Planning Commission



REGULAR MEETING MINUTES

Date: 8/26/2024 Time: 7:00 p.m.

Location: Zoom.us/join – ID# 858 7073 1001 and

Belle Haven Community Campus

100 Terminal Ave., Menlo Park, CA 94025

A. Call To Order

Chair Jennifer Schindler called the meeting to order at 7:14 p.m.

B. Roll Call

Present: Jennifer Schindler (Chair), Linh Dan Do, Katie Ferrick, Misha Silin, Ross Silverstein

Absent: Andrew Ehrich (Vice Chair), Katie Behroozi

Staff: Calvin Chan, Senior Planner; Deanna Chow, Community Development Director; Matt Pruter Associate Planner; Tom Smith, Principal Planner; Mary Wagner, Assistant City Attorney

C. Reports and Announcements

Principal Planner Tom Smith said the City Council at its August 27, 2024 meeting would hold a study session on potential uses of the City's downtown parking lots for affordable housing in relation to the City's Housing Element, consider an appeal of the Planning Commission's decision on 1399 Bay Road, and consider an amendment to the 2030 Climate Action Plan.

Chair Schindler confirmed with staff that the reconsideration of the 1399 Bay Road project was due to a call up by a City Council member.

D. Public Comment

 Areena Lal, a Belle Haven resident, expressed concern for the lack of bus stop infrastructure in the neighborhood, such as benches and shelters, and expressed support for advancing environmental justice in the Belle Haven the area.

E. Consent Calendar

None

F. Public Hearing

F1. General Plan Amendments/City of Menlo Park/Environmental Justice Element and Safety Element: Consider and adopt resolutions recommending the City Council amend the General Plan to include an Environmental Justice Element and to update the Safety Element, and determine the actions are addressed in a previously-certified subsequent environmental impact report under the California Environmental Quality Act.

The City of Menlo Park is proposing to amend the General Plan to adopt a new Environmental Justice Element and update the Safety Element. The Environmental Justice Element is a statemandated element of the General Plan if the local agency identifies "disadvantaged communities" within its jurisdiction. The purpose of the Environmental Justice Element is to identify and address current and potential future public health risks and environmental justice concerns, and to foster the wellbeing of Menlo Park residents living in "disadvantaged" and/or "underserved communities." Environmental justice means that everyone should have equal protection and advantages when it comes to the environment around them. It also means that people should be meaningfully involved in the decisions that affect their community. Fair treatment means no group of people should bear a disproportionate share of the negative environmental consequences resulting from industrial. governmental, and commercial operations or policies. In Menlo Park, the Belle Haven and Bayfront neighborhoods are identified as underserved/disadvantaged communities and in order to reduce the disproportionate health risks that exist in Belle Haven and the Bayfront, the Environmental Justice Element includes policies and programs organized into seven goals consistent with state requirements: 1) Address unique and compounded health risks, 2) Reduce pollution exposure and improve air quality, 3) Equitably provide appropriate public facilities to individuals and communities, 4) Promote access to high quality and affordable food, 5) Provide safe, sanitary, and stable homes, 6) Encourage physical activity and active transportation, and 7) Create equitable civic and community engagement.

The Safety Element is a state-mandated element of the General Plan. The purpose of the Safety Element is to identify how to reduce potential risks of injury, property damage, and economic and social disruptions resulting from natural and human-made hazards. The City Council adopted the Safety Element on May 21, 2013. Since then, state laws were enacted that require Safety Elements to address climate change adaptation and resiliency, and give increased attention to wildfire and evacuation routes; the update to the Safety Element focuses on these topics in response to state law. The City has the Open Space/Conservation, Noise and Safety Elements in a combined document. The update focuses on the Safety Element; the Open Space/Conservation and Noise Elements are unchanged.

Determine the actions are addressed in a previously-certified subsequent environmental impact report under the California Environmental Quality Act. As part of adopting the ConnectMenlo General Plan Update in 2016, the City prepared and certified the ConnectMenlo EIR, and for the Housing Element Update project (i.e., update to the Housing Element, update to the Safety Element, new Environmental Justice Element, and associated changes including zoning amendments), a subsequent environmental impact report (SEIR) was prepared (State Clearinghouse No. 1990030530) which incorporated and revised the ConnectMenlo EIR to ensure that environmental aspects of the Housing Element Update were evaluated, and the City Council adopted Resolution No. 6808 on January 31, 2023 certifying the SEIR and taking associated CEQA actions. (Staff Report #24-037-PC) (Informe del personal #24-037-PC en español)

Planner Calvin Chan presented the staff report and highlighted the milestones in the preparation of the Environmental Justice (EJ) Element and the update of the Safety Element.

Cade Cannedy, Director of Programs for Climate Resilient Communities (CRC), reviewed the community outreach efforts and public meetings that occurred from the summer of 2021 through June 2024 on the two General Plan elements. Mr. Cannedy noted critical environmental conditions in the Belle Haven neighborhood such as the impending threat of sea level and groundwater rise, extreme heat in the summer, a lack of tree canopy, air pollution, and consequences of racialized

zoning practices and segregation. Mr. Cannedy said the proposed EJ Element was a road map to address climate hazards and issues affecting the Belle Haven neighborhood including air pollution, transit, traffic, and the threat of displacement from the community.

Mr. Cannedy said the three community identified priorities were:

- 1) Provide safe, sanitary, and stable homes (Goal EJ5)
- 2) Promote access to high quality and affordable food (Goal EJ4)
- 3) Reduce pollution exposure and improve air quality (Goal EJ2)

Planner Chan said subsequent to the two community meetings in May and study sessions with the Planning Commission and City Council in June, the project team revised the elements in response to the feedback received at those meetings. He provided information on the feedback received and how those were addressed in the revised EJ and Safety Elements.

Planner Chan highlighted the Safety Element revisions:

- Identify SB 272 (2023) requirement and efforts to collaboratively develop a Regional Shoreline Adaptation Plan
- Clarify Menlo Park's Local Hazard Mitigation Plan as part of the countywide Multijurisdictional Local Hazard Mitigation Plan
- Include more information on
 - soft story buildings;
 - o sea level rise and climate change;
 - o cooling centers and storm related issues; and
 - emergency preparedness

Planner Chan highlighted the EJ Element Revisions:

- Presentation of a streamlined, reformatted, and redesigned adoption draft version and a track changes version
- Clarification of actions and accountability following adoption
- Emphases on pollution reduction and air quality improvements
- Enhanced community outreach and collaboration with stakeholders
- Strengthening support for housing

Planner Chan said the EJ Element was accompanied by an Action Guide that was a separate but complementary document to the General Plan. He said it was a tool to manage and coordinate City efforts to accomplish EJ goals, policies, and programs. He said the dual document approach allowed for more frequent updating of the Action Guide in response to changing community needs, funding opportunities, and ongoing community outreach particularly from Menlo Park's underserved communities. He said the Action Guide had been streamlined for ease of use as well as reformatted to highlight the different community-identified priorities and minimize the additional detail formerly shown in an expanded matrix form. He said the Action Guide would be maintained on the City's website and was intended to improve accountability and be more adaptable and responsive to different community needs and opportunities.

Planner Chan said following the June 2024 study session that three EJ programs related to the Action Guide were either refined or added. He said Program EJ7.J was refined to clarify that the Action Guide would have annual reporting to the City Council and available to all on the City's

website. He said Program EJ7.K was added to help clarify the Action Guide progress updates and revision process with outreach to underserved communities. He said Program EJ7.L was added and included City Council consideration of community identified EJ priorities during annual priority and goal setting workshops.

Planner Chan said staff recommended that the Planning Commission adopt resolutions recommending that the City Council amend the General Plan to include the EJ Element and Safety Element update and determine the actions were addressed in the certified SEIR under CEQA. He said after this meeting that the Planning Commission's feedback and recommendations would be forwarded to the City Council and that the City Council public meeting to consider adoption was tentatively scheduled for September 24, 2024.

Commissioner Silin asked whether staff expected to revise the elements based on tonight's feedback. Planner Chan said feedback from tonight's meeting would be forwarded to the City Council for its consideration.

Chair Schindler opened the public hearing.

Public Comment:

- Pamela Jones, longtime resident of the Menlo Park Belle Haven neighborhood, expressed support for the project work, expressed gratitude for staff and Climate Resilient Communities' work with the community, and suggested more time for continued, careful review of the project materials by the public and that using different options of communication to reach more residents was important.
- Marlene Santoyo, Belle Haven resident, referred to Action Item 67 to facilitate physical activity
 regarding lighting and safety and expressed need for lighting installation to include enhanced
 regular maintenance for local infrastructure. She echoed the concerns about the need for shade
 shelter for bus stops and suggested it be included as an action item. She suggested to allow for
 more review time for the public of the material and facilitate direct comment on the document.

Chair Schindler closed the public hearing.

Commissioner Do referred to a public comment from a previous hearing on the EJ Element regarding undoing 70 years of harm and expressed her hope that progress to remediate would occur within residents' lifetimes and childhoods. She said the revised Action Guide was cleaner and more legible. She said contrary to a previous draft that the goals were organized with the policies, programs, and actions to show how the things at the bottom supported the things above. She commended CRC for drawing out the themes important to the community and for staff's efforts to respond and organize in a way that reflected the input. She said the Safety Element either with this update or a subsequent update could benefit from being organized similarly to the EJ Element. She said the Safety Element currently had goals and policies all listed and then programs separately so a person had to jump around to see how the programs implemented those policies. She said she appreciated that the Action Guide was intended to be more flexible. Noting the state requirements to update elements very eight years, she said in the past six years they had experienced orange skies and wildfires in 2020, and atmospheric rivers and loss of power for three to four days in early 2023 and early 2024. She said in less than eight years they had seen how extreme weather could be and the effects of climate change were unpredictable. She said that continued to impact a community

already hit hard by manmade and natural events. She said she wanted to acknowledge that although not incorporated in the Safety Element update that the City Council had made clear biosafety levels would be considered in a study session, which she supported.

Replying to Commissioner Ferrick's questions as to how things would be actualized in reality, Community Development Director Chow said one of the first big steps was identifying funding. She said for the fiscal year budget 2024/2025 that the City Council had allocated \$1 million toward seeding the implementation of these programs. She said the Action Guide identified short term, midterm, and long term actions, and many of those things were currently underway and/or could be funded by other funding sources if they were part of the capital improvement program. She said the City Council yearly and usually at the beginning of the year helped set department work plans and Council priorities, which fed into the budget cycle. She said that was the routine they hoped to implement to actualize items in the Action Guide. She said they would incorporate another program that identified a yearly reporting system to help keep the community informed about progress on the items and would make that more visible on the webpage as they worked through what it would look like.

Commissioner Silin said he appreciated having the changes tracked at the top of each document and knowing what was changed and based on what feedback. He said he also liked the new format of the Action Guide. He said the staff report had numerous attachments, and it was hard to find those further down in the document so page numbers or a hyperlink for those would be nice. He said it would be great to have an Excel version of any of the major tables such as the Action Guide noting ease of filtering. He referred to the idea that the EJ Element might be thought of as repayment for previous wrongs. He said coming to the conclusion of the EJ Element now that it was important moving forward to have actions and results and to communicate those to the community, so everyone was aware of what was being done or not being done. He emphasized honesty in reporting and that it was important to communicate why something did not get done or was deprioritized for example. He said ideally the Action Guide would specify for the things that had not been started especially for the short term what was needed, for example funding or staff resources, and to show a key contact and not just the lead agency for each item; for instance, an email for community members to contact.

Planner Chan said in the Action Guide they had shown potential funding sources that were known at this time. He said they saw the lead role as the person leading on that particular action item or program but many of the things were across departments and divisions and required numerous people to coordinate efforts. He said the one point of contact to advance the EJ Element would be the Community Development Department as it was shepherding long range community planning.

Commissioner Silin asked if a community member had a question about the Action Guide if they should contact the Community Development Department. Planner Chan said yes and noted in the process from 2021 to now that staff had had great interaction with the community members and would welcome the opportunity to continue building trust and those relationships.

Commissioner Silin asked if the Action Guide could show which items had funding and which needed funding. He said looking at the short term action items that had not yet been started he was assuming those had not started either due to a staffing consideration or lack of funding and asked if the delay causes could be shown. Planner Chan said they could certainly look at that and suggested that reasons something had not been started yet could be included in the Action Guide reporting that would be part of the process.

Commissioner Silin said the annual update item in the Action Guide said it would include outreach particularly in underserved communities and that further environmental justice would be ongoing. He asked staff to elaborate on what it imagined that process would look like.

Planner Chan noted valuable lessons learned throughout the EJ Element process. He said one of his biggest lessons was that they needed to make a concerted effort to meet people where they were. He said in implementing the EJ Element he expected more efforts to continue relationship building with the community and meeting people where they were - whether it was in person at the Belle Haven Community Campus or through dedicated office hours in different parts of the City, having a dedicated concierge type person, through electronic outreach as well as physical door to door hard copies those, multimedia and other different ways of reaching people was important. He said the City had a Communications and Public Outreach division that they would work with and also with different community partners. Replying further to Commissioner Silin, Planner Chan said one of the best ways for people to get timely information was to sign up on the email list at MenloPark.gov/housingelement under "How to get Involved" to receive updates on the EJ Element and Safety Element. He said looking ahead they would be considering different website improvements to continue to improve messaging and to make sure that their communications were clear.

Commissioner Silverstein commented on the general tendency of government projects to take a long time. He said many bigger projects required public outreach, public comment and coalition building and those could have great benefits but that slowed down making clear and obviously needed improvements. He said he would like to see some of the items in the EJ Element identified as quick fixes that could be implemented by the individual departments that owned those items rather than needing to go back to the City Council for yet another resolution and approval. He referred to his prior service on the Complete Streets Commission and a bifurcation of certain projects some of which were major changes and would obviously need City Council consideration and public notice and some which were minor changes such as restriping or changing a turn that could just be done. He said many of the items on the Action Guide were things that could just be done.

Commissioner Silverstein said as they thought about amending and continuing to update the Action Guide that it would be great to know whether or not their expectation was that its funding sources would be sufficient. He said possible grants for numerous action items had been identified but it was not clear whether or not one of those grants would give a million dollars out of a million dollars or if it would only be 10%. He said as staff got that understanding it would be great to update that information as part of updating the community to know if it was likely the item would be funded or if it was still far away from being funded.

Commissioner Silverstein said he had commented early on in the EJ Element process that a report was not sufficient to quantify the actual environmental impacts of different pollutant sources. He said there were 10 or more pollution indicators, and each was rated on a percentile basis relative to other communities in Menlo Park and California, but it did not go into any detail of trying to quantify the impact of that percentile. He referred to page 100 of the staff report that indicated that Belle Haven census tract was in the 96th percentile in lead risk in housing and 94th percentile in pollutants from traffic. He said it was unclear what the magnitude of those different percentiles were, but it was possible that lead risk in housing had been eliminated over time and was not a great concern and being 96 percentile was bad relative to others, but it did not actually matter as much or it was

possible it was of great and immediate concern that needed to be solved. He said in the report there was nothing to clarify which pollutants were impacting the community the most.

Commissioner Silverstein referred to the community's number two priority in the EJ Element, which was access to high quality and affordable food. He said when new large apartment buildings were approved last year in the Bayfront neighborhood that he was dismayed none of those included any ground floor grocery, cafes, or any stores at all. He said he was not on the Planning Commission when those were approved. He said he asked the City Council and Planning Commission why not and heard that retail was not always successful, retail could not be mandated and was not a guarantee. He said with the apartment buildings built that the Bayfront neighborhood would have hundreds of new residents with nowhere to get groceries and nowhere to go out to dinner within walking distance. He said the project developers were making millions of dollars, and it was reasonable for the community, Commission and Council to require elements beyond just housing to provide what was needed for a vibrant community and neighborhood.

Chair Schindler said she appreciated the change in name from Implementation Guide to Action Guide. She said the documents reflected a tremendous amount of community involvement, many voices, and a lot of hard work by a lot of people so the input phase was fantastic and had been captured well. She said now they needed to look at output. She said many of the comments looked forward in terms of how goals would be tracked and the promises they wanted to keep. She referred to comments this evening for example about tracking or funding or reasons something was not yet accomplished and said that was part of the output, and suggested those should be part of the reporting in the next iteration of the Action Guide.

Chair Schindler referred to Goal 7 to create equitable civic and community and suggested for consideration an addition to 7J of "at a minimum" referring to annual reporting to the City Council and made available on the City's website, and to put into a "7L" that "the City Council shall consider the community identified environmental justice priorities during its annual priority and goal setting workshops" so at a minimum that process was identified within the document.

Chair Schindler expressed support for action item 7.4 which in the document said, "encouraging representation from all districts in the City on City boards and commissions." She said as the Planning Commission she wanted specifically to address the opportunity for members of the Belle Haven and Bayfront communities to be part of the Planning Commission and other commissions as positions opened up.

Chair Schindler said regarding the Safety Element update that she did not have any concerns with any of the modifications noted. She said regarding biosafety levels that she supported pursuing consideration of that through a staff led study session as was advised by City Council as an appropriate next step.

Commissioner Do noted a community member's comment of concern about lighting and asked if the Commission's recommendation could include under EJ6-D7 to add "incorporate regular maintenance of lighting" to specifically call that out. She referred to the comment also heard tonight about bus stop shelter shade and benches asked if that could be specifically included as one of the things listed such as incomplete sidewalks and lack of shade trees.

Planner Smith said Commissioner Do's recommendation could be part of a motion to recommend if that was something the Commission wanted City Council to consider.

Commissioner Silin said the Action Guide had about 39 items in progress with another 41 items listed for short term initiation with the next three years. He said as mentioned some of those might be bigger items that required great coordination whereas some might be quick small things that could be done relatively fast. He asked for staff's confidence level on the referenced items being initiated within the next three years.

Planner Chan said the items listed in the Action Guide as short term initiation were items the project team had heard were greatly important to the community and in partnership with different people at the City as well as other community partners those were things they felt could be pursued in that short term time frame to make them happen.

Commissioner Silin said the commitment was big with numerous items in the Action Guide and moving forward he thought it was important to focus on implementation action and keeping the community updated to be clear as possible about what was or what was not getting done. He said based on staff's answers tonight he trusted it would happen. He said he would support motions supporting both elements with Commissioner Do's suggestions regarding lighting maintenance and bus stop shelter benches and shade.

ACTION: Motion and second (Do/Silverstein) to adopt a resolution to recommend approval to the City Council to amend the General Plan to include the Environmental Justice Element with modifications to include bus stop shelter and seat improvements, and lighting maintenance in the Action Guide; passes 5-0 with Commissioners Behroozi and Ehrich absent.

Commissioner Silverstein asked for a follow-up consideration at some point of the Council's ordinance against leaf blowers and its effect. He referred to the map in the staff report that showed noise levels and noted traffic noise impact traffic was a great consideration.

ACTION: Motion and second (Silverstein/Silin) to adopt a resolution to recommend approval to the City Council to amend the General Plan to include the updated Safety Element as recommended; passes 5-0 with Behroozi and Ehrich absent.

G. Informational Items

- G1. Future Planning Commission Meeting Schedule
 - Regular Meeting: September 9, 2024

Planner Smith said the September 9 agenda had a use permit and minor subdivision item for two single family residences on an R2s lot.

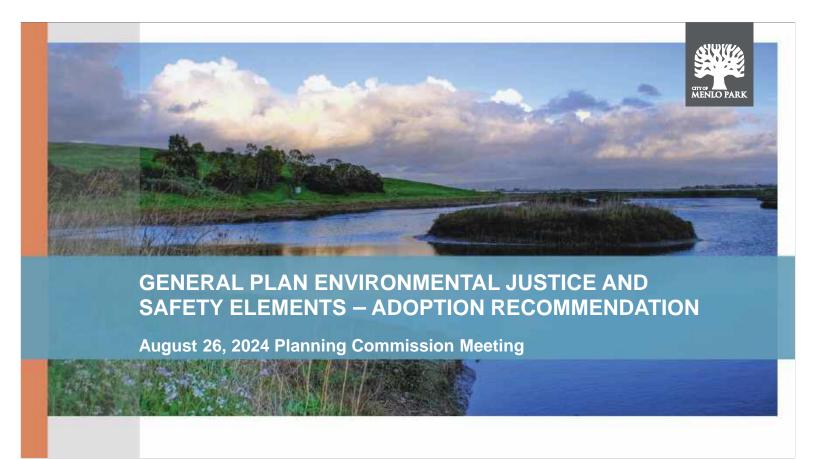
H. Adjournment

Chair Schindler adjourned the meeting at 9:04 p.m.

Staff Liaison: Tom Smith, Principal Planner

Recording Secretary: Brenda Bennett

Planning Commission Regular Meeting Approved Minutes August 26, 2024 Page 9 Approved by the Planning Commission on October 28, 2024



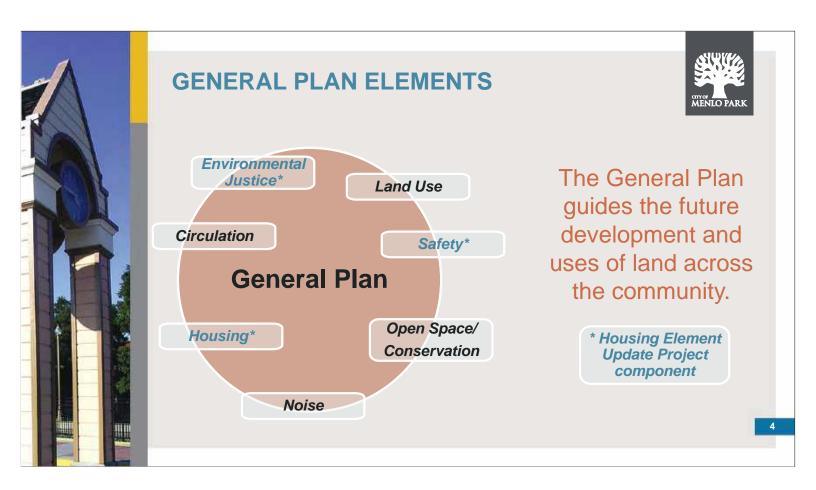


PRESENTATION AGENDA



- Review project milestones and community outreach
- Highlight Environmental Justice (EJ) and Safety Elements refinements
- Staff Recommendation:
 - Adopt resolutions recommending the City Council amend the General Plan to include an EJ Element and update the Safety Element
 - Determine actions are addressed in previouslycertified subsequent environmental impact report (SEIR) under the California Environmental Quality Act (CEQA)







ROAD TO ADOPTION DOCUMENT MILESTONES



April 2022

Neighborhood Profiles of **Environmental Justice Considerations**

Dec. 2022

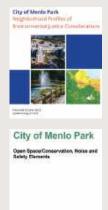
Initial Draft EJ and Safety Elements

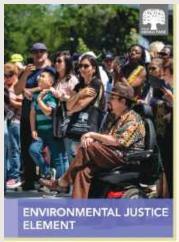
April 2024

Revised Draft EJ and Safety Elements

Aug. 2024

Adoption Draft EJ and Safety Element







ROAD TO ADOPTION COMMUNITY OUTREACH AND PUBLIC MEETINGS

Summer 2021

- Pop-up Meetings
- Community Meeting

Apr. 2022 - Neighborhood Profiles released

Spring 2022

- **Community Meeting**
- Focus Groups
- Survey

Dec. 2022 - Initial draft Elements released

February 2023

Community Meetings

February 2023

Community Meetings

June 2023

 Planning Commission and City Council Joint Study Session

Apr. 2024 - Revised draft Elements released

May 2024

Community Meetings

June 2024

 Planning Commission and City Council Study Sessions

Aug. 2024 - Adoption draft Elements released







COMMUNITY-IDENTIFIED PRIORITIES

- Priorities developed from community outreach and engagement in the Belle Haven and Bayfront neighborhoods
- EJ Element identifies and elevates community priorities

Priority #1: Provide safe, sanitary, and stable homes (*Goal EJ5*)

Priority #2: Promote access to high quality and affordable food (*Goal EJ4*)

Priority #3: Reduce pollution exposure and improve air quality (*Goal EJ2*)





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ADOPTION DRAFT EJ AND SAFETY ELEMENTS



- Revisions to Elements
- EJ Element Action Guide and Community-Identified EJ Priorities
- Refined/Added EJ Programs





REVISIONS AND FEEDBACK LOGS



- Record feedback from study sessions
- Identify how comments were addressed in the revised EJ and Safety Elements

#	[EJ/Safety] Element Location	April 2024 Draft Page Number	August 2024 Adoption Draft Track Changes Page Number	August 2024 Adoption Draft Clean Copy Page Number	Key Topic(s)	Revision and/or Feedback	Notes
ldentifier number	What section or item is at issue	Page within draft last reviewed in Study Sessions	Page within track changes document	Page within clean (no track changes) document	Subject of revision or feedback	Direction and/or feedback provided	Relevant notes and, where applicable, direct quotes of revisions made

9



SAFETY ELEMENT REVISIONS



- Identify Senate Bill 272 (2023) requirement and efforts to collaboratively develop Regional Shoreline Adaptation Plan
- Clarify Menlo Park's Local Hazard Mitigation Plan as part of countywide Multijurisdictional Local Hazard Mitigation Plan
- Include more info. on soft story buildings
- Include more info. on sea level rise and climate change
- Include more info. on cooling centers and storm-related issues
- Include more info. on emergency preparedness



11



EJ ELEMENT REVISIONS



- Clarifying presentation of information
- Clarifying actions and accountability following adoption
- Emphasizing pollution reduction and air quality improvements
- Enhancing community outreach and collaboration with stakeholders
- Strengthening housing support





EJ ELEMENT ACTION GUIDE AND COMMUNITY-IDENTIFIED PRIORITIES



- Separate, complementary document outside of the General Plan itself
- Tool to manage and coordinate City efforts to address EJ goals, policies, and programs
- Responds to:
 - Changing community needs
 - Funding opportunities
 - Ongoing community outreach

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REFINED/ADDED EJ PROGRAMS



Program EJ7.J (Refined)

Clarify EJ Element Action guide has annual reporting including provision to the City Council and availability on City's website

Program EJ7.K (New)

Clarify EJ Element Action Guide progress updates and revision process with outreach to underserved communities

Program EJ7.L (New)

City Council consideration of communityidentified EJ priorities during annual priority and goal setting workshop







STAFF RECOMMENDATION

- Adopt resolutions recommending City Council amend General Plan to include EJ Element and update Safety Element
- Determine actions addressed in certified SEIR under CEQA

Staff Report Attachments

A – Draft Commission Resolution recommending EJ Element adoption

- Exhibit A: EJ Element
- Exhibit B: Draft Council Resolution adopting EJ Element

B – Draft Commission Resolution recommending Safety Element update adoption

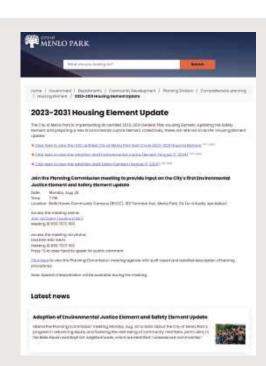
- Exhibit A: Safety Element update
- Exhibit B: Draft Council Resolution adopting Safety Element update

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NEXT STEPS

- Planning Commission feedback and recommendations forwarded to City Council
- Tentative Sept. 24, 2024
 City Council public meeting to consider adoption



Visit menlopark.gov/housingelement for project updates and to sign up for email list

