Architectural Review Board
Staff Report (ID # 6870)

Report Type: Action Items **Meeting Date:** 6/16/2016

Summary Title: Council Revised AR Approval Findings

Title: ARB Review of Council-Revised Architectural Review Approval Findings

From: Jonathan Lait

Recommendation
It is recommended that the Architectural Review Board (ARB) take the following action(s):

1. Recommend approval of the Council-proposed modifications to the Architectural Review Findings Ordinance, with additional modifications as reflected in Attachment B.

Report Summary
On April 11, 2016, the City Council reviewed and modified the draft Architectural Review (AR) Findings ordinance for adoption on first reading, and directed staff and the Architectural Review Board (ARB) to review the updated language prior to the next reading of the modified Ordinance and offer approval, feedback or changes. Attachment A to this report shows the findings presented to Council that had been recommended by the ARB and Planning and Transportation Commission, showing annotated edits by Council. Attachment B includes most of the Council-proposed findings with annotated staff-recommended modifications, which are explained further in this report. Attachment C contains the existing AR Findings, SOFA II Compatibility Requirements and Context Based Design Criteria.

Background
The ARB reviewed the draft findings on two occasions (September 3 and October 1, 2015). The Council staff report, found at this link (http://www.cityofpaloalto.org/civicax/filebank/documents/51728) includes links to the two ARB staff reports and meeting minutes. The Planning and Transportation Commission (PTC) also reviewed the AR findings after the ARB completed its review in the fall of 2015; the PTC recommended that Council approve them without any changes to the wording. The PTC did not expand upon the merits of making changes to these findings as presented by staff, and will not review the revisions Council adopted on first reading.

Meeting minutes of the April 11, 2016 Council action are found at this link: http://www.cityofpaloalto.org/civicax/filebank/documents/51914. They are also attached to this report (Action Agenda, Attachment D). On a 7-0 vote, Council directed staff and the ARB to review the updated language prior to the next reading of the Ordinance and offer approval, feedback or changes. Councilmembers Filseth and Scharff were absent.

The City Council made changes to the section preamble and to Findings 1, 2, 3 and 5, shown as annotated text below:

"(d) Findings
Neither the director, nor the city council on appeal, shall grant architectural review approval, unless it is found that each of the following applicable findings is met:

1. The design is consistent with applicable elements of the Palo Alto Comprehensive Plan, Zoning Code (including context-based design criteria, as applicable), coordinated area plans, and any relevant design guides.

2. The project has a unified and coherent design, creates an internal sense of order and desirable environment for occupants, visitors, and the general community, and preserves, respects and integrates existing natural features that contribute positively to the site and the historic character including historic resources of the area when relevant ~~appropriate,~~; and provides harmonious transitions in size, mass, scale and character to adjacent land uses ~~and land use designations~~, is compatible within the context of existing development in that it establishes design linkages with surrounding existing buildings so that the visual unity of the street is maintained at a minimum by:
    a. Siting, scale, massing, materials;
    b. The rhythmic pattern of the street established by the general width of the buildings and the spacing between them;
    c. The sizes, proportions, and orientations of windows, bays, and doorways;
    d. The location and treatment of entryways where applicable; and enhances living conditions on the site (if it includes residential uses) and in adjacent residential areas.

3. The design is of high aesthetic quality, is an aesthetically holistic design of massing and materials (intended to avoid superficial and "applied" appearance of design), using high quality materials and appropriate construction techniques, and incorporating textures, colors, and other details that are compatible with and enhance the surrounding area.

4. The design is functional, allowing for ease and safety of pedestrian and bicycle access and providing for elements that support the building's necessary operations (e.g. convenient vehicle access to property and utilities, appropriate arrangement and amount of open space and integrated signage, if applicable, etc.).

5. The landscape design complements and enhances the building design and its surroundings ~~is suitable, integrated and compatible with the building and the surrounding area~~, is appropriate to the site's functions, and utilizes to the extent practical, indigenous drought-resistant plant material capable of providing desirable habitat and that can be appropriately maintained.

6. The project incorporates design principles that achieve sustainability and green building requirements in areas related to energy efficiency, water conservation, building materials, landscaping, and site planning ~~and sensible design~~."

Analysis

The purpose of the subject modifications to the Architectural Review findings is to improve the quality of staff's response to the findings, eliminate repetitive findings, combine similar concepts and remove outmoded or redundant language. In doing so, the goal is to reduce writing and reading fatigue, focus the Board's deliberations and strengthen staff findings.

There is an opportunity to make adjustments that reduce the number of findings from 16 to six to meet the above goals.

In its review, the Council directed additional modifications for the ARB to consider. While supportive of the Council's actions and with the benefit of additional time since the last public hearing on the subject, staff offers the following comments to the ARB for its review and deliberation.

Finding 1

The Council-added phrase is a positive addition, since Coordinated Area Plans (CAP), such as the South of Forest Area (SOFA) CAP, are technically not contained in the City's Zoning Code, nor in the Comprehensive Plan, nor are CAPs considered "design guides" (though they do contain some guidance on design). The SOFA II CAP contains *Compatibility Requirements for New and Remodeled Structures.* These requirements provide similar wording as the Context Based Design Criteria found in the zoning code within certain zone district chapters (18.13, 18.16 and 18.18).

Finding 2

Where Finding 1 above is focused on a project's consistency with applicable development regulations, policies and goals, this finding is focused on *compatibility*. This was one of the more wordy findings presented to the City Council that attempted to capture varying details of compatibility, not only based on a unified architectural theme internal to the project, but outwardly as well to adjacent structures, the neighborhood and historic character of the area. Compatibility has often been cited as a quality that has been lacking in some approved projects criticized in the community.

Staff believes the originally proposed language is appropriate to address the objective of this finding. There may be some words that can add more depth and context and the ARB may want

to explore whether such changes are necessary; however, staff's most significant concern relates to the addition of items a – d Council has proposed for inclusion within this finding.

The additional (a - d) language is borrowed from the SOFA II Coordinated Area Plan (Chapter IV, Section 4.010(a)). These additional criteria are good to evaluate proposed projects, but not all parts of the city are developed in a similar, rhythmic pattern. This language is tailored to SOFA II and much of it may apply elsewhere, but it may not apply. For instance, achieving rhythmic unity on San Antonio, El Camino Real, and the Research Park may not be as critical as other design features. The proposed finding is too long and too prescriptive to be applied for general purposes. There may be areas of the city where it is not appropriate to establish linkages with the size and proportions of surrounding buildings, including windows, bays and doorways. Moreover, extending this language from a discrete portion of the community to a citywide standard is a fairly substantive change. The Council's addition of 'coordinated area plans' in Finding 1 also ensures that any project located within SOFA II will be subject to these and other criteria. Finally, as noted before, the vast majority of all major architectural reviews of commercial and mixed use projects will also be subject to Context Based Design Criteria. Compliance with these additional requirements further amplifies the city's interest in achieving compatibility-designed buildings. A list of these criteria is available in Attachment C along with the SOFA II language referenced above.

Finding 3

This finding is related to the quality of the design and the materials used. Staff believes the originally proposed finding sufficiently captures the intent of the added language. Staff has some concern with the term holistic as that is not a common phrase used to evaluate projects. Also, the parenthetic reference is a structure that does not exist in other findings and is slightly negative. The intent, as staff understands it, is to ensure that cheaply made design features are not tacked onto the building to achieve some form of building modulation to affect perceived mass or enhance visual interest. Foam moldings encased in stucco may be an example. Staff encourages the ARB to explore this concept further and consider alternative language, framed in an affirmational tone similar to other findings (the design is consistent; the design is functional; the design incorporates…). As a starting place, staff has included language in Attachment B to assist in the ARB's deliberation.

A corollary to the above is how landscaping is sometimes used to screen the mass of a building. Staff has heard criticism in the past that this is not a sufficient solution to mitigate mass and size related impacts. If the ARB believes this is worthwhile to explore, staff recommends adding language to Finding 5 below. Attachment B includes language for the ARB's consideration.

Finding 4

No changes are proposed to this finding.

Finding 5

Staff finds the phrase substitution in the first sentence acceptable. The introduction of "to the extent practical, indigenous" to refer to landscape materials has some flexibility; however, the

term “practical” is a concern for staff (e.g. use of non-indigenous plant materials in courtyards, for instance, may be practical but there may be a design where a singular plant material that is non-indigenous may provide a desired accent or focus that the ARB deems aesthetically superior). Other words such as “feasible” and/or “desirable” could be considered in this context. Attachment B contains the staff recommended language and the term feasible instead of practical.

Finding 6

Only minor edits were proposed to this finding.

Staff has no comments or concerns on the introductory preamble changes made by the City Council.

Next Steps

Attachment A to this report includes the City Council’s draft edits to the findings. The ARB may make a motion to accept those changes and forward that recommendation back to the City Council for adoption. However, the Council did seek input from staff and the ARB. Staff has offered some comments above for the ARB’s consideration and included revised findings in Attachment B. After the ARB makes a recommendation, staff will forward it to the City Council later this year.

Environmental Review

The April 11, 2016 report to City Council included the reasons the modifications to the existing AR findings are in accordance with the authority and criteria contained in the California Environmental Quality Act (CEQA), the State CEQA Guidelines, and the environmental regulations of the City. The report cited CEQA Guideline sections 15061(b)(3) (Review for Exemption) and 15305 (Minor Alterations in Land Use Limitations), because: (1) the activity (rewording of Architectural Review findings) is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment, and it can be seen with certainty that there is no possibility that the activity in question may have a significantly effect on the environment, and (2) this ‘minor alteration in land use limitations’ does not result in any changes in land use or density.

Public Notification, Outreach & Comments

The Palo Alto Municipal Code requires notice of this public hearing be published in a local paper at least ten day in advance. Notice of a public hearing for this project was published in the *Palo Alto Weekly* on June 3, 2016, which is 14 days in advance of the meeting.

Public Comments

As of the writing of this report, no project-related, public comments were received.

Alternative Actions

In addition to the recommended action, the ARB may recommend further modifications to the findings

Attachments

A. Revised AR Findings as supported by ARB and PTC with annotated, Council proposed edits
B. Council proposed findings with annotated, staff proposed edits
C. Existing AR findings plus SOFA II Compatibility Requirements and Context Based Design Criteria
D. Council Meeting Action Minutes

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Attachments:

- Attachment A: Council Proposed AR Findings Revisions (DOCX)
- Attachment B: Staff Proposed Architectural Review Findings (DOCX)
- Attachment C: Existing AR Findings, CBDC and CAP Compatibility Requirements (DOCX)
- Attachment D: Council Action Minutes April 11, 2016 (PDF)

[1] Emails may be sent directly to the ARB using the following address: arb@cityofpaloalto.org

Attachment A: Council Proposed Findings Annotated to Show Council Revisions

"(d) Findings
Neither the director, nor the city council on appeal, shall grant architectural review approval, unless it is found that each of the following applicable findings is met:

1. The design is consistent with applicable elements of the Palo Alto Comprehensive Plan, Zoning Code (including context-based design criteria, as applicable), coordinated area plans, and any relevant design guides.

2. The project has a unified and coherent design that creates an internal sense of order and desirable environment for occupants, visitors, and the general community, and preserves, respects and integrates existing natural features that contribute positively to the site and the historic character including historic resources of the area when relevant ~~appropriate,~~; and provides harmonious transitions in size, mass, scale and character to adjacent land uses ~~and land use designations~~, is compatible within the context of existing development in that it establishes design linkages with surrounding existing buildings so that the visual unity of the street is maintained at a minimum by:
    a. Siting, scale, massing, materials;
    b. The rhythmic pattern of the street established by the general width of the buildings and the spacing between them;
    c. The sizes, proportions, and orientations of windows, bays, and doorways;
    d. The location and treatment of entryways where applicable; and enhances living conditions on the site (if it includes residential uses) and in adjacent residential areas.

3. The design is of high aesthetic quality, is an aesthetically holistic design of massing and materials (intended to avoid superficial and "applied" appearance of design), using high quality materials and appropriate construction techniques, and incorporating textures, colors, and other details that are compatible with and enhance the surrounding area.

4. The design is functional, allowing for ease and safety of pedestrian and bicycle access and providing for elements that support the building's necessary operations (e.g. convenient vehicle access to property and utilities, appropriate arrangement and amount of open space and integrated signage, if applicable, etc.).

5. The landscape design complements and enhances the building design and its surroundings ~~is suitable, integrated and compatible with the building and the surrounding area~~, is appropriate to the site's functions, and utilizes to the extent practical, indigenous drought-resistant plant material capable of providing desirable habitat and that can be appropriately maintained.

6. The project incorporates design principles that achieve sustainability and green building requirements in areas related to energy efficiency, water conservation, building materials, landscaping, and site planning ~~and sensible~~

Attachment B

Staff Proposed Architectural Review Findings

Incorporating/Modifying Some of the Council April 11, 2016 Revisions and Adding Titles

KEY: Council additions that staff recommends are underlined (Council additions staff does not recommend are shown as 'strike-out' text)

Bold italicized, underlined text show staff additions

NEW Finding #1: The design is consistent with applicable elements of the Palo Alto Comprehensive Plan, Zoning Code (including context-based design criteria, as applicable), coordinated area plans ***(including compatibility requirements),*** and any relevant design guides.

NEW Finding #2: The project has a unified and coherent design~~,~~ **that**:
(a) creates an internal sense of order and desirable environment for occupants, visitors, and the general community,
(b) preserves, respects and integrates existing natural features that contribute positively to the site and the historic character including historic resources of the area when relevant,
(c) provides harmonious transitions in ~~size, mass,~~ scale and character to adjacent land uses, * and
(d) enhances living conditions on the site (if it includes residential uses) and in adjacent residential areas.

NEW Finding #3: The design is of high aesthetic quality,** using high quality, ***integrated*** materials and appropriate construction techniques, and incorporating textures, colors, and other details that are compatible with and enhance the surrounding area.

NEW Finding #4: The design is functional, allowing for ease and safety of pedestrian and bicycle access and providing for elements that support the building's necessary operations (e.g. convenient vehicle access to property and utilities, appropriate arrangement and amount of open space and integrated signage, if applicable, etc.).

NEW Finding #5: The landscape design complements and enhances the building design and its surroundings, is appropriate to the site's functions, and utilizes to the extent ***feasible,*** indigenous drought-resistant plant material capable of providing desirable habitat and that can be appropriately maintained.

NEW Finding #6: The project incorporates design principles that achieve sustainability and green building requirements in areas related to energy efficiency, water conservation, building materials, landscaping, and site planning.

***Council insert staff also recommends deleting from Finding #2**: ~~is compatible within the context of~~

~~existing development in that it establishes design linkages with surrounding existing buildings so that the visual unity of the street is maintained at a minimum by:~~

~~a. Siting, scale, massing, materials;~~
~~b. The rhythmic pattern of the street established by the general width of the buildings and the spacing between them;~~
~~c. The sizes, proportions, and orientations of windows, bays, and doorways;~~
~~d. The location and treatment of entryways where applicable;~~

****Council insert staff recommends deleting from Finding #3**: ~~is an aesthetically holistic design of massing and materials (intended to avoid superficial and "applied" appearance of design)~~

ATTACHMENT C
CURRENT Architectural Review Findings, SOFA II Compatibility Criteria and Context Based Design Criteria

1. The design is consistent and compatible with applicable elements of the Palo Alto Comprehensive Plan;
2. The design is compatible with the immediate environment of the site;
3. The design is appropriate to the function of the project;
4. In areas considered by the board as having a unified design character or historical character, the design is compatible with such character;
5. The design promotes harmonious transitions in scale and character in areas between different designated land uses;
6. The design is compatible with approved improvements both on and off the site;
7. The planning and siting of the various functions and buildings on the site create an internal sense of order and provide a desirable environment for occupants, visitors and the general community;
8. The amount and arrangement of open space are appropriate to the design and the function of the structures;
9. Sufficient ancillary functions are provided to support the main functions of the project and the same are compatible with the project's design concept;
10. Access to the property and circulation thereon are safe and convenient for pedestrians, cyclists and vehicles;
11. Natural features are appropriately preserved and integrated with the project;
12. The materials, textures, colors and details of construction and plant material are appropriate expression to the design and function and whether the same are compatible with the adjacent and neighboring structures, landscape elements and functions;
13. The landscape design concept for the site, as shown by the relationship of plant masses, open space, scale, plant forms and foliage textures and colors create a desirable and functional environment and whether the landscape concept depicts an appropriate unity with the various buildings on the site;
14. Plant material is suitable and adaptable to the site, capable of being properly maintained on the site, and is of a variety which would tend to be drought -resistant and to reduce consumption of water in its installation and maintenance;
15. The project exhibits green building and sustainable design that is energy efficient, water conserving, durable and nontoxic, with high-quality spaces and high recycled content materials. The following considerations should be utilized in determining sustainable site and building design:

(A) Optimize building orientation for heat gain, shading, daylighting, and natural ventilation;
(B) Design of landscaping to create comfortable micro-climates and reduce heat island effects;
(C) Design for easy pedestrian, bicycle and transit access;
(D) Maximize on site storm water management through landscaping and permeable paving;
(E) Use sustainable building materials;
(F) Design lighting, plumbing and equipment for efficient energy and water use;
(G) Create healthy indoor environments; and
(H) Use creativity and innovation to build more sustainable environments.

16. The design is consistent and compatible with the purpose of architectural review as set forth in subsection (a)

Chapter IV – Compatibility Requirements and Design Guidelines

Section List

4.010 Compatibility Requirements

(a) New and remodeled structures

Compatibility with the existing area is required for all new and remodeled structures in all districts throughout SOFA 2. Compatibility is achieved when the apparent scale and mass of new buildings is consistent with that existing in the neighborhood, and when new construction shares general characteristics and establishes design linkages with surrounding existing buildings so that the visual unity of the street is maintained.

A compatible building design is one that supports and reinforces the shared architectural and site features of neighboring properties. It is not necessary in an area of coherent architectural or historic character to employ specific styles in new construction in order to achieve compatibility. Other fundamental features of neighboring properties are more important. A contemporary style, for example, can be fully compatible with a historic neighborhood if the new design has taken careful account of the following characteristics of the street and area:

(1) siting, scale, massing, materials;

(2) the rhythmic pattern of the street established by the general width of the buildings and the spacing between them;

(3) the pattern of roof lines and projections;

(4) the sizes, proportions, and orientations of windows, bays, and doorways;

(5) the location and treatment of entryways;

(6) the shadow patterns from massing and decorative features;

(7) the treatment of landscaping.

With respect to scale, compatibility refers to what is apparent rather than to actual measurements. Buildings can be designed to appear smaller or larger than they actually are by respectively increasing or reducing the articulation of massing and wall surfaces. When articulation is minimal, one's primary impression is of the building as a whole, and it seems larger and more monolithic. When articulation is increased, the primary impression is of the building's separate parts perceived one after another, and the building seems smaller and more humanly scaled.

(b) Compatibility with historic structures and other existing structures

(1) Buildings adjacent to or across the street from Historic Resources must be compatible with the scale and massing of such historic buildings.

CONTEXT BASED DESIGN CRITERIA

18.16.090 Context-Based Design Criteria

(a) Contextual and Compatibility Criteria

Development in a commercial district shall be responsible to its context and compatible with adjacent development, and shall promote the establishment of pedestrian oriented design.

(1) Context

(A) Context as used in this section is intended to indicate relationships between the site's development to adjacent street types, surrounding land uses, and on-site or nearby natural features, such as creeks or trees. Effective transitions to these adjacent uses and features are strongly reinforced by Comprehensive Plan policies.

(B) The word "context" should not be construed as a desire to replicate existing surroundings, but rather to provide appropriate transitions to those surroundings. "Context" is also not specific to architectural style or design, though in some instances relationships may be reinforced by an architectural response.

(2) Compatibility

(A) Compatibility is achieved when the apparent scale and mass of new buildings is consistent with the pattern of achieving a pedestrian oriented design, and when new construction shares general characteristics and establishes design linkages with the overall pattern of buildings so that the visual unity of the street is maintained.

(B) Compatibility goals may be accomplished through various means, including but not limited to:

(i) the siting, scale, massing, and materials;

(ii) the rhythmic pattern of the street established by the general width of the buildings and the spacing between them;

(iii) the pattern of roof lines and projections;

(iv) the sizes, proportions, and orientations of windows, bays and doorways;

(v) the location and treatment of entryways;

(vi) the shadow patterns from massing and decorative features;

(vii) the siting and treatment of parking; and

(viii) the treatment of landscaping.

(b) Context-Based Design Considerations and Findings

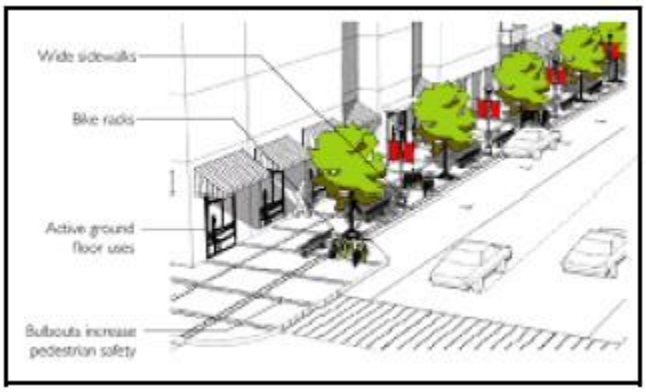
In addition to the findings for Architectural Review contained in Section 18.76.020(d) of the Zoning Ordinance, the following additional findings are applicable in the CN, CS, CC and CC(2) districts, as further illustrated on the accompanying diagrams:

(1) Pedestrian and Bicycle Environment

The design of new projects shall promote pedestrian walkability, a bicycle friendly environment, and connectivity through design elements such as:

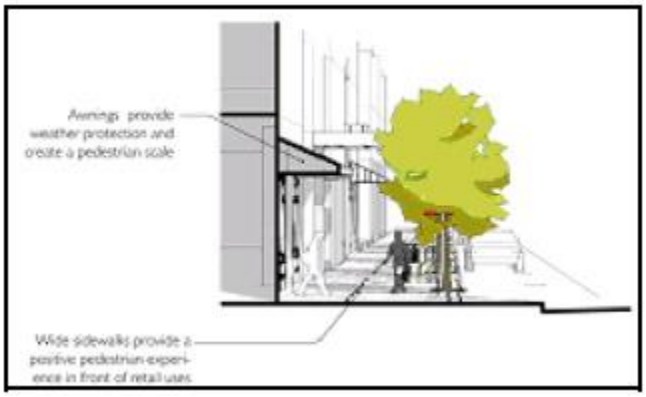
A. Ground floor uses that are appealing to pedestrians through well-designed visibility and access (Figure 1-1);

Figure 1-1



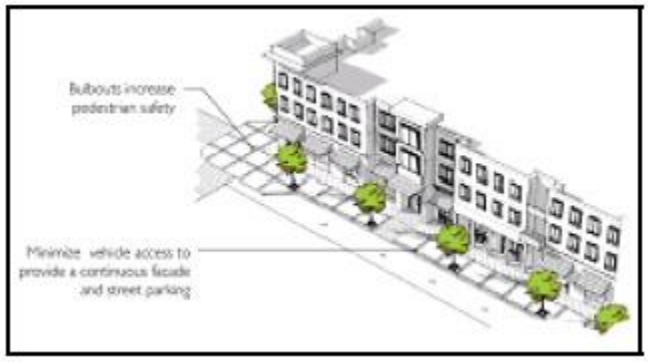
B. On primary pedestrian routes, climate and weather protection where possible, such as covered waiting areas, building projections and colonnades, and awnings (Figure 1-2);

Figure 1-2



C. Streetscape or pedestrian amenities that contribute to the area's streetscape environment such as street trees, bulbouts, benches, landscape elements, and public art (Figure 1-3);

Figure 1-3



D. Bicycle amenities that contribute to the area's bicycle environment and safety needs, such as bike racks, storage or parking, or dedicated bike lanes or paths (Figure 1-1); and

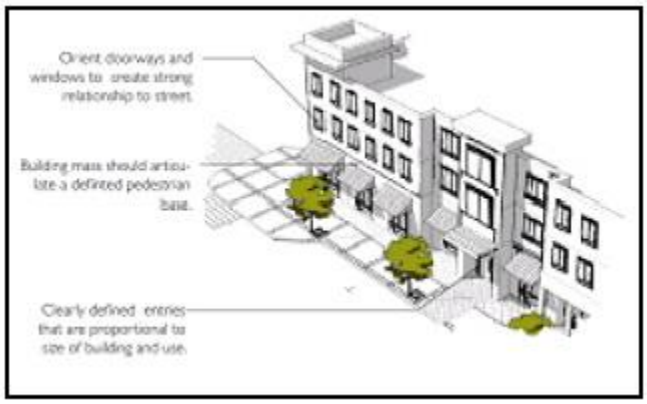
E. Vehicle access from alleys or sidestreets where they exist, with pedestrian access from the public street.

(2) Street Building Facades

Street facades shall be designed to provide a strong relationship with the sidewalk and the street(s), to create an environment that supports and encourages pedestrian activity through design elements such as:

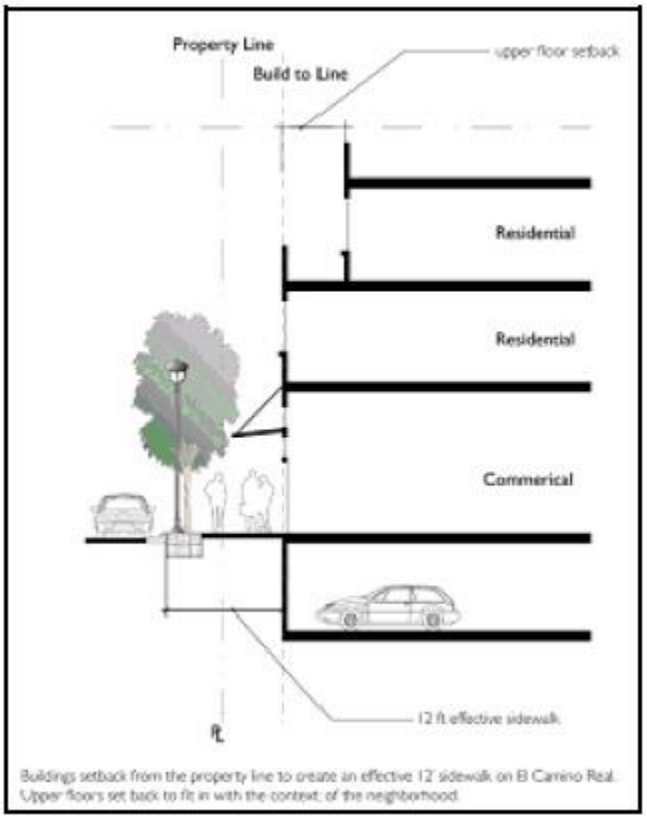
A. Placement and orientation of doorways, windows, and landscape elements to create strong, direct relationships with the street (Figure 2-1);

Figure 2-1



B. Facades that include projecting eaves and overhangs, porches, and other architectural elements that provide human scale and help break up building mass (Figure 2-2);

Figure 2-2



C. Entries that are clearly defined features of front facades, and that have a scale that is in proportion to the size and type of the building and number of units being accessed; larger buildings should have a more prominent building entrance, while maintaining a pedestrian scale;

D. Residential units and storefronts that have a presence on the street and are not walled-off or oriented exclusively inward;

E. Elements that signal habitation such as entrances, stairs, porches, bays and balconies that are visible to people on the street;

F. All exposed sides of a building designed with the same level of care and integrity;

G. Reinforcing the definition and importance of the street with building mass; and

H. Upper floors set back to fit in with the context of the neighborhood.

(3) Massing and Setbacks

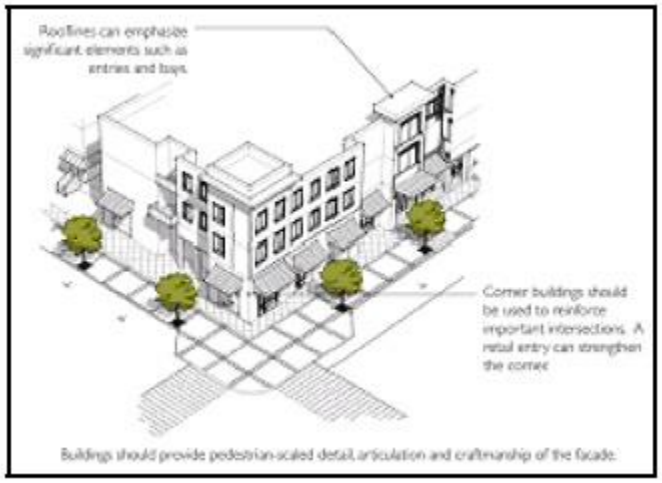
Buildings shall be designed to minimize massing and conform to proper setbacks through elements such as:

A. Rooflines that emphasize and accentuate significant elements of the building such as entries, bays, and balconies (Figure 3-1);

B. Design with articulation, setbacks, and materials that minimize massing, break down the scale of buildings, and provide visual interest (Figure 3-1);

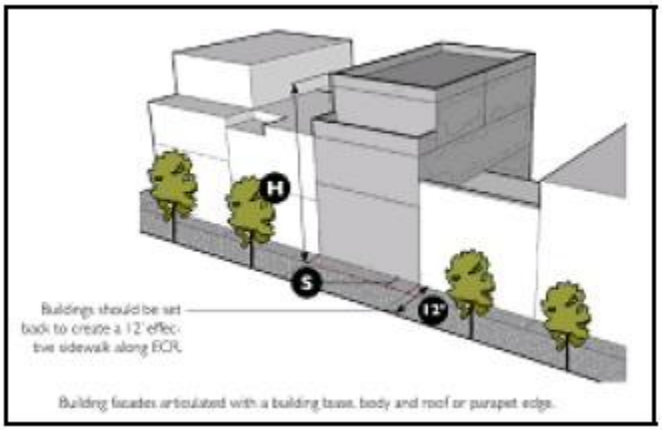
C. Corner buildings that incorporate special features to reinforce important intersections and create buildings of unique architectural merit and varied styles (Figure 3-1);

Figure 3-1



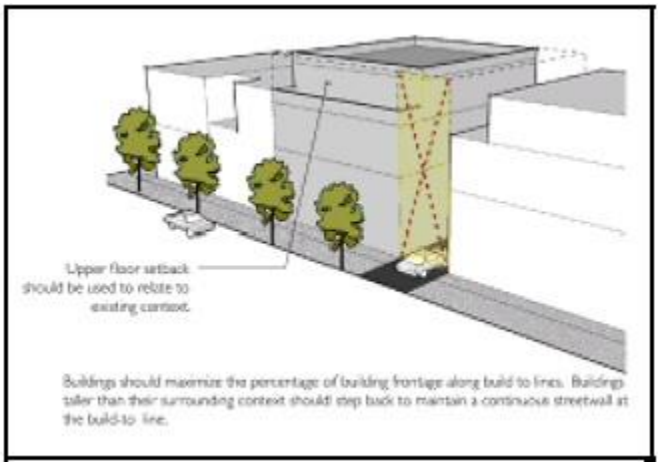
D. Building facades articulated with a building base, body and roof or parapet edge (Figure 3-2);

Figure 3-2



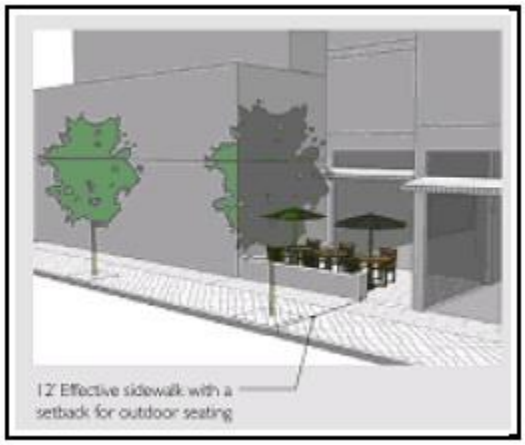
E. Buildings set back from the property line to create an effective 12' sidewalk on El Camino Real, 8' elsewhere (Figure 3-4);

Figure 3-3



F. A majority of the building frontage located at the setback line (Figure 3-3); and

Figure 3-4



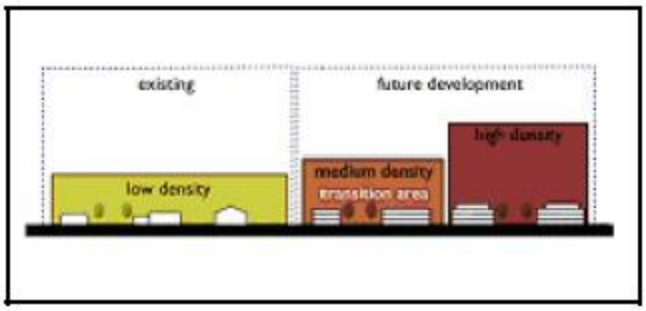
G. No side setback for midblock properties, allowing for a continuous street facade, except when abutting low density residential (Figure 3-3).

(4) Low-Density Residential Transitions

Where new projects are built abutting existing lower-scale residential development, care shall be taken to respect the scale and privacy of neighboring properties through:

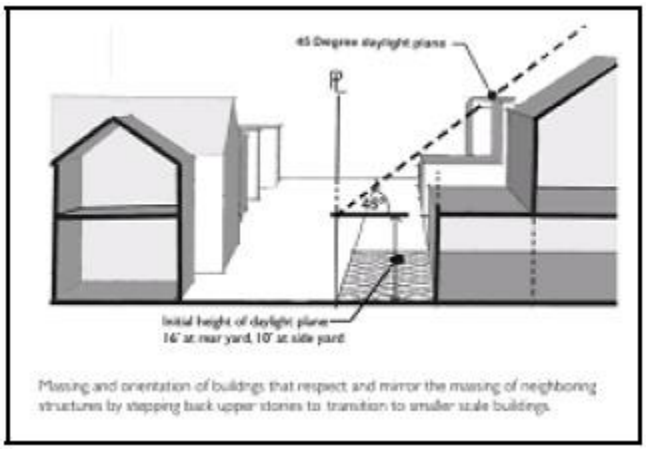
A. Transitions of development intensity from higher density development building types to building types that are compatible with the lower intensity surrounding uses (Figure 4-1);

Figure 4-1



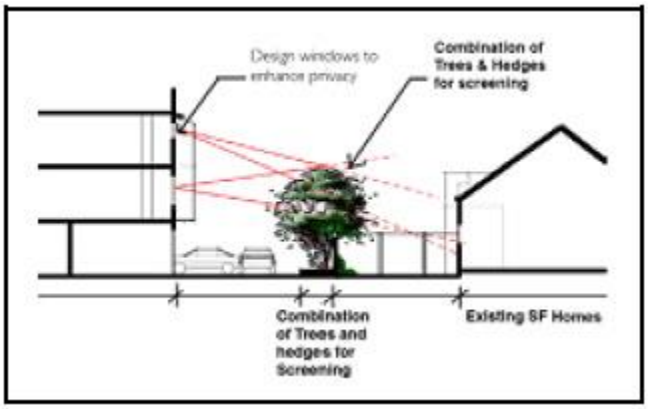
B. Massing and orientation of buildings that respect and mirror the massing of neighboring structures by stepping back upper stories to transition to smaller scale buildings, including setbacks and daylight planes that match abutting R-1 and R-2 zone requirements (Figure 4-2);

Figure 4-2



C. Respecting privacy of neighboring structures, with windows and upper floor balconies positioned so they minimize views into neighboring properties (Figure 4-3);

Figure 4-3



D. Minimizing sight lines into and from neighboring properties (Figure 4-3);

E. Limiting sun and shade impacts on abutting properties; and

F. Providing pedestrian paseos and mews to create separation between uses.

(5) Project Open Space

Private and public open space shall be provided so that it is usable for the residents, visitors, and/or employees of a site.

A. The type and design of the usable private open space shall be appropriate to the character of the building(s), and shall consider dimensions, solar access, wind protection, views, and privacy;

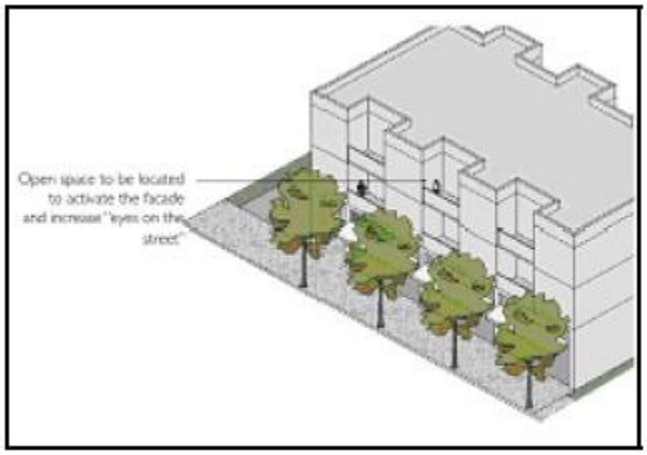
B. Open space should be sited and designed to accommodate different activities, groups, active and passive uses, and should be located convenient to the users (e.g., residents, employees, or public)

C. Common open spaces should connect to the pedestrian pathways and existing natural amenities of the site and its surroundings;

D. Usable open space may be any combination of private and common spaces;

E. Usable open space does not need to be located on the ground and may be located in porches, decks, balconies and/or podiums (but not on rooftops) (Figure 5-1);

Figure 5-1



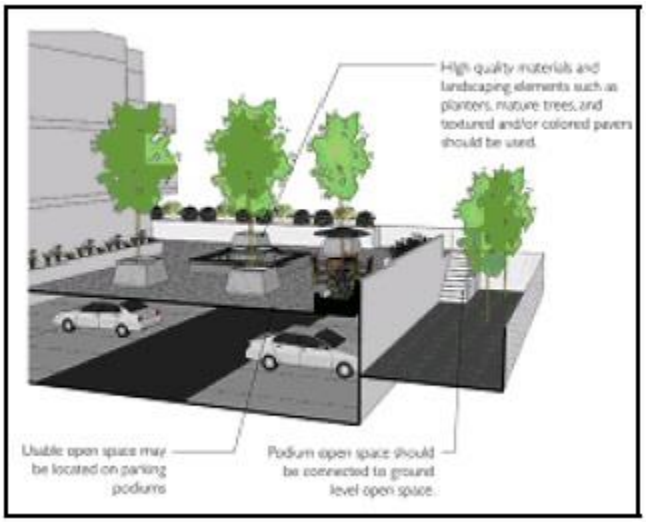
F. Open space should be located to activate the street façade and increase "eyes on the street" when possible (Figure 5-1);

G. Both private and common open space areas should be buffered from noise where feasible through landscaping and building placement;

H. Open space situated over a structural slab/podium or on a rooftop shall have a combination of landscaping and high quality paving materials, including elements such as planters, mature trees, and use of textured and/or colored paved surfaces (Figure 5-2); and

I. Parking may not be counted as open space.

Figure 5-2



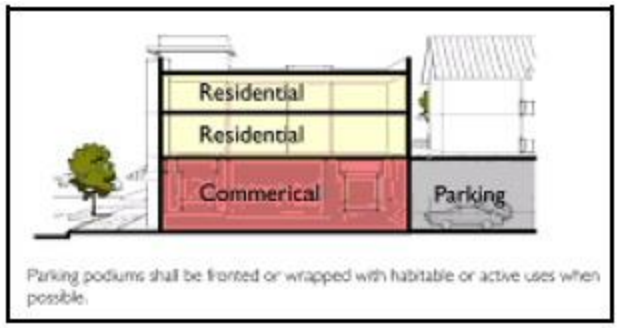
(6) Parking Design

Parking needs shall be accommodated but shall not be allowed to overwhelm the character of the project or detract from the pedestrian environment, such that:

A. Parking is located behind buildings, below grade or, where those options are not feasible, screened by landscaping, low walls, etc.;

B. Structured parking is fronted or wrapped with habitable uses when possible (Figure 6-1);

Figure 6-1



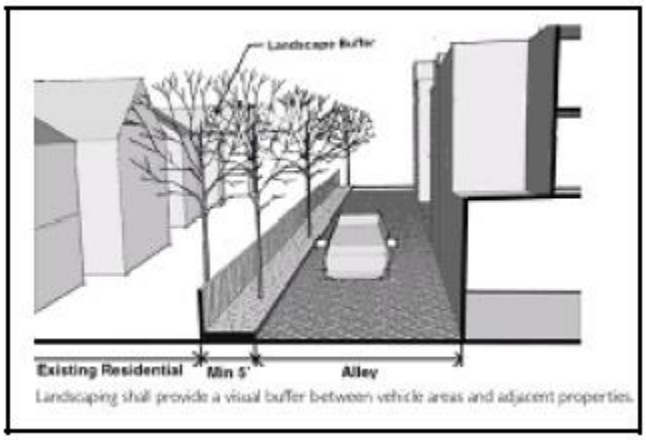
C. Parking that is semi-depressed is screened with architectural elements that enhance the streetscape such as stoops, balcony overhangs, and/or art;

D. Landscaping such as trees, shrubs, vines, or groundcover is incorporated into surface parking lots (Figure 6-2);

Figure 6-2

E. For properties with parking access from the rear of the site (such as a rear alley or driveway) landscaping shall provide a visual buffer between vehicle circulation areas and abutting properties (Figure 6-3);

Figure 6-3



F. Street parking is utilized for visitor or customer parking and is designed in a manner to enhance traffic calming;

G. For properties with parking accessed from the front, minimize the amount of frontage used for parking access, no more than 25% of the site frontage facing a street should be devoted to garage openings, carports, or open/surface parking (on sites with less than 100 feet of frontage, no more than 25 feet);

H. Where two parking lots abut and it is possible for a curb cut and driveway to serve several properties, owners are strongly encouraged to enter in to shared access agreements (Figure 6-4); and

I. Parking is accessed from side streets or alleys when possible.

Figure 6-4

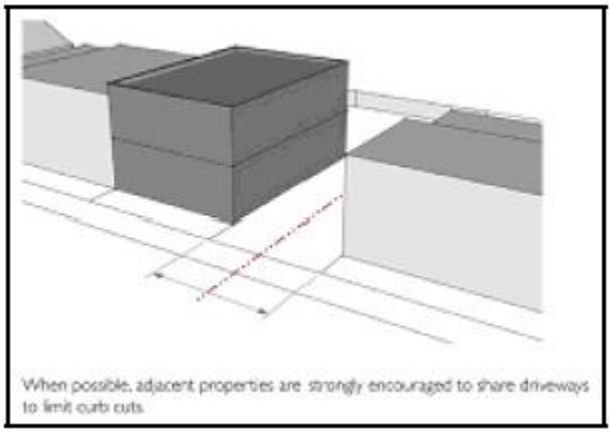


Figure 6-5 -- Mixed-Use with Surface Parking

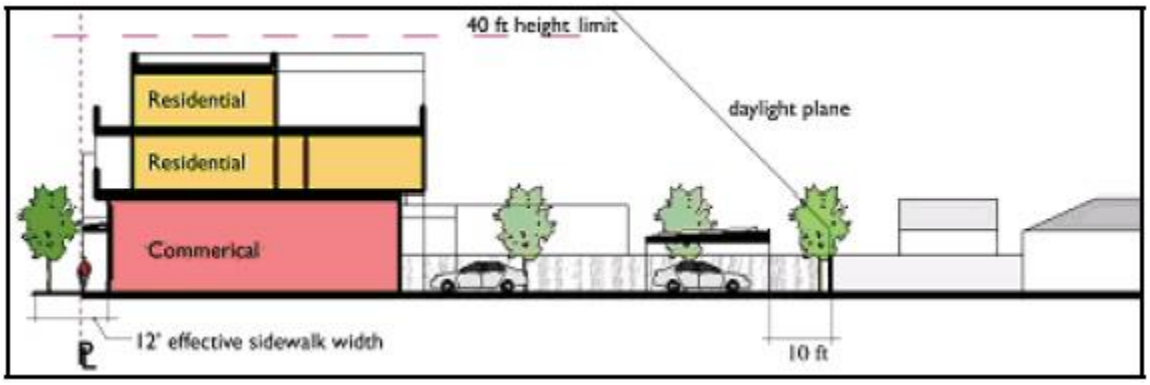


Figure 6-6 -- Mixed-Use with Podium Parking

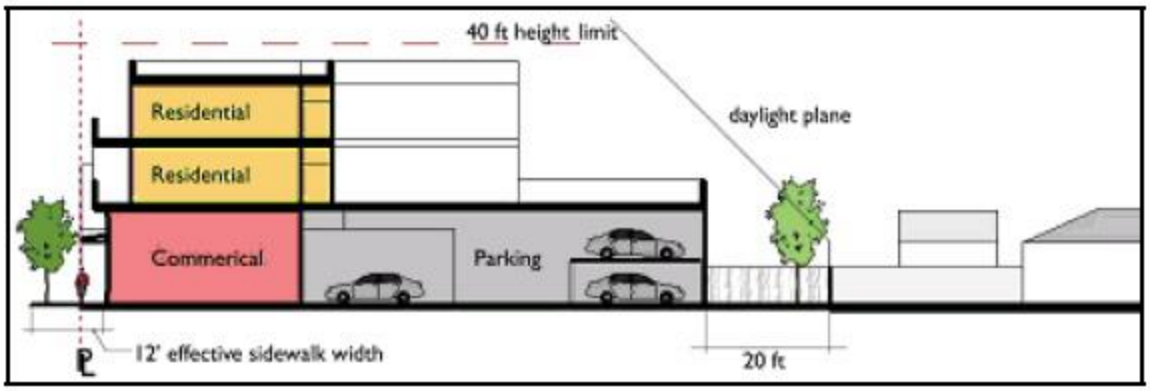


Figure 6-7 -- Mixed-Use with Partial Sub-Grade Parking Podium

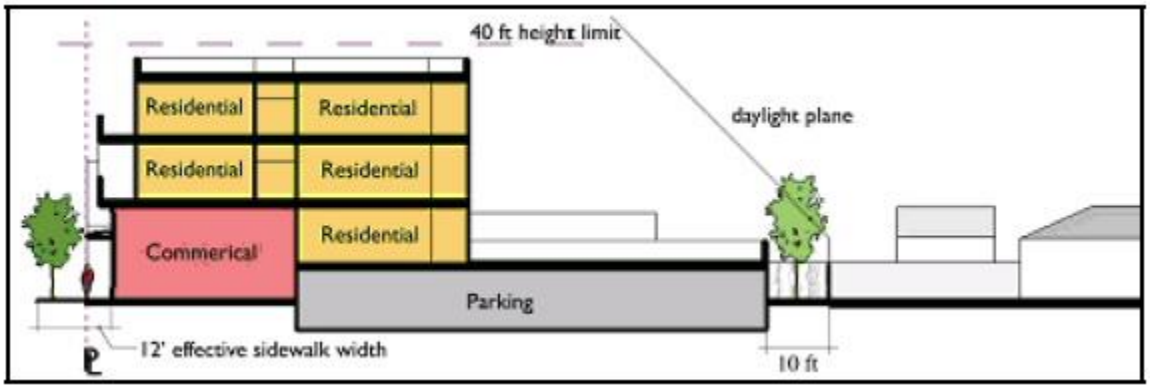
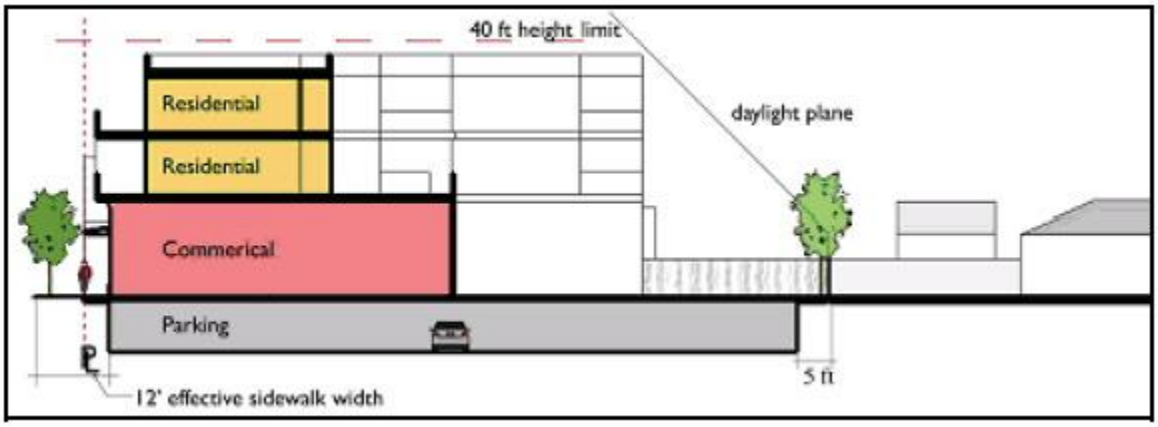


Figure 6-8 -- Mixed-Use with Below-Grade Parking Podium



(7) Large (Multi-Acre) Sites

Large (in excess of one acre) sites shall be designed so that street, block, and building patterns are consistent with those of the surrounding neighborhood, and such that:

A. New development of large sites maintains and enhances connectivity with a hierarchy of public streets, private streets, walks and bike paths (integrated with Palo Alto's Bicycle Master Plan, when applicable);

B. The diversity of building types increases with increased lot size (e.g., <1 acre = minimum 1 building type; 1-2 acres = minimum 2 housing types; greater than 2 acres = minimum 3 housing types) (Figures 7-1 through 7-3); and

C. Where a site includes more than one housing type, each building type should respond to its immediate context in terms of scale, massing, and design (e.g., Village Residential building types facing or abutting existing single-family residences) (Figures 7-2 and 7-3).

Figure 7-1

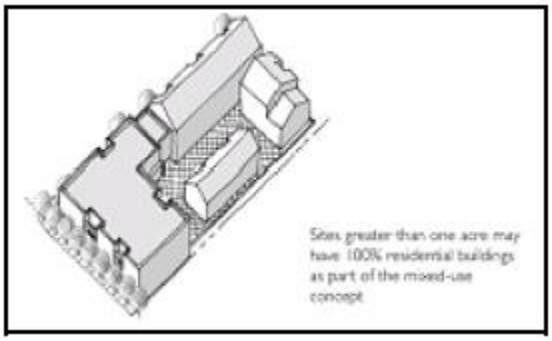


Figure 7-2

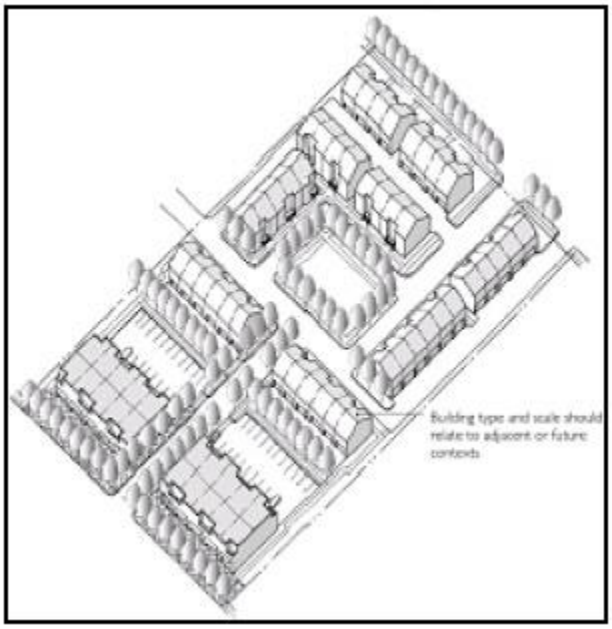
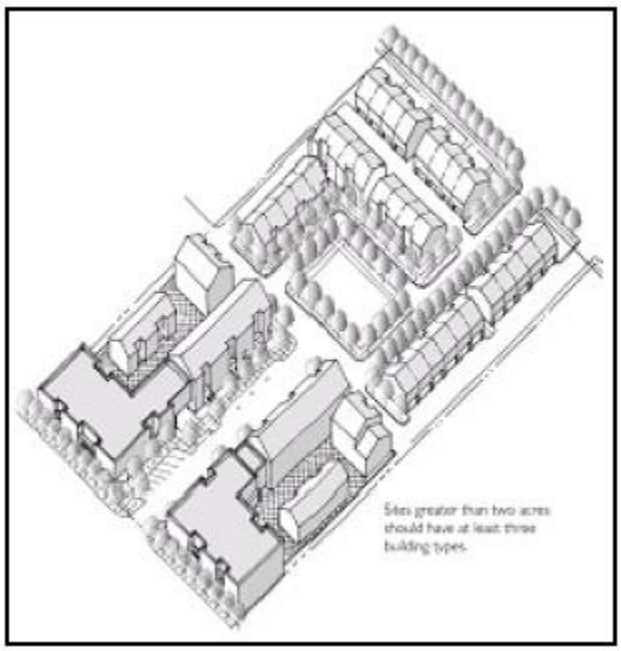


Figure 7-3

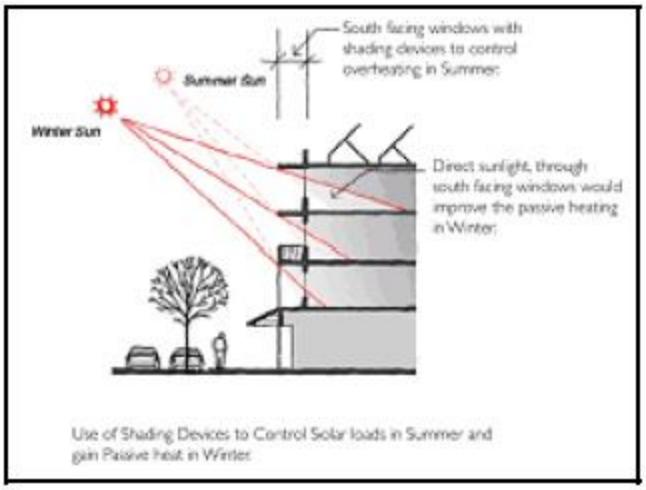


(8) Sustainability and Green Building Design

Project design and materials to achieve sustainability and green building design should be incorporated into the project. Green building design considers the environment during design and construction. Green building design aims for compatibility with the local environment: to protect, respect and benefit from it. In general, sustainable buildings are energy efficient, water conserving, durable and nontoxic, with high-quality spaces and high recycled content materials. The following considerations should be included in site and building design:

A. Optimize building orientation for heat gain, shading, daylighting, and natural ventilation (Figure 8-1).

Figure 8-1



B. Design landscaping to create comfortable micro-climates and reduce heat island effects.

C. Design for easy pedestrian, bicycle, and transit access.

D. Maximize onsite stormwater management through landscaping and permeable pavement (Figure 8-2).

Figure 8-2

E. Use sustainable building materials.

F. Design lighting, plumbing, and equipment for efficient energy and water use.

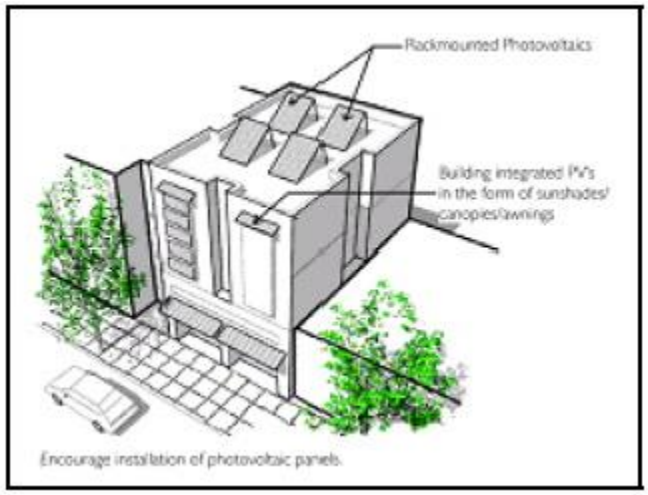
G. Create healthy indoor environments.

H. Use creativity and innovation to build more sustainable environments. One example is establishing gardens with edible fruits, vegetables or other plants to satisfy a portion of project open space requirements.

I. Provide protection for creeks and riparian vegetation and integrate stormwater management measures and open space to minimize water quality and erosion impacts to the creek environment.

J. Encourage installation of photovoltaic panels (Figure 8-3).

Figure 8-3



(Ord. 4923 § 3 (part), 2006: Ord. 4925 § 3 (part), 2006)

18.16.100 Grandfathered Use

CITY OF PALO ALTO CITY COUNCIL EXCERPT ACTION MINUTES

Regular Meeting
April 11, 2016

The City Council of the City of Palo Alto met on this date in the Council Chambers at 6:02 P.M.

Present: Berman, Burt, DuBois, Holman, Kniss arrived at 6:45 P.M., Schmid, Wolbach

Absent: Filseth, Scharff

Action Items

7. PUBLIC HEARING: Adoption of an Ordinance to Amend Chapter 18.76 (Permits and Approvals) of the Palo Alto Municipal Code to Modify the Architectural Review Findings. The Planning and Transportation Commission and the Architectural Review Board Reviewed and Recommended the Proposed Draft Ordinance. The Proposed Amendments are Exempt From Further Environmental Review per California Environmental Quality Act (CEQA) Guideline Sections 15061(b) and 15301, 15302 and 15305.

Public Hearing opened at 7:19 P.M.

Public Hearing closed at 7:45 P.M.

MOTION: Council Member Holman moved, seconded by Council Member Schmid to adopt an Ordinance which is a continuation of the annual planning codes update discussed in December 2015 and contains amendments to the Architectural Review approval findings contained in Chapter 18.76 of the Palo Alto Municipal Code (PAMC) Title 18 as submitted in the Staff Report, replacing Section 1 of the Ordinance with the following:

"(d) Findings

Neither the director, nor the city council on appeal, shall grant architectural review approval, unless it is found that at a minimum each of the following findings is met:

1. The design is consistent with applicable elements of the Palo Alto Comprehensive Plan, Zoning Code (including context-based design criteria, as applicable) and any relevant design guides.

2. The project has a unified and coherent design, is an aesthetically holistic design of massing and materials (intended to avoid superficial and "applied" appearance of design), creates an internal sense of order and desirable environment for occupants, visitors, and the general community, and preserves, respects and integrates existing natural features and the historic character including historic resources of the area when relevant; and provides harmonious transitions in size, mass, scale and character to adjacent land uses, is compatible within the context of existing development in that it establishes design linkages with surrounding existing buildings so that the visual unity of the street is maintained at a minimum by:

   (1) Siting, scale, massing, materials;

   (2) The rhythmic pattern of the street established by the general width of the buildings and the spacing between them;

   (3) The sizes, proportions, and orientations of windows, bays, and doorways;

   (4) The location and treatment of entryways where applicable;

   And enhances living conditions on the site (if it includes residential uses) and in adjacent residential areas.

3. The design is of high aesthetic quality, using high quality materials and appropriate construction techniques, and incorporating textures, colors, and other details that are compatible with and enhance the surrounding area.

4. The design is functional, allowing for ease and safety of pedestrian and bicycle access and providing for elements that support the building's necessary operations (e.g. convenient vehicle access to property and

utilities, appropriate arrangement and amount of open space and integrated signage, if applicable, etc.).

5. The landscape design is desirable, integrated and compatible with the building and the surrounding area, is appropriate to the site's functions, and utilizes drought-resistant plant material capable of providing desirable habitat and that can be appropriately maintained.

6. The project incorporates design principles that achieve sustainability and green building requirements in areas related to energy efficiency, water conservation, building materials, landscaping, and site planning."

INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER to add to the Motion, "Direct Staff and the Architectural Review Board to review the updated language prior to the next reading of this Ordinance and offer approval, feedback or changes." (New Part B)

INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER to remove from the first paragraph of the Motion, "at a minimum" after "unless it is found."

INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER to add to the first paragraph of the Motion, "applicable" after "each of the following."

INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER to add to the Motion Subsection 1, "coordinated area plans" after "as applicable."

INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER to replace in the Motion Subsection 5, "is desirable, integrated and compatible with the building and the surrounding area" with "compliments and enhances the building design and its surroundings."

INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER to add to the Motion Subsection 5, "to the extent practical, indigenous" after "functions, and utilizes."

INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER to remove from the Motion Subsection 2, "is an aesthetically holistic design of massing and materials (intended to avoid superficial and "applied" appearance of design)" and add to subsection 3, "is an aesthetically holistic design of massing and materials (intended to avoid superficial and "applied" appearance of design)" after "high aesthetic quality."

INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER to add to the Motion Subsection 2, "that contribute positively to the site" after "natural features."

MOTION RESTATED: Council Member Holman moved, seconded by Council Member Schmid to:

A. Adopt an Ordinance which is a continuation of the annual planning codes update discussed in December 2015 and contains amendments to the Architectural Review approval findings contained in Chapter 18.76 of the Palo Alto Municipal Code (PAMC) Title 18 as submitted in the Staff Report, replacing Section 1 of the Ordinance with the following:

"(d) Findings

Neither the director, nor the city council on appeal, shall grant architectural review approval, unless it is found that each of the following applicable findings is met:

1. The design is consistent with applicable elements of the Palo Alto Comprehensive Plan, Zoning Code (including context-based design criteria, as applicable), coordinated area plans and any relevant design guides.

2. The project has a unified and coherent design, creates an internal sense of order and desirable environment for occupants, visitors, and the general community, and preserves, respects and integrates:

    - existing natural features that contribute positively to the site and

- the historic character including historic resources of the area when relevant; and provides harmonious transitions in size, mass, scale and character to adjacent land uses , is compatible within the context of existing development in that it establishes design linkages with surrounding existing buildings so that the visual unity of the street is maintained at a minimum by:

  (1) Siting, scale, massing, materials;

  (2) The rhythmic pattern of the street established by the general width of the buildings and the spacing between them;

  (3) The sizes, proportions, and orientations of windows, bays, and doorways;

  (4) The location and treatment of entryways where applicable;

And enhances living conditions on the site (if it includes residential uses) and in adjacent residential areas.

3. The design is of high aesthetic quality, is an aesthetically holistic design of massing and materials (intended to avoid superficial and "applied" appearance of design) using high quality materials and appropriate construction techniques, and incorporating textures, colors, and other details that are compatible with and enhance the surrounding area.

4. The design is functional, allowing for ease and safety of pedestrian and bicycle access and providing for elements that support the building's necessary operations (e.g. convenient vehicle access to property and utilities, appropriate arrangement and amount of open space and integrated signage, if applicable, etc.).

5. The landscape design compliments and enhances the building design and its surroundings, is appropriate to the site's functions, and utilizes, to the extent practical, indigenous drought-resistant plant material capable of providing desirable habitat and that can be appropriately maintained.

6. The project incorporates design principles that achieve sustainability and green building requirements in areas related to energy efficiency, water conservation, building materials, landscaping, and site planning."

B. Direct Staff and the Architectural Review Board to review the updated language prior to the next reading of this Ordinance and offer approval, feedback or changes.

MOTION AS AMENDED PASSED: 7-0 Filseth, Scharff absent

Adjournment: The meeting was adjourned in memory of Paula Kirkeby at 10:38 P.M.