



SPECIAL MEETING MINUTES

Date: 1/31/2023
Time: 6:00 p.m.
Locations: Teleconference and
City Council Chambers
751 Laurel St., Menlo Park, CA 94025

Special Session

A. Call To Order

Mayor Wolosin called the meeting to order at 6:02 p.m.

B. Roll Call

Present: Combs, Doerr, Nash, Taylor, Wolosin
Absent: None
Staff: City Manager Justin I. C. Murphy, City Attorney Nira F. Doherty, Assistant to the City Manager/City Clerk Judi A. Herren, Deputy City Clerk Sarah Sandoval

C. Public Hearing

C1. Consider 1) the Planning Commission’s recommendation to adopt a resolution to certify the subsequent environmental impact report, adopt California Environmental Quality Act findings, adopt a Statement of Overriding Considerations for significant and unavoidable impacts for the Housing Element Update project, and approve a mitigation and monitoring program; and 2) the Planning Commission and Housing Commission’s recommendations to adopt a resolution to amend the General Plan to update the Housing Element for the 2023 to 2031 planning period (Staff Report 23-024-CC)

Principal Planner Tom Smith made the presentation (Attachment).

Mayor Wolosin opened the public hearing.

- Nestor Flores spoke in support of locally hired union labor in Menlo Park.
- Isabel Pardo spoke in support of locally hired union labor in Menlo Park.
- Bryan Shields spoke in support of encouragement language for locally hired union labor in the Housing Element.
- Lynne Bramlett spoke in support of reevaluating the City’s planning process and reexamining the noise, open space, conservation, safety, and environmental justice elements of the Housing Element.
- Jenny Michel in support of affordable housing, tenant protections, and the use of City owned parking lots for additional housing.
- Kathleen Daly spoke in support of affordable housing.
- Pam Jones spoke in support of interpretation services at public meetings and the inclusion of Climate Resilient Communities recommendations in the Housing Element.
- Brittani Baxter spoke in support of affordable housing and walkable amenities in Menlo Park.

Mayor Wolosin closed the public hearing.

The City Council received clarification on the Department of Housing and Community Development (HCD) requirements for the Housing Element, air quality mitigation measures in the environmental impact report (EIR), historic buildings, and multimodal transportation improvements.

The City Council discussed the anti-displacement strategy, encouragement language for union labor, water efficiency, preservation of green spaces and parks, removal of certain Office-zoned sites located near Marsh Road from the list of proposed sites, Planning and Housing Commissions' recommendations, and affordable housing on City-owned parking lots as potential modifications to the Housing Element.

The City Council directed adding language related to encouraging use of union labor, retaining proposed anti-displacement language, retaining the proposed site inventory list, adding an explanation as to why the civic center and parks were not selected as housing sites, use of Planning and Housing Commissions' recommendations with the exception of modified timelines related to development of affordable housing on City-owned parking lots downtown, and transit incentives.

ACTION: Motion and second (Doerr/ Nash), to adopt a resolution to certify the subsequent EIR that analyzes potential environmental impacts of the proposed Housing Element Update project and makes California Environmental Quality Act (CEQA) findings to address impacts, including a statement of overriding considerations for significant and unavoidable environmental effects that would result from the proposed project, and to approve a mitigation monitoring and reporting program for the proposed project to mitigate impacts to less than significant with mitigation or reduce significant impacts, adopting environmental findings pursuant to the CEQA, adopting a statement of overriding considerations, and adopting a mitigation monitoring and reporting program, passed 4-1 (Combs dissenting).

ACTION: Motion and second (Nash/ Wolosin), to adopt a resolution to repeal in its entirety the 2015 to 2023 Housing Element of the General Plan and adopt in full the new text comprising the 2023 to 2031 Housing Element of the General Plan including modifications to the goals, policies, and programs language as discussed by the Council, passed 4-1 (Combs dissenting).

D. Adjournment

Mayor Wolosin adjourned the meeting at 8:33 p.m.

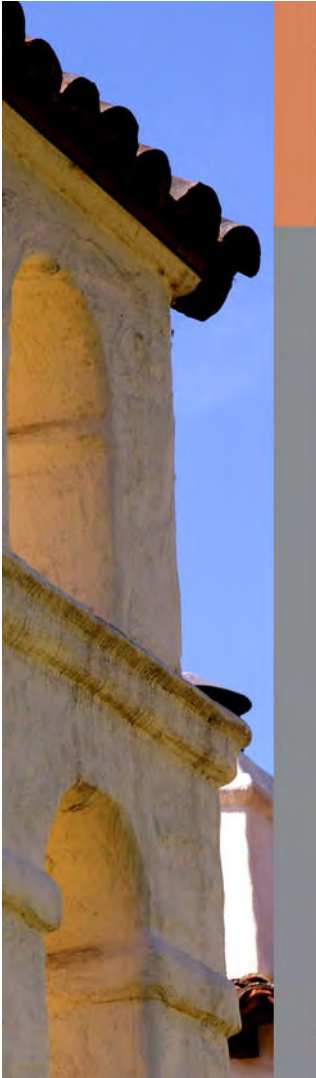
Sarah Sandoval, Deputy City Clerk

These minutes were approved at the City Council meeting of February 28, 2023.

A photograph of a construction site showing a wooden formwork structure with vertical rebar protruding. Two workers in orange safety vests and hard hats are visible in the background. The image is partially obscured by a blue semi-transparent banner at the bottom.

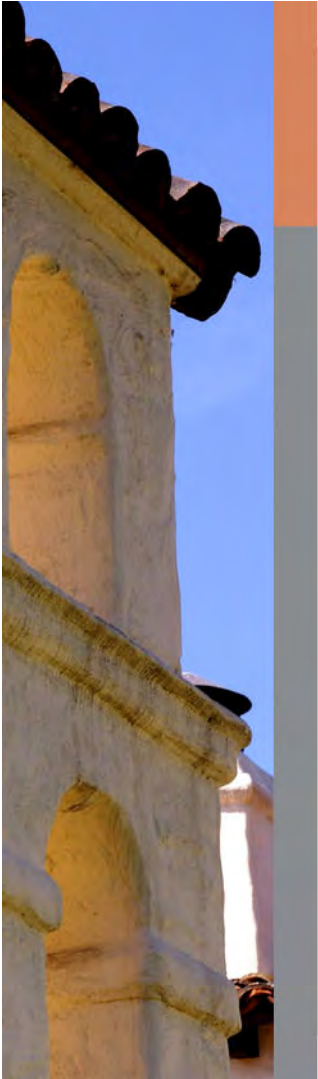
HOUSING ELEMENT UPDATE

SEIR Certification and Housing Element Adoption Public Hearing
January 31, 2023



MEETING PURPOSE

- Consider certifying the subsequent environmental impact report (SEIR), adopting findings under California Environmental Quality Act (CEQA), adopting Statement of Overriding Considerations, and approving a Mitigation Monitoring and Reporting Program for the Housing Element Update project
- Consider amending the General Plan to update the Housing Element for 2023-2031
 - Housing Element must be adopted by January 31, 2023 to comply with state law



BACKGROUND

- Required 6th Cycle Housing Element Update
 - Plan for city’s housing needs from 2023 to 2031
 - Regional Housing Needs Allocation (RHNA) is 2,946 units
 - Accounting for above-moderate income units already in pipeline, City must plan for 1,477 new affordable units
 - Also updating goals, policies, and programs to preserve, improve, and develop housing for all income categories and affirmatively further fair housing



BACKGROUND

- May 2021-Present: Outreach through project galleries, survey, pop-up events, focus groups, community meetings, City website, email lists, and other methods
- May 25, 2021: City Council meeting to discuss goals and objectives, responsibilities, and community engagement
- October 26, 2021: City Council reviewed land use and site strategy options to meet RHNA
- November 16, 2021: City Council received informational updates on questions raised at October 26 meeting
- December 8, 2021: City Council reviewed and recommended potential housing opportunity sites and land use strategies
- May 11, 2022: Primary draft Housing Element circulated for public review
- June 6, 2022: City Council met to review primary draft Housing Element
- July 25, 2022: City submitted primary draft Housing Element to HCD, beginning 90-day state review period
- October 21, 2022: City received letter from HCD with list of requested revisions
- December 6 and 22, 2022: City Council conducted study sessions to provide feedback on Housing Element revisions
- January 6, 2023: City released final review draft Housing Element with revisions to address all HCD comments
- January 12, 2023: Planning and Housing Commissions reviewed and recommended adoption of Housing Element



MAJOR LAND USE STRATEGIES

- Affordable RHNA will be met by zoning changes to allow up to 4,000 new units dispersed throughout city
 - The total would accommodate a mix of development types and achieve 2,834 affordable units
 - Primarily in Council districts 2 through 5
- Housing Element includes key zoning-related programs to be implemented within one year
 - Program H4.D: Increase density bonuses in the affordable housing overlay (AHO)
 - Program H4.I: Rezone commercial sites to allow residential and/or mixed-use development
 - Program H4.J: Remove minimum lot size to achieve 30 du/ac for R-3 lots around downtown, and allow sites over 2 acres to have a density of 20 du/ac
 - Program H4.L: Increase densities in El Camino Real/Downtown Specific Plan area and remove residential cap

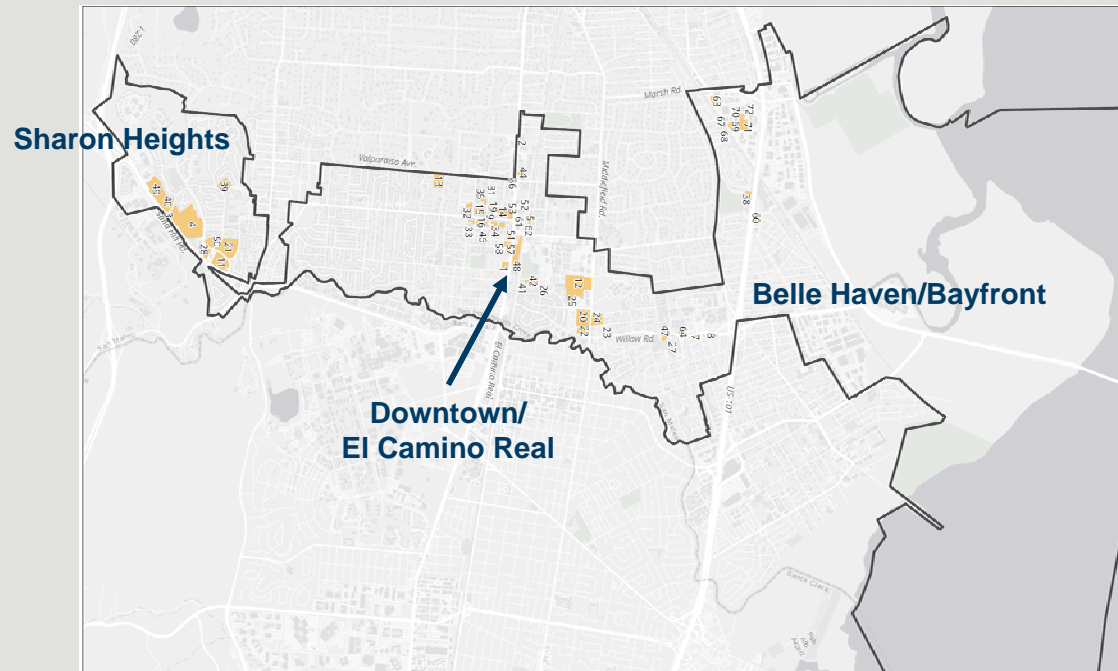
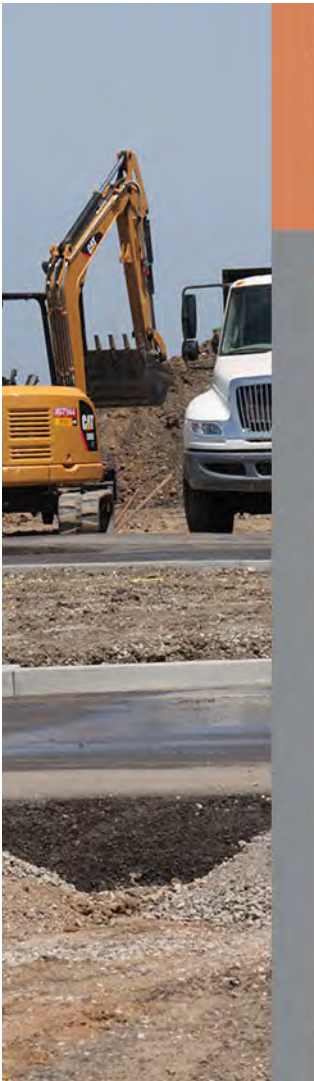


KEY HOUSING ELEMENT PROGRAMS

- Chapter 8 includes a variety of programs
 - Program H2.E: Anti-displacement strategy
 - Funding for Menlo Park Housing Assistance Program beyond 2024
 - Expansion of just cause eviction policies beyond current law for tenants of any tenure
 - Increase in length of time for rent relocation assistance
 - Creation of eviction monitoring and data collection program
 - Development of tenant rights education
 - Program H4.A: Amend BMR housing regulations to consider increasing requirements
 - Program H4.E: Streamlined project review for 100 percent affordable housing
 - Program H4.G: Prioritize City-owned land for affordable housing (downtown parking lots)
 - Others in staff report and red-lined final review draft Housing Element



OPPORTUNITY SITES





FINAL SEIR





Menlo Park Housing Element Update (HEU) Subsequent Environmental Impact Report (SEIR) City Council Session



January 31, 2023

Overview of the SEIR

A Subsequent EIR (SEIR) has been prepared for the City's Housing Element and Safety Element Update, and the new Environmental Justice Element.

The SEIR builds upon the work completed for the 2016 *ConnectMenlo* effort and addresses the impacts of providing expanded housing opportunities in other parts of the City beyond the Bayfront.

Environmental Review Process

Milestone	Dates (some are tentative)
Publish Notice of Preparation (NOP)	December 22, 2021
Draft SEIR scoping session	January 24, 2022
End of NOP comment period	January 31, 2022
Publish Draft SEIR	November 4, 2022
Draft SEIR comment session	November 14, 2022
End of Draft SEIR comment period	December 19, 2022
Publish Response to Comments on Draft SEIR	January 3, 2023
Final SEIR certification hearings	January 31, 2023

Environmental Issues Analyzed in the Draft SEIR

- Aesthetics
- Air Quality
- Biological Resources
- Cultural Resources
- Energy
- Geology, Soils, & Paleontology
- Greenhouse Gas Emissions
- Hazards & Hazardous Materials
- Hydrology & Water Quality
- Population & Housing
- Public Services & Recreation
- Utilities & Service Systems
- Transportation
- Tribal Cultural Resources
- Wildfire

Principal Findings of the Draft SEIR

- Less than significant (LTS) effects and effects that can be mitigated to a less-than-significant level in all topic areas except air quality, cultural resources, and transportation.
 - **Air Quality: Emissions during construction of larger projects**
 - **Cultural Resources (Historic Structures): Structures eligible for the National Register and/or California Register could be demolished and lost.**
 - **Transportation: Required upgrades to pedestrian and bicycle facilities might not occur based on lack of established nexus and identified funding.**
 - **Transportation: Some residential projects could exceed adopted guidelines for reductions in vehicle miles traveled (VMT).**
- The impacts identified above would be significant and unavoidable.

Alternatives

Alternative	Description
No Project Alternative (required by CEQA)	HEU and associated elements would not be adopted, additional housing sites would not be identified, and no zoning changes would occur
Low VMT Area Alternative*	Concentrate all residential density increases in areas within identified Priority Development Areas in the Downtown area and/or areas of the City with demonstrated low VMT

* Indicates environmentally superior alternative

Response to Public Comments and the Final SEIR

- Lists agencies and individuals who submitted comments:
 - San Francisco Public Utilities Commission
 - Ravenswood Community School District
 - Ten organizations
 - Eleven individuals
- Final SEIR
 - Draft SEIR
 - Response to Comments Document
 - Revisions to the Draft SEIR
 - Mitigation Monitoring and Reporting Program (MMRP)

Together these documents constitute the SEIR

Principal Comments Received on the Draft SEIR

CEQA Issues

- Aesthetic impacts of densification
- Impacts to biological resources (birds and trees)
- Population and growth methodologies
- Impacts to recreation facilities
- Vehicle miles traveled (VMT)
- Water supply

Non-CEQA Issues

- Requests to add sites
- Requests to remove sites
- Requests for higher densities and more affordability
- Traffic congestion, parking

What's Next for CEQA?

Certification of the Final SEIR

- Verify that that the Final SEIR meets the requirements of CEQA.
- Concur with the CEQA Findings
- Adopt a Statement of Overriding Considerations for the Significant and Unavoidable impacts identified in the SEIR, based on the following public benefits of adopting the HEU (summarized):
 - Achieves compliance with the requirements of state law;
 - Plans for the community in a sustainable, healthy, and balanced way with a focus on affordable housing development and affirmatively furthering fair housing; and
 - Updates the Safety Element and provides a new Environmental Justice Element to provide for safety, equity, and the reduction of unique or compounded health risks in disadvantaged communities.
- Adopt the Mitigation Monitoring and Reporting Program (MMRP)
 - The MMRP memorializes the commitments the City has made to minimizing the impacts of the HEU.

The background of the slide is a photograph of a white stucco tower with a tiled roof and arched openings. The tower is set against a clear blue sky and green trees. A teal banner with the text "HOUSING ELEMENT" is overlaid on the center of the image. A purple vertical bar is on the left side of the image.

HOUSING ELEMENT



PROPOSED CHANGES TO HOUSING ELEMENT AND DRAFT RESOLUTIONS



- Councilmember proposed modifications to draft CEQA resolution
- Housing Commission proposed modifications to Housing Element
- Planning Commission proposed modifications to Housing Element
- Councilmember proposed modifications to Housing Element

The background of the slide is a photograph of a building with a tiled roof and several arches. The building is light-colored, possibly stucco, and the arches are dark. The sky is a clear, bright blue. A teal banner with the text "HOUSING ELEMENT" is overlaid on the center of the image. To the left of the banner, there are two vertical purple bars of varying shades. The text "HOUSING ELEMENT" is in a bold, white, sans-serif font.

HOUSING ELEMENT



UPCOMING MILESTONES

- February 9, 6 p.m.: Environmental Justice and Safety Elements community meeting (in English) at Belle Haven Branch Library
- February 10, 6 p.m.: Environmental Justice and Safety Elements community meeting (in Spanish) at Belle Haven Branch Library
- 1st Quarter of 2023: Continued advancement of Environmental Justice and Safety Elements and zoning implementation



REMAIN ENGAGED IN THE PROCESS

- Staff will continue to provide updates on the various elements of the Housing Element Update project on the City's webpage
- menlopark.gov/HousingElement



THANK YOU

CEQA Finalization Matrix							
ID#	Document	Chapter	Page	Task	Commenter	City Council Action	
1	SEIR	Other	-	Incorporate January 6, 2023 Water Supply Assessment approval letter from Cal Water.	Staff	Approval	
14	Resolution	Other	C-1.72	<p>Revise text: Building heights and massing would be increased, which would increase the overall aesthetic effect, which some viewers could perceive as adverse. This change would represent a significant departure from the "village" character envisioned under the El Camino Real/Downtown Specific Plan <u>that was adopted in 2012</u>, which required that buildings be kept low with limited massing.</p> <p>The City Council rejects the Low VMT Area Alternative because it could result in more concentrated and therefore greater impacts with respect to aesthetics, land use, noise, public services, utilities, and transportation infrastructure than would the proposed HEU. <u>In addition, the Low VMT Area Alternative would not meet the project's objective to distribute the housing opportunities throughout Districts 2 through 5.</u></p> <p>Therefore, the Low VMT Area Alternative is eliminated from further consideration.</p>	Mayor Wolosin	Approval	

Planning Commission Recommendations			
Draft Housing Element Page	Reference	Recommended Modification	Council Action
8-11	Program H2.E: Anti-Displacement Strategy	Modify: " <u>Timeframe</u> : Develop an anti-displacement strategy for the City, particularly in the Belle Haven neighborhood, and initiate program implementation by June <u>January 2024</u> beginning with items f., g., h., and i., and expanding to address other potential policies in the program through 2027 <u>2026</u> ..."	Approval
8-24	Program H4.D: modify the affordable housing overlay (AHO)	Modify: "...The AHO will be structured so that state density bonus incentives can be utilized in conjunction with the AHO, providing for densities of 100 units/acre <u>or greater</u> ..."	Approval
8-26	Program H4.G: consider City-owned land for housing (Downtown parking lots)	Modify: " Consider Prioritize City-Owned Land for Housing (Downtown Parking Lots) ...Solicit proposals, and conduct a feasibility study to assess which parking lots are most suitable for residential development, <u>rezone the parcels</u> , (2024); <u>and</u> issue RFP for affordable housing development on some or all of the parking lots sites, including information on City land write-down incentives (2025 <u>December 2023</u>); complete development entitlements (2026 <u>2024</u>); seek to complete development of 345 or more affordable housing units on a combination of parking lot sites (2028 <u>2026</u>)..."	Refer to Housing Commission recommendation
8-28	Program H4.M: update parking requirements and design standards	Modify: "Review and modify parking requirements and design standards to provide greater flexibility in site planning for multifamily residential housing, including establishing a parking or alternative transportation in-lieu fee <u>to be utilized toward improvements for modes of transportation other than personal motor vehicles</u> ."	Approval
8-38	Program H6.F: transit incentives	Modify: "Integrate transit demand management strategies for all residential development, particularly in areas further away from transit to increase access to transit and reduce vehicle trips and parking demand."	Approval
8-36	NEW Program H5.H	Insert: " Tenant Readiness Education Program . Develop a program or partner with a community organization that offers educational classes to prospective and existing renters on topics such as finding affordable housing, understanding the application and rental process, learning about fair housing regulations, and identifying other resources for financial and/or legal assistance related to rental housing. <u>Responsibility</u> : Housing Division <u>Financing</u> : General Fund <u>Objectives</u> : Provide educational assistance and identify resources to help renters acquire and maintain decent and affordable housing. <u>Timeframe</u> : Establish partnership or develop program by December 2024	Approval

Housing Commission Recommendations			
Draft Housing Element Page	Reference	Recommended Modification	Council Action
8-24	Program H4.D	Modify: "...Evaluate processing fee waivers, deferrals, or further reduction of other fees (such as traffic impact fees, recreation in-lieu fees, etc.) for affordable housing development on sites where the AHO is applicable."	Approval
8-36	NEW program H5.G	Insert: " Racial Equity Training Program. Partner with an organization, such as the Government Alliance on Race and Equity (GARE), to provide racial equity training and build organizational capacity within the City to address racial inequity and advance opportunities for all in housing and other community matters. <u>Responsibility: All City departments; city manager; City commissions; City Council</u> <u>Financing: General Fund</u> <u>Objectives: Increase awareness, build organizational capacity and infrastructure, and strive for racial equity in housing and other local government matters</u> <u>Timeframe: Join program by December 2023; initiate first racial equity training session in 2024</u>	Approval
8-26	Program H4.G: consider City-owned land for housing (Downtown parking lots)	Modify: "...Solicit proposals and initiate a feasibility study to assess which parking lots are most suitable for residential development (2024 2023); issue RFP for affordable housing development on some or all of the parking lots sites, including information on City land write-down incentives (2025 2024); complete development entitlements (2026 2025); seek to complete development of 345 or more affordable housing units on a combination of parking lot sites (2028 2027)..."	Approval

Sixth Cycle Housing Element Finalization Matrix						
ID#	Document	Chapter	Page	Task	Commenter	City Council Action
2	Housing Element	Other	-	Add chapter number references to the first page of each chapter.	Staff	Approval
3	Housing Element	5. Actual and Potential Constraints to Housing	5-11	Add text: As such, a program has been included in the Element <u>to</u> add a definition and make provisions for small employee housing as a permitted use in all zone districts where single-family is permitted.	Staff	Approval
4	Housing Element	4. AFFH	4-57	Revise text to state that areas of the city west of US-101 are classified as Racially Concentrated Areas of Affluence.	Staff	Approval
11	Housing Element	8. Goals Policies Programs	-	Global document check for Program H4.E (Streamlined Project Review) references consistency. Program H4.E was previously "Ministerial Review of 100 Percent Affordable Housing."	Councilmember Nash	Approval
New	Housing Element	7. Site Inventory and Analysis	7-24	Remove reference to "many" sites around the VA Medical Center	Councilmember Nash	Approval

Sixth Cycle Housing Element Finalization Matrix						
ID#	Document	Chapter	Page	Task	Commenter	City Council Action
5	Housing Element	7. Site Inventory and Analysis	7-18	Revise Site #64 (Veterans Affairs Hospital) description to a 60-unit site from earlier mentions of a 61-unit site. Site calculations list a 60-unit site.	Staff	Approval
6	Housing Element	4. AFFH	4-29	Remove text: Student outcomes at the city's elementary and middle schools are both positive. In Menlo Park Union, 58% of elementary students tested at or above the proficient level for reading and 55% at or above math levels. Of middle school students, 61% at or above the proficient level for reading and 53% at or above math levels. Menlo Park Union dedicates significant funding to provide supportive services to its students with an annual \$33 million dedicated to supportive services for students.	Mayor Wolosin	Approval
7	Housing Element	4. AFFH	4-30	Remove text and Footnote 12: In accordance with state law, Menlo Park published a School Accountability Report Card (SARC) for the Menlo Park School of Education (CSI) for the 2021-2022 school year.	Mayor Wolosin	Approval
8	Housing Element	Appendix	-	Update figures and appendices to show City Council redistricting adopted on April 14, 2022. For example, Figure 7-3 (Sites by Council District) should show potential Housing Opportunity Sites #14, 19, 43, 55, and 61 in District 4, formerly in District 3. Update Site Sheets (Appendix 7-5) with current City Council district information.	Councilmember Nash	Approval
10	Housing Element	7. Site Inventory and Analysis	7-24	Update text: In addition, the vast majority of the sites designated for affordable housing are located in high-performing school districts.	Councilmember Nash	Approval
22	Housing Element	7. Site Inventory and Analysis	7-16	Revise text: The City Council decided not to pursue housing development in the parks or the Civic Center site, <u>given the importance of green space and community space access for all residents.</u>	Councilmember Doerr	Approval
23	Housing Element	8. Goals Polices Programs	8-36	Revise text: Siting Development. Ensure new developments in the highest hazards areas include mitigation measures. Expand beneficial uses, such as <u>green and open spaces</u> , flood mitigation and recreation, in non-developable high hazard lands.	Councilmember Doerr	Approval
24	Housing Element	8. Goals Polices Programs	8-26	Revise Program H4G titling. Current Titling: Consider City-Owned Land for Housing (Downtown Parking Lots). Proposed Titling: Prioritize Affordable Housing on City-Owned Parking Lots Downtown.	Councilmember Nash	Approval
New	Housing Element	8. Goals Polices Programs	8-38	New Policy: Encourage developers and contractors to evaluate hiring local labor, hiring from or contributing to apprenticeship programs, increasing resources for labor compliance, and providing living wages.	Councilmember Combs and Councilmember Doerr	Approval
New	Housing Element	8. Goals Polices Programs	8-36	New Policy: Encourage improved and/or increased water conservation and reuse in the community. Encourage developers to employ water conservation and reuse measures and share what these measures are in new developments. Promote water conservation and reuse in existing homes.	Councilmember Doerr	Approval