



REGULAR MEETING MINUTES

Date: 10/23/2023
Time: 7:00 p.m.
Location: Zoom.us/join – ID# 862 5880 9056 and
City Council Chambers
751 Laurel St., Menlo Park, CA 94025

A. Call To Order

Vice Chair Linh Dan Do called the meeting to order at 7:00 p.m.

B. Roll Call

Present: Linh Dan Do (Vice Chair), Andrew Barnes, Andrew Ehrich, Henry Riggs, Jennifer Schindler

Absent: Katie Ferrick; Cynthia Harris (Chair)

Staff: Deanna Chow, Assistant Community Development Director; Tom Smith, Principal Planner; Chris Turner, Associate Planner; Mary Wagner, City Attorney’s Office

C. Reports and Announcements

Assistant Community Development Director Deanna Chow said the City Council at its October 24, 2023 meeting would consider the electrification item seen previously by the Planning Commission.

Replying to Commissioner Riggs, Mary Wagner, Assistant City Attorney, said a conflict of interest analysis was done for the zoning code amendments and zoning map amendments on the agenda that looked at properties the commissioners might own or rent within 500 or 1,000 feet of sites that were subject to those rezonings. She said commissioners having property within 500 feet were advised to announce that potential conflict of interest and recuse themselves from participation on that particular item related to the O zoning district when it came up due to proximity of the personal residence.

Replying to Commissioner Barnes, Ms. Wagner referred to the public generally exception that if a certain percentage of properties were similar to the property a commissioner owned or rented that were affected in the same manner in which his property would be affected then he was allowed to participate under the conflict of interest rules, and she believed that was the case for Commissioner Barnes. Replying further to him, Ms. Wagner said her understanding was the two items within 500 or 1,000 feet of his personal residence both fell within the public generally exception.

D. Public Comment

- Adina Levin, Menlo Park resident, commented on recent state legislation SB423 and how it related to the housing element and zoning noting an extension of streamlining development for cities not meeting regional housing needs assessment and that for the City of Menlo Park 100 percent affordable housing developments were to be streamlined as well as development with 10 percent or more affordable housing.



E. Consent Calendar

- E1. Approval of minutes from October 2, 2023, Planning Commission meeting. (Attachment)

ACTION: Motion and second (Ehrich/Schindler) to approve the minutes from October 2, 2023 Planning Commission meeting, passes 5-0 with Commissioners Ferrick and Harris absent.

F. Public Hearing

- F1. General Plan Amendments, Zoning Ordinance Amendments, El Camino Real/Downtown Specific Plan Amendments, and Rezoning/City of Menlo Park Housing Element Update Project: The City of Menlo Park is proposing to amend the General Plan Land Use Element, Zoning Ordinance (Title 16 of the Menlo Park Municipal Code (“Municipal Code”), zoning map, and El Camino Real/Downtown Specific Plan in association with the implementation of the 2023-2031 6th Cycle Housing Element, adopted by the City Council on January 31, 2023. The proposed changes are intended to provide capacity to meet the City's Regional Housing Needs Allocation (RHNA) of 2,946 dwelling units and are generally summarized below. (Staff Report #23-063-PC)

General Plan Land Use Element and map

Amendments for consistency with the proposed Zoning Ordinance amendments described below, including changes in land use designation for applicable Housing Element inventory sites and modifications to existing designations to reflect increased densities and floor area ratios (FAR).
Zoning Ordinance and map

- Update the Affordable Housing Overlay (AHO) to further promote affordable housing development. To implement Housing Element Program H4.D, amend Chapter 16.98 (Affordable Housing Overlay (“AHO”)) of the Municipal Code to work in combination with state density bonus law to allow up to approximately 100 dwelling units per acre, or more, for 100 percent affordable housing developments, and add the AHO to all 6th Cycle inventory sites (except Site #38, 320 Sheridan Drive, the former Flood School site) and all R-3 (Apartment District) zoned properties around downtown; and amend Chapter 16.97 (State Density Bonus Law) of the Municipal Code to resolve any inconsistencies between the City’s ordinance and current and future state density bonus law regulations;
- Allow residential development opportunities in existing commercial/retail zoning districts. To implement Housing Element Program H4.I and allow mixed-use residential development opportunities primarily along Willow Road, Middlefield Road, Sharon Park Drive and Sand Hill Road, amend the Municipal Code to repeal Chapters 16.32 (C-1-A, Administrative and Professional District), 16.37 (C-2-S, Neighborhood Commercial District, Special), 16.39 (C-2-A, Neighborhood Shopping District, Restrictive), and 16.42 (C-4, General Commercial District) and replace Chapter 16.40 (C-2-B, Neighborhood Mixed Use District, Restrictive) with a C-MU (Commercial, Mixed Use) zoning district with a residential density of up to 30 dwelling units per acre and associated development standards; amend the zoning map to rezone C-1-A, C-2-S, C-2-A, C-2-B, C-4, and certain C-2 and P parcels (except for Site #11, 325 Sharon Park Drive) to C-MU; amend Chapters 16.30 (C-1, Administrative and Professional District, Restrictive), 16.32 (C-1-A, Administrative and Professional District), 16.36 (C-1-C, Administrative, Professional and Research District, Restrictive), 16.38 (C-2, Neighborhood Shopping District), and 16.43 (O, Office District) to allow a residential density of up to 30 dwelling units per acre and associated development standards;

- Increase residential densities in the R-3 (Apartment) zoning district around downtown.
To implement Housing Element Program H4.J, amend the R-3 zoning district development regulations to allow a residential density up to 30 dwelling units per acre for R-3 zoned properties around downtown and up to 20 dwelling units per acre for other R-3 sites with a lot area of 100,000 square feet or more; increase maximum building coverage in the R-3, R-3-A (Garden Apartment Residential), R-3-C (Apartment-Office District), R-4 (High Density Residential), and R-4-S (High Density Residential, Special) zones to 55 percent and adjust maximum paving and minimum open space (landscaping) percentages accordingly; and reduce parking space per unit requirements;
- Permit ministerial review for certain housing developments on inventory sites that were not developed during the previous Housing Element cycle.
To implement Housing Element Program H4.Q, amend the Municipal Code so that parcels in the Housing Element site inventory identified as Reuse Sites allow for ministerial review for housing developments that propose at least 20 percent of units affordable to lower-income households, in accordance with California Government Code §65583.2(i);
- Create a residential overlay to encourage residential development on underused or redeveloping sites.
To implement Housing Element Program H4.T, amend the Municipal Code to create a Residential Overlay for certain housing inventory sites that would allow residential development on properties with non-residential zoning; and
- Allow family daycare homes with up to 14 children as a permitted use in residential zoning districts.
To implement Housing Element Program H2.F, amend Sections 16.04.165 and 16.08.085 of the Municipal Code to allow large family daycare homes as a permitted use in a legal dwelling unit in any residential zoning district.

El Camino Real/Downtown Specific Plan

To implement Housing Element Program H4.L, amend the Specific Plan to:

- Remove references to a maximum of 680 residential units at full build-out;
- Increase the maximum base level density to at least 30 dwelling units per acre and the maximum bonus level density to up to 100 dwelling units per acre, with corresponding changes to FAR, height, and other development standards for the Specific Plan subdistricts, as applicable;
- Establish a minimum density of 20 dwelling units per acre for all subdistricts, as a requirement upon the addition of residential uses to a site;
- Remove the minimum parking requirements for residential uses on sites within one-half mile of transit as required by AB 2097; and
- Modify the use of the public parking plazas to allow the development of multifamily residential housing.

Environmental Review

The City, as the lead agency, pursuant to CEQA and the CEQA Guidelines previously prepared and certified the ConnectMenlo Program Environmental Impact Report (“ConnectMenlo EIR”) in November 2016 and certified the Housing Element Update Subsequent EIR (SCH #2015062054) (“SEIR”) in January 2023.

Principal Planner Tom Smith introduced Mary Wagner, Assistant City Attorney, Deanna Chow, Assistant Community Development Director, and team members Geoff Bradley and Asher Kohn.

Planner Smith presented the staff report and highlighted the major zoning programs in the adopted Housing Element. He said the Affordable Housing Overlay (AHO) was designed to encourage development of affordable units for lower income households in the ranges of extremely low, very low- and low-income households. He said the AHO would be modified to work in combination with the state density bonus law on a site where currently a developer would need to choose to apply either it or the AHO. He said to apply for an AHO, noting requirements had been updated some since the August study session, a project would need to have five or more units total with 20% or more of the units affordable to the extremely low, very low, and low income households and 25% of the 20% affordable units would need to be affordable to very low or extremely low households or 15% of the 20% affordable units to lower incomes must be affordable to the extremely low income households.

Planner Smith said if a developer chose to apply only for AHO the maximum density bonus would be 60% for a mixed income development and for an affordable development it would have a maximum of an 80% density bonus. He said if a developer chose to combine AHO and the state density bonus law they could achieve a maximum 65% combined bonus for mixed income development and in the upper threshold for an 100% affordable development that would not be a percentage but actually the 150 dwelling units per acre combined maximum. He said that was something they had received as feedback from the previous planning commission’s study session.

Planner Smith referred to the commercial zoning districts and a table showing a C-2-B district called a Neighborhood Mixed Use Restrictive at the moment with a maximum 60% building coverage and floor area ratio (FAR) between 40 and 50% of commercial and then up to an additional FAR of 90% residential depending on the density that was provided with 100% total maximum combined. He said the height allowance was between 30 and 40 feet depending on whether the building was mixed use or commercial only. He said the proposal discussed on August 23 combined a number of the smaller zoning districts primarily along Willow Road and clustered somewhat around Middlefield Road. He referred to the table again noting districts having similarities in common, and where the proposal was to merge those together. He said C-2-B would become a new C-MU Neighborhood Mixed Use district.

Planner Smith said feedback received previously from the Planning Commission and City Council was for nonresidential uses to be a requirement component of development to encourage community serving retail and personal services. He said on Housing Element inventory sites where it was needed to meet the lower income needs assessed that the state would essentially preempt that ability there to allow a 100% residential development. He noted that some design standards and green and sustainable building provisions would be included now in that district. He said they would leave C-1-C and C-2 as zoning districts as they were but give them the potential for residential uses. He said the Neighborhood Shopping District (C-2) was essentially the Sharon Heights Shopping

Center parcel and noted public comment and commission discussion that the maximum 30 foot height there was too low and prohibitive for a mix of uses. He said staff was proposing the height be increased to 60 feet. He said for the other parcels in C-1 and C-1-C that staff proposed increasing the density from 30 to 60 dwelling units per acres and to double the maximum allowable height. He said these would also have design standards and green and sustainable building provisions. He said another piece of the strategy for adding residential uses on commercial sites would be for properties currently having Office (O) zoning. He said a section was being added to that zoning district to allow housing on parcels bounded by Marsh Road, the Dumbarton spur railway line, and Bohannon and Scott Drives. He said the maximum residential density was proposed as 30 dwelling units per acre and a corresponding FAR of 90% with a 40-foot maximum height. He said design standards and green and sustainable building provisions already applied to that zoning district as it was part of the Bayfront zoning districts implemented in 2016.

Planner Smith said the 10,000 square lot size requirements would be removed for R-3 parcels around the downtown to allow up to 30 dwelling units per acres on those lots. He said lot coverage would be increased to 55% noting that was a request they had received from HCD to see more than 50% building coverages on sites zoned R-3 and R-4. He said maximum paving would be 20% with a 25% landscaping requirement. He said parking minimums would be removed for parcels located within .5 miles of a major transit stop. He said part of the 25% landscaping requirement for these lots would be a minimum 12.5% requirement for private or shared open space. He said a maximum density of 20 dwelling units per acre was proposed for the two lots over 100,000 square feet. He reiterated that HCD in their review of the Housing Element update were interested in seeing greater than 50% lot coverage for the R-3 and R-4 lots throughout the community. He said they were proposing for the R-3-A, R-3-C, R-4-S, and R-4-S(AHO) parcels to increase the lot coverage to 55%.

Planner Smith said regarding the previous proposal to increase residential densities in eight of the subdistricts in the Specific Plan area that based on City Council feedback they were proposing to increase the residential densities for all 10 of the subdistricts. He said generally the greatest density increases would be concentrated around the Station area (Caltrain Station) and downtown. He said they proposed increasing the maximum bonus level densities to 100 dwelling units per acre. He said currently the Specific Plan area had a 680 residential unit cap and that would be removed. He said there would be a minimum density of 20 dwelling units per acre established and the minimum parking requirements removed. He said parcels within .5 miles of major transit would have no minimum parking requirements. He said within that radius state law AB 1763 allowed projects that were 100% affordable to have unlimited density and a height increase up to three stories or 33 feet.

Planner Smith said five Housing Element inventory sites from previous Housing Elements that had not redeveloped with housing in the previous planning periods were named reuse sites. He said those would have ministerial processing and no discretionary review or hearings by the Planning Commission or City Council if the proposed residential development had at least 20% of the units affordable to lower income households.

Planner Smith referred to the Residential Overlay and said zoning changes were discussed that would allow residential densities of at least three dwelling units per acre or more to occur on nearly all of the sites included in the Housing Element inventory. He said there were five sites that were subject to some unique circumstances and typically had a conditional development permit (CDP) that would not allow additional residential uses on the sites and noted for instance, the USGS site, that was zoned P-F (Public Facilities) and did not allow residential uses. He said they were not proposing to add residential uses to a P-F zoned site.

Planner Smith said the last proposed zoning ordinance change was to allow large child daycare homes (12 to 14 children) in residential areas by right in a legal dwelling unit consistent with state law.

Planner Smith said staff would receive feedback tonight to finalize the amendments as discussed to bring back to the Planning Commission on November 6 to make recommendations on those changes to the City Council. He said tentatively the City Council was scheduled to review and take action on these changes in late November 2023.

Commissioner Schindler asked about the proposed implementation of the zoning ordinance changes by January 31, 2024.

Ms. Wagner said the regulations indicated the zoning had to be adopted within one year of the statutory deadline to adopt the Housing Element and that was January 31, 2024. She said in the best case scenario the ordinance would have been introduced, adopted and 30 days would have passed by that date. She said that being introduced and adopted would meet the statutory requirement too as she was not aware of any interpretations being made on that language yet, so “adopted” she thought was the operative word.

Commissioner Riggs referred to the proposed modifications to the Specific Plan noting a portion of the Plan that sought to constrain the height of new construction adjacent to single-family lots. He asked with the ordinance revision changes to density whether the step down in height adjacent to single-family lots would be maintained.

Planner Smith referred to the building façade height shown in Attachment L with a column showing overall building height, then residential or mixed use building façade heights. Noting the southeast subdistrict, he said there could be a building of 60 to 64 feet in height for mixed use, residential, and then the maximum height of the façade of the building would step down by 20 feet, so they were looking at 40 feet there for the maximum height.

Commissioner Riggs said the façade setback he believed was only around 10 feet and that could mean a 40-foot-tall façade that faced a roof deck that served the building level above. Planner Smith said they would check into that.

Commissioner Riggs asked whether a single-family residence 16 to 17 feet in height with a sloped roof could have a 40-foot-tall façade adjacent to it with a setback of 10 feet. Planner Smith said there was a setback chart depending on the different subdistricts. He said around downtown there were no setbacks but moving further out to other subdistricts there might be a 10-foot minimum or 20-foot maximum setback. Commissioner Riggs said Roble probably did not have single-family homes adjacent to the Specific Plan area, but before getting to Cambridge Avenue, the area was largely single-family homes, and asked if setbacks there would be somewhere between zero and 10 feet next to a 40-foot façade potentially. Planner Smith said in that area the setback would be seven to 12 feet.

Commissioner Riggs said with mixed use possible on what were currently zoned commercial lots that neighborhood serving retail would be required and asked if that was on a project by project basis. Planner Smith said it would be a requirement of a site unless it was included in the city’s Housing Element site inventory to accommodate lower income households.

Commissioner Barnes asked about the two different Planning Commission meetings on this item. Planner Smith said the purpose of tonight's meeting was for final feedback based on the updates made since the August study session. He said at the November 6th meeting, staff would return with the actual ordinances finalized based on feedback received with the request that the Planning Commission vote on a recommendation to City Council on those.

Commissioner Ehrich said for the record that he was advised he lived within 500 to 1,000 feet of one of the sites that would be in the new commercial or C-MU district but as his occupancy there was on a month-to-month lease he was not required, nor was it recommended, to recuse himself. He said for the record also that the August study session was on the 14th he believed and confirmed with staff that the city received feedback from HCD on its most recent Housing Element submission on August 29th or thereabouts and after the planning commission's August study session. He referred to the increased FAR or land coverage for R-3 and R-4 zoning sites that were now 55% and said he thought he heard staff say on those sites there was an additional 20 to 25% that had to be something else for open space or nondevelopment. He said he calculated that meant both the minimum and maximum building coverage on those sites would be 55% which left 45%.

Planner Smith said he thought the maximum building coverage would be 55% and from there if you chose to have coverage of 35% instead then you would have additional area that could be utilized towards landscaping, open space requirements, or circulation on the site, if necessary.

Vice Chair Do opened the public hearing.

Public Comment:

- Jean Baronas referred to the commercially zoned properties that would become mixed use zone properties on Sharon Park Drive. She said a 30-foot height was first proposed there for the rezoning but that did not provide enough density and was now proposed at 60 feet. She asked about the requirements to maintain the existing Safeway store as residents were concerned about losing access to grocery service.
- Patti Fry said as a central Menlo Park resident that she and everyone in District 4 especially regarded their community serving uses to be on El Camino Real and Santa Cruz Avenue. She noted the Big 5 and Safeway shopping centers and said nothing in the proposed ordinance changes would preserve the retail restaurants and neighborhood serving uses along those streets. She said further 700 El Camino Real was viewed as potentially able to be ministerially approved if only 20% low income residential development was proposed. She said she did not see a way to manage the increased FAR becoming offices. She noted that both the Middle Plaza and Springline projects had about 25 and 29 dwelling units per acre density even though both could have almost doubled that at the respective base and bonus levels. She said they did not need more office space in Menlo Park and certainly did not need it on ministerially approved land. She asked if there was a way to regulate that while also preserving neighborhood serving uses. She said she thought they could allow for 100% housing and if not 100% housing to require preservation of retail restaurants. She said there must be some way to do what they could to have a high quality of life and asked what the result would be if all of the parking lots and shopping centers became housing.
- Chris Mckleroy said he lived in a downtown housing unit and his major concern was that traffic

had never been mentioned during this whole development idea. He said normally in developments traffic and its impact on the region were reviewed. He said a good standard of living was very important and keeping traffic densities as low as possible was part of that. He said they had fairly high traffic density now and with housing doubled that would impact traffic leading to road rage incidents. He said traffic had to be addressed and by a civil engineering group and be part of the proposal.

- Karen Grove referred to a letter from Menlo Together and the Housing Leadership Council that was submitted to the City Council when it reviewed the Housing Element Update. She said observed in their letter was that the city was using the AHO to count the number of units likely to develop and applying the AHO to privately owned parcels. She said with the price of land in Menlo Park affordable housing developers had told them that they were never going to compete for privately owned land so applying the AHO to privately owned land was unrealistic. She said they also noted some privately owned sites that were unlikely to develop as predicted in the Housing Element. She said that put increased pressure on sites where development was expected and mostly those were in the Downtown Specific Plan in the area they were studying now. She said their recommendation was to increase the base density in the entirety of the Downtown Specific Plan area to 100 dwelling units per acres and the base density for all other opportunity sites in the city to 90 units per acre, and under the AHO allow 150 development units per acres density before the state density bonus and not in combination with it. She said it was important for the city to make its goals or because of new state laws they might lose the ability to review projects and lose their ability to make changes to proposed development based on how they wanted the city to develop.
- Adina Levin, Menlo Park resident, referred to the letter mentioned by the previous speaker that was sent by the Housing Leadership Council and Menlo Together that she thought was recently resent. She said addressing the city's Housing Element and zoning, new neighbors, particularly people across the income spectrum, were welcome in Menlo Park so that people were enabled to live where they worked without driving long distances, for generations to live in Menlo Park to have a multigenerational community, and people of varying abilities. She said the goal was not just addressing a state law but to have a welcoming city where fewer people had to have long, stressful and polluting commutes.
- Jenny Michel, Menlo Park resident, said most of the proposed changes mirrored state statues and asked if those changes would foster more affordable housing and types of housing products to be built by 2031. She said she did not think they went far enough to stimulate production that the city was certifying it could produce. She said a backup plan was needed to be able to rezone where needed to address the shortfall quickly. She said the time between rezoning to building was about a decade and suggested moving to eliminate the 20,000 square foot lot size requirement or allowing ground use retail for all structures as well as to calendar study sessions, perform additional environmental review to expand zoning changes to RE zone districts that were .5 miles off major roads and not already proposed. She said the city's optics were that the poor, disabled, old and working class were not welcome to live in Menlo Park.
- Speaker (no name given) said he was not happy with increased density and allowing housing with no parking. He said that looking at BART, buses and the train that all were practically empty, and most people were using cars. He said that an environmental impact report was needed to study the impacts of high density such as more garbage trucks in the morning and more services needed.

- David Pollack, Menlo Park, said he appreciated the development in downtown Menlo Park especially Skyline and its development of luxury apartments and its accompanying amenities. He said moving from San Carlos that had very lax street parking restrictions to Menlo Park was refreshing because of its on street parking regulations. He said if new residents moved in and wanted to park on the street, they would need to pay for it and that was great. He said he appreciated being in town so that he could walk to shopping and take the train to work.

Vice Chair Do closed the public hearing.

Commissioner Riggs referred to changing public space zoning to allow for housing, which had been studied twice before about two years ago and then earlier about 12 years ago. He said one of the challenges for a project in an existing parking lot was the ownership. He asked what right the city would have to rezone parking that whether in title or not in essence belonged to the retailers.

Ms. Chow said those were not being rezoned. She said they were modifying the Specific Plan to allow for uses other than parking.

Ms. Wagner said one of the Housing Element programs required an analysis of the feasibility of developing the downtown parking lots and one issue was the assessment district financing that was utilized to construct some of those parking improvements.

Commissioner Riggs asked whether parks were identified to serve expected future residents of he believed 30,000 new residences.

Planner Smith said all existing city parks would remain. He said open space requirements were built in as part of developments through common open spaces and private open spaces.

Commissioner Riggs said Menlo Park had been laid out to allow for backyards and parks as the two served different purposes. He questioned where open space would be on the R-3 lots in the downtown area with the proposed zoning amendment.

Planner Smith said that they were not expecting an influx of residents all at once but over the planning period, which would allow time to consider acquisition or ways to improve or provide more park space as development came online.

Commissioner Riggs expressed concern that land valuation would make acquisition for parks challenging and suggested that needed to be considered.

Vice Chair Do noted staff's suggestion to have comment on seven topics starting with the AHO.

Commissioner Barnes referred to Commissioner Riggs' question and said for the record that he voted against the SEIR as he thought it under indexed for recreational space within the context of the additional housing units. He said the SEIR called out a per capita versus acreage available metric. He said Bayfront Park was larger than the aggregated amount of park space otherwise in the city. He said that space was not in the center of Menlo Park, where development was being contemplated through zoning amendments. He said that the SEIR was inaccurate, and that lack of recreational space was an impact.

Commissioner Schindler expressed her support for the discussion about open space and park space. She said after the zoning exercise she hoped they would look at the developments in the pipeline and what would be added to that and over the next few years look at ensuring open space, community spaces and community amenities. She moved on to the topic of the modifications of the AHO. She said they had talked about the opportunity for developers to proceed in three ways and that in pursuing bonus density they could use the AHO, or just the state's bonus densities or combine those. She said there were a number of scenarios where a developer might choose none of those and would just pursue state bonus densities. She said for properties .5-mile from public transit that had unlimited density under state density bonus law. She referred to the threshold for combining the AHO with state density bonus and that 25% of the total units in development had to be designated affordable. She said the HCD asked the city to remove any potential conflict between the city's AHO and the state's density bonus. She said her concern was that the 25% threshold might be viewed by HCD as being in conflict or constraining the use of the state density bonus.

Ms. Chow said staff's understanding was that the potential conflict, and which was resolved in the proposed ordinance, was the ability to add the two together. She said the three options were to take advantage of them together. She said the proposed AHO was above and beyond those.

Commissioner Schindler referred to some instances in the staff report where the definition of affordable housing was not consistent all the way through. She suggested that probably would be resolved by definition in the ordinance whether it was before or after the bonuses happen. She said regarding the incentives she appreciated the flexibility being indicated so that when there was greater density there was flexibility as to FAR, height, open space and other development parameters but questioned if those would be hard to explain and enforce. She requested those things be documented in the ordinances so it was clear how a developer would engage with staff or whatever process was appropriate to make those things happen. She referred to one that was coverage and setbacks that were in the amount necessary to physically accommodate the increased density and noted that sounded very subjective.

Commissioner Ehrich said HCD was asking for some sort of proof that developers would apply for the AHO. He said he supported the increase when combining to 150 dwelling units per acre, but he asked if the city had any increased evidence that would address HCD's concern as to whether the incentives were enough for private developers to do that. He said his overall fear was they would not end up with a compliant housing element.

Ms. Chow said in staff's conversations with HCD their understanding was that HCD wanted evidence on how the city would use the AHO with the density bonus to arrive at the 55 dwelling units per acre, which was used in their site capacity. She said they were able to demonstrate she thought that the zoning itself would often have the 55 dwelling units per acre particularly in the Specific Plan where densities were upwards to the 100 dwelling units per acre. She said even without the AHO they could achieve 55 dwelling units per acre.

Commissioner Schindler referred to the density bonus table, which she believed was a new addition from the last time, as it allowed for nuances in the bonus associated with different income levels, and specifically differentiated between very low and low income. She said that was a piece of feedback the Commission had given in the past to provide additional incentives to developers providing units at a very low income. She asked whether the table said for example that if there were 10% of units that were affordable that they were very low income with a density bonus of 32.5% but if the 10% were low income the density bonus was 20%. Planner Smith said that was correct.

Vice Chair Do said she appreciated staff's responding to commission, city council and public feedback and not ratcheting up density necessarily across the board but creating a sliding scale such that 100% affordable projects could achieve 150 dwelling units per acre. She said hearing commenters ask for even more density than was proposed, and also knowing other community members, commissioners, and even city council members who maybe had a little more reservation about that she appreciated staff balancing it.

Vice Chair Do said the next topic was New Residential Opportunities in Nonresidential Districts. She noted that included Office zoning from which Commissioner Riggs would have to recuse and suggested discussing all the zoning districts but the office ones.

Planner Smith suggested first discussing the combination of certain zoning districts into the C-MU Neighborhood Mixed Use District, next the commercial districts where residential uses were being added and that was C-1, C-1-C, and C-2, and lastly to discuss O, Office district separately.

Commissioner Ehrich indicated that he was enthusiastic about the changes that had the potential to create vibrant areas within the city and its simplification of the zoning code.

Commissioner Schindler indicated her enthusiasm for the proposed changes noting community concerns regarding empty office space in the region and the question of affordable housing. She said the proposed changes were moving in a positive direction to address those concerns. She referred to the proposed C-MU zoning districts and what the land uses there would be. She asked for those commercial zones being merged into C-MU whether any of those would lose permitted uses, or even conditional or sort of administratively permitted uses and if that was for current uses or pipeline uses.

Planner Smith said a conscious effort was made to not remove any permitted uses and they had accommodated all the existing permitted uses. He said the only conditional use removed was the option of mini warehouse. He said child daycare centers were added as a permitted use. He said fast food was another permitted use new to the ordinance and that was defined already in the code as a fast, casual restaurant. He said there were a number of such establishments in the community already. He said regarding the letter from Willow Village received today that they already have a vesting tentative map and a development agreement. He said the permitted uses in the C-2-S, the existing district, would be honored with the entitlements in place so no issues were foreseen there. He said they would also build a nonconformity exemption for properties into the zoning code.

Commissioner Schindler asked if that meant existing sites could become nonconforming under the new zoning. Planner Smith said if a parcel had a use permit or conditional development permit in place there would be an exemption to essentially honor those entitlements as they existed now. He said he did not think that any nonconformity would be created for any of the sites identified.

Commissioner Schindler referred to sites in the new C-MU not in the Housing Element that would have a requirement for 20% nonresidential use to retain neighborhood serving commercial and retail. She said it felt a little too restrictive. She said in other places granting larger FAR as an incentive to have or keep those services was spoken about but not requiring that. She said she thought it would possibly be a barrier to potentially a housing only solution. Planner Smith said there was not a certain percentage of nonresidential uses that would be required and there was some flexibility but to her point it was set up as sort of a requirement.

Commissioner Schindler referred to the design standards for the new C-MU that were listed as examples and asked if the intent was for those to be used. Planner Smith said that those would be attached to the end of each of the zoning districts. Commissioner Schindler said those seemed to draw heavily from the RMU and R-4S design standards and asked about the guiding principles for the C-MU design standards and why it was appropriate to draw from those other zoning districts.

Planner Smith said many were taken from the residential mixed-use zoning district in the Bayfront area and then the R-4S zoning district. He said they were looking at the objectivity of the standards they used to have some sort of numeric standard or something definitive that might be implemented, so a developer would have some confidence that if they applied a certain ratio measurement, modulation or whatever to a project that gave more clarity about meeting what the expectations were. He said they applied those based on staff's experience of implementing them in the zoning districts where they exist and have had for some time.

Vice Chair Do said they had heard from many community members a concern to have neighborhood serving retail noting a comment on a requirement for that in the new C-MU.

Commissioner Barnes referred to childcare and confirmed with staff that ground floor childcare would be permissible as a use in some of the new commercial zoning districts. He asked to know more noting that usually with childcare there were prescriptive amounts of outdoor space and other requirements more than other commercial space buildouts. He asked about any incentives for that use in the zoning.

Planner Smith said the incentives were not tailored to childcare use specifically. He said childcare centers were listed as a conditional use and that would give the Commission some discretion as to where those uses would be located and ensuring requirements and expectations were met for safe and reliable childcare facilities.

Commissioner Barnes observed the need for childcare that was accredited and at a scale different from family home daycares. He thought incentives for such childcare centers should be included in this process and to identify potential sites as well for such.

Planner Smith said that some of the sites being discussed in the C-MU were small. He said C-1, C-1-C sites and the C-2 site at the Sharon Heights Shopping Center and potentially some in the Office district might have more adequate open space and facilities to accommodate that. He said they had not built childcare centers as conditional or permitted uses for those zoning districts so that might be a way to accommodate that.

Commissioner Barnes recommended that childcare centers in C-1, C-1-C, and C-2 could hopefully be permitted or at least be a conditional use and to consider incentives to support actualization of those facilities.

Ms. Wagner said Commissioner Barnes' recommendation was clear. She said the proposed amendments to implement the housing element programs did not notice an expansion of commercial childcare centers as part of the consideration. She said she would recommend that they bring that back for further consideration in a separate item if that was the request of the Commission, and staff could inform the Council that was the Commission's recommendation.

Vice Chair Do asked if that would be an item for November 6 if supported by the Commission as a recommendation to the City Council. Ms. Wagner said she was not suggesting that be part of the actual text amendments brought to the Commission on November 6th but that the Commission could make a recommendation to the Council that the topic should be looked at in the future.

Vice Chair Do said she would support prioritizing and highlighting that as a community need noting she thought currently there was a one to two year wait for the larger scale childcare facilities.

Commissioner Riggs said he would second Commissioner Barnes and Vice Chair Do's comments regarding childcare centers.

Commissioner Schindler asked why C-1 did not have a setback requirement noting C-1-C did.

Planner Smith said the setbacks in the C-1 district were smaller and as currently zoned whereas C-1-C had some large setback requirements, which was why it was called out specifically. He said C-1 was 30 feet for the front, 20 feet for the side, and 20 feet for the rear whereas in C-1-C currently it was 75 feet for the front and 75 feet for the rear when abutting a residential district, and then 30 feet for the interior side.

Commissioner Schindler referred to C-2, the Sharon Heights Shopping Center, and said with the discussion on that it bore reiteration that the conversation started about height, followed by adjustments to height.

Planner Smith said at the City Council study session a specific request was made that if the height was doubled that they should also look at increasing density.

Commissioner Schindler said as presented an equivalent amount of nonresidential gross floor area was the mechanism to keep the existing neighborhood serving commercial and retail in the space. Planner Smith said a redevelopment of the site would need to require the equivalent amount of the nonresidential uses essentially that existed. He said so as not to be too prescriptive about an exact amount, the potential of a use permit was included to allow for modification if needed.

Commissioner Barnes said the nonresidential requirements throughout the zoning ordinance were both entirely reasonable and promoted the wellbeing of the community. He said he was supportive, and specifically to Sharon Heights he would rather see more density and height there but supported what was being recommended. He said the nonresidential requirement in this zone and others was well thought through.

Vice Chair Do referred to Table 2, line 33, minimum parking requirements that listed C-1 and C-2 districts and asked if C-MU district had parking requirements. Planner Smith said they were for residential uses and as proposed it was 1 space minimum, and 1.5 spaces maximum. He said since the new C-MU district was really the old CB district, it already had those parking requirements for commercial.

Vice Chair Do said for the record that Commissioner Riggs, as indicated at the beginning of the meeting due to the proximity of his personal residence to the O district would recuse himself from that portion of the discussion. Commissioner Riggs left the dais.

Commissioner Ehrich said he supported the proposed changes and was enthusiastic about mixed

use development.

Commissioner Schindler asked if the design standards would apply here as she did not see them listed. Planner Smith said the O district had its own design standards already. He said that they mirrored what was proposed closely and the proposed adding a couple more additional modulation requirements to make it more consistent with the nearby RMU zoning district.

Commissioner Schindler said she supported the proposed mixed-use development in the O district.

Vice Chair Do recessed the meeting at 9:23 p.m.

Vice Chair reconvened the meeting at 9:30 p.m. with Commissioner Riggs returning to the dais.

Vice Chair Do said the next topic was multifamily zoning district provisions affecting the R-3 and R-4 zoning districts.

Commissioner Riggs said 30 dwelling units per acre were indicated for R-3 and up to 20 dwelling units per acre for other R-3 sites based on square footage. He confirmed with Planner Smith that was prior to application of any density bonus. He asked how great the density per acre could go.

Ms. Chow clarified that if Commissioner Riggs was talking about density bonus from either the state density bonus law or the AHO that one of the two sites contemplated for the higher 20 dwelling units per acre was on their site inventory list but was not subject to the AHO, but the state density bonus law would be applicable. She said the maximum there would be an 80% density bonus for a 100% affordable development project.

Vice Chair Do said the AHO applied to R-3 districts and opportunity sites. She said there was only one opportunity site, the Flood School site, and asked if she understood correctly.

Ms. Chow said the AHO applied to all housing opportunity sites in addition to the R-3 sites around downtown. She said the Flood School site referred to was one of the two parcels that met the 100,000 minimum square foot lot size on the inventory list. She said the AHO would not be applicable to that site, but the state density bonus law would be.

Commissioner Riggs asked if a site was included in the Housing Element that was not developed during the seven-year term whether it rolled over to become eligible for builder's remedy.

Ms. Wagner said the builder's remedy applied if the city did not have an adopted housing element. She said some argued that could be if you did not have an element that was certified by HCD, but that question had not been answered by the courts yet. She said a reuse site that had not developed was a different question and there were no net loss provisions that applied if a site developed at a different or lower density or lower capacity than identified in the Housing Element. She said with respect to reuse sites it was not known yet what the housing element law would say seven years from now about them. She said if in the inventory you had a vacant parcel that was included in two prior cycles or a non-vacant parcel that was included in one cycle there were special rules that applied to being able to use those sites to provide capacity for lower income units but the fact of having a site on the site's inventory in the current Housing Element that was not developed during the planning period did not open it up to a builder's remedy issue right now.

Commissioner Riggs said the only difference would be the administrative processing in that it would no longer be discretionary review, for example.

Ms. Wagner said for the next housing element cycle in eight years they would have to again analyze what sites to include and if you included a non-vacant site and the rules remained the same that site would have to be rezoned to allow projects that included 20% affordable low-income housing by right.

Commissioner Schindler asked if design standards were something that was contemplated or appropriate for R-3 zones.

Planner Smith said they had not proposed design standards for the R-3 district. He said the way the code was currently that other than a single-family home or duplex there was a requirement for architectural control from the Planning Commission for properties in the R-3 district. He said they could also be subject to SB30 if a developer were to apply and, in that case, they would have just had the basic development regulations that were in place at this time.

Commissioner Schindler said having to go through architectural control and to the Planning Commission was putting time, effort and money requirement on the developer in those instances whereas design standards gave a starting point for considering what the city expected to maintain an intended look and feel. She said that would be good to consider if that could be done without affecting the timeline.

Commissioner Ehrich noted the idea of making the R-3 zoning districts throughout the city uniform and allowing 30 dwelling units per acre. He said R-3 districts not downtown were primarily located in Linfield Oaks, along Waverly Street, and by the VA Campus on Willow Road. He said both were adjacent to other areas they had discussed tonight that were proposed to have mixed use developments. He said the benefit would be spreading density throughout the city to meet housing goals and to further increase the vibrancy of corridors they were investing in via this plan.

Planner Smith said that question came up at the City Council study session where it reviewed very similar proposals in August. He said potential issues were identified with expanding that citywide. He said a number of R-3 parcels were located in the Belle Haven neighborhood along Pierce Road and Willow Road. He said as part of affirmatively furthering fair housing they had tried to have as minimal an effect as possible on District 1 through these proposed zoning amendments. He said another reason was the way they had studied the project and how it was noticed and explained to property owners that these changes would be specific to R-3 around downtown with the idea of trying to increase density in areas close to transit and more walkable services. He said the concern there was that potentially increasing density outside of that area might need some more review to implement.

Commissioner Ehrich said he did not intend to have this significantly affect Belle Haven but if there was a way to do that would not impact District 1 that it was reasonable in the other R-3 areas shown on the map and particularly in Linfield Oaks being directly across from El Camino Real and close to transit.

Commissioner Barnes said the exercise was to densify the downtown area directly proximate to transit. He said he thought it was appropriately allocated and to spread otherwise was not congruent with the co-location of transit. He said expanding this to other R-3 districts would go too far in terms of what they were solving for through the Housing Element.

Vice Chair Do said at their previous meeting on this a community member also brought up applying that change to all R-3 districts and she thought the Commission also generally supported that. She said in this staff report there was a rationale that it might increase the number of units beyond what was studied in the EIR. She said Commissioner Ehrich brought up a very good point and that the Commission and the City Council had wanted to explore that.

Vice Chair Do introduced the topic of modifications to the Downtown Specific Plan. She said she appreciated staff's revision to include the 10 subdistricts in the update. She referred to Commissioner Riggs' question about setbacks. She asked where scale increased whether setbacks were adjusted adjacent to neighboring single family developments.

Planner Smith said they had not modified the setbacks. He said the façade height requirements were adjusted. He said they tried to address scale with the density and massing as the City Council directed. He said setbacks for the rear property line were generally between 10 and 20 feet and setbacks he was referring to earlier in response to Commissioner Riggs' question were for front setbacks.

Commissioner Riggs said at a previous meeting a person expressed appreciation for how the eight or 10 story tower at University and Valparaiso existed perfectly and harmoniously with the single-family home neighbors. He said several years ago he had lunch and dinner in the backyard of a house a quarter of a mile away from that tower and he found he could not stop looking up at the balconies and at the people looking back at him. He said the adjacency of building height was meaningful. He said until less than 10 years ago Menlo Park was a predominately residential neighborhood and that people moved to Menlo Park, so they did not have to live in urban cities. He said it would benefit future residents if they built towers and perhaps 20% of those were affordable but for the people who called Menlo Park home now that building mass was significantly more than of a dwelling unit count. He said 40- and 60-foot-tall buildings next to residential was undesirable. He said in developing the Specific Plan they had made sure that buildings backing up against single family were stepped down to protect privacy. He said a 20-foot setback was just baseline. He said the recess above the second floor was what really mattered to the adjacent neighbors. He said if the lot depth was 180 feet it might be reasonable to ask that the third and fourth floors be set back more than 10 feet and perhaps even more than 20 feet.

Commissioner Barnes said the concept of transitioning was important and noted the difference of residential development in a less developed area and that in a built-out area like downtown. He said they could get the desired density and do responsible transitioning from the current built environment and increasing residential forms in height and massing. He said he did not have a specific recommendation for that other than that it be studied and what transitions were in place and what they would look like.

Vice Chair Do said it made sense that this was the area to go high and dense and setbacks were just one element of transition. She asked if the design standards for the building massing and modulation had been reexamined as part of the change in numbers and when the appropriate time for that to happen was.

Planner Smith said the design standards would still apply here. He said a modulation requirement would be for the full height of the building and that included all the new height that could be achieved through the changes. He said there was a 45-degree building profile that started at the façade

height, and they had adjusted the façade heights upward based on the overall height that would be changed. He said that did not negate the requirement for the step in of the building profile at 45 degrees to help limit some of that massing as well. He said if they increased setback then the buildings would either have to get taller or make the units small. He said they tried to look at all the factors and not make any one of them overly extreme and to accommodate the potential for larger units. He said they needed to increase the height because some of the lots were smaller and probably would not be redeveloped unless they had that availability.

Commissioner Schindler referred to the increase in FAR that required at least 50% of the building be residential but no more than 65% in certain of the zoning districts and asked about the rationale for the latter.

Planner Smith said one factor were concerns they had heard about maintaining a mix of uses and another was trying to maintain some discretion in terms of the residential component of the building. He said under SB30 if it was two-thirds residential or more that they could apply for SB30 but having it at 65% helped to maintain the discretionary process.

Commissioner Schindler questioned the three-part requirement for the average size of the residential unit between more than 1,000 but less than 2,000 square feet and the number of bedrooms and units being for sale and stepped up FAR.

Planner Smith said there were two requirements. He said one was that 50 to 65% of the building was for residential uses. He said the second was the average net residential unit size of 1,000 square feet. He said the third was an option between the two. He said you could either provide half the units with two or more bedrooms including 10% of that as three or more bedrooms or you could provide all units as for sale units.

Commissioner Schindler said the requirement for storefronts along Santa Cruz Avenue to retain at least 1.0 FAR seemed to speak to the recurring theme of insuring keeping commercial and retail.

Planner Smith referred to Attachment L and pointed out that in addition to the Main Street Retail Frontage Overlay along Santa Cruz Avenue were notes 4 and 5 and that was a limitation on office uses to one half of the FAR. He said there was another note about limitation on some offices and medical offices, and dependent on the subdistrict but in certain cases that was limited to one third of the FAR. He said those provisions would come into play as well.

Commissioner Schindler said she supported those.

Commissioner Ehrich asked if the downtown was the focus of more densification to create more housing what was staff's confidence that the city would meet its regional housing needs assessment when the city resubmitted the Housing Element.

Planner Smith said the realistic capacity calculations they were using for the downtown area showed much more conservative density than what they could actually achieve. He said in discussions with HCD they had not expressed concerns particular to this strategy.

Commissioner Barnes referred to the 50% FAR office maximum and asked if that would be maintained on Santa Cruz Avenue. Planner Smith said along Santa Cruz Avenue was the Main Street Retail Frontage Overlay and that required property fronting Santa Cruz Avenue to have a

minimum of 1.0 FAR of commercial uses which could be retail and restaurants, those types of uses.

Commissioner Barnes asked if office use was capped at 50%. Planner Smith said he did not know if that applied to all of the 10 subdistricts but most of them limited office uses to 50% of FAR.

Commissioner Barnes noted challenges of owning a building that had three different product types. He said having office use limited and requiring three product types in one building had not worked. He said maybe offering greater height would work but he thought the office cap did not work for vitality on Santa Cruz Avenue,

Vice Chair Do asked if that risked getting more office than what was needed as some had expressed. Commissioner Barnes said office could be capped across a district instead of bifurcating it by parcel.

Commissioner Ehrich said that made sense, but he was curious if that was workable and whether that feedback could be incorporated between now and January 30th.

Planner Smith said that was another item that the Planning Commission could make a recommendation to City Council to tackle separately. He said his main concern was that these were existing limits already in place and they had not noticed or informed property owners they might be changing what they could do with their nonresidential development under this project. He said they were really trying to keep it focused on the residential at least through January 31, 2024 and then if the Council chose it could take up the Commission's recommendation.

Commissioner Riggs commented on how the need for parking downtown and property owners buying into a parking program as well as needing parking to redevelop was a hurdle in the downtown. He said that the downtown was most accessible by car. He said they did not want to encourage people to use cars, but they had not provided a reasonable alternative or had a long range plan for one. He said to add vibrancy downtown they needed to provide parking options for the owners of the downtown lots.

Ms. Chow said that economic vitality and vibrancy had been a topic for many years starting with the implementation or vision of the Specific Plan. She said City Council had emphasized economic vitality as one of its priorities. She said the Specific Plan highlighted consolidating parking and identified three locations. She said as the Assistant City Attorney discussed earlier a feasibility study would look at what could be done, what mix of uses would bring people to the downtown and provide the right amount of parking.

Commissioner Riggs said on behalf of anyone who had pressed on design standards that the larger the projects coming to Menlo Park the more they should have design review. He said the city had been lucky and had some great projects design-wise. He said he wanted to support units for sale noting that experience showed property ownership tended to improve property maintenance standards.

Vice Chair Do said the next topic was ministerial review of sites from the previous cycle if they included 20% affordable housing.

Commissioner Barnes said this was due to state law, so he thought other than understanding it there was not anything to discuss.

Commissioner Riggs said this led back to the point that they really needed design standards. He asked if they had objective design standards whether the administrative review would follow those standards.

Ms. Wagner said under the Housing Accountability Act any housing development project could only be subject to objective design and development standards so that would also apply to by right development and that staff would apply those objective design and development standards.

Vice Chair Do said the residential overlay as explained by staff was for sites that did not allow residential use such as those with a conditional development permit or some other kind of unique circumstance.

Commissioner Schindler asked for that if there was a benefit of creating two use cases rather than lumping all into one and suggested splitting the ones that already had a conditional use permit (CDP) from ones that did not have any residential allowed currently.

Planner Smith said there were a couple of apartment complexes on Sharon Park Drive at the maximum residential and one office development with a CDP on Sand Hill Road. He said for that one they would have to modify the CDP or change things around to make residential development happen. He said you could think of it as applying to two different use cases, but he thought they had attempted to make it flexible enough that the same strategy could apply to the two different types of uses.

Commissioner Schindler said she was supportive after that explanation.

Vice Chair Do opened discussion on residential child daycare.

Commissioner Barnes said it was by law and well intentioned but as a community if they wanted to solve access to quality daycare that they needed to look at zoning.

Commissioner Schindler said this was an important issue for the community and she was supportive of this one of many solutions to ensure the health of the community and the economic health of the city and state,

Vice Chair Do reviewed with staff Planning Commission recommendations to City Council to pursue separately including incentivizing child daycare on a larger scale, looking at provisions of parks and open space given the increase in the number of residents, and finding a viable way to stipulate ratios or amounts of office, residential and retail across the downtown district rather than by parcel.

Commissioner Schindler said going into the November 6th meeting that they would benefit from seeing clear red lines of before and after in terms of language.

Planner Smith said they would prepare resolutions and ordinances for that meeting. He said typically they underlined for new text and used strike through for deleted text.

ACTION: Motion and second (Barnes/Riggs) to continue the item to a date certain of November 6, 2023; passes 5-0 with Commissioners Ferrick and Harris absent.

G. Informational Items

G1. Future Planning Commission Meeting Schedule

- Regular Meeting: November 6, 2023

Continuance of General Plan Amendments, Zoning Ordinance Amendments, El Camino Real/Downtown Specific Plan Amendments, and Rezoning/City of Menlo Park Housing Element Update Project

- Regular Meeting: November 13, 2023

Multiple single-family development projects

H. Adjournment

Vice Chair Do adjourned the meeting at 10:45 p.m.

Staff Liaison: Deanna Chow, Assistant Community Development Director

Recording Secretary: Brenda Bennett

Approved by the Planning Commission on January 8, 2024

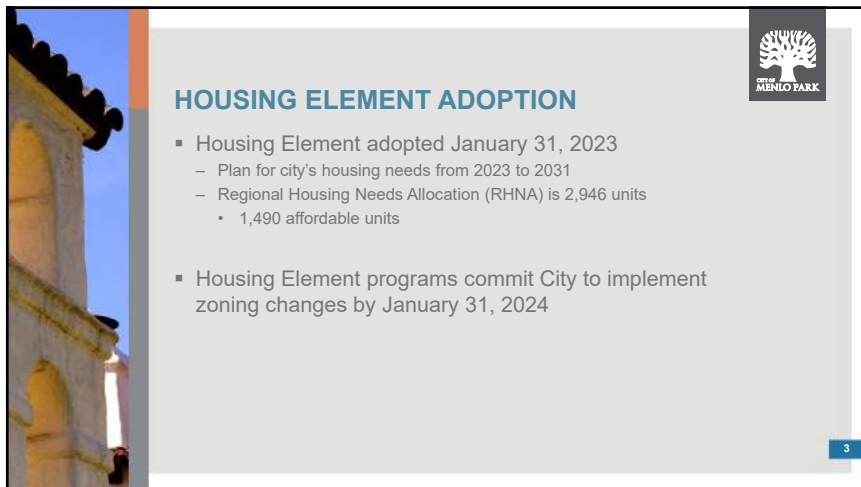


HOUSING ELEMENT UPDATE

General Plan, Specific Plan, Zoning Ordinance, and Zoning Map Amendments

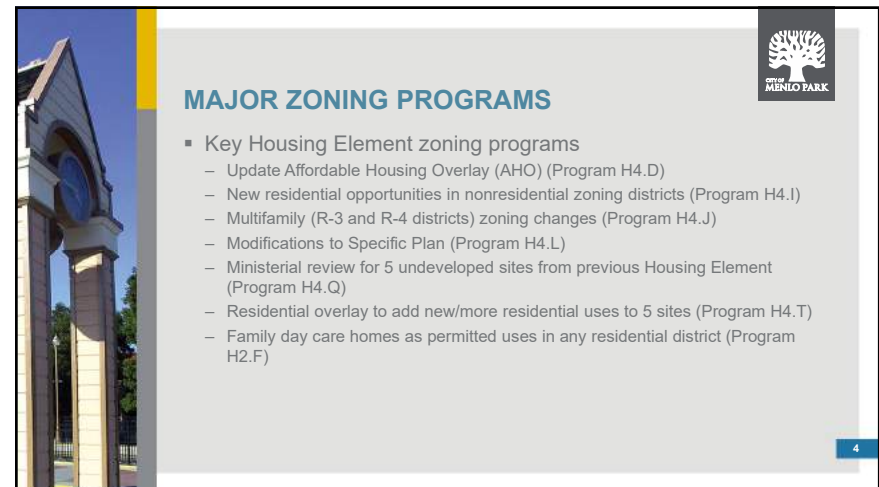


PROJECT BACKGROUND





HOUSING ELEMENT ADOPTION

- Housing Element adopted January 31, 2023
 - Plan for city's housing needs from 2023 to 2031
 - Regional Housing Needs Allocation (RHNA) is 2,946 units
 - 1,490 affordable units
- Housing Element programs commit City to implement zoning changes by January 31, 2024



MAJOR ZONING PROGRAMS

- Key Housing Element zoning programs
 - Update Affordable Housing Overlay (AHO) (Program H4.D)
 - New residential opportunities in nonresidential zoning districts (Program H4.I)
 - Multifamily (R-3 and R-4 districts) zoning changes (Program H4.J)
 - Modifications to Specific Plan (Program H4.L)
 - Ministerial review for 5 undeveloped sites from previous Housing Element (Program H4.Q)
 - Residential overlay to add new/more residential uses to 5 sites (Program H4.T)
 - Family day care homes as permitted uses in any residential district (Program H2.F)





MEETING PURPOSE

- Share updates since August 2023 zoning study session
- Receive feedback to finalize proposed zoning changes needed to implement Housing Element programs
- Continue meeting to a Nov. 6 public hearing to make recommendations to City Council

5





AFFORDABLE HOUSING OVERLAY



AFFORDABLE HOUSING OVERLAY

- Designed to encourage development of affordable units for lower income households
- Would include all Housing Element inventory sites and R-3 around downtown, in addition to the Specific Plan area and R-4-S(AHO) properties
- Would be modified to work in combination with state density bonus law on a site


7




AFFORDABLE HOUSING OVERLAY

- Requirements to qualify for AHO
 - 5+ units total
 - 20%+ of units affordable to lower incomes
 - 25%+ of units must be affordable to very low and/or extremely low income households, or
 - 15%+ of units must be affordable to extremely low income households

8





AFFORDABLE HOUSING OVERLAY


- For AHO only, maximum density bonus would be:
 - 60% for mixed income development
 - 80% for all affordable development
- AHO and state density bonus law combined:
 - 65% combined maximum for mixed income development
 - 150 du/ac combined maximum for 100% affordable development


9





COMMERCIAL DISTRICTS



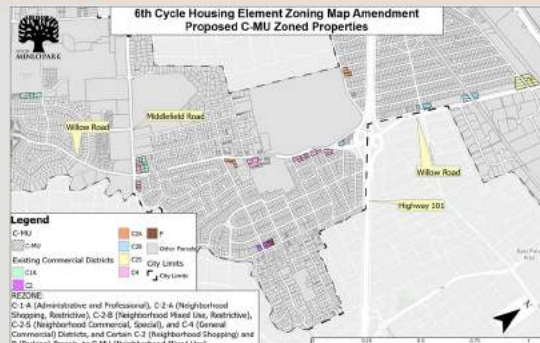



COMMERCIAL ZONING DISTRICTS

District	Max. Coverage	FAR	Height
Administrative and Professional (C-1-A)	40%	40%	35 feet
Neighborhood Shopping (C-2)*	50%	40%	30 feet
Neighborhood Shopping, Restrictive (C-2-A)	50%	40%	One story
Neighborhood Mixed Use, Restrictive (C-2-B)	60%	40 to 50% comm; up to 90% res; 100% total max.	30 to 40 feet
Neighborhood Commercial, Special (C-2-S)	Per individual development	50%	Per individual development
General Commercial (C-4)	No max.	40%	30 feet
Parking (P)**	0%	0%	None

- C-2-B would become C-MU (Neighborhood Mixed Use) district
- Nonresidential uses would be a required development component, except on Housing Element inventory sites needed to meet lower income RHNA
- Design standards and green and sustainable building provisions would be included

11





6th Cycle Housing Element Zoning Map Amendment Proposed C-MU Zoned Properties


Legend

- C-MU
- Other Parcel
- C-2-B
- C-2-A
- C-2-S
- C-4
- City Limits
- City Limits

REZONE

C-1-A (Administrative and Professional), C-2-A (Neighborhood Shopping, Restrictive), C-2-B (Neighborhood Mixed Use, Restrictive), C-2-S (Neighborhood Commercial, Special), and C-4 (General Commercial) Districts, and Certain C-2 (Neighborhood Shopping) and P (Parking) Parcels, to C-MU (Neighborhood Mixed Use)

12



COMMERCIAL ZONING DISTRICTS


Table 3: Commercial Districts to Allow Residential Uses

District	Max. Coverage	FAR	Height
Administrative and Professional, Restrictive (C-1)	40%	30% comm.; up to 90% res.; 100% total max	35 feet
Administrative, Professional and Research, Restrictive (C-1-C)	20%	25% comm.; up to 90% res.; 100% total max	35 feet
Neighborhood Shopping (C-2)*	50%	40% up to 90% res.; 100% total max	30 feet


*The additional residential FAR would apply to the Sharon Heights Shopping Center parcel only. All other existing C-2 parcels would be rezoned C-2-B.

- The existing FAR for nonresidential uses would remain
- FAR for multiple dwelling units would increase on an even gradient up to 0.90 for 30 du/ac
- The FAR for mixed use developments would be allowed the maximum of each component
- Coverage and height for mixed use/residential development would be allowed increases
- Design standards and green and sustainable building provisions would be included

13




Commercial Districts to Allow Residential Uses




Legend:
Zoning Districts

14



6th Cycle Housing Element Zoning Ordinance Amendment Office Zoned Properties to Allow Housing



Legend:
Office Zoned Properties
Office Zoned Properties
Office Zoned Properties
City Limits
City Limits

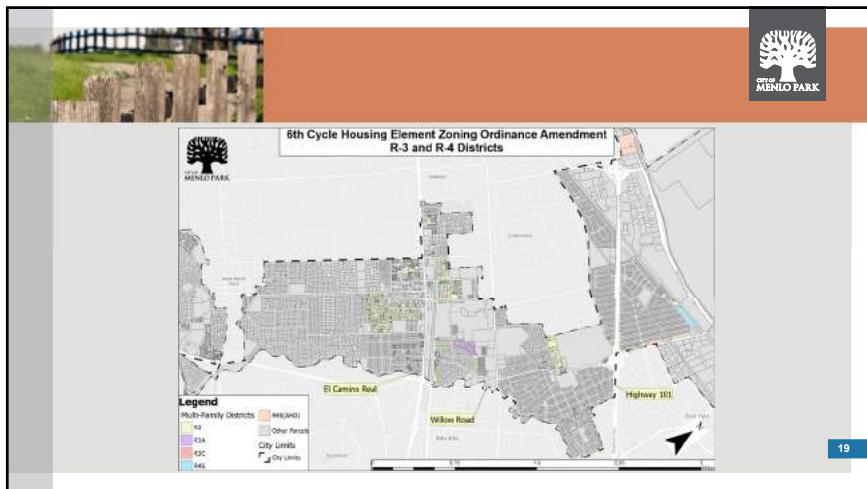
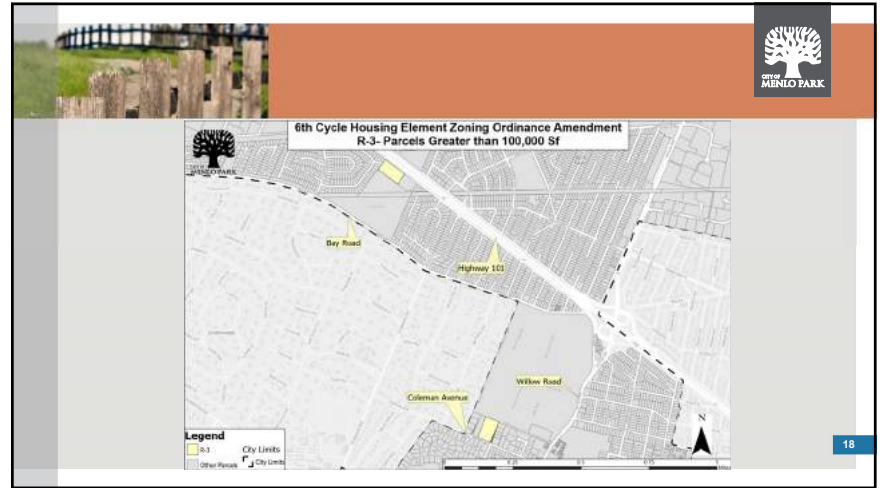
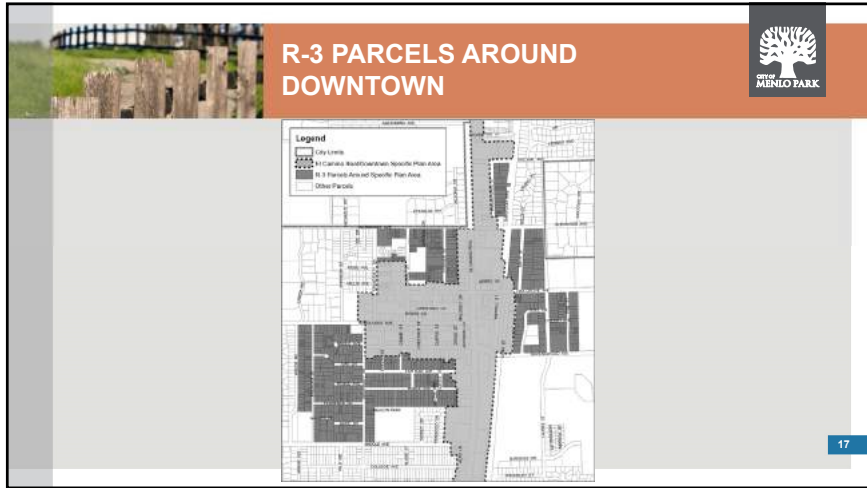
15



R-3 AND R-4 DISTRICTS



16



SPECIFIC PLAN RESIDENTIAL DENSITIES



Specific Plan Existing and Proposed Subdistrict Residential Densities (in du/ac)				
Subdistrict	Existing Base Density	Base Density Increase Option	Existing Bonus Density	Bonus Density Increase Option
Downtown (D)	25	60	40	100
Downtown Adjacent (DA)	18.5	40	25	50
El Camino Real North-East (ECR NE)	25	40	40	50
El Camino Real North-East Low Density (ECR NE-L)	20	40	30	50
El Camino Real North-West (ECR NW)	25	40	40	50
Station Area East (SA E)	50	60	60	100
Station Area West (SA W)	50	60	60	100
El Camino Real South-West (ECR SW)	25	40	40	50
El Camino Real South-East (ECR SE)	32	60	50	80
El Camino Real Northeast-Residential Emphasis (ECR NE-R)	32	50	50	70

21



22

OTHER SPECIFIC PLAN CHANGES



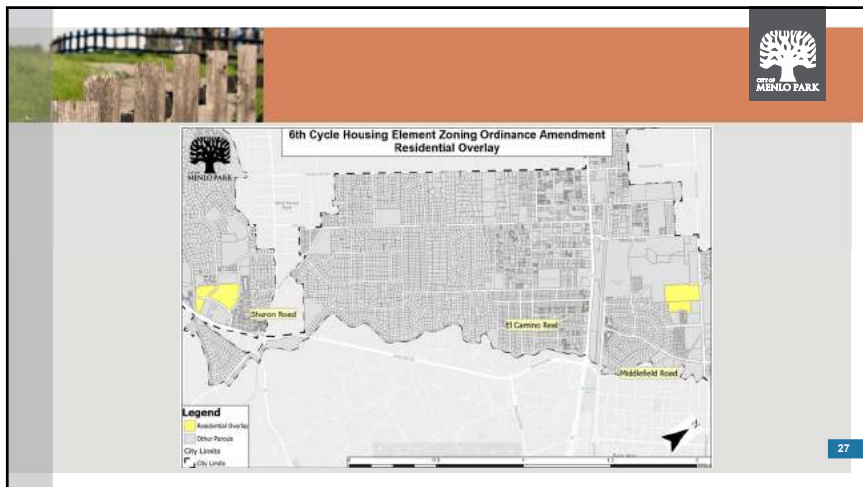
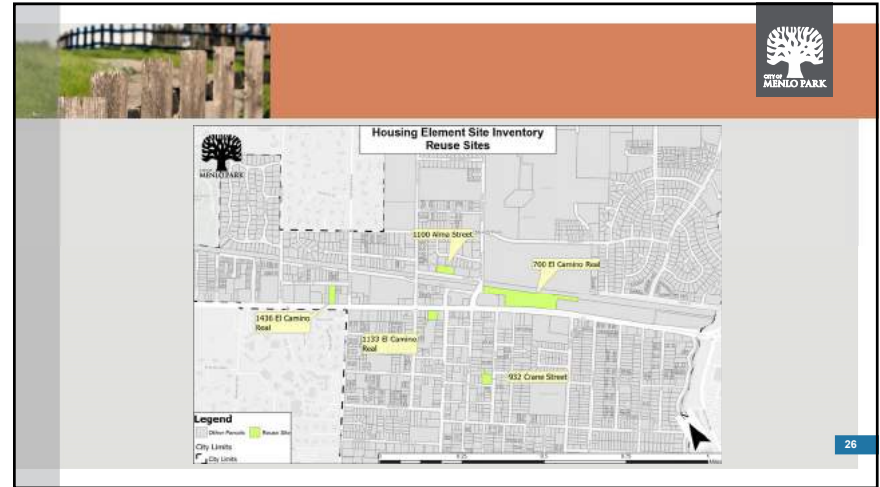
- The limit of 680 residential units in the Specific Plan area would be removed
- A minimum density of 20 du/ac would be established to set a basic floor for residential development
- Minimum parking requirements would be removed
 - AB 2097 generally prohibits minimum parking requirements within 1/2-mile of transit stops

23

Parcels 1/2 Mile from Major Transit




24





OTHER ZONING ORDINANCE CHANGES

- Child day care homes would be allowed by-right in residential areas

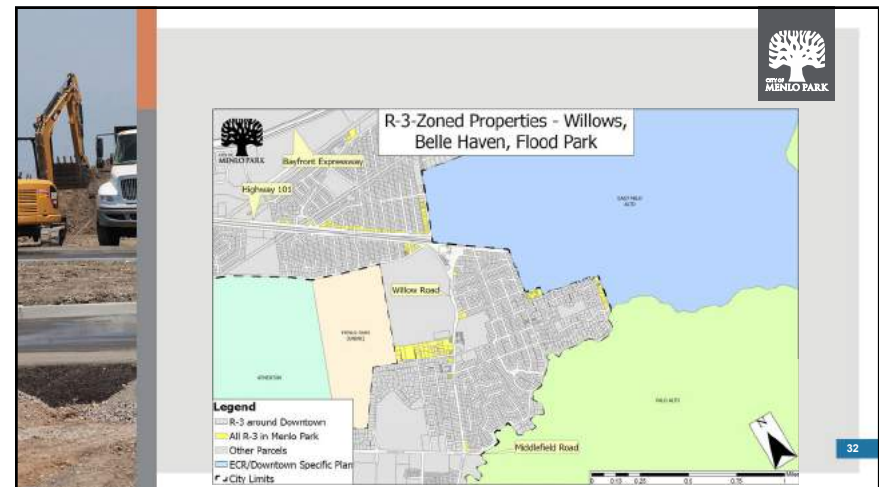
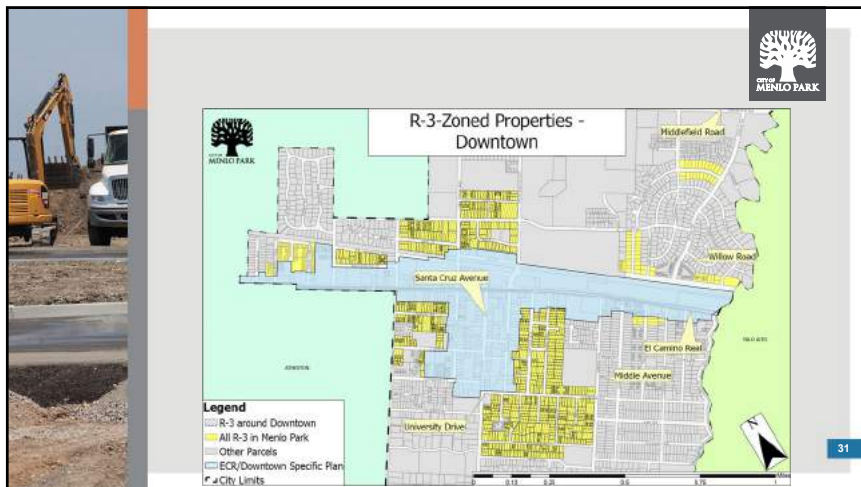



NEXT STEPS FOR ZONING

- Staff will use feedback from study session to finalize amendments
- Planning Commission will review for recommendation Nov. 6
- City Council tentatively scheduled to review and take action late Nov. 2023

THANK YOU

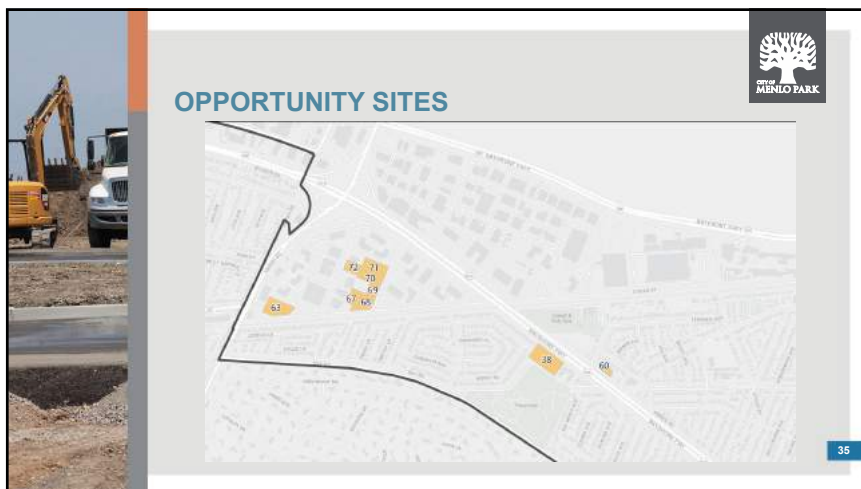





NET RHNA


	Very Low	Low	Moderate	Above Moderate	Total Units
6th Cycle RHNA Needs					
6 th Cycle RHNA	740	426	496	1,284	2,946
30% Buffer	222	128	149	385	884
6 th Cycle RHNA + 30% Buffer	962	554	645	1,669	3,830
6th Cycle RHNA Credits					
Pipeline Projects	134	230	230	3,050	3,644
ADUs	26	25	26	8	85
Credits Subtotal	160	255	256	3,061	3,729
Total Net New Units Needed	802	299	389	0	1,490


33






OPPORTUNITY SITES






CITY OF
MENLO PARK

37



OPPORTUNITY SITES




CITY OF
MENLO PARK

38