure and responsibility. He restated that the motion was to recommend that the City Council update the BMR Housing Program Guidelines to include 1) Create a sunset for the 2008 displacement provision; 2) adopt the proposed amendment to Section 5.1 BMR Program Guidelines as outlined by staff, 3) for a single point of administration for application management for BMR units from a management and administration standpoint; and 4) better clarify that the BMR program served members of the Menlo Park community.

ACTION: Motion and second (Riggs/Barnes) to recommend that the City Council update the BMR Housing Program Guidelines with the following recommendations; passes 5-0-2 with Commissioners Goodhue and Strehl absent.

1. Create a sunset for the 2008 displacement provision;
2. Adopt the proposed amendment to Section 5.1 BMR Program Guidelines as outlined by staff;
3. For a single point of administration for application management for BMR units from a management and administration standpoint; and
4. Better clarify that the BMR program served members of the Menlo Park community.

G2. Nominate and recommend a commissioner to serve on the Heritage Tree Ordinance Taskforce. ([Staff Report #18-059-PC](#))

Staff Comment: Principal Planner Chow said the Planning Commission had deferred this item due to some questions about the dates, with some on the weekends, and that was clarified in the staff report. She said heritage trees with development projects had been a large discussion point with the Planning Commission, which was why its representation was needed for this Taskforce. She said if there was no volunteer, staff would need to come to the Commission for input which was doable but less efficient. She said attendance expectation for the Taskforce was at least 75%.

Commissioner Combs asked if two Commissioners could share the responsibility. Principal Planner Chow said for continuity it made sense to have one person. Commissioner Onken asked why a year and a half was needed. Principal Planner Chow said the dates were set but she did not know what the reasoning was for the period of time. Commissioner Riggs said 10 three hour meetings over a year and a half asked too much of Commissioners.

Commissioner Combs volunteered to serve on the Heritage Tree Ordinance Taskforce.

ACTION: Motion and second (Barnes/Kennedy) to nominate Commissioner Combs to serve on the Heritage Tree Ordinance Taskforce; passes 5-0-2 with Commissioners Goodhue and Strehl absent.

H. Informational Items

H1. Future Planning Commission Meeting Schedule

- Regular Meeting: June 18, 2018

Principal Planner Chow said that the Commission would have a few study session items on the June 16, 2018 meeting including a new high rise all residential development on a one-acre parcel in the RMU zoning district.

- Regular Meeting: July 16, 2018
- Regular Meeting: July 30, 2018

I. Adjournment

Vice Chair Barnes adjourned the meeting at 10:52 pm.

Staff Liaison: Thomas Rogers, Principal Planner

Recording Secretary: Brenda Bennett

Approved by the Planning Commission on July 16, 2018