

From: Jonathan Cowan

Sent: Wednesday, May 18, 2022 8:52 AM

To: Shrivastava, Aarti <Aarti.Shrivastava@mountainview.gov>; McCarthy, Kimbra <Kimbra.McCarthy@mountainview.gov>

Cc: epc@mountainview.gov; City Council <City.Council@mountainview.gov>; Ramirez, Lucas <Lucas.Ramirez@mountainview.gov>; Julia Miller

Subject: Letter from El Camino Healthcare District Board Chair Julia Miller Regarding the Housing Element

Dear Kimbra and Aarti,

Please see attached for a letter from El Camino Healthcare District Board Chair Julia Miller regarding Mountain View's Housing Element in relation to ECHD's land at Phyllis Avenue as well as potential modification of the El Camino Medical Park Precise Plan to allow for residential development.

Thank you,

Jon

Jon Cowan

Senior Director, Government Relations & Community Partnerships

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May 18, 2022

Kimbra McCarthy
Aarti Shrivastava
City of Mountain View
500 Castro Street
Mountain View, CA 94041

Dear City Manager McCarthy and Community Development Director Shrivastava:

Thank you for the opportunity to respond to the City of Mountain View's proposed inclusion of the El Camino Healthcare District's land on El Camino Real at Phyllis Avenue in its Housing Element as an opportunity site that could be developed by 2031.

Healthcare services are the driving purpose for this land and will remain so for all District owned land. A medical services mixed use project is most likely the future use for the Phyllis site and could incorporate some housing. We reserve the right to make our own development decisions on this land in keeping with the mission of the Healthcare District for Mountain View and the surrounding community.

It is also my understanding that staff has been requested to consider modifying the El Camino Medical Park Precise Plan to allow for residential development that could be included in the City's Housing Element Plan. I request that you please reconsider based on the following. From the first writing and throughout the past 52 years the purpose of the El Camino Medical Park Precise Plan was to ensure sufficient land to accommodate growth in quality medical service for the community. El Camino Health has made significant investments to ensure that they provide quality medical services.

The notion of including portions of the El Camino Medical Park Precise Plan Zoning in the Housing Element plan would reverse years of effort, planning, investments and cooperation to uphold the integrity of the Park Precise Plan and the medical needs of the community. While I agree housing is a significant issue, however, I have faith that the Council will leave the integrity of the Precise Plan and health services in place.

Please do not hesitate to reach out to me if you have any questions on this sensitive issue.

Sincerely,

A handwritten signature in blue ink that reads "Julia E. Miller".

Julia Miller
Chair, El Camino Healthcare District

cc: Mayor Lucas Ramirez
City Council and Environmental Planning Commission

May 18, 2022 @9:55 am

To: City of Mountain View Environmental Planning Commission

From: Daniel M Shane, resident

Cc: epc@mountainview.gov

city.council@mountainview.gov

Re: Agenda Item #5.1 – Study Session – Housing Element Update – Draft 2023-2031 Housing Element

Daniel Shane Comments on the Draft 2023-2031 Housing Element

Note: Comments due by 5:00 pm on Wednesday May 18, 2022

Dear Environmental Planning Commissioners,

Thank you for the opportunity to comment on the draft Housing Element for discussion during the Study Session scheduled for Wednesday March 18, 2022 at 7:00 pm.

I know the Commissioners really care about Mountain View and making improvements in the development review process. I have given this subject a great amount of thought and I have concluded that besides tweaking some processes there needs to be a revamping of the overarching policies, goals, objectives, and priorities to enable the city to grow and maintain a high quality of livability and quality of life. I have partially read the Executive Summary for the Development Review Assessment dated November 24, 2021 and prepared by Matrix Consulting Group. Matrix made 51 recommendations for improvements to the development review process.

Three major elements of urban land use planning process are the General Plan, Zoning, and Permitting. The General Plan has seven (7) elements. They are land use, circulation, housing, conservation, open space, noise, and safety. Of the seven elements, the Housing Element is the only element subject to a mandatory review by a State agency, the California Department of Housing and Community Development (HCD).

A major part of the Housing Element process is to:

- 1) Identify sites to meet the RHNA or Regional Housing Needs Allocation which is the number of units that can be built during the 8-year cycle of the Housing Element
- 2) Outline action items in the form of programs to ensure that the housing needs of the city, including those identified by State law, are addressed in the next 8-years from 2023-2031.

I have recently received the Staff Report for the Draft Housing Element and I am currently reviewing the document. I was informed by a City Council member that significant policy and process changes can be made through the Housing Element review process. I will submit separate comments for the Staff Report on the Draft Housing Element. But in the meantime, I have recommended several new changes and offered several ideas on how we might improve the development review process through overarching new policy goals and objectives. Seven key ideas are:

(1) Engage the public early-on in the planning stages of a housing development. The policy would require the developer to engage the residents near the project site during the early planning stages (e.g., conceptual phase) and obtain feedback on the development and its impacts to the neighborhood that could be incorporated into the project design. I believe the city, the developer, and the residents could save a tremendous amount of time, money, resources, and anxiety if there was early collaboration, cooperation, coordination, and communication between the corporate developer and the neighborhood residents. This may be the single most important policy that may change an adversarial urban land use planning process into a cooperative process. This is not just a Mountain View problem. This problem is nationwide. I believe the City's role should be to moderate the differences between the stakeholders and help find solutions to problems. Above all, the city has a primary responsibility to protect the public health, welfare, and the environment. The city must address the resident's concerns about public health and safety as their number one priority in any development. There is no other governmental entity to do this, except maybe the County Department of Public Health. I recommend the city initially evaluate the health and safety concerns of the project and all other project planning can originate and flow from that assessment. This may be a new perception which can be translated to a major policy change for the public agencies involved in the development review process.

(2) Integrate the existing natural ecosystem (i.e., natural resources such as trees, waterways, flora, and fauna) with the development (i.e., buildings, garages, roads). Artificial landscaping cannot replace a viable natural ecosystem. This also may be a new perception that gets translated into policy. Trees are not just niceties, they are necessary. They are necessary for our survival and mental health. Trees raise our spirits and soothes our souls. Developers have created a false premise backed by disinformation and false facts. Developers and housing advocacy groups have made the issue only a choice between housing or trees. This is simply not true. We can have both at the same time by integrating our natural environment with housing developments. What we need is the proper policies and motivation to get the private developers to comply with the new policies, ordinances, and codes that will more fully engage the residents most impacted by these projects as well as ensure the protection of public health, welfare, and the environment.

(3) Preservation and enhancement of Highway Vegetation Barriers should be a priority for the protection of the public health against exposures to toxic and carcinogenic pollutants from auto and truck emissions. Tree protective highway barriers need a higher priority for protection **and** enhancements. A list of scientific references on the growing evidence of the importance of highway vegetation barriers to public health is attached to this letter. I have much more information and data on the need to protect and enhance highway tree barrier systems located between heavily used highways and residential areas.

(4) Implement a policy that places a higher priority on using GIS urban land use management technology and software to evaluate the cumulative environmental impacts of housing developments. Currently, housing projects are evaluated on their own individual merit, and in a vacuum. The City Council and staff need to better understand the cumulative environmental impacts of all the projects in the queue taken together and not solely on an individual basis. The natural and human ecosystems are complex, integrated, and interconnected web of life and supporting systems that need to be understood and protected. The Planning Commission should set goals and objectives for preservation of the natural ecosystem within the urban setting. In other words, evaluate the environmental impacts by using an ecosystem (quality) approach rather than using the numbers of Heritage trees (quantity) approach.

(5) Hire and employ qualified staff (environmental engineers, environmental scientists, environmental specialists) to effectively assist in the implementation of these major public health and environmental policy changes.

(6) Introduce new policies and code changes that broaden the list of protected tree species and revise the circumference size thresholds to expand the numbers of trees protected. The City of Palo Alto is currently working on such a policy to better prevent the loss of trees during housing development. An article in Palo Alto On-Line is attached to this letter. Note: It appears that Palo Alto protected trees are evaluated according to the diameter of the trunk while Mountain View uses the circumference of the trunk at a certain distance from ground surface level. The relationship between the tree trunk diameter and the circumference is the following equation - If the protected tree threshold size for all trees is 48 inches in circumference. The diameter would be 48.0 inches divided by 3.14 or 15.28 inches. In Mountain View, three species of trees are protected by Heritage Tree designation – redwoods, oaks, and cedars. The threshold size for Heritage Trees is 12-inch circumference measured at 54 inches above natural grade. The diameter would be 12.0 inches divided by 3.14 or 3.82 inches. Please verify the accuracy of this data. A new designation should be codified by the city. The designation would be all existing trees that form a “Highway Tree Barrier System”. The code would require private landowners to protect and maintain these trees and enhance their effectiveness by planting trees and vegetation that fill any gaps in the barrier that develop over time as determined by the Urban Forester.

(7) Elevate the Urban Forester position in the City Hall hierarchy.

Sincerely,

Daniel M. Shane, Homeowner

Palo Alto set to strengthen tree protection rules

City Council looks to prohibit removal of more native species

by [Gennady Sheyner](#) / Palo Alto Weekly

Uploaded: Tue, Oct 19, 2021, 12:29 am

Palo Alto famously loves its trees — as its namesake redwood, its official seal and its recently adopted Urban Forest Master Plan loudly and proudly testify.

But despite that passion, city laws that protect local trees are somewhat weak and outdated, a conclusion that residents and city staff reached more than three years ago, when they began an effort to update the city code. Planning staff struggle with the ambiguities in the city's code, particularly its failure to address situations where trees impact accessory dwelling units or neighboring properties. Neighborhood leaders argue that the laws are too permissive when it comes to allowing developers and property owners to remove trees as part of construction projects. City commissioners observe that other cities protect a wider array of trees than Palo Alto.

Bryna Chang, a member of the city's Planning and Transportation Commission, said she was surprised to learn recently that Palo Alto's tree protection laws are weaker than in neighboring cities.

"I was absolutely shocked that despite the great pride we take in our trees and the great pride we take in being a green and environmentally conscious community, we protect our trees far less than all of these neighboring cities," Chang told the City Council on Monday, as the council considered its first update of the tree protection ordinance in 20 years.

She was one of about two dozen residents, including environmental advocates, nonprofit leaders and neighborhood activists, who supported stronger protections. Some touted the environmental and health benefits of trees, particularly when it comes to sequestering carbon, supporting biodiversity and keeping neighborhoods cool. Almost all urged the council to expand the city's tree protection laws to be more aligned with surrounding jurisdictions.

"As a resident of Palo Alto, it has been disturbing and heartbreaking to see residential lots in my neighborhood stripped of all vegetation, including beautiful large trees, prior to new home construction," Julianne Frizzell, a landscape architect who lives in Palo Alto. "Aesthetically and ecologically, removal of trees has a negative impact on neighbors, neighborhoods and the community."

While cities such as East Palo Alto, Redwood City, Sunnyvale list all species as "protected" once they reach a certain size, Palo Alto tree protection laws protect just three native species: the coast redwood, the coast live oak and the valley oak. According to the city's [Urban Forest Master Plan](#), there are about 534 coast live oaks, 243 coast redwoods and 215 valley oaks in the public right of way, making these three among the most common city-owned native species in the city (that said, they are far outnumbered by imported species in the street-tree population such as the southern magnolia, which number more than 4,000 in Palo Alto; the city also has 2,832 London planes and 2,669 liquidambar).

Among the code changes that the city has been contemplating was expanding the roster of protected trees to more of the 22 native species that are listed in the master plan -- a list that includes the bigleaf maple, the California incense cedar and the California bay. The revised approach proposed by the ad hoc committee, which includes former Mayor Karen Holman, Parks and Recreation Commission Vice Chair Jeff Greenfield, planning Commissioner Doria Summa and community activist Winter Dellenbach, calls for designating as "protected" the two oak species that are currently listed as such and adding to the list the bigleaf maple, the California incense cedar, the blue oak and the California black oak, as well as the coast redwood.

Significantly, the revision would also lower the size threshold for protected trees. Public works staff has initially proposed protecting all trees that have trunk diameters of 36 inches or greater, while keeping a lower threshold for three native tree species that currently enjoy protected status: 18 inches for the coast redwood and 11.5 inches for the other species. A change proposed by an ad hoc committee called for a diameter threshold of 11.5 inches for native tree species and 18 inches for all other trees. Holman, who now serves on the board of directors at the Midpeninsula Regional Open Space District, urged the council on Monday to move ahead with the various revisions.

"With one action tonight, the council can positively influence more aspects of life in Palo Alto than virtually any other single action you can take," Holman said.

Various environmentalist nonprofits, including Canopy, the Sierra Club and the Santa Clara Valley Audubon Society also lobbied the city to strengthen its tree protection laws. Canopy noted in a letter that neighborhoods with street trees can be up to 6 to 10 degrees cooler than those without. Trees, Canopy argued, provide "a substantial return on investment and, even in times of drought and budget tightening, are worth their water and maintenance."

"The reasons for protecting and planting trees are clear," states the letter from Holly Pearson, a board member at Canopy, and Catherine Martineau, the nonprofit's executive director. "Among many other benefits, trees sequester carbon, combat the urban heat island effect, cool buildings, prevent soil erosion and stormwater run-off, provide wildlife habitat, and promote walking and biking on city streets."

While the council stopped short of formally adopting the code changes on Monday as many had urged, it sent a clear signal that major revisions are coming soon. Over a series of votes, the council directed staff to move ahead with an ordinance update that would reflect a host of revisions that align with recommendation from the ad hoc committee and its Policy and Services Committee, which reviewed the proposed changes in August. And in moves that further aim to raise the profile of local trees, the council also voted to elevate the urban forester position within the department and to designate the Parks and Recreation Commission as a forum for tree-related discussions.

In addition to broadening the list of protected species, the revision effort would introduce several other new policies. One aims to address what staff called a "loophole" in the code -- the more stringent requirements for removing trees as part of a development proposal than for cases not involving new construction. This creates an incentive for developers to remove trees in advance of an application, said Peter Gollinger, the city's acting urban forester. To address that, the ad hoc group and the Policy and Services Committee proposed a 36-month moratorium on development for any property that removes a protected tree.

Another revision creates an appeal process for instances in which a protected tree is proposed for removal in the absence of a development application. With the change, the person removing the tree would have to notify all neighbors and property owners within 600 feet of the property in writing about the tree removal. Everyone within 600 feet will have the option of appealing the removal.

The revised ordinance will undergo reviews in the coming months by the Parks and Recreation Commission and the Architectural Review Board before returning to the council for approval in March or April. Mayor Tom DuBois and council member Lydia Kou both supported a faster timeline but ultimately acceded to the process laid out by staff, which includes additional outreach to the broader community.

"Proposed changes like significantly expanding the categories of protected tree species could potentially impact many or even most properties in the city," Public Works Director Brad Eggleston told the council. "While we know in our outreach process we never manage to reach everyone who might be interested, we do want as much as possible to avoid people being surprised when they learn that an existing tree on their property has become protected and that impacts what they're allowed to do."

Some council members supported a more deliberate approach. Council member Greg Tanaka wanted to know more about the costs of adopting and enforcing the new laws, as well as of raising the urban forester position in the City Hall hierarchy (he was the only council member who voted against elevating the position). Council member Alison Cormack also supported more outreach and analysis before deciding on expansion of the list of protected species. She and Tanaka both opposed DuBois' motion to modify the definition of "protected trees" to include any tree at least 15 inches in diameter (despite their opposition, the provision passed by a 5-2 vote).

"I am absolutely open to adding species to the list and potentially reducing the size of the diameter, but I am not comfortable this evening making those decisions," Cormack said. "I don't feel we've been presented with enough information to be confident in making those decisions."

Others favored faster action on what they characterized as a critical issue. While Cormack asked her colleagues what problem the city is trying to solve with the code changes, Vice Mayor Pat Burt noted that it's "not a single problem and it's not a single benefit."

"That's one of the great things about this," Burt said. "We simultaneously address noise and heat and air and water pollution and aesthetics and climate impacts and the natural habitat — even slowing of traffic."

LIST OF REFERENCES FOR THE BENEFITS OF HIGHWAY TREE BARRIER SYSTEMS

- 1) ***Researchers Assess Roadside Vegetation Barriers with a Suite of Air, U.S. EPA May 19, 2020***

<https://www.epa.gov/sciencematters/researchers-assess-roadside-vegetation-barriers-suite-air-monitors>

https://cfpub.epa.gov/si/si_public_file_download.cfm?p_download_id=527885&Lab=NRML

- 2) ***Vegetation and Other Development Options for Mitigating Urban Air Pollution Impacts, Page 56, By Richard Baldauf and David Nowak, 2014***

https://www.fs.fed.us/nrs/pubs/jrnl/2014/nrs_2014_baldauf_001.pdf

- 3) ***Living Close to Roadways: Health Concerns and Mitigation Strategies, U.S. EPA, Science Matters, published January 10, 2017.***

<https://www.epa.gov/sciencematters/living-close-roadways-health-concerns-and-mitigation-strategies>

- 4) ***Recommendations for Constructing Roadside Vegetation Barriers to Improve Near-Road Air Quality, U.S. EPA, Science in Action, Innovative Research for a Sustainable Future, August 2016***

https://www.epa.gov/sites/default/files/2016-08/documents/recommendations_for_constructing_roadside_vegetation_barriers_to_improve_near-road_air_quality.pdf

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Area of Expertise: Development of policies and practices to mitigate transportation-related air pollution emissions and air quality impacts at local, urban, and global scales. His research has led to national emissions standards and best practices to mitigate air pollution impacts using air pollution control and urban development strategies including built and green infrastructure.

Selected Publications Yang, B., Zhang, K.M., Xu, W.D., Zhang, S., Batterman, S., Baldauf, R.W. 2018. On-Road Chemical Transformation as an Important Mechanism of NO₂ Formation. Environmental Science & Technology 52(8), 4574-4582. Kimbrough, E.S., Hanley, T., Hagler, G.E., Baldauf, R.W., Snyder, M., Brantley, H. 2018. Influential factors affecting black carbon trends at four sites of differing distance from a major highway in Las Vegas. Air Quality, Atmosphere & Health 11 (2), 181-196 Steffens, J., Kimbrough,

E.S., Baldauf, R.W., Isakov, V., Brown, R., Powell, A. 2018. Near-port air quality assessment utilizing a mobile measurement approach. Atmospheric Pollution Research 8(6), 1023-1030. Baldauf, R., 2017. Roadside vegetation design characteristics that can improve local, near-road air quality.

Transportation Research Part D: Transport and Environment, 52, pp.354-361. Abhijith, K.V., Kumar, P., Gallagher, J., McNabola, A., Baldauf, R., Pilla, F., Broderick, B., Di Sabatino, S. and Pulvirenti, B., 2017. Air pollution abatement performances of green infrastructure in open road and built-up street canyon environments—A review. Atmospheric Environment. Fuller, C.H., Carter, D.R., Hayat, M.J., Baldauf, R., Watts Hull, R., 2017. Phenology of a Vegetation Barrier and Resulting Impacts on Near-Highway Particle Number and Black Carbon Concentrations on a School Campus. International Journal of Environmental Research and Public Health, 14(2), p.160. View more publications by Richard Baldauf

Education: • Ph.D., University of Kansas, Lawrence, KS; Civil & Environmental Engineering 2000 • M.S., University of North Carolina, Chapel Hill, NC; Environmental Science & Engineering, 1993 • B.S., Virginia Tech, Blacksburg, VA; Civil & Environmental Engineering 1991

Professional Experience • Joint affiliation with the EPA Office of Research & Development and the EPA Office of Transportation & Air Quality, leading cross-disciplinary research teams focusing on air quality measurements, air dispersion modeling, and sustainable transportation and urban development issues. • North Carolina State University, Dept. of Mechanical and Aerospace Engineering, Adjunct Professor • Texas A&M University, Dept. of Civil & Environmental Engineering, Adjunct Professor

Professional Registration and Societies • Licensed Professional Engineer, State of Kansas, No 15573 • Member, National Academy of Sciences Transportation Research Board • American Society of Civil Engineers •

Air & Waste Management Association Awards and Honors • Science and Technology Achievement Awards, 2008, 2009 • EPA Bronze Medal, Near Road Research Team (2008); PEMS Development Team (2002) • EPA-NRMRL Honor Award for Teamwork, 2007 Science Matters – Living Close to Roadways: Health Concerns and Mitigation Strategies