



City of Palo Alto

City Council Staff Report

(ID # 9944)

Report Type: Action Items

Meeting Date: 1/28/2019

Summary Title: Phase 1 - Comp Plan Implementation/Housing Ordinance (First Reading) - Continued from 12/03/18

Title: PUBLIC HEARING: Adoption of an Ordinance Amending Various Sections of Title 18 of the Palo Alto Municipal Code Related to Residential and Mixed-use Development Standards Including, but not Limited to, Minimum and Maximum Unit Density, Unit Size, Floor Area Ratio, Height, and Open Space Including Rooftop Gardens; Parking Requirements Including, but not Limited to, Regulations Related to In-lieu Parking for Downtown Commercial Uses and Retail Parking for Mixed Use Projects; Exclusively Residential Projects in Certain Commercial Zoning Districts; Ground-floor Retail and Retail Preservation Provisions; the Entitlement Approval Process; and Other Regulations Governing Residential, Multi-family Residential and Commercial Zoning Districts, all to Promote Housing Development Opportunities in These Zoning Districts in Furtherance of Implementation of the Comprehensive Plan. CEQA: Determination of Consistency with the Comprehensive Plan Environmental Impact Report (EIR) Certified and Adopted on November 13, 2017 by Council Resolution No. 9720. The Planning and Transportation Commission Recommended Approval of the Proposed Ordinance on October 10, 2018 (Continued From December 3, 2018)

From: City Manager

Lead Department: Planning and Community Environment

Recommendation

Staff recommends that the City Council:

1. Find the proposed ordinance is consistent with the Comprehensive Plan Update Final Environmental Impact Report.

2. Adopt the attached ordinance (Attachment A) with modifications approved by Council¹

Executive Summary

On November 26 and December 3, 2018, the City Council reviewed proposed changes to the Zoning Code (Title 18) that would implement housing production initiatives as outlined in the adopted 2018 [Housing Work Plan](#). The Council discussed and acted on the majority of the proposed code amendments regarding the RM (Multi-family Residential) and CD-C (Downtown Commercial) zone districts and citywide changes.

Due to the late hour on December 3rd, the discussion on amendments to the CN (Neighborhood Commercial), CC(2) (Community Commercial), and CS (Service Commercial) zone districts were continued to a date uncertain. Additionally, a few citywide changes were not addressed in the discussion or motion for citywide changes and are referenced again herein. The focus of the discussion for tonight's item is to complete the review and act on these remaining amendments, completing the First Reading of the proposed ordinance.

As noted in a previous staff report, this ordinance proposes a variety of changes to the multifamily zoning districts and certain commercial zoning districts in Palo Alto as well as some broader citywide changes, all to encourage housing production. Due, in part, to the scope of the ordinance, potential conflicts of interest are implicated for some Council members with respect to different portions of the ordinance. This necessitates the structuring of the Council's consideration of the ordinance in a certain manner. Since the public hearing has been closed, Council will resume it's discussion starting with a clarification to one change in the multi-family district, followed by discussion of changes specific to the California Avenue CC(2) zoning district and then sites on El Camino Real zoned Neighborhood Commercial CN and Service Commercial CS. Lastly, staff is seeking clarification on a number of citywide changes to affirm direction on those recommendations. During the first two portions (multi-family district and CC(2) district), the conflicted Councilmember(s) will leave the public hearing. Thereafter, the Council as a whole will consider the third and fourth parts (El Camino Real and Citywide). While this may appear cumbersome, this is necessitated by the conflict of interest rules while maximizing Councilmember participation as allowed and feasible.

Background

Please see the original report for this item for background information related to the Housing Work Plan; Planning & Transportation Commission (PTC) and Architectural Review Board (ARB) review; community and development advisor outreach; and parking research.

¹ The attached ordinance was presented to Council on November 26, 2018 and December 3, 2018. This report is a continuation of those hearings and has yet been modified to reflect Council actions taken on December 3, 2018.

November 26, 2018 City Council Staff Report:

<https://www.cityofpaloalto.org/civicax/filebank/documents/67731>

Summary of November 26, 2018 City Council Hearing

The first hearing on this item included the following:

- Staff provided an overview of the proposed ordinance, including its relationship to the Comprehensive Plan and Housing Element, objectives, and potential impacts.
- Approximately 35 speakers provided public comments
- The Council closed the public hearing
- The Council asked questions of staff and consultants, primarily related to the empirical study of parking demand and supply rates in multi-family housing units in the city

The Council continued the item, without taking further action, due to the late hour.

Staff Report: <https://www.cityofpaloalto.org/civicax/filebank/documents/67731>

Action Minutes:

<https://www.cityofpaloalto.org/civicax/filebank/blobdload.aspx?t=79304.03&BlobID=68108>

Summary of December 3, 2018 City Council Hearing

During the second hearing on this item, the Council asked general questions of staff and consultants and discussed three sections of the proposed ordinance, taking the following actions (a more detailed summary is provided in Attachment D):

1. Multifamily Residential (RM) Districts

- Establish minimum and maximum residential densities
- Allow redevelopment/replacement units to match existing density, even when densities exceed allowable maximums
- Allow single-family and duplex sites to redevelop in kind, even when densities are below required minimums
- Direction provided for further study and to return to Council:
 - Explore future changes regarding not considering parcels to be noncomplying by virtue of being above the maximum density

2. Downtown Commercial (CD(C)) district

- Eliminate residential density standard
- Establish a maximum average housing unit size
- Exempt a portion of ground-floor retail space from parking requirements
- Preclude curb cuts on University Avenue
- Allow housing-only projects to be constructed downtown (except in the GF combining district and where the retail preservation ordinance applies)

- Allow rooftops to qualify for a portion of the residential open space requirement
- Modify open space performance standards to prevent spillover lighting
- Establish a Housing Incentive Program to allow increases in residential FAR as a local alternative to State Density Bonus Law and SB 35 streamlining
- Create a 1-year moratorium from the effective date of this ordinance on the in-lieu parking program for upper story office uses
- Direction provided for further study and to return to Council:
 - Further study decoupled parking, in lieu parking, and off-site parking
 - Consider changing hotel FAR maximums and other methods to match increases in residential FAR with decreases in commercial FAR

3. Parking Standards within 1/2-Mile of Fixed Rail

- No action; continued to a date uncertain

4. Citywide issues:

- Establish a consistent open space standard for multi-family housing units
- Eliminate Site & Design Review for all multifamily projects; maintain ARB review
- Exempt 100% affordable housing projects from the retail preservation requirement
- Adjust parking standards as proposed by staff for multi-family housing, including senior housing; no changes were made to the standard affordable housing parking requirements, but Council modified the extent to which affordable housing projects may seek a parking reduction.
- Exempt a portion of ground-floor retail space from parking requirements

Strike the proposed affordable housing standards related to parking for multi-family residential uses; and add that an affordable multi-family development may ask for a reduction in parking requirements up to 100 percent based on maximum anticipated demand.”

The Council then continued the item due to the late hour.

Staff Report: <https://www.cityofpaloalto.org/civicax/filebank/documents/67968>

Action Minutes:

<https://www.cityofpaloalto.org/civicax/filebank/blobdload.aspx?t=45018.58&BlobID=68148>

Discussion

Below is a framework for the code changes that will be considered by the City Council in an order that is necessitated by the conflict of interest rules. The previously referenced staff reports contain more detailed analysis and background information supporting these recommendations. Below is a summary of the proposed actions, the attached ordinance includes the precise language being added or deleted in strikeout/underline format.

1. MULTI-FAMILY DISTRICT

On December 3rd, the Council discussed the existing municipal code provision that requires in the RM zone, for projects containing forty or more units, a minimum of 1,500 square feet of neighborhood serving retail, personal service or eating and drinking uses. Staff had proposed, and the Council discussed, eliminating this requirement only as it applies to 100% affordable housing projects. An affordable housing project was cited as one that met the City's existing definition for deed restricted units with household incomes at or below 120% of the area median income. (PAMC 16.65.020).

2. CALIFORNIA AVENUE CC(2) ZONING DISTRICT

- a. Unit Density. Eliminate the unit density requirement restricting the maximum density, which is currently 30 dwelling units per acre. (With the proposed amendment, unit density would be controlled by other existing development standards, such as height, floor area, parking requirements, etc.)
- b. Residential Only Development. Allow housing-only projects to be constructed, except on properties in the retail shopping (R) combining district or where the retail preservation ordinance applies. (Current zoning standards permit housing only when part of a commercial, mixed-use development.)
- c. Driveway Approach. Reinforce existing City policy and guidelines to preclude curb cuts on California Avenue, except for City-owned parcels or City-sponsored projects.
- d. Open Space. Allow rooftops to qualify for up to 60% of the usable open space requirement for the multi-family residential portion of a project, subject to objective performance standards (proposed additions to Section 18.40.190).
- e. Housing Incentive Program (HIP). Establish a process that would allow property owners to apply to receive greater floor area than otherwise allowed under the zoning code through waivers granted by the Director of Planning after review by the ARB. This program would be an alternative to State Density Bonus Law and SB 35 streamlining, since it allows for more density. Components of the HIP include the following:
 - i. FAR waiver to increase residential FAR from 0.6 up to 2.0, except for that portion of the commercial FAR required to remain commercial by the requirements of the retail preservation ordinance or R combining district.
 - ii. Require discretionary architectural review consistent with PAMC 18.76.020 (Architectural Review)

3. PROPERTIES ADJACENT TO EL CAMINO REAL IN THE CN AND CS ZONING DISTRICTS

- a. Unit Density. Eliminate the unit density requirement restricting the maximum density, which currently ranges from 15 to 30 dwelling units per acre. (With the proposed amendment, unit density would be controlled by other existing development standards, such as height, floor area, parking requirements, etc.)
- b. Open Space. Allow rooftops to qualify for up to 60% of the usable open space requirement for the multi-family residential portion of a project, subject to objective performance standards (proposed additions to Section 18.40.190).
- c. Residential Only Development. Allow housing-only projects to be constructed except on properties where the retail preservation ordinance applies. (Current zoning standards permit housing only when part of a commercial, mixed-use development.)
- d. Ground Floor Residential Design Standards. In tandem with item (d) above, adopt objective design standards to create an attractive active appearance for residential development on the ground-floor, while also maintaining privacy for residents:
 - i. Individual dwelling units shall not be permitted on the ground-floor fronting El Camino Real. Instead, the ground-floor frontage on El Camino Real may include common areas, such as lobbies, stoops, community rooms, and work-out spaces with windows and architectural detail to create visual interest. Ground floor residential would be permitted beyond the common areas or if set back away from El Camino Real.
 - ii. Parking shall be located behind buildings or below grade, or, where those options are not feasible, screened by landscaping, low walls, or structured garages with architectural detail.
- e. Housing Incentive Program (HIP). Establish a process that would allow property owners to apply to receive greater floor area than otherwise allowed under the zoning code through waivers granted by the Director of Planning after review by the ARB. This program would be an alternative to State Density Bonus Law and SB 35 streamlining, since it allows for more density. Components of the HIP include the following:
 - i. FAR waiver to increase residential FAR from .5 (CN) and .6 (CS) up to 1.5, except for that portion of FAR required to remain commercial by the requirements of the retail preservation ordinance or other district requirements.
 - ii. Waiver to eliminate or reduce the 50% lot coverage requirement and instead rely on site planning, landscape and setback requirements.
 - iii. Require discretionary architectural review consistent with PAMC 18.76.020 (Architectural Review)

4. CITYWIDE REVISIONS

The City Council previously acted on a number of Citywide changes, however, the motion did not capture all of the proposed modifications, or there was a lack of clarity as to support. To ensure staff is capturing the City Council's policy interests, some of these items are being represented for discussion and action.

- a. Open Space Definition: Modify definition of "usable open space" to clarify the purpose of open space and that areas with mechanical equipment, parking, and driveways may not be counted toward open space requirements. This change was previously discussed, but not formally included in the motion.
- b. Rooftop Open Space Performance Standards: Establish performance standards for rooftop open space. Staff recommends that the performance standards for rooftop open spaces be adopted citywide to streamline regulations for staff and applicants. Components of this change were discussed when the Council was evaluating proposed changes to the CD-C district. When adopting the Citywide changes, it was unclear if the Council had sufficiently deliberated and intended to apply these changes Citywide. Staff recommends adding the up lighting requirement previously added by Council when evaluating the CD-C district changes to apply Citywide.
- c. Retail Preservation Exemption. Exempt 100% affordable housing projects (120% AMI and below) from the retail preservation requirement except in the Ground Floor (GF) and Retail (R) combining districts. The City Council had adopted this provision on December 3rd, however, it was unclear if the Council intended to include properties on El Camino Real. The ordinance presented to the Council did not include El Camino Real consistent with the Planning and Transportation Commission's recommendation.

Analysis

Prior reports referenced above include a detailed analysis. Included with this report are massing models for a hypothetical development on California Avenue and El Camino Real based on buildout potential under existing and proposed development standards (Attachment B and C, respectively). These massing models are illustrative and accurate relative to existing and proposed standards.

Resource Impact

The recommendations in this report do not have significant budget or fiscal impacts.

Timeline

A timeline for development and approval of the ordinance is provided in Table 1.

Table 1: Project Timeline

<i>Meeting Type</i>	<i>Topic</i>	<i>Date</i>
PTC Study Session	Review objectives for housing work plan and city council direction	March 14
PTC Study Session	Overview of issues, including key findings from an analysis of residential capacity in Downtown	April 25
PTC Study Session	Parking, including key findings from an analysis of residential parking demand	May 30
Community Meeting	Present and receive feedback on ordinance framework ideas	June 28
PTC Study Session	Framework for ordinance	August 29
ARB Hearing	Review of rooftop open space design standards	September 20
PTC Hearing	Revised framework for ordinance	September 26
PTC Hearing	Recommendation on Draft Ordinance	October 10
City Council Hearing	Draft Ordinance (First Reading)	November 26
City Council Hearing	Draft Ordinance (First Reading) - continued	December 3
City Council Hearing	Draft Ordinance (First Reading) - continued	January 28, 2019
City Council Hearing	Draft Ordinance (Second Reading)	February 25, 2019

Environmental Review

The City Council certified a Final EIR (http://www.paloaltocompplan.org/wp-content/uploads/2017/08/PaloAltoCompPlanFEIR_Aug2017.pdf) on November 13, 2017 to analyze potential impacts associated with the updated Comprehensive Plan. The 2018 Comprehensive Plan Implementation and Housing Ordinance is consistent with the Comprehensive Plan and its Final EIR. At this time, no substantially greater or more severe impacts are anticipated and no development is proposed, beyond what is allowed by the Comprehensive Plan.

Attachments:

Attachment A: 2018111402 ORD Draft 2018 Housing Work Plan Ordinance for CC v 11-13-18 (PDF)

Attachment B: CC(2) Cal Ave. Massing Model_11-26-18 (PDF)

Attachment C: CN ECR Massing Model_11-09-18 (PDF)

Attachment D: Summary of Council Action from December 3, 2018 (DOCX)

Attachment A

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Ordinance No. _____

Ordinance of the Council of the City of Palo Alto Amending Title 18 (Zoning) of the Palo Alto Municipal Code, Including Chapters 18.04 (Definitions), 18.13 (Multiple Family Residential RM-15, RM-30 and RM-40) Districts), 18.16 (Neighborhood, Community, and Service Commercial (CN, CC, and CS) Districts), 18.18 (Downtown Commercial (CD) District), 18.40 (General Standards and Exceptions), and 18.52 (Parking and Loading Requirements), to Establish or Modify Development Standards for Residential and Mixed-Use Projects Including, But Not Limited to, Minimum and Maximum Unit Density, Unit Size, Floor Area Ratio, Height, and Open Space Including Rooftop Gardens, to Modify Parking Requirements and Adjustments, to Limit In-Lieu Parking for Downtown Commercial Uses Above the Ground Floor, to Allow Exclusively Residential Projects in Certain Commercial Zoning Districts, to Exempt Certain Affordable Housing Projects from Retail Preservation, to Simplify the Entitlement Process Removing Site and Design Review for Residential and Mixed-Use Projects, and to Make Other Technical Corrections and Clarifications, All to Promote Housing Development Opportunities in the Multi-Family Residential Zoning Districts and Commercial Zoning Districts in Furtherance of Implementation of the Comprehensive Plan

The Council of the City of Palo Alto ORDAINS as follows:

SECTION 1. Findings and Declarations. The City Council finds and declares as follows:

A. California is in the midst of a housing crisis due to a severe shortage of housing that is affordable to large segments of the population, including above-moderate and moderate income households and, most acutely, lower-income households. According to the California Department of Housing and Community Development (HCD), throughout the State, housing production averaged less than 80,000 new homes over the last 10 years, and ongoing production continues to fall far below the projected need of 180,000 additional homes annually. The lack of supply, with a deficit that deepens each year, has been a key driver of the lack of affordability for millions of households throughout the State. The majority of Californian renters pay more than 30 percent of their income toward rent, and nearly one-third pay more than 50 percent of their income toward rent.

B. In the nine-county Bay Area, which contains job centers that have produced a substantial number of new jobs, the lack of housing affordability is even more severe. The Bay Area continues to produce housing units in insufficient numbers to adequately house both existing and projected populations. Between 2011 and 2015, the Bay Area added 500,000 jobs but built only 65,000 new homes. Limited housing, with increasing demand and constraints on

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production, have resulted in high housing cost burdens that fall most heavily on lower income households who are more likely to be renters. Between 2000 and 2016, rents increased 24 percent while renter incomes rose just 9 percent. Six of every 10 economically insecure residents are renters and 75 percent of them pay more than 30 percent of their income for housing.

C. For Palo Alto, as a job center with among the highest housing prices and greatest jobs to housing imbalances in the Bay Area, the housing shortage threatens the city's prosperity, diversity, stability, environment, quality of life, and community character.

D. The cost pressures associated with substantially increased housing prices and rents have resulted in displacement and contributed to homelessness, separated families, and loss of diversity. Residents in search of affordability are driven to move to far outlying areas, requiring longer commutes to job centers in the Bay Area, including Palo Alto. According to a recent report by the Bay Area Economic Council, more than 100,000 Bay Area mega-commuters travel 90 minutes or more to reach their jobs, contributing to a 78 percent increase since 1990 in the number of mega-commuters crossing county and regional boundaries to get to work. Of the nearly 200,000 commuters crossing regional boundaries in 2013, 69 percent were commuting into the Bay Area for work. This results in health and quality of life impacts to individuals, as well as community-wide and region-wide impacts in terms of increased traffic congestion, air pollution and greenhouse gas emissions. Without the construction of more housing near urban centers and jobs, the State's ability to achieve its climate change goals is in jeopardy.

E. In November 2017, the City adopted an updated Comprehensive Plan that projected 3,545 to 4,420 new housing units between 2015 and 2030, and included policies to encourage housing production. The Council subsequently approved a Housing Work Plan with a recognition that if Palo Alto remains on its current course, the City will fall short of meeting its Regional Housing Needs Assessment (RHNA) allocation of 1,988 units at varying levels of affordability and the goals inherent in the Comprehensive Plan policies. The Housing Work Plan detailed the actions needed to spur the production of housing, and included the proposed zoning changes reflected in this Ordinance to remove barriers and disincentives to housing development at higher densities where appropriate near transit, jobs and services, and that is affordable for a range of income levels.

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SECTION 2. Subsection (a)(142) of Section 18.04.030 of Chapter 18.04 (Definitions) of Title 18 (Zoning) of the Palo Alto Municipal Code (PAMC) is amended to read as follows:

18.04.030 Definitions

...

(142) “Usable open space” means outdoor or unenclosed area on the ground, or on a roof, balcony, deck, porch, patio or terrace, designed and accessible for outdoor living, recreation, pedestrian access, or landscaping, but excluding parking facilities, driveways, utility or service areas, or areas with mechanical equipment. Usable open space may be covered if at least 50% open on the sides. Usable open space shall be sited and designed to accommodate all groups including children, seniors, and other adults, different activities, groups, including active and passive recreation and uses, and should be located convenient to the intended users (e.g., residents, employees, or public). Any usable open space that is not landscaped shall be developed to encourage outdoor recreational use and shall include elements such as decks, seating, decorative paved areas and walkways which do not serve as an entrance walkway. Usable open space shall be screened from utility or service areas, and areas with mechanical equipment. Parking, driveways and required parking lot landscaping shall not be counted as usable open space.

Commented [LS1]: These amendments clarify the generally applicable attributes of “usable open space,” consistent with the purpose and requirements included in the discussion of rooftop usable open space. **3.f, 4.e, 5.b**

SECTION 3. The title of Chapter 18.13 of Title 18 (Zoning) of the PAMC is amended to read as follows:

Chapter 18.13

MULTIPLE-FAMILY RESIDENTIAL (RM-~~2015~~, RM-30 AND RM-40) DISTRICTS

SECTION 4. Section 18.13.010 (Purposes) and Section 18.13.040 (Development Standards) of **Chapter 18.13 (Multiple Family Residential RM-15, RM-30 and RM-40) Districts)** of Title 18 (Zoning) of the PAMC are amended as follows:

18.13.010 Purposes

This section specifies regulations for three multiple family residential districts.

(a) RM-~~2015~~ Low Density Multiple-Family Residence District [RM-~~2015~~]

The RM-~~2015~~ low-density multiple-family residence district is intended to create, preserve and enhance areas for a mixture of single-family and multiple-family housing which is compatible with lower density and residential districts nearby, including single-family residence districts. The RM-~~2015~~ residence district also serves as a transition to moderate density multiple-family districts or districts with nonresidential uses. Permitted densities in the RM-~~2015~~ residence district range from eight to ~~fifteen~~ twenty dwelling units per acre, ~~with no required minimum density.~~

Commented [LS2]: The amendments to this Section, together with those to Table 2 of Section 18.13.040 that immediately follows, would establish a minimum density for each of the multi-family residential subdistricts and increase the maximum density in RM-15 (re-named RM-20) from 15 to 20 dwelling units/acre. The latter change and the proposed 8 units/acre minimum for RM-15 are a Housing Element program. **2.a, 2.b**

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(b) RM-30 Medium Density Multiple-Family Residence District [RM-30]

The RM-30 medium density multiple-family residence district is intended to create, preserve and enhance neighborhoods for multiple-family housing with site development standards and visual characteristics intended to mitigate impacts on nearby lower density residential districts. Projects at this density are intended for larger parcels that will enable developments to provide their own parking spaces and to meet their open space needs in the form of garden apartments or cluster developments. Permitted densities in the RM-30 residence district range from sixteen to thirty dwelling units per acre, with no required minimum density.

(c) RM-40 High Density Multiple-Family Residence District [RM-40]

The RM-40 high density multiple-family residence district is intended to create, preserve and enhance locations for apartment living at the highest density deemed appropriate for Palo Alto. The most suitable locations for this district are in the downtown area, in select sites in the California Avenue area and along major transportation corridors which are close to mass transportation facilities and major employment and service centers. Permitted densities in the RM-40 residence district range from thirty-one to forty dwelling units per acre, with no required minimum density.

Section 18.13.040 Development Standards

(a) Site Specifications, Building Size and Bulk, and Residential Density

The site development regulations in Table 2 shall apply in the multiple-family residence districts, provided that more restrictive regulations may be recommended by the Architectural Review Board and approved by the Director of Planning and Community Environment, pursuant to the regulations set forth in Chapter 18.76, performance criteria set forth in Chapter 18.23, and the context-based design criteria set forth in Section 18.13.060.

**Table 2
Multiple Family Residential Development Table**

	RM- 2015	RM-30	RM-40	Subject to regulations in:
Minimum Site Specifications				
Site Area (ft ²)		8,500		
Site Width (ft)		70		
Site Depth (ft)		100		

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	RM- 2015	RM-30	RM-40	Subject to regulations in:
Substandard Lot Specifications				
Site Area (ft ²)	Less than 8,500 square feet and/or less than 70 feet in width			
Site Width (ft)				
Minimum Setbacks	Setback lines imposed by a special setback map pursuant to Chapter 20.08 of this code may apply			
Front Yard (ft)	20	20	0-25 ⁽¹⁾	18.13.040(b)
On arterial roadways ⁽¹⁾	0-20 ⁽¹⁾	0-20 ⁽¹⁾	0-25 ⁽¹⁾	
Interior Side Yards (ft)				
For lots with width of 70 feet or greater	10	10	10	
For lots with width of less than 70 feet	6 feet			
Interior Rear Yards (ft) ³	10	10	10	
Street Side and Street Rear Yards (ft)	16	16	0-16 ⁽²⁾	
Maximum Height (ft)	30	35	40	
Maximum height for those portions of a site within 50 feet of a more restrictive residential district or a site containing a residential use in a nonresidential district			35	
Daylight Planes⁽⁷⁾				
• Daylight Plane for side and rear lot lines for sites abutting any R-1, R-2, RMD, or RM- 2015 district or abutting a site containing a single-family or two-family residential use in a nonresidential district:				
Initial Height (ft)	10			
Angle (degrees)	45			
• Daylight Plane for side and rear lot lines for sites abutting a RM-30, RM-40, Planned Community, or nonresidential district that does				

Commented [LS3]: This reflects the existing code, but is not reflected in the web version and requires an update.

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	RM-2015	RM-30	RM-40	Subject to regulations in:
not contain a single-family or two-family residential use:				
For lots with width of 70 feet or greater	None			
For lots with width of less than 70 feet, limited to the first 10 feet from the property line (no daylight plane beyond 10 feet):				
Initial Height (ft)	10			
Angle (degrees)	45			
Maximum Site Coverage:				
Base	35%	40%	45%	
Additional area permitted to be covered by covered patios or overhangs otherwise in compliance with all applicable laws	5%	5%	5%	
Maximum Floor Area Ratio (FAR)⁽⁴⁾	0.5:1	0.6:1	1.0:1	
Maximum Residential Density (units)				
Maximum number of units per acre ⁽³⁾	2015	30	40	18.13.040(g)
Minimum Residential Density (units)				
Minimum number of units per acre ⁽⁸⁾	<u>11</u>	<u>16</u>	<u>21</u>	
Minimum Site Open Space⁽⁵⁾ (percent)	35	30	20	18.13.040(e)
Minimum Usable Open Space (sf per unit)⁽⁵⁾	150200	150	150100	
Minimum common open space (sf per unit)	75100	75	7550	18.13.04
Minimum private open space (sf per unit)	50	50	50	
Performance Criteria	See provisions of Chapter 18.23			Ch. 18.23
Landscape Requirements				18.40.130
Parking⁽⁶⁾	See provisions of Chapter 18.52			Ch. 18.52

Commented [LS4]: This amendment, together with the same change to other Chapters, would establish a consistent open space standards for multi-family and residential mixed-use projects in multi-family residential and commercial zoning districts. **1.a**

(1) Minimum front setbacks shall be determined by the Architectural Review Board upon review pursuant to criteria set forth in Chapter 18.76 and the context-based criteria outlined

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in Section 18.13.060. Arterial roadways do not include residential arterials.

- (2) Minimum street side setbacks in the RM-40 zone may be from 0 to 16 feet and shall be determined by the Architectural Review Board upon review pursuant to criteria set forth in Chapter 18.76 and the context-based criteria outlined in Section 18.13.060.
- (3) Provided that, for any lot of 5,000 square feet or greater, two units are allowed, subject to compliance with all other development regulations.
- (4) Covered parking is not included as floor area in multi-family development, up to a maximum of 230 square feet per required parking space that is covered. Covered parking spaces in excess of required parking spaces count as floor area.
- (5) Subject to the limitations of Section 18.13.040(e). Usable open space is included as part of the minimum site open space; required usable open space in excess of the minimum required for common and private open space may be used as either common or private usable open space; landscaping may count towards total site open space after usable open space requirements are met.
- (6) Tandem parking is allowed for any unit requiring two parking spaces, provided that both spaces in tandem are intended for use by the same residential unit. For projects with more than four (4) units, not more than 25% of the required parking spaces shall be in a tandem configuration.
- (7) Each daylight plane applies specifically and separately to each property line according to the adjacent use.

(8) The minimum density for a site may be reduced by the Director if, after the proposal is reviewed by the Architectural Review Board, the Director finds that existing site improvements or other parcel constraints, preclude the development from meeting the minimum density.

(b) Setbacks, Daylight Planes and Height - Additional Requirements and Exceptions

(1) Setbacks

- (A) Setbacks for lot lines adjacent to an arterial street, expressway or freeway, as designated in the Palo Alto Comprehensive Plan, shall be a minimum of twenty-five feet (25'), except that lesser setbacks may be allowed or required by the Planning Director, upon recommendation by the Architectural Review Board, where prescribed by the context-based criteria outlined in Section 18.13.060. Special setbacks of greater than 25 feet may not be reduced except upon approval of a design enhancement exception or variance.

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(B) Required parking spaces shall not be located in a required front yard, nor in the first ten feet (10') adjoining the street property line of a required street side yard.

(C) Projections into yards are permitted only to the extent allowed by Section 18.40.070 of this code.

(2) Height and Daylight Planes

(A) Exceptions to maximum height limitations are permitted only to the extent allowed by Section 18.40.090 of this code.

(B) The following features may extend beyond the daylight plane established by the applicable district, provided that such features do not exceed the height limit for the district unless permitted to by Section 18.40.090 of this code:

- i. Television and radio antennas;
- ii. Chimneys and flues that do not exceed 5 feet in width, provided that chimneys do not extend past the required daylight plane a distance exceeding the minimum allowed pursuant to Chapter 16.04 of this code.
- iii. Cornices and eaves, excluding flat or continuous walls or enclosures of usable interior space, provided such features do not extend past the daylight plane more than 4 feet, and so long as they do not encroach into the side setback greater than 2 feet.

...

(e) Usable Open Space

The following usable open space regulations shall apply:

(1) Required Minimum Site Open Space. Each site shall, at a minimum, have a portion of the site, as prescribed in Table 2, developed into permanently maintained open space. Site open space includes all usable open space plus landscape or other uncovered areas not used for driveways, parking, or walkways.

(2) Usable Open Space (Private and Common). Each project shall, at a minimum, have a portion of the site, as prescribed in Table 2, developed into permanently maintained usable open space, including private and common usable open space areas. Usable open space shall be located protected from the activities of commercial areas and adjacent public streets and shall provide noise buffering from surrounding uses

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where feasible. ~~Parking, driveways and required parking lot landscaping shall not be counted as usable open space.~~

Commented [LS5]: This was added to the usable open space definition.

(A) Private Usable Open Space. Each dwelling unit shall have at least one private usable open space area contiguous to the unit that allows the occupants of the unit the personal use of the outdoor space. The minimum size of such areas shall be as follows:

- (i) Balconies (above ground level): 50 square feet, the least dimension of which shall be 6 feet.
- (ii) Patios or yards in the RM-~~2015~~ and RM-30 districts: 100 square feet, the least dimension of which is 8 feet for at least 75% of the area.
- (iii) Patios or yards in the RM-40 district: 80 square feet, the least dimension of which is 6 feet for at least 75% of the area.

(B) Common Usable Open Space. The minimum designated common open space area on the site shall be 10 feet wide and each such designated area shall comprise a minimum of 200 square feet. In the RM-30 and RM-40 districts, part or all of the required private usable open space areas may be added to the required common usable open space in a development, for purposes of improved design, privacy, protection and increased play area for children, upon a recommendation of the Architectural Review Board and approval of the Director.

- (f) Personal Services, Retail Services, and Eating and Drinking Services in the RM-30 and RM-40 Districts

Within a single residential development containing not less than 40 dwelling units, personal services, retail services, and eating and drinking services solely of a neighborhood-serving nature to residents in the development or in the general vicinity of the project may be allowed upon approval of a conditional use permit, subject to the following limitations and to such additional conditions as may be established by the conditional use permit:

- (1) Total gross floor area of all such uses shall not exceed 5,000 square feet or three percent of the gross residential floor area within the development, whichever is smaller, and may not occupy any level other than the ground level or below grade levels.
- (2) A maximum of 2,500 square feet of retail and/or service and/or eating and drinking uses shall be allowed per establishment.

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- (3) Personal services, retail services, and eating and drinking services provided in accordance with this section shall not be included in the gross floor area for the site.
- (4) The conditional use permit for the project may preclude certain uses and shall include conditions that are appropriate to limit impacts of noise, lighting, odors, parking and trash disposal from the operation of the commercial establishment. The hours of operation shall be limited to assure compatibility with the residential use and surrounding residential uses.
- (5) Allowable Neighborhood-Serving Uses. A neighborhood-serving use primarily serves individual consumers and households, not businesses, is generally pedestrian oriented in design, and does not generate noise, fumes or truck traffic greater than that typically expected for uses with a local customer base. A neighborhood-serving use is also one to which a significant number of local customers and clients can walk, bicycle or travel short distances, rather than relying primarily on automobile access or the provider of the goods or services traveling off-site. Allowable neighborhood-serving personal services, retail services and eating and drinking services may include, but are not limited to, "agent" dry cleaners, flower shops, convenience grocery stores (excluding liquor stores), delicatessens, cafes, fitness facilities, day care facilities, and similar uses found by the Planning Director to be compatible with the intent of this provision.
- (6) Sign programs, including size, number, color, placement, etc. shall be permitted only as specified in the conditional use permit and by the Planning Director upon recommendation of the Architectural Review Board
- (7) Off-street parking and bicycle facilities, in addition to facilities required for residential uses, shall be provided as may be specified by the conditional use permit. However, there shall not be less than one parking space for each employee working or expected to be working at the same time.
- (8) For any project, other than a 100% affordable housing project, containing forty (40) or greater units and located more than 500 feet from neighborhood commercial services, as determined by the Director, a minimum of 1,500 square feet of neighborhood serving retail, personal service, and/or eating or drinking uses shall be provided, subject to the above limitations. No conditional use permit is required, but the commercial use shall be reviewed by the Architectural Review Board as part of the architectural review approval. A minimum of one parking space for each employee working or expected to be working at the same time shall be provided. A "100% affordable housing project" as used herein means a multiple-family housing project consisting entirely of affordable units, as defined in Section 16.65.020 of

Commented [LS6]: These revisions would exempt 100% affordable housing projects from the retail requirement in the RM district.

Not Yet Approved

this code, available only to households with income levels at or below 120% of the area median income for Santa Clara County, as defined in Chapter 16.65, except for a building manager's unit.

(g) ~~Below Market Rate Units and Rental Housing Protection~~

- ~~(1) In developments of five or more units on sites of less than five acres, not less than fifteen percent (15%) of the units shall be provided at below market rates (BMR) to very low, low and moderate income households in accordance with Program H 36 of the Palo Alto Comprehensive Plan Housing Element. In developments of five or more units on sites of five acres or more, not less than twenty percent (20%) of the units shall be provided at below market rates (BMR). Specified percentages are applied to all proposed units in a project, including those designated as BMR units.~~
- ~~(2) Further details of the BMR program requirements, including their applicability to subdivisions and for density bonus purposes, are found in the discussion of Programs H 36 and H 38 of the Palo Alto Comprehensive Plan Housing Element.~~
- ~~(3) Below market rate units shall be fully integrated into the development unless good cause is shown for an exception.~~

Commented [LS7]: This deletion is an administrative clean-up, as the BMR program is now addressed in Chapter 16.65 of the code. **2.d**

(g) ~~Redevelopment of Sites with Non-complying Density~~

For a parcel with a residential use that exceeds the maximum unit density of the applicable zoning district, the Director may grant an exception to the maximum unit density standard and allow the parcel to be redeveloped to replace the legally established residential units at the existing density, subject to all of the following:

- (1) The applicant must make the request for exception under this provision at the time of project application;
- (2) The project is a residential rental project;
- (3) The project complies with all other applicable development standards; and
- (4) The project shall not be eligible for a density bonus under Chapter 18.15 (Density Bonus). The applicant must elect whether to utilize state density bonus law or the exception described herein as an alternative to state density bonus law.

Commented [LS8]: This new subsection would authorize the Director to grant a zoning exception to allow residentially used sites in the multi-family zoning district that exceed the density standard to be redeveloped as a residential rental project with the same number of units. This option would be an alternative to state density bonus law. **2.c**

(h) Performance Criteria

Not Yet Approved

In addition to all other provisions of this chapter, all multi-family development shall comply with applicable provisions of Chapter 18.23 (Performance Criteria for Multiple Family, Commercial, Industrial and Planned Community Districts).

SECTION 5. The Residential Uses portion of Table 1 of subsection (a) of Section 18.16.040 (Land Uses) of **Chapter 18.16 (Neighborhood, Community, and Service Commercial (CN, CC, and CS) Districts)** of Title 18 (Zoning) of the PAMC is amended as follows:

Section 18.16.040 Land Uses

The uses of land allowed by this Chapter in each commercial zoning district are identified in the following tables. Land uses that are not listed on the tables are not allowed, except where otherwise noted. Where the last column on the following tables (“Subject to Regulations in”) includes a section number, specific regulations in the referenced section also apply to the use; however, provisions in other sections may apply as well.

(a) Commercial Zones and Land Uses

Permitted and conditionally permitted land uses for each commercial zone are shown in Table 1:

TABLE 1
CD-PERMITTED AND CONDITIONALLY PERMITTED USES
P = Permitted Use CUP = Conditional Use Permit Required

LAND USE	CN ⁽⁴⁾	CC, CC(2)	CS ⁽⁴⁾	Subject to Regulations In:
...				
RESIDENTIAL USES				
Multiple-Family	p ⁽¹⁾	p ⁽¹⁾	p ⁽¹⁾	18.16.060(b) and (c)
Home Occupations	P	P	P	
Residential Care Homes	P	P	P	

...

(1) Residential is only permitted: (i) as part of a mixed use development, pursuant to the provisions of Section 18.16.060(b), or (ii) on sites designated as ~~Housing Opportunity Sites~~ housing inventory sites in the Housing Element of the Comprehensive Plan, (iii) on CN or CS sites on El Camino Real, or (iv) on CC(2) sites outside of the retail shopping (R) combining district, all pursuant to the provisions of Section 18.16.060(b) and (c).

Commented [LS9]: These amendments, together with other changes to the commercial zoning chapter 18.16, would allow residential only development in certain parts of the commercial zoning district, specifically in the CC(2) subdistrict and on CN or CS sites on El Camino Real. **4.b; 5.d**

...

Not Yet Approved

SECTION 6. Subsections (b) and (c) of Section 18.16.060 (Development Standards) of **Chapter 18.16 (Neighborhood, Community, and Service Commercial (CN, CC, and CS) Districts)** of Title 18 (Zoning) of the PAMC are amended as follows:

Section 18.16.060 Development Standards

...

(b) Mixed Uses and Residential

Table 4 specifies the development standards for new residential mixed use developments and residential developments. These developments shall be designed and constructed in compliance with the following requirements and the context-based design criteria outlined in Section 18.16.090, provided that more restrictive regulations may be recommended by the architectural review board and approved by the director of planning and community environment, pursuant to Section 18.76.020.

Table 4
Mixed Use and Residential Development Standards

	CN	CC	CC(2)	CS	Subject to regulations in:
Minimum Site Specifications					
Site Area (ft ²)	None required				
Site Width (ft)					
Site Depth (ft)					
Minimum Setbacks					Setback lines imposed by a special setback map pursuant to Chapter 20.08 of this code may apply
Front Yard (ft)	0' - 10' to create an 8' - 12' effective sidewalk width ⁽⁸⁾	None Required ⁽⁸⁾	0' - 10' to create an 8' - 12' effective sidewalk width ⁽⁸⁾	0' - 10' to create an 8' - 12' effective sidewalk width ⁽⁸⁾	
Rear Yard (ft)	10' for residential portion; no requirement for commercial portion				
Rear Yard abutting residential zone district (ft)	10'				
Interior Side Yard if abutting residential zone district (ft)	10'				
Street Side Yard (ft)	5'				

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	CN	CC	CC(2)	CS	Subject to regulations in:
Build-to-Lines	50% of frontage built to setback ⁽¹⁾ 33% of side street built to setback ⁽¹⁾				
Permitted Setback Encroachments	Balconies, awnings, porches, stairways, and similar elements may extend up to 6' into the setback. Cornices, eaves, fireplaces, and similar architectural features (excluding flat or continuous walls or enclosures of interior space) may extend up to 4' into the front and rear setbacks and up to 3' into interior side setbacks				
Maximum Site Coverage	50%	50%	100%	50%	
Landscape/Open Space Coverage	35%	30%	20%	30%	
Usable Open Space		20 sq ft per unit for 5 or fewer units ⁽²⁾ 150 sq ft per unit for 6 units or more ⁽²⁾			
Maximum Height (ft)					
Standard	35' ⁽⁴⁾	50'	37'	50'	
Within 150 ft. of a residential zone district (other than an RM-40 or PC zone) abutting or located within 50 feet of the side	35'	35' ⁽⁵⁾	35' ⁽⁵⁾	35' ⁽⁵⁾	
Daylight Plane for lot lines abutting one or more residential zoning districts	Daylight plane height and slope shall be identical to those of the most restrictive residential zoning district abutting the lot line				
Residential Density (net) ⁽³⁾	15 or 20 ⁽⁹⁾	See sub-section (e) below	No maximum 30	30	18.16.060(i)
Sites on El Camino Real	No maximum		No maximum		
Maximum Residential Floor Area Ratio (FAR)	0.5:1 ⁽⁴⁾		0.6:1	0.6:1	
Maximum Nonresidential Floor Area Ratio (FAR)	0.4:1		2.0:1	0.4:1	
Total Mixed Use Floor Area Ratio (FAR)	0.9:1 ⁽⁴⁾		2.0:1	1.0:1	
Minimum Mixed Use Ground Floor Commercial FAR ⁽⁶⁾	0.15:1 ⁽¹⁰⁾		0.15:1 ⁽¹⁰⁾ 0.25:1 ⁽⁷⁾ ⁽¹⁰⁾	0.15:1 ⁽¹⁰⁾	

Commented [LS10]: This change implements in this commercial zoning district the citywide modification to provide for a single open space requirement regardless of the number of multi-family units. 1.a

Commented [LS11]: This amendment would eliminate residential unit density maximums in the CC(2) subdistrict and on CS and CN sites on El Camino Real. 4.a; 5.a

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	CN	CC	CC(2)	CS	Subject to regulations in:
Parking	See Chapters 18.52 and 18.54 (Parking)				18.52, 18.54

- (1) Twenty-five-foot driveway access permitted regardless of frontage; build-to requirement does not apply to CC district.
- (2) Required usable open space: (1) may be any combination of private and common open spaces; (2) does not need to be located on the ground (but rooftop gardens are not included as open space except as provided below); (3) minimum private open space dimension six feet; and (4) minimum common open space dimension twelve feet.

For CN and CS sites on El Camino Real and CC(2) sites that do not abut a single- or two-family residential use or zoning district, rooftop gardens may qualify as usable open space and may count as up to 60% of the required usable open space for the residential component of a project. In order to qualify as usable open space, the rooftop garden shall meet the requirements set forth in Section 18.40.190.
- (3) Residential density shall be computed based upon the total site area, irrespective of the percent of the site devoted to commercial use.
- (4) For CN sites on El Camino Real, height may increase to a maximum of 40 feet and the FAR may increase to a maximum of 1.0:1 (0.5:1 for nonresidential, 0.5:1 for residential).
- (5) For sites abutting an RM-40 zoned residential district or a residential Planned Community (PC) district, maximum height may be increased to 50 feet.
- (6) Ground floor commercial uses generally include retail, personal services, hotels and eating and drinking establishments. Office uses may be included only to the extent they are permitted in ground floor regulations.
- (7) If located in the California Avenue Parking Assessment District.
- (8) A 12-foot sidewalk width is required along El Camino Real frontage.
- (9) Residential densities up to 20 units/acre only are allowed on CN zoned housing inventory sites identified in the Housing Element. Other CN zoned sites are subject to a maximum residential density of up to 15 units/acre.
- (10) In the CC(2) zone and on CN and CS zoned sites on El Camino Real, there shall be no minimum mixed use ground floor commercial FAR for a residential project, except to the extent that the retail preservation requirements of Section 18.40.180 or the retail shopping (R) combining district (Chapter 18.30(A)) applies.

Commented [LS12]: Changes to this footnote would allow rooftop open space to qualify as usable open space for multifamily residential or residential mixed-use projects in the CC(2) subdistrict and on CN and CS zoned sites on El Camino Real, subject to standards specified in new Section 18.40.190 (below) of this ordinance. **4.e; 5.b**

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~~(1) Residential and nonresidential mixed use projects shall be subject to site and design review in accord with Chapter 18.30(G), except that mixed use projects with nine or fewer residential units shall only require review by the architectural review board.~~

Commented [LS13]: This change would eliminate site & design review for residential and residential mixed use projects in the commercial zoning district, and only apply the architectural review process like all other projects in this zoning district. **1.b**

(12) Nonresidential uses that involve the use or storage of hazardous materials in excess of the exempt quantities prescribed in Title 15 of the Municipal Code, including but not limited to dry cleaning plants and auto repair, are prohibited in a mixed use development with residential uses.

~~(23)~~ Residential mixed use development is prohibited on any site designated with an Automobile Dealership (AD) Combining District overlay.

(c) Exclusively Residential Uses

Commented [LS14]: These changes allow for exclusively residential uses in the CC(2) zone and CN or CS zoned sites on El Camino Real, except where the retail preservation ordinance or the retail shopping (R) combining district applies. The changes also require that for frontages on El Camino Real, an exclusively residential project be designed to maintain ground-floor interest. **4.b, 5.d**

Exclusively residential uses are generally prohibited in the CN, CS, ~~and CC, and CC(2)~~ zone districts, except on housing inventory sites identified in the Housing Element, subject to the standards in Section 18.16.060(b), and on CS and CN sites on El Camino Real, subject to the following.

~~(1) On CS and CN sites on El Camino Real and on CC(2) sites, where the retail shopping (R) combining district and the retail preservation provisions of Section 18.40.180 do not apply, exclusively residential uses are allowed subject to the standards in Section 18.16.060(b) and the following additional requirements:-~~

~~(A) Residential units shall not be permitted on the ground-floor of development fronting on El Camino Real unless set back a minimum of 15 feet from the property line or the 12-foot effective sidewalk setback along the El Camino Real frontage, whichever is greater. Common areas, such as lobbies, stoops, community rooms, and work-out spaces with windows and architectural detail are permitted on the ground-floor El Camino Real frontage.~~

~~(B) Parking shall be located behind buildings or below grade, or, if infeasible, screened by landscaping, low walls, or garage structures with architectural detail.~~

...

(i) Housing Incentive Program

Commented [LS15]: This new subsection would authorize the Director to grant zoning waivers to allow increased FAR for the residential portion of a project, and to waive other development standards for a 100%affordable housing project, in the CC(2) subdistrict and on CN or CS zoned sites on El Camino Real, subject to architectural review. **4.f; 5.e**

~~(1) For an exclusively residential or residential mixed-use project in the CC(2) zone or on CN or CS zoned sites on El Camino Real, the Director may waive the~~

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residential floor area ratio (FAR) limit and the maximum site coverage requirement after the project with the proposed waiver or waivers is reviewed by the Architectural Review Board, if the Director finds that a project exceeding these standards is consistent with the required architectural review findings. In no event shall the Director approve a commercial FAR that exceeds the standard in Table 4 of Section 18.16.060(b) or a total FAR (including both residential and commercial FAR) in excess of 2.0 in the CC(2) zone or 1.5 in the CN or CS zone.

(2) For a 100% affordable housing project in the CC(2) zone or on CN or CS zoned sites on El Camino Real, the Director may waive any development standard including parking after the project with the proposed waiver or waivers is reviewed by the Architectural Review Board, if the Director finds that a project with such waiver or waivers is consistent with the required architectural review findings. In no event shall the Director approve development standards more liberal than the standards applicable to the Affordable Housing (AH) Combining District in Chapter 18.30(J). A "100% affordable housing project" as used herein means a multiple-family housing or mixed-use project in which the residential component consists entirely of affordable units, as defined in Section 16.65.020 of this code, available only to households with income levels at or below 120% of the area median income, as defined in Section 16.65.020, with an average not to exceed 60% of the area median income, except for a building manager's unit.

(3) This program is a local alternative to the state density bonus law, and therefore, a project utilizing this program shall not be eligible for a density bonus under Chapter 18.15 (Density Bonus).

(j) Parking and Vehicular Access on California Avenue Restricted

Vehicular access to CC(2) zoned sites on California Avenue which requires vehicular movement across the sidewalk on California Avenue shall be prohibited, except where required by law and as applied to parcels owned, leased or controlled by the City.

Commented [LS16]: This new subsection would preclude curb cuts on California Avenue, except for City parcels. **4.d**

SECTION 7. Subsections (b) and (c) of Section 18.18.060 (Development Standards) of **Chapter 18.18 (Downtown Commercial (CD) District)** of Title 18 (Zoning) of the PAMC are amended as follows:

Section 18.18.060 Development Standards

...

(b) Mixed Use and Residential

Table 3 specifies the development standards for new residential mixed use developments and

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residential developments. These developments shall be designed and constructed in compliance with the following requirements and the context-based design criteria outlines in Section 18.18.110, provided that more restrictive regulations may be recommended by the architectural review board and approved by the director of planning and community environment, pursuant to Section 18.76.020:

**TABLE 3
MIXED USE AND RESIDENTIAL DEVELOPMENT STANDARDS**

	CD-C	CD-S	CD-N	Subject to regulations in Section:
Minimum Setbacks				Setback lines imposed by a special setback map pursuant to Chapter 20.08 of this code may apply
Front Yard (ft)	None required		10'	
Rear Yard (ft)	10' for residential portion; no requirement for commercial portion			
Interior Side Yard (ft)	No requirement	10' if abutting residential zone	10' if abutting residential zone	
Street Side Yard (ft)	No requirement	5'	5'	
Permitted Setback Encroachments	Balconies, awnings, porches, stairways, and similar elements may extend up to 6' into the setback. Cornices, eaves, fireplaces, and similar architectural features (excluding flat or continuous walls or enclosures of interior space) may extend up to 4' into the front and rear setbacks and up to 3' into interior side setbacks			
Maximum Site Coverage	No requirement	50%	50%	
Landscape Open Space Coverage	20%	30%	35%	
Usable Open Space	200 sq ft per unit for 5 or fewer units ⁽¹⁾ ; 150 sq ft per unit for 6 units or more ⁽¹⁾			Commented [LS17]: This change implements in the downtown commercial zoning district the citywide modification to provide for a single open space requirement regardless of the number of multi-family units. 1.a
Maximum Height (ft)				

Not Yet Approved

	CD-C	CD-S	CD-N	Subject to regulations in Section:
Standard	50'	50'	35'	
Within 150 ft. of an abutting residential zone	40' ⁽⁴⁾	40' ⁽⁴⁾	35' ⁽⁴⁾	
Daylight Plane for lot lines abutting one or more residential zoning districts or a residential PC district	Daylight plane height and slope identical to those of the most restrictive residential zone abutting the lot line			
Residential Density (net)⁽²⁾	40 No maximum	30	30	
Maximum Weighted Average Residential Unit Size⁽⁵⁾	1,500 sq ft per unit	No maximum	No maximum	
Maximum Residential Floor Area Ratio (FAR)	1.0:1 ⁽³⁾	0.6:1 ⁽³⁾	0.5:1 ⁽³⁾	
Maximum Nonresidential Floor Area Ratio (FAR)	1.0:1 ⁽³⁾	0.4:1	0.4:1	
Total Floor Area Ratio (FAR)⁽³⁾	2.0:1 ⁽³⁾	1.0:1 ⁽³⁾	0.9:1 ⁽³⁾	18.18.070
Parking Requirement	See Chapters 18.52 and 18.54			Chs. 18.52, 18.54

Commented [LS18]: This change implements a maximum average unit size for residential units in a project. **3.b**

- (1) Required usable open space: (1) may be any combination of private and common open spaces; (2) does not need to be located on the ground (but rooftop gardens are not included as open space except as provided below); (3) minimum private open space dimension 6'; and (4) minimum common open space dimension 12'.

For CD-C sites that do not abut a single- or two-family residential use or zoning district, rooftop gardens may qualify as usable open space and may count as up to 75% of the required usable open space for the residential component of a project. In order to qualify as usable open space, the rooftop garden shall meet the requirements set forth in Section 18.40.190.

- (2) Residential density shall be computed based upon the total site area, irrespective of the percent of the site devoted to commercial use. There shall be no deduction for that portion of the site area in nonresidential use.

Commented [LS19]: Changes to this footnote would allow rooftop open space to qualify as usable open space for multifamily residential or residential mixed-use projects in the CD-C zone subject to standards specified in new Section 18.40.190 (below) of this ordinance. **1.a**

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- (3) FAR may be increased with transfers of development and/or bonuses for seismic and historic rehabilitation upgrades, not to exceed a total site FAR of 3.0:1 in the CD-C subdistrict or 2.0:1 in the CD-S or CD-N subdistrict.
- (4) For sites abutting an RM-40 zoned residential district or a residential Planned Community (PC) district, maximum height may be increased to 50 feet.
- (5) The weighted average residential unit size shall be calculated by dividing the sum of the square footage of all units by the number of units. For example, a project with ten 800-square foot 1-bedroom units, eight 1,200-square foot 2-bedroom units, and two 1,800-square foot 3-bedroom units would have a weighted average residential unit size of $((10 \times 800) + (8 \times 1200) + (2 \times 1800)) \div (10 + 8 + 2) = 1,060$ square feet.

~~(1) Residential and nonresidential mixed use projects shall be subject to site and design review in accord with Chapter 18.30(G), except that mixed use projects with nine or fewer units shall only require review and approval by the architectural review board.~~

(12) Nonresidential uses that involve the use or storage of hazardous materials in excess of the exempt quantities prescribed in Title 15 of the Municipal Code, including but not limited to dry cleaning plants and auto repair, are prohibited in a mixed use development with residential uses.

(c) Exclusively Residential Uses

- (1) Exclusively residential uses are allowed in the CD-C subdistrict, except in the ground floor (GF) combining district.
- (2) Exclusively residential uses are generally prohibited in the ~~CD district and CD-N and CD-S~~ subdistricts. Such uses are allowed, however, where a site is designated as a ~~Housing Opportunity Site~~ housing inventory site in the Housing Element of the Comprehensive Plan. Such sites shall be developed pursuant to the regulations for the multi-family zone designation (RM-~~2015~~, RM-30, or RM-40) identified for the site in the Housing Element.

...

(l) Housing Incentive Program

(1) For an exclusively residential or residential mixed-use project in the CD-C zone, the Director may waive the residential floor area ratio (FAR) limit after the project with the proposed waiver is reviewed by the Architectural Review Board, if the Director finds that the project exceeding the FAR standard is consistent with the required architectural review findings. In no event shall the Director approve a commercial FAR in excess of 1.0 or a total FAR (including both

Commented [LS20]: This change would eliminate site & design review for residential and residential mixed use projects in the downtown commercial zoning district, and only apply the architectural review process like all other projects in this zoning district. **1.b**

Commented [LS21]: This change would allow residential-only development in the downtown, except in the ground floor (GF) combining district. **3.e**

Commented [LS22]: This new subsection would authorize the Director to grant zoning waivers to allow increased FAR for the residential portion of a project, and to waive other development standards for a 100%affordable housing project, in the CD-C subdistrict, subject to architectural review. **3.h**

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residential and commercial FAR) in excess of 3.0. Nor shall the use of transferable development rights under Section 18.18.080 be allowed to cause the site to exceed a FAR of 3.0.

(2) For a 100% affordable housing project in the CD-C zone, the Director may waive any development standard including parking after the project with the proposed waiver or waivers is reviewed by the Architectural Review Board, if the Director finds that a project with such waiver or waivers is consistent with the required architectural review findings. In no event shall the Director approve a FAR in excess of 3.0 or approve other development standards more liberal than the standards applicable to the Affordable Housing (AH) Combining District in Chapter 18.30(J). A "100% affordable housing project" as used herein means a multiple-family housing or mixed-use project in which the residential component consists entirely of affordable units, as defined in Section 16.65.020 of this code, available only to households with income levels at or below 120% of the area median income, as defined in Section 16.65.020, with an average not to exceed 60% of the area median income, except for a building manager's unit.

(3) This program is a local alternative to the state density bonus law, and therefore, a project utilizing this program shall not be eligible for a density bonus under Chapter 18.15 (Density Bonus).

(m) Parking and Vehicular Access on University Avenue Restricted

Vehicular access to CD-C zoned sites on University Avenue which requires vehicular movement across the sidewalk on University Avenue shall be prohibited, except where required by law and as applied to parcels owned, leased or controlled by the City.

Commented [LS23]: This new subsection would preclude curb cuts on University Avenue, except for City parcels. **3.d**

SECTION 8. Subsection (d) of Section 18.18.090 (Parking and Loading) of **Chapter 18.18 (Downtown Commercial (CD) District)** of Title 18 (Zoning) of the PAMC is amended as follows:

Section 18.18.090 Parking and Loading

...

(d) In-lieu Parking Provisions

In connection with any expansion of the supply of public parking spaces within the CD commercial downtown district, the city shall allocate a number of spaces for use as "in-lieu parking" spaces to allow development to occur on sites which would otherwise be precluded from development due to parking constraints imposed by monetary contribution to the city to defray the cost of providing such parking. Contributions for each required parking space shall equal the incremental cost of providing a net new

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parking space in an assessment district project plus cost for the administration of the program, all as determined pursuant to [Chapter 16.57](#) of Title 16 of this code, by the director of planning and community environment, whose decision shall be final. Only sites satisfying one or more of the following criteria, as determined by the director of planning and community environment, shall be eligible to participate in the in-lieu parking program:

- (1) Construction of on-site parking would necessitate destruction or substantial demolition of a designated historic structure;
- (2) The site area is less than 10,000 square feet, but of such an unusual configuration that it would not be physically feasible to provide the required on-site parking;
- (3) The site is greater than 10,000 square feet, but of such an unusual configuration that it would not be physically feasible to provide the required on-site parking;
- (4) The site is located in an area where city policy precludes curb cuts or otherwise prevents use of the site for on-site parking; or
- (5) The site has other physical constraints, such as a high groundwater table, which preclude provision of on-site parking without extraordinary expense.

Commercial uses above the ground floor shall not be eligible to participate in the in-lieu parking program.

Commented [LS24]: This change would restrict the use of in-lieu parking for commercial uses above the ground floor to further incentivize housing development.

SECTION 9. Section 18.40.180 (Retail Preservation) of **Chapter 18.40 (General Standards and Exceptions)** of Title 18 (Zoning) of the PAMC is amended as follows:

Section 18.40.180 Retail Preservation

- (a) Conversion of Retail and Retail-Like Uses Prohibited.
 - (1) Any ground floor Retail or Retail-Like use permitted or operating as of March 2, 2015 may be replaced only by another Retail or Retail-Like use, as permitted in the applicable district.
 - (A) A ground floor Retail or Retail-Like use in the RT-35 district on properties with frontage on Alma Street between Channing Avenue and Lincoln Avenue may additionally be replaced by a Private Educational Facility use, provided that such use shall not be thereafter replaced by an Office use.
 - (2) The phrase 'use permitted or operating' as used in this section means:

Not Yet Approved

- (A) A lawfully established use conducting business, including legal non-conforming uses.
- (B) An established use conducting business without required city approvals, but is a permitted or conditionally permitted use in district.
- (C) For parcels vacant on March 2, 2015, the last use that was lawfully established, or established without required permits, and permitted or conditionally permitted in the district.

(b) Non-conforming Uses.

- (1) The requirements imposed by subsection (a) shall not apply to Retail or Retail-like uses that are no longer permitted or conditionally permitted in the applicable district.
- (2) Nothing in this section shall modify the provisions of Chapter 18.70 regarding the expansion, change, discontinuance, or termination of a non-conforming use.

(c) Waivers and Adjustments; and Exemptions.

- (1) Grounds. The following shall be grounds for a request for waiver or adjustment of the requirements contained in this section:
 - (A) Economic Hardship. An applicant may request that the requirements of this section be adjusted or waived based on a showing that applying the requirements of this section would effectuate an unconstitutional taking of property or otherwise have an unconstitutional application to the property; or
 - (B) Alternative Viable Active Use. Except in the GF or R combining districts, an applicant may request that the requirements of this Section 18.40.160 be adjusted or waived based on a showing that: the permitted retail or retail-like use is not viable; the proposed use will support the purposes of the zoning district and Comprehensive Plan land use designation; and the proposed use will encourage active pedestrian-oriented activity and connections.
- (2) Documentation. The applicant shall bear the burden of presenting substantial evidence to support a waiver or modification request under this Section and shall set forth in detail the factual and legal basis for the claim, including all supporting technical documentation. Evidence in support of a waiver under subsection (c)(1)(B) must demonstrate the viability of existing and future uses on the site, based on both the site characteristics and the surrounding uses; specifically whether a substitute use could be designed and/or conditioned to

Commented [LS25]: The changes to this subsection would exempt 100% affordable projects (excluding manager's unit) from the Retail Preservation Ordinance, except in the GF and R combining districts. **1.c**

Not Yet Approved

contribute to the goals and purposes of the zoning district. Examples of such evidence include:

(A) A 10-year history of the site's occupancy and reasons for respective tenants vacating the site;

(B) A map that indicates all the existing surrounding uses, both residential and non-residential, within one City-block; include the corresponding zone district on the map;

(3) Any request under this section shall be submitted to the Director together with supporting documentation. The Director, in his or her sole discretion, may act on a request for waiver or refer the matter to the City Council.

(A) A decision by the Director shall be placed on the City Council's consent calendar within 45 days.

(B) Removal of the recommendation from the consent calendar shall require three votes, and shall result in a new public hearing before the City Council, following which the City Council shall take action on the waiver request.

(C) The decision of the Council is final.

(4) Exemptions. The provisions of this Chapter shall not apply to:

(A) A 100% affordable housing project not within the Ground Floor (GF) and/or Retail (R) combining districts or on a site abutting El Camino Real . A "100% affordable housing project" as used herein means a multiple-family housing project consisting entirely of affordable units, as defined in Section 16.65.020 of this code, available only to households with income levels at or below 120% of the area median income, as defined in Chapter 16.65, except for a building manager's unit.

...

SECTION 10. Chapter 18.40 (General Standards and Exceptions) of Title 18 (Zoning) of the PAMC is amended to add a new Section 18.40.190 (Rooftop Gardens) as follows:

Section 18.40.190 Rooftop Gardens

Where allowed under this Title, in order to qualify as usable open space, a rooftop garden shall meet the following standards:

(a) Permanent fixtures on the rooftop shall be placed so as not to exceed height limit for the applicable zoning district, except:

Not Yet Approved

(i) Elevators, stairs and guardrails may exceed the height limit to allow for access to the rooftop useable open space as and to the extent required to comply with the Americans With Disabilities Act (ADA). These fixtures shall be designed to the lowest height and size feasible.

(ii) Permanent fixtures associated with the useable open space, such as trellises, shade structures, furniture, and furnishings such as planters, lighting and heaters, may exceed the height limit by up to 12 feet.

(iii) For the height limit exceptions in (i) and (ii) above, all fixtures shall not intersect a plane measured at a forty-five degree angle from the edge of the building starting at the rooftop garden surface sloping upward and inward toward the center of the property.

(b) The rooftop garden may be located on the second or higher story or on a roof deck.

(c) The rooftop garden shall be accessible to all residents of dwelling units on the parcel, but not to commercial tenants of a residential mixed-use development.

(d) Structures or fixtures providing a means of access or egress (i.e., stairway, elevator) shall be located away from the building edge to the extent feasible or screened to minimize visibility from the public right-of-way and adjacent buildings and privacy impacts. These access structures or fixtures, when exceeding the height limit, shall be subject to the provisions of subsection (a)(iii) above.

(e) Any lighting shall have cutoff fixtures that cast downward-facing light or consist of low-level string lights. Lights shall be dimmable to control glare and placed on timers to turn off after 10:00 PM. Photometric diagrams must be submitted by the applicant to ensure there are no spillover impacts into windows or openings of adjacent properties.

(f) At least 15% but no more than 25% of the rooftop shall be landscaped with raised beds for gardening, C.3 stormwater planters, or other landscaping. All required landscaped areas shall be equipped with automatic irrigation systems and be properly drained.

(g) Rooftop equipment that emit noise and/or exhaust, including but not limited to vents, flues, generators, pumps, air conditioning compressors, and other protrusions through the roof, shall be directed away and screened from the useable open space areas.

(h) Rooftop open space noise levels shall not exceed exterior residential noise level as defined by Section 9.10.030(a) of this code.

(i) The use of sound amplifying equipment shall be prohibited. Signs shall be affixed adjacent to access elevators and stairs within the rooftop garden providing notice of this prohibition.

Not Yet Approved

SECTION 11. Table 1 (Minimum Off-Street Parking Requirements) and Table 2 (Minimum Off-Street Parking Requirements for Parking Assessment Districts) of subsection (c) of Section 18.52.040 (Off-Street Parking, Loading and Bicycle Facility Requirements) of **Chapter 18.52 (Parking and Loading Requirements)** of Title 18 (Zoning) of the PAMC are amended as follows:

Section 18.52.040 Off-Street Parking, Loading and Bicycle Facility Requirements

...

(c) Tables 1, 2 and 3: Parking, Bicycle, and Loading Requirements

Tables 1 and 2 below outline vehicle and bicycle parking requirements in general and for Parking Assessment Districts, respectively. Table 3 outlines loading requirements for each land use. For mixed-use projects, the requirements for each land use shall be applied and required for the overall project.

**Table 1
Minimum Off-Street Parking Requirements**

Use	Vehicle Parking Requirement (# of spaces)	Bicycle Parking Requirement	
		Spaces	Class ¹ Long Term (LT) and Short Term (ST)
RESIDENTIAL USES			
Multiple-Family Residential	<u>1 per micro unit</u> ⁽²⁾ 1-.25 per studio unit 1-.5 per 1-bedroom unit 2 per 2-bedroom or larger unit At least one space per unit must be covered Tandem parking allowed for any unit requiring two spaces (one tandem space per unit, associated directly with another parking space for the same unit, up to a maximum of 25% of total required spaces for any project with more than four (4) units)	1 per unit	100% - LT
Multiple-Family Residential Near Fixed Rail Station ⁽³⁾	<u>0.5 per micro unit</u> ⁽²⁾ <u>0.8 per studio unit</u>		

Commented [LS26]: The changes to the Residential Uses in this Section implement reduced parking requirements for multifamily residential projects generally, and convert the parking adjustments available for senior housing, housing near transit, and affordable housing into by-right reduced standards for senior housing, housing near a major fixed rail station and 100% affordable housing projects. **1.d**

Not Yet Approved

(2)	0.8 per 1-bedroom unit 1.6 per 2-bedroom or larger unit		
(a) Guest Parking	No additional guest parking required For projects exceeding 3 units; 1 space plus 10% of total number of units, provided that if more than one space per unit is assigned or secured parking, then guest spaces equal to 33% of all units is required.	1 space for each 10 units	100%-ST
100% Affordable Housing (4) (7)	a. 40% reduction in the applicable parking requirement for Extremely Low Income units b. 30% reduction for Very Low Income units c. 20% reduction for Low Income units	1 per unit	100% - LT
Senior Housing (5) (7)	0.75 per unit		
...			
RETAIL USES (6)			
Retail:			
(a) Intensive (retail not defined as extensive)	1 per 200 sq. ft. of gross floor area	1 per 2,000 sf	20% - LT 80%-ST
(b) Extensive (retail with more than 75% of gross floor area used for display, sales and related storage, with demonstrably low parking demand)	1 per 350 sq. ft. of gross floor area	1 per 3,500 sf	20% - LT 4080% - ST

Commented [LS27]:
Alternative option: 0.75 per unit consistent with the residential parking standard for the Affordable Housing (AH) combining district

Not Yet Approved

generation per square foot of gross floor area)			
(c) Open lot	1 space for each 500 square feet of sales, display, or storage site area	1 per 5,000 sf	100%-ST
Drive-up windows providing services to occupants in vehicles	Queue line for 5 cars, not blocking any parking spaces, in addition to other applicable requirements	None additional	
Eating and Drinking Services:			
(a) With drive-in or take-out facilities	3 per 100 sq. ft. of gross floor area	3 per 400 sf	40% - LT 60% - ST
(b) All others	1 space for each 60 gross sq. ft. of public service area, plus 1 space for each 200 gross sq. ft. for all other areas.	1 per 600 sf of public service area, plus 1 per 2,000 sf for other areas	
...			

(1) Long Term (LT) and Short Term (ST) bicycle spaces as described in Section 18.54.060.

(2) A “micro-unit” as used herein means a residential unit of 450 square feet or less.

(3) These standards apply to housing projects, other than 100% affordable housing projects, on parcels located within one-half mile radius of a major fixed rail transit station (as measured from the platform). Projects that qualify for and utilize this reduced parking requirement shall provide at least one annual transit pass (i.e., Caltrain go-pass) per unit to the unit occupant on an ongoing basis or implement an equally effective measure approved by the Director for the life of the project.

(4) Applies to 100% affordable housing projects and the residential component of 100% affordable housing mixed-use projects. “100% affordable housing” as used herein means a multiple-family housing project consisting entirely of affordable units, as defined in Section 16.65.020 of this code, available only to households with income levels at or below 120% of the area median income, as defined in Chapter 16.65, except for a building manager’s unit.

Not Yet Approved

(5) Senior housing for purposes of this provision means an independent living facility, not a convalescent or residential care facility.

(6) For residential mixed-use developments in the CD-C zone, CC(2) zone, and on CN and CS zoned sites abutting El Camino Real, the first 1,500 square feet of ground-floor retail uses shall not be counted toward the vehicle parking requirement.

(7) Because these parking standards are reduced from the standards otherwise applicable to multiple-family residential development, projects that utilize these reduced parking standards shall not be eligible for further parking reductions through adjustments under Section 18.52.050, Table 4.

Commented [LS28]: The changes to the Retail Uses in this Section would exempt the first 1500 sf of ground-floor retail from parking requirements citywide to relieve physical and financial constraints of providing retail. **3.c, 4.c, 5.c**

Table 2
Minimum Off-Street Parking Requirements for Parking Assessment Districts
(IF USE IS NOT LISTED, REFER TO TABLE 1 FOR REQUIREMENTS)

Use	Vehicle Parking Requirement (# of spaces)	Bicycle Parking Requirement	
		Class ¹	Spaces
For Downtown University Avenue Parking Assessment District:			
All uses (except residential) ²	1 per 250 square feet	1 per 2,500 square feet	40% - LT 60% - ST
For California Avenue Parking Assessment District:			
...			
Retail:²			
(a) Intensive	1 per 240 sf of gross floor area	1 per 2,400 sf	20% - LT 80% - ST
(b) Extensive	1 per 350 sf of gross floor area	1 per 3,500 sf	
(c) Open Lot	1 for each 500 square feet of sales, display, or storage site area.	1 per 5,000 sf	100% - LT
...			

1. Long Term (LT) and Short Term (ST) bicycle spaces as described in Section 18.54.060.

2. For residential mixed-use developments in the CD-C zone, CC(2) zone, and on CN and CS zoned sites abutting El Camino Real, the first 1,500 square feet of ground-floor retail uses shall not be counted toward the vehicle parking requirement.

Not Yet Approved

SECTION 12. Table 4 (Allowable Parking Adjustments) of Section 18.52.050 (Adjustments by the Director) of **Chapter 18.52 (Parking and Loading Requirements)** of Title 18 (Zoning) of the PAMC is amended as follows:

Commented [LS29]: These changes remove parking reductions available because these reductions will become by-right parking standards for the specific types of developments referenced. **1.d**

Section 18.52.050 Parking and Loading Requirements

Automobile parking requirements prescribed by this chapter may be adjusted by the director in the following instances and in accord with the prescribed limitations in Table 4, when in his/her opinion such adjustment will be consistent with the purposes of this chapter, will not create undue impact on existing or potential uses adjoining the site or in the general vicinity, and will be commensurate with the reduced parking demand created by the development, including for visitors and accessory facilities where appropriate. No reductions may be granted that would result in provision of less than ten (10) spaces on a site. The following are adjustments that apply to developments not located within a parking assessment district. Adjustments within the parking assessment districts are contained in Section 18.52.080. The decision of the regarding parking adjustments may be appealed as set forth in Chapter 18.78 (Appeals).

**Table 4
Allowable Parking Adjustments**

Purpose of Adjustment	Amount of Adjustment	Maximum Reduction ^{2a}
On-Site Employee Amenities	Square footage of commercial or industrial uses to be used for an on-site cafeteria, recreational facility, and/or day care facility, to be provided to employees or their children and not open to the general public, may be exempted from the parking requirements	100% of requirement for on-site employee amenities
Joint Use (Shared) Parking Facilities	For any site or sites with multiple uses where the application of this chapter requires a total of or more than ten (10) spaces, the total number of spaces otherwise required by application of Table 1 may be reduced when the joint facility will serve all existing, proposed, and potential uses as effectively and conveniently as would separate parking facilities for each use or site. In making such a determination, the director shall consider a parking analysis using criteria developed by the Urban Land Institute (ULI) or similar methodology to estimate	20% of total spaces required for the site

Not Yet Approved

Purpose of Adjustment	Amount of Adjustment	Maximum Reduction ^{2a}
	the shared parking characteristics of the proposed land uses. The analysis shall employ the city's parking ratios as the basis for the calculation of the base parking requirement and for the determination of parking requirements for individual land uses. The director may also require submittal and approval of a TDM program ¹ to further assure parking reductions are achieved.	
Housing for Seniors	The total number of spaces required may be reduced for housing facilities for seniors, commensurate with the reduced parking demand created by the housing facility, including for visitors and accessory facilities, and subject to submittal and approval of a parking analysis justifying the reduction proposed.	50% of the total spaces required for the site
Affordable Housing Units and Single Room Occupancy (SRO) Units ⁽³⁾	The total number of spaces required may be reduced for affordable housing and single room occupancy (SRO) units, commensurate with the reduced parking demand created by the housing facility, including for visitors and accessory facilities. The reduction shall consider proximity to transit and support services and the director may require traffic demand management measures ¹ in conjunction with any approval.	<ul style="list-style-type: none"> a. 40% for Extremely Low Income and SRO Units b. 30% for Very Low Income Units c. 20% for Low Income Units
Housing Near Transit Facilities ⁽³⁾	The total number of spaces required may be reduced for housing located within a designated Pedestrian/Transit Oriented area or elsewhere in immediate proximity to public transportation facilities serving a significant portion of residents, employees, or customers, when such reduction will be commensurate with the reduced parking demand created by the housing facility, including for visitors and accessory facilities, and subject to	20% of the total spaces required for the site.

Not Yet Approved

Purpose of Adjustment	Amount of Adjustment	Maximum Reduction ^{2a}
	submittal and approval of a TDM program. ¹	
Transportation and Parking Alternatives	Where effective alternatives to automobile access are provided, other than those listed above, parking requirements may be reduced to an extent commensurate with the permanence, effectiveness, and the demonstrated reduction of off-street parking demand effectuated by such alternative programs. Examples of such programs may include, but are not limited to, transportation demand management (TDM) programs or innovative parking pricing or design solutions. ¹ (note: landscape reserve requirement is deleted).	20% of the total spaces required for the site
Combined Parking Adjustments	Parking reductions may be granted for any combination of the above circumstances as prescribed by this chapter, subject to limitations on the combined total reduction allowed.	a. 30% reduction of the total parking demand otherwise required b. 40% reduction for affordable housing projects c. 50% reduction for senior housing projects
Modification to Off-Street Loading Requirements	The director may modify the quantity or dimensions of off-street loading requirements for non-residential development based on existing or proposed site conditions; availability of alternative means to address loading and unloading activity; and, upon finding that: 1) the off-street loading requirement may conflict with Comprehensive Plan goals and policies related to site design planning, circulation and access, or urban design principles; and 2) the use of shared on-street loading would not conflict with Comprehensive Plan goals and policies related to site design planning, circulation and access or urban design	One loading space may be waived

Not Yet Approved

Purpose of Adjustment	Amount of Adjustment	Maximum Reduction ^{2a}
	principles; maximum reduction in one loading space.	

1. See Section 18.52.050(d) below regarding requirements for TDM programs.
2. No parking reductions may be granted that would result in provision of less than ten (10) parking spaces on site.
3. No parking reductions may be granted for projects that are entitled to the reduced parking standards in Table 1 of Section 18.52.040 for multiple-family residential near a major fixed rail station, 100% affordable housing and senior housing.

(a) Combining Parking Adjustments

Parking reductions may be granted for any combination of circumstances, prescribed by this chapter, so long as in total no more than a 30% reduction of the total parking demand otherwise required occurs, or no less than a 40% reduction for affordable housing projects (including Single Room Occupancy (SRO) units), ~~or no less than 50% reduction for senior housing projects.~~

...

SECTION 13. Subsection (c) of Section 18.52.070 (Parking Regulations for CD Assessment District) of **Chapter 18.52 (Parking and Loading Requirements)** of Title 18 (Zoning) of the PAMC is amended as follows:

Section 18.52.070 Parking Regulations for CD Assessment District

...

(c) In-lieu Parking Provisions

Within the CD commercial downtown district, the provisions of Section 18.18.090(d) shall apply.

~~In connection with any expansion of the supply of public parking spaces within the CD commercial downtown district, the city shall allocate a number of spaces for use as "in-lieu parking" spaces to allow development to occur on sites which would otherwise be precluded from development due to parking constraints imposed by monetary contribution to the city to defray the cost of providing such parking. Contributions for each required parking space shall equal the incremental cost of providing a net new parking space in an assessment district project plus cost for the administration of the program, all as determined pursuant to Chapter 16.57 of Title 16 of this code, by the~~

Commented [LS30]: The changes to this subsection would incorporate the new restriction on the use of in-lieu parking for commercial uses above the ground floor in Chapter 18.18 above, and would remove the repetition of the in-lieu parking provisions in Chapter 18.52, instead simply referencing the provisions as previously stated in Chapter 18.18.

Even if the substantive change to Section 18.18.090(d) is not approved, staff recommends approval of the proposed change here as an administrative clean-up to remove unnecessary repetition of the in-lieu parking provisions.

Not Yet Approved

~~director of planning and community environment, whose decision shall be final. Only sites satisfying one or more of the following criteria, as determined by the director of planning and community environment, shall be eligible to participate in the in-lieu parking program:~~

- ~~(1) Construction of on-site parking would necessitate destruction or substantial demolition of a designated historic structure;~~
- ~~(2) The site area is less than 10,000 square feet, but of such an unusual configuration that it would not be physically feasible to provide the required on-site parking;~~
- ~~(3) The site is greater than 10,000 square feet, but of such an unusual configuration that it would not be physically feasible to provide the required on-site parking;~~
- ~~(4) The site is located in an area where city policy precludes curb cuts or otherwise prevents use of the site for on-site parking; or~~
- ~~(5) The site has other physical constraints, such as a high groundwater table, which preclude provision of on-site parking without extraordinary expense.~~

SECTION 14. Any provision of the Palo Alto Municipal Code or appendices thereto inconsistent with the provisions of this Ordinance, to the extent of such inconsistencies and no further, is hereby repealed or modified to that extent necessary to effect the provisions of this Ordinance.

SECTION 15. This Ordinance shall not apply to any project for which the application has been deemed complete as of the effective date of the Ordinance, for the last required discretionary approval for the project. However, the project applicant may elect to be subject to this Ordinance in which case the Ordinance in its entirety shall apply to the project.

SECTION 16. If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed this Ordinance and each and every section, subsection, sentence, clause, or phrase not declared invalid or unconstitutional without regard to whether any portion of the Ordinance would be subsequently declared invalid or unconstitutional.

SECTION 17. The Council finds that the potential environmental impacts related to this Ordinance were analyzed in the Final EIR for the Comprehensive Plan Update, which was certified and adopted by the Council by Resolution No. 9720 on November 13, 2017. The Ordinance is consistent with and implements the program evaluated in the EIR.

Not Yet Approved

SECTION 18. This Ordinance shall be effective on the thirty-first date after the date of its adoption.

INTRODUCED:

PASSED:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

NOT PARTICIPATING:

ATTEST:

City Clerk

Mayor

APPROVED AS TO FORM:

APPROVED:

Assistant City Attorney

City Manager

Director of Planning & Community
Environment

Cal Ave Zoning Analysis



Site Diagram

Lot 8, Sherman Avenue, Palo Alto CA

Parcel Size:
275' x 130' 34,858 sf 0.8 acres

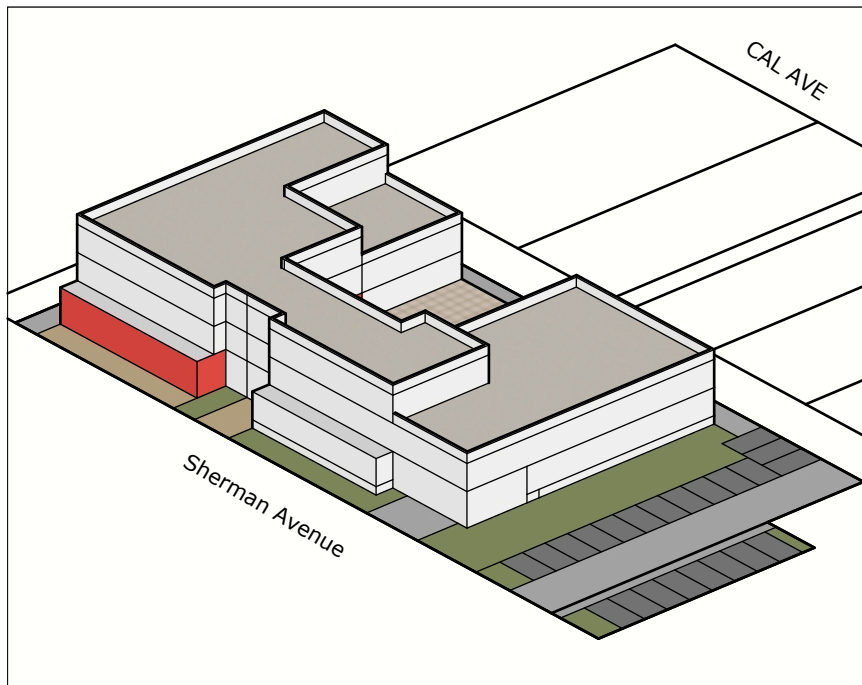
Zoning Analysis Study

- 1) Existing Mixed-use Zoning, 37' Height, 1.25 FAR
- 2) Proposed Residential Zoning, 40' Height, 2.0 FAR
- 3) Proposed Mixed-Use Zoning, 50' Height, 2.0FAR

Assumed 10' setback to widen Jacaranda Lane
Assumed 10' setback for Alley access turning onto Jacaranda Lane
Assumed 10' front setback on Sherman Ave

Cal Ave Zoning Analysis

Existing: 37' Height - 1.25 FAR (Lot 8 Sherman Ave)



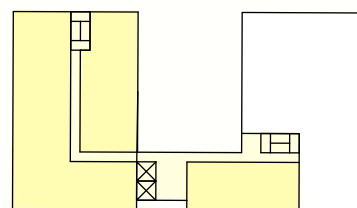
Massing Diagram

Proposed Standards:

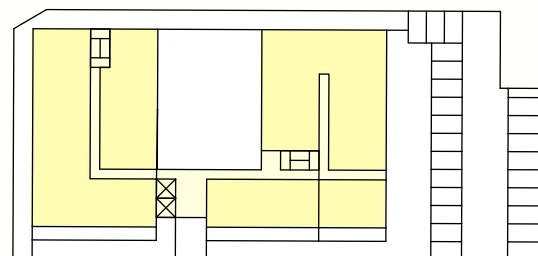
Height:	37 ft
Res FAR:	1.0
Comm FAR:	0.15-0,25
Tot FAR:	1.25 max

Statistics:

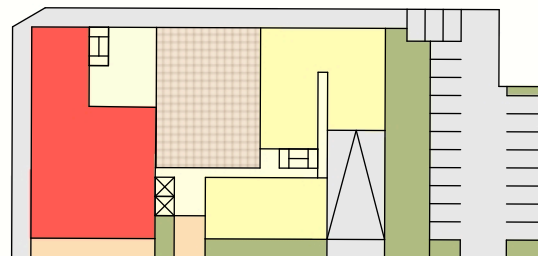
Height:	37 ft, 3 stories
FAR:	1.2 (1.25 Max)
Commercial:	5,250 sf
Comm. Parking:	21 spaces (surface)
Residential:	26 units
Net Res. Area:	27,256 sf
Avg Unit:	1,048 sf
Density:	32.5 du/a
Res. Parking:	Provided 1/2 sub-grade avg 400 sf/space



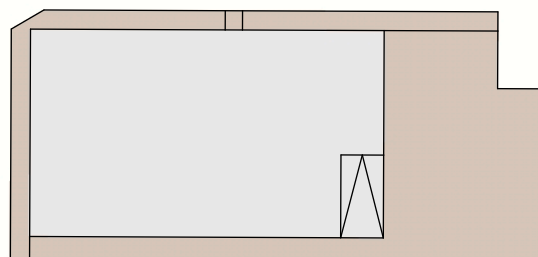
3rd Floor



2nd Floor



Ground Floor Plan



Basement Parking Level

Floor Plans

Cal Ave Zoning Analysis

Existing: 37' Height - 1.25 FAR (Lot 8 Sherman Ave)

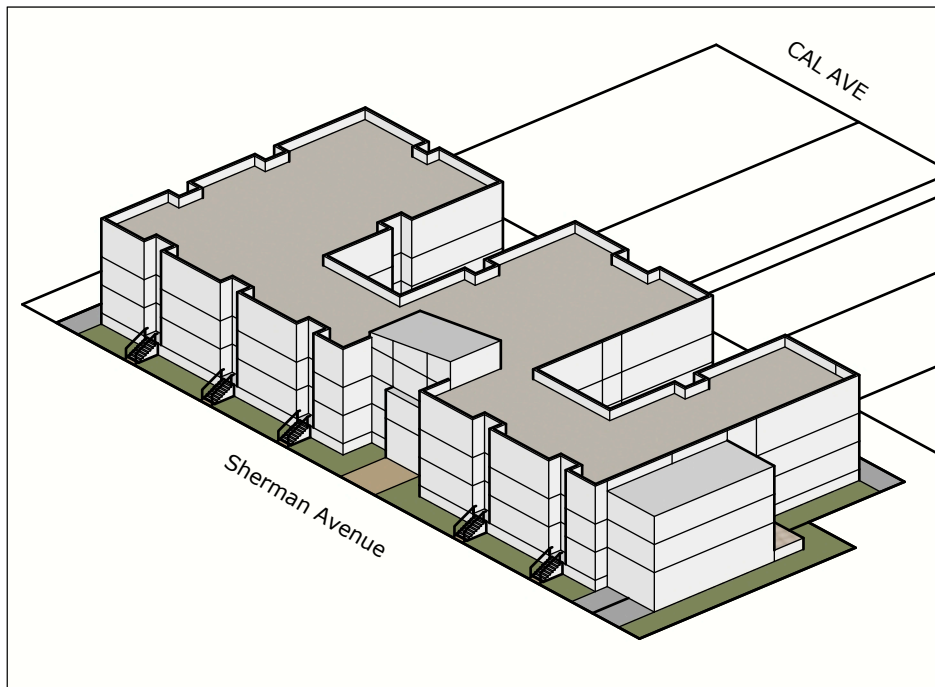
VIEW 1



CAL AVE Analysis			Standards		20%		Residential					Commercial	
Parcel	Gross Area	Acres	FAR	Max GSF	Landscape/OS	Parking	Studio	1 BR	2 BR	3 BR	Guest	Parking	Retail [^]
Address	34,857.9 sf	0.80	1.25	43,572.3 sf	6,971.6 sf	48.6	1.25	1.5	2	2	10% + 1		
					Total	49							[^] first 1,500 exempt
Notes:													
Floor	Gross Area	Retail	Net Res	Circ./Common	Landscape	Open Space	Studio	1 BR	2 BR	3 BR	Total	Parking/Mech.	Spaces
Roof	0.0										0 units		
Roof	0.0							0	0		0 units		
3	9,808.9		7,500.9 sf	2,308.0 sf				4	3		7 units		
2	14,878.0		12,570.0 sf	2,308.0 sf				7	6		13 units		
1	16,636.2	5,250.0 sf	7,185.0 sf	3,121.2 sf	4,225.0 sf	3,956.0 sf		3	3		6 units	1,080.0 sf	21
B1	19,697.0											19,697.0 sf	49
B2	0.0												
Totals	61,020 sf	5,250 sf	27,256 sf	7,737 sf	4,225 sf	3,956 sf	0	14	12	0	26 units	20,777.0 sf	70 sp
							0%	54%	46%	0%			
							54%		46%			Commercial	21
Summary Stats													
FAR	1.2		Efficiency	78%				OS Standard	150 sf/unit				
DU/A	32.5							OS Req'd	3,900 sf				
Units	26 units		Res Parking*	49 sp				Common Usable OS	3,956 sf				
Avg Unit	1,048.3 sf		Parking Ratio	1.9				Private Open Space	TBD				
								Landscape/OS Req'd	6,972 sf		20%		
RES FAR	1.00		Parking FAR	0.03				Landscape/OS	8,181 sf				
COMM FAR	0.15												

Cal Ave Zoning Analysis

Proposed: 40' Height - 2.0 FAR (Lot 8 Sherman Ave)



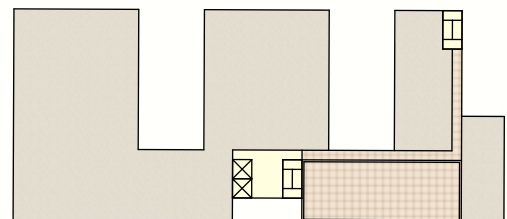
Massing Diagram

Proposed Standards:

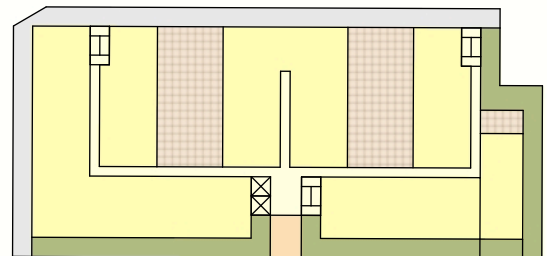
Height: 40 ft
Res FAR: 2.0
Tot FAR: 2.0 max

Statistics:

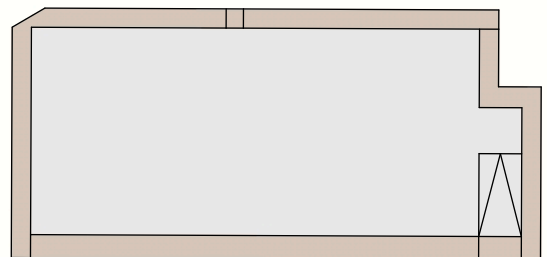
Height: 40 ft, 3 stories
FAR: 1.8 (2.0 Max)
Residential: 56 units
Net Res. Area: 52,925 sf
Avg Unit: 945 sf
Density: 70 du/a
Res. Parking: Provided 1/2 sub-grade
avg 400 sf/space



Roof Plan



Typical Floor Plan

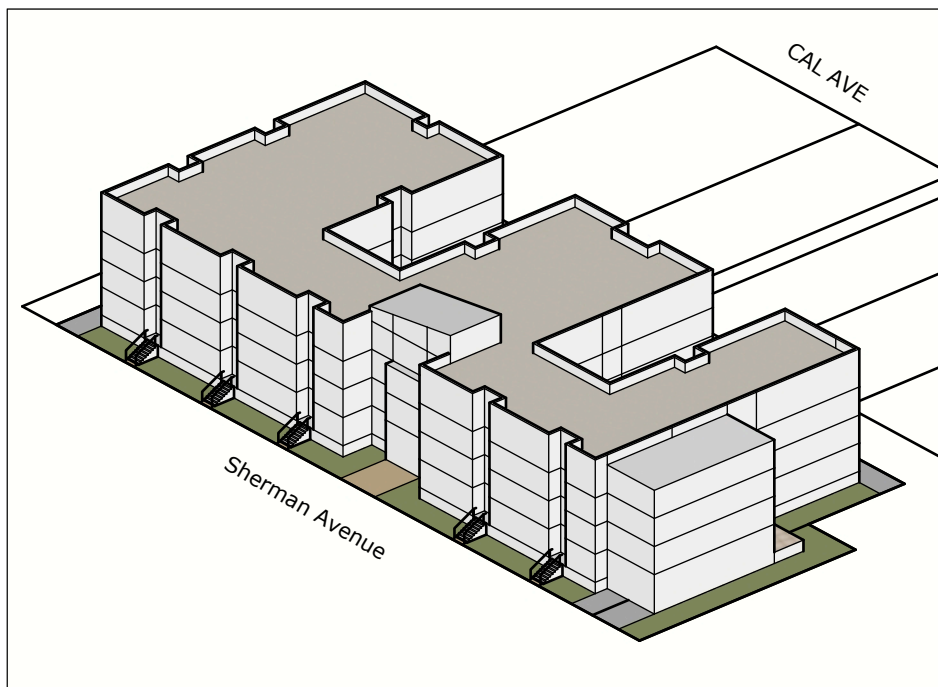


Basement Parking Level

Floor Plans

Cal Ave Zoning Analysis

Proposed: 50' Height - 3.0 FAR 100% Affordable (Lot 8 Sherman Ave)



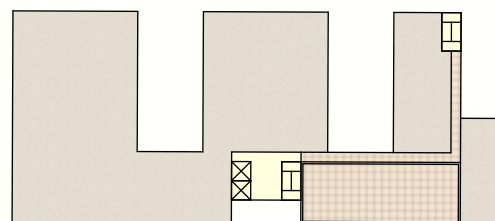
Massing Diagram

Proposed Standards:

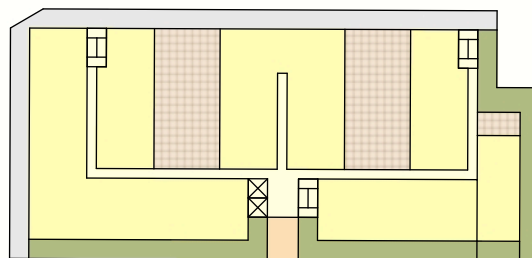
Height: 50 ft
Res FAR: 3.0
Tot FAR: 3.0 max

Statistics:

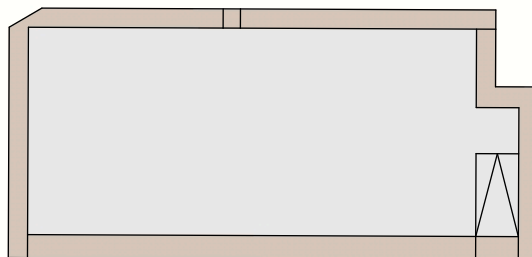
Height: 50 ft, 4 ST (100% affordable)
FAR: 2.4
Residential: 72 units
Net Res. Area: 71,474 sf
Avg Unit: 992 sf
Density: 90 du/a
Res. Parking: Provided 1.5 levels sub-grade
avg 400 sf/space



Roof Plan



Typical Floor Plan



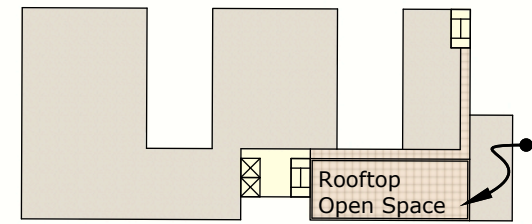
Typical Basement Parking Level

Floor Plans

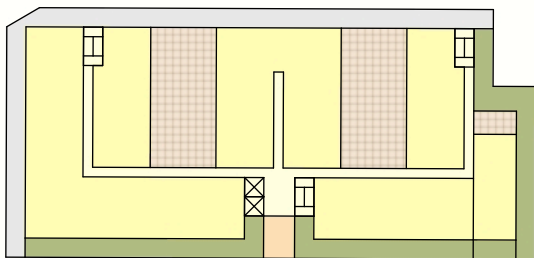
Cal Ave Zoning Analysis

Proposed: 40' Height - 2.0 FAR (Lot 8 Sherman Ave)

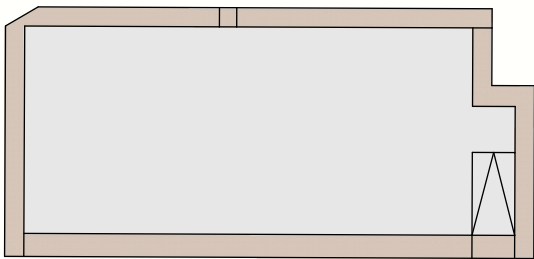
OPTION A



Roof Plan

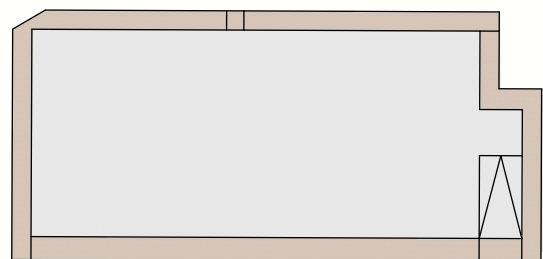
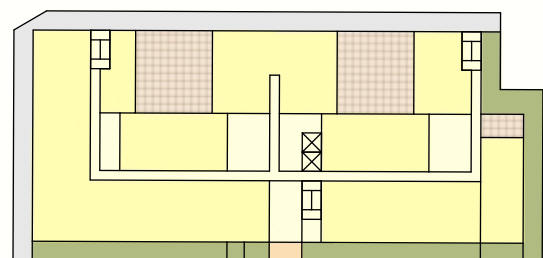
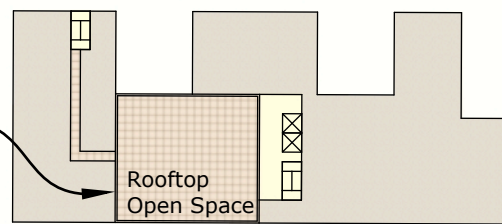


Typical Floor Plan



Basement Parking Level
Floor Plans

OPTION B



Statistics:

Height: 40 ft, 3 stories
FAR: 1.8 (2.0 Max)
 Residential: 56 units
Net Res. Area: 52,925 sf
 Avg Unit: 945 sf
 Density: 70 du/a
 Res. Parking: Provided 1/2 sub-grade
 avg 400 sf/space

Height: 50 ft, 4 ST(100% affordable)
FAR: 2.4
 Residential: 72 units
Net Res. Area: 71,474 sf
 Avg Unit: 992 sf

Statistics:

Height: 40 ft, 3 stories
FAR: 2.0 (2.0 Max)
 Residential: 56 units
Net Res. Area: 51,407sf
 Avg Unit: 918 sf
 Density: 70 du/a
 Res. Parking: Provided 1/2 sub-grade
 avg 400 sf/space

Height: 50 ft, 4 ST(100% Aff.)
FAR: 2.6
 Residential: 72 units
Net Res. Area: 69,510sf
 Avg Unit: 965 sf

Cal Ave Zoning Analysis

Proposed: 40' Height - 1.8 FAR (2.0 Max) (Lot 8 Sherman Ave)

OPTION A - VIEW 1



Proposed: 50' Height - 2.4 FAR (3.0 Max) (Lot 8 Sherman Ave)



Cal Ave Zoning Analysis

Proposed: 40' Height - 2.0 FAR (Lot 8 Sherman Ave)

OPTION A

CAL AVE Analysis			Standards			20%		Residential					Commercial	
Parcel	Gross Area	Acres	FAR	Max GSF	Landscape/OS	Parking	Studio	1 BR	2 BR	3 BR	Guest	Parking	Retail^	
Address	34,857.9 sf	0.80	2.0	69,715.7 sf	6,971.6 sf	64.8	0.8	0.8	1.6	1.6	0%			
						Total	65					^first 1,500 exempt		
Notes:														
Floor	Gross Area	Retail	Net Res	Circ/Common	Landscape	Open Space	Studio	1 BR	2 BR	3 BR	Total	Parking/Mech.	Spaces	
Roof	0.0										0 units			
Roof	0.0					3,500.0 sf	0	0	0	0	0 units			
3	21,468.0		18,549.0 sf	2,919.0 sf			11	10			21 units			
2	21,468.0		18,549.0 sf	2,919.0 sf			11	10			21 units			
1	21,326.0		15,827.0 sf	4,419.0 sf	5,993.0 sf	5,263.0 sf	9	5			14 units	1,080.0 sf		
B1	25,207.0											25,207.0 sf	65	
B2	0.0													
Totals	89,469 sf	0 sf	52,925 sf	10,257 sf	5,993 sf	8,763 sf	0	31	25	0	56 units	26,287.0 sf	65 sp	
							0%	55%	45%	0%				
							55%		45%					
Summary Stats														
FAR	1.8		Efficiency	84%			OS Standard	150 sf/unit						
DU/A	70.0						OS Req'd	8,400 sf						
Units	56 units		Parking*	65 sp			Common Usable OS	8,763 sf						
Avg Unit	945.1 sf		Parking Ratio	1.2			Private Open Space	TBD						
							Landscape/OS Req'd	6,972 sf	20%					
RES FAR	1.81		Parking FAR	0.03			Landscape/OS	14,756 sf						
COMM FAR	0.00													

OPTION B

CAL AVE Analysis			Standards			20%		Residential					Commercial	
Parcel	Gross Area	Acres	FAR	Max GSF	Landscape/OS	Parking	Studio	1 BR	2 BR	3 BR	Guest	Parking	Retail^	
Address	34,857.9 sf	0.80	2.0	69,715.7 sf	6,971.6 sf	64.8	0.8	0.8	1.6	1.6	0%			
						Total	65					^first 1,500 exempt		
Notes:														
Floor	Gross Area	Retail	Net Res	Circ/Common	Landscape	Open Space	Studio	1 BR	2 BR	3 BR	Total	Parking/Mech.	Spaces	
Roof	0.0										0 units			
Roof	0.0					5,025.0 sf	0	0	0	0	0 units			
3	23,136.0		18,103.0 sf	5,033.0 sf			11	10			21 units			
2	23,136.0		18,103.0 sf	5,033.0 sf			11	10			21 units			
1	22,994.0		15,201.0 sf	6,713.0 sf	5,993.0 sf	3,709.0 sf	9	5			14 units	1,080.0 sf		
B1	25,207.0											25,207.0 sf	65	
B2	0.0													
Totals	94,473 sf	0 sf	51,407 sf	16,779 sf	5,993 sf	8,734 sf	0	31	25	0	56 units	26,287.0 sf	65 sp	
							0%	55%	45%	0%				
							55%		45%					
Summary Stats														
FAR	2.0		Efficiency	75%			OS Standard	150 sf/unit						
DU/A	70.0						OS Req'd	8,400 sf						
Units	56 units		Parking*	65 sp			Common Usable OS	8,734 sf						
Avg Unit	918.0 sf		Parking Ratio	1.2			Private Open Space	TBD						
							Landscape/OS Req'd	6,972 sf	20%					
RES FAR	1.96		Parking FAR	0.03			Landscape/OS	14,727 sf						
COMM FAR	0.00													

Cal Ave Zoning Analysis

Proposed: 50' Height - 3.0 FAR 100% Affordable (Lot 8 Sherman Ave)

OPTION A

CAL AVE Analysis			Standards		20%		Residential					Commercial		
Parcel	Gross Area	Acres	FAR	Max GSF	Landscape/OS	Parking	Studio	1 BR	2 BR	3 BR	Guest	Parking	Retail^	
Address	34,857.9 sf	0.80	2.0	69,715.7 sf	6,971.6 sf	86.4	0.8	0.8	1.6	1.6	0%			
						Total	86					^first 1,500 exempt		
Notes:														
Floor	Gross Area	Retail	Net Res	Circ/Common	Landscape	Open Space	Studio	1 BR	2 BR	3 BR	Total	Parking/Mech.	Spaces	
Roof	0.0										0 units			
4	21,468.0		18,549.0 sf	2,919.0 sf				9	5	5	19 units			
3	21,468.0		18,549.0 sf	2,919.0 sf				9	5	5	19 units			
2	21,468.0		18,549.0 sf	2,919.0 sf				9	5	5	19 units			
1	21,326.0		15,827.0 sf	4,419.0 sf	5,993.0 sf	5,263.0 sf		9	3	3	15 units	1,080.0 sf		
B1	25,207.0											25,207.0 sf	56	
B2	23,000.0											23,000.0 sf	30	
Totals	133,937 sf	0 sf	71,474 sf	13,176 sf	5,993 sf	5,263 sf	0	36	18	18	72 units	49,287.0 sf	86 sp	
							0%	50%	25%	25%				
							50%	50%						
Summary Stats														
FAR	2.4	Efficiency		84%		OS Standard		50 sf/unit						
DU/A	90.0					OS Req'd		3,600 sf						
Units	72 units	Parking*		86 sp		Common Usable OS		5,263 sf						
Avg Unit	992.7 sf	Parking Ratio		1.2		Private Open Space		TBD						
							Landscape/OS Req'd		6,972 sf		20%			
RES FAR	2.43	Parking FAR		0.03		Landscape/OS		11,256 sf						
COMM FAR	0.00													

OPTION B

CAL AVE Analysis			Standards		20%		Residential					Commercial		
Parcel	Gross Area	Acres	FAR	Max GSF	Landscape/OS	Parking	Studio	1 BR	2 BR	3 BR	Guest	Parking	Retail^	
Address	34,857.9 sf	0.80	2.0	69,715.7 sf	6,971.6 sf	86.4	0.8	0.8	1.6	1.6	0%			
						Total	86					^first 1,500 exempt		
Notes:														
Floor	Gross Area	Retail	Net Res	Circ/Common	Landscape	Open Space	Studio	1 BR	2 BR	3 BR	Total	Parking/Mech.	Spaces	
Roof	0.0										0 units			
Roof	23,136.0		18,103.0 sf	5,033.0 sf				9	5	5	19 units			
3	23,136.0		18,103.0 sf	5,033.0 sf				9	5	5	19 units			
2	23,136.0		18,103.0 sf	5,033.0 sf				9	5	5	19 units			
1	22,994.0		15,201.0 sf	6,713.0 sf	5,993.0 sf	3,709.0 sf		9	3	3	15 units	1,080.0 sf		
B1	25,207.0											25,207.0 sf	56	
B2	23,000.0											23,000.0 sf	30	
Totals	140,609 sf	0 sf	69,510 sf	21,812 sf	5,993 sf	3,709 sf	0	36	18	18	72 units	49,287.0 sf	86 sp	
							0%	50%	25%	25%				
							50%	50%						
Summary Stats														
FAR	2.6	Efficiency		76%		OS Standard		50 sf/unit						
DU/A	90.0					OS Req'd		3,600 sf						
Units	72 units	Parking*		86 sp		Common Usable OS		3,709 sf						
Avg Unit	965.4 sf	Parking Ratio		1.2		Private Open Space		TBD						
							Landscape/OS Req'd		6,972 sf		20%			
RES FAR	2.62	Parking FAR		0.03		Landscape/OS		9,702 sf						
COMM FAR	0.00													

CN ECR Zoning Analysis



Site Diagram

3720 El Camino Real, Palo Alto CA

Parcel Size:
150' x 106' 15,775.8 sf 0.362 acres

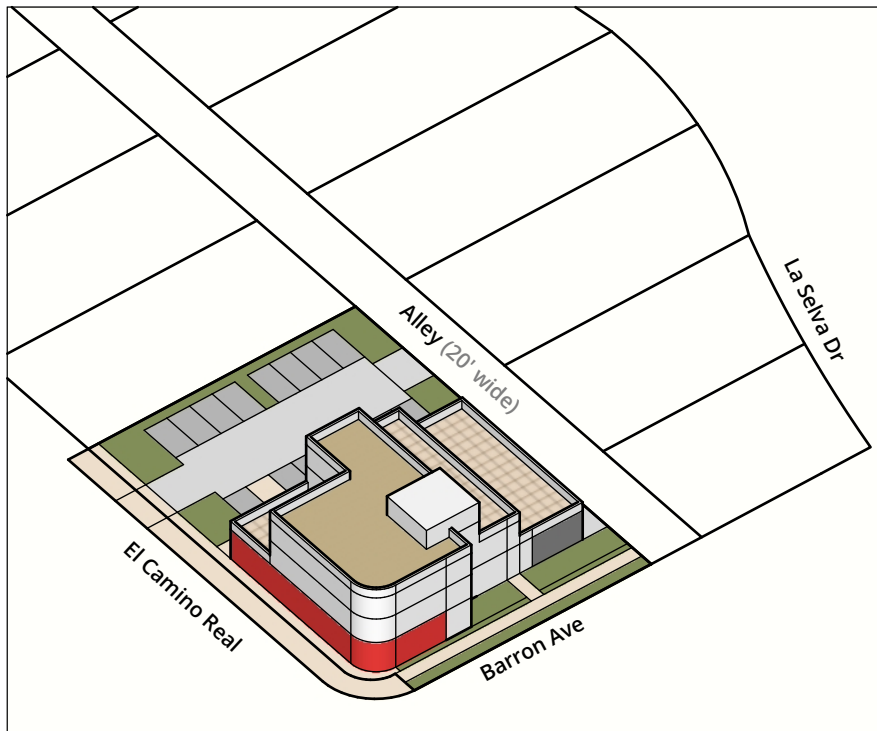
~3,100 sf Retail
0.2 FAR

Zoning Analysis Study

- 1) Existing Mixed-Use Zoning, 35' Height, 1.0 FAR (0.5 Res. Max)
- 2) Proposed Mixed-Use Zoning, 40' Height, 1.5 FAR (1.5 Res. Max)

CN ECR Zoning Analysis

Existing Mixed-Use Zoning (3720 ECR)



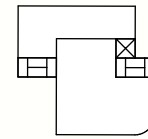
Massing Diagram

Existing Standards:

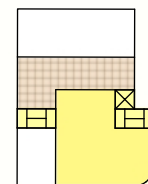
Height: 35 ft
 Res FAR: 0.5
 Com FAR: 0.15-0.5
 FAR: 1.0 max

Statistics:

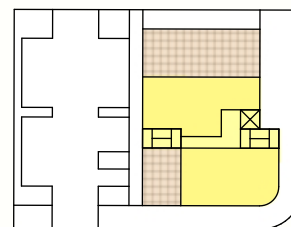
Height: 35 ft, 3 stories
 Res FAR: 0.5
 Com FAR: 0.2 (retail)
 FAR: 0.7
 Retail: 3,000 sf
 Residential: 3 units
 Avg Unit: 1722 sf
 Density: 8.3 du/a
 Res. Parking: 6 sp (2.0:1) + 2 sp (guest)
 Comm. Parking: 15 (1:200sf)



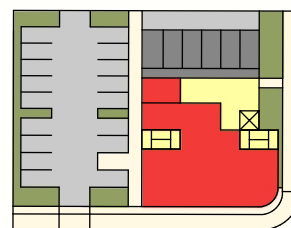
Roof



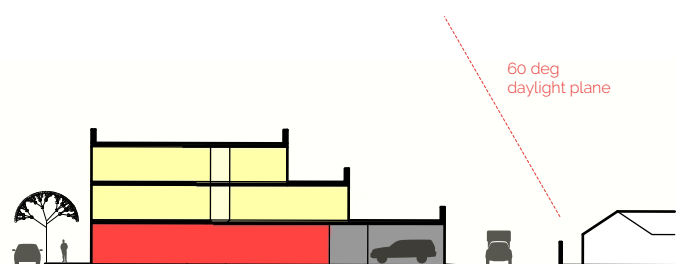
2nd Floor



1st Floor



Ground Floor
Floor Plans



Building Section

CN ECR Zoning Analysis

Existing Mixed-Use Zoning (3720 ECR)

Massing in Context:

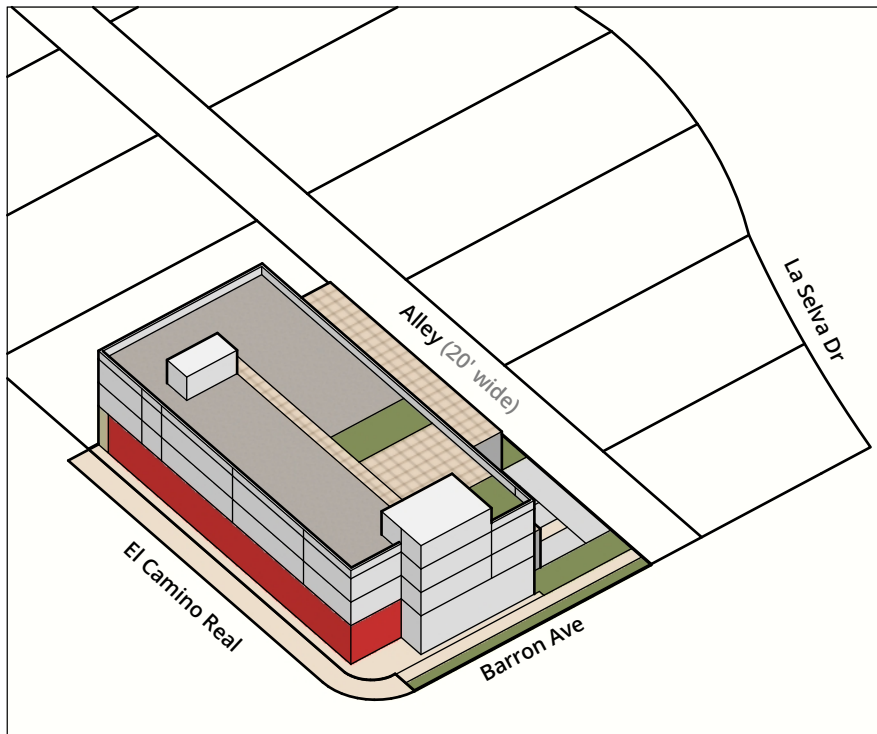


Statistics:

CN El Camino Real (ECR) Analysis			Standards		35% Residential							Commercial		
Parcel	Gross Area	Acres	FAR	Max GSF	Landscape	Parking	Studio	1 BR	2 BR	3 BR	Guest	Parking	Retail	
Address	15,755.8 sf	0.36	2.0	31,511.6 sf	5,514.5 sf	7.3	1.25	1.5	2	2	10% +1	15	200	
					Total	22.3								
Notes: Existing Retail: 3,100 sf														
Floor	Gross Area	Retail	Net Res	Circ/Common	Landscape	Open Space	Studio	1 BR	2 BR	3 BR	Total	Parking/Mech.	Spaces	
5	0.0										0 units			
Roof	0.0				700.0 sf						0 units			
3	2,628.0		2,128.0 sf	500.0 sf	805.0 sf	432.0 sf				1	1 units			
2	3,865.0		3,039.0 sf	826.0 sf	1,163.0 sf	961.0 sf	0	0	0	2	2 units			
1	5,740.0	3,000.0 sf		1,215.0 sf	2,860.0 sf				0	0	0 units	1,525.0 sf	23	
B1	0.0													
B2	0.0													
Totals	12,233 sf	3,000 sf	5,167 sf	2,541 sf	5,528 sf	1,393 sf	0	0	0	3	3 units	1,525.0 sf	23 sp	
							0%	0%	0%	100%		Residential	8	
							0%		100%			Commercial	15	
Summary Stats														
FAR	0.7	Efficiency		67%			OS Standard		20 sf/unit					
DU/A	8.3						OS Req'd		60 sf					
Units	3 units	Parking		8 sp			Common Usable OS		1,393 sf					
Avg Unit	1,722.3 sf	Parking Ratio		2.7			Private Open Space		TBD					
RES FAR	0.49	Parking FAR		0.10										
COMM FAR	0.19													

CN ECR Zoning Analysis

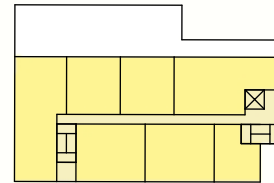
Proposed: 40' Height - 1.5 FAR (3720 ECR)



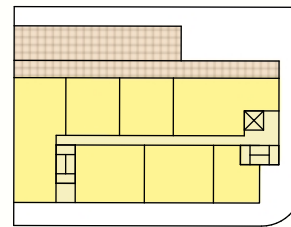
Massing Diagram



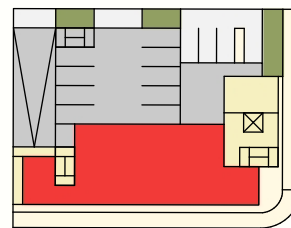
Roof



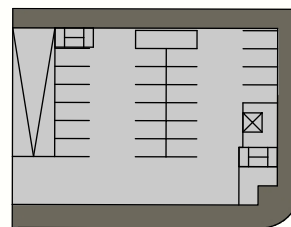
3rd Floor



2nd Floor



Ground Floor



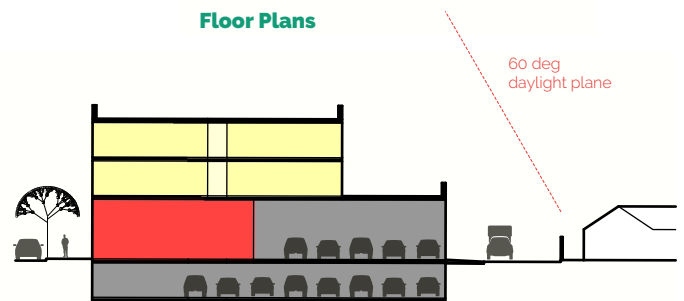
Basement
Floor Plans

Proposed Standards:

Height: 40 ft
 Res FAR: 1.5
 Tot FAR: 1.5 max

Statistics:

Height: 40 ft, 3 stories
 Res FAR: 1.25
 Comm. FAR: 0.25
 Parking FAR: 0.36 (Commercial Parking)
 FAR: 1.5
 Retail: 4,000 sf
 Residential: 14 units
 Avg Unit: 1,065 sf
 Density: 39 du/a
 Res. Parking: 22 sp (1.6:1)
 Comm. Parking: 13 (1:200sf, first 1,500 sf exempt)



Building Section

CN ECR Zoning Analysis

Proposed: 40' Height - 1.5 FAR (3720 ECR)

Massing in Context:



Statistics:

CN El Camino Real (ECR) Analysis			Standards		35% Residential							Commercial	
Parcel	Gross Area	Acres	FAR	Max GSF	Landscape	Parking	Studio	1 BR	2 BR	3 BR	Guest	Parking	Retail^
Address	15,755.8 sf	0.36	2.0	31,511.6 sf	5,514.5 sf	22	1	1	2	2	0%	12.5	200
					Total	35						^first 1,500 exempt	
Notes: Existing Retail: 3,100 sf													
Floor	Gross Area	Retail	Net Res	Circ/Common		Open Space	Studio	1 BR	2 BR	3 BR	Total	Parking/Mech.	Spaces
Roof	724.0			724.0 sf	2,750.0 sf	1,130.0 sf					0 units		
3	8,670.0		7,456.0 sf	1,214.0 sf		0.0 sf		3	3	1	7 units		
2	8,670.0		7,456.0 sf	1,214.0 sf	1,566.0 sf	1,242.0 sf	0	3	3	1	7 units		
1	11,362.0	4,000.0 sf		1,760.0 sf	1,217.0 sf						0 units	5,602.0 sf	13
B1	13,810.0											13,810.0 sf	22
B2	0.0												
Totals	43,236 sf	4,000 sf	14,912 sf	4,912 sf	5,533 sf	2,372 sf	0	6	6	2	14 units	19,412.0 sf	35 sp
							0%	43%	43%	14%		Residential	22
							43%		57%			Commercial	12
Summary Stats													
FAR	1.5		Efficiency	75%				OS Standard	150 sf/unit				
DU/A	38.7							OS Req'd	2,100 sf				
Units	14 units		Parking	22 sp				Common Usable OS	2,372 sf				
Avg Unit	1,065.1 sf		Parking Ratio	1.6				Private Open Space	TBD				
RES FAR	1.26		Parking FAR	0.36									
COMM FAR	0.25												

Multifamily Residential (RM) Districts Motion/Zoning Changes

(Motion, as Amended Below, Passed: 6-0 Filseth, Holman recused, Tanaka absent)

A. Unit Density. Replace RM-15 zoning designation, which allows 15 units per acre with a RM-20 designation that allows 20 units per acre, to align with Housing Element density allowance;

B. Minimum Density. Establish a minimum unit density as provided below. Allow fewer units when determined by the Planning Director, after review by the ARB, that existing site improvements or parcel constraints preclude meeting this minimum standard:

- RM-20: 11 units/acre
- RM-30: 16 units/acre
- RM-40: 21 units/acre

C. Non-complying Unit Density. Allow redevelopment and replacement of legally established residential housing units that exceed the maximum unit density allowed for the parcel, subject to the following criteria:

- Other than unit density, the project complies with all applicable development standards.
- The project is a residential rental project.
- The development shall not be eligible for a density bonus pursuant to PAMC Chapter 18.15. The applicant must elect whether to utilize state density bonus law or the exception described herein as an alternative to state density bonus law;

D. Administrative Code Clean Up. Modify PAMC Section 18.13.040(g) regarding below market rate (BMR) housing units to reflect regulatory requirements of Chapter 16.65 of Title 16;

E. On-site Replacement. Allow a single-family home to be rebuilt as a single-family home and a duplex to be rebuilt as a duplex, without meeting the minimum density requirements and without making the project site non-conforming with respect to density.

Downtown Commercial (CD(C)) Motion/Zoning Changes

(Motion, as Amended Below, Passed: 6-1 Kou no, Scharff recused, Tanaka absent)

A. Unit Density. Eliminate the unit density requirement restricting the maximum density to 40 units per acre;

B. Unit Size. Establish a maximum average housing unit size of 1,500 square feet, (weighted average by the number of bedrooms);

C. Retail Parking. Exempt the first 1,500 sq. ft. of ground-floor retail from parking requirements within residential mixed-use buildings;

D. Driveway Approach. Preclude curb cuts on University Avenue, except for City-owned parcels or City-sponsored projects;

E. Residential Only Development. Allow housing-only projects to be constructed downtown, except in the ground floor (GF) combining district. Retail preservation ordinance standards apply for market rate housing projects;

F. Open Space. Allow rooftops to qualify for up to 75 percent of the usable open space requirement for the multi-family residential portion of a project, subject to objective performance standards (see draft ordinance for details);

G. Housing Incentive Program (HIP). Establish a process that would allow property owners to apply to receive greater floor area than otherwise allowed under the zoning code and under State Density Bonus Law through waivers granted by the Director of Planning after review by the ARB. This program would be an alternative to the State Density Bonus Law and SB 35 streamlining, since it allows for more density. Components of the HIP include the following:

- FAR waiver to increase residential FAR from 1.0 up to 3.0, except for portion of FAR required to remain commercial by the requirements of the retail preservation ordinance or GF combining district;
- No TDRs may be used in conjunction with a qualifying HIP project;
- Require discretionary architectural review consistent with PAMC 18.76.020 and (Architectural Review).

H. 1-Year Moratorium on In-Lieu Parking Program: Add language to Section 8 of the Ordinance indicating office uses above the ground floor shall not be eligible to participate in the in-lieu parking program for the period of one year or until the Planning and Transportation Commission returns to the City Council with a detailed study and recommendation;

I. Further Parking Studies (2019 Task): Direct Staff and the Planning and Transportation Commission to further study decoupled parking, in lieu parking, and off-site parking for residential developments and return to Council in 2019;

J. Rooftop Open Space Standards: Add to the Ordinance a requirement that for rooftop gardens, no up lighting is to be allowed and light sources should be shielded; and

Parking Standards within 1/2-Mile of Fixed Rail

(Motion Passed: 3-2 Holman, Kou no)

The Council continued the discussion of the proposed reduced parking standards within ½-mile of a fixed rail station to a date uncertain.

Citywide Motion/Zoning Changes

(Motion, as Amended Below, Passed: 5-2 Holman, Kou no, DuBois, Tanaka absent)

A. Open Space. Establish a consistent open space requirement for multi-family housing units in multi-family residential and commercial districts of 150 square feet (current code ranges from 100 to 200 square feet depending on the number of units provided). Micro units, defined herein as units with less than 450 square feet, are proposed to have a commensurate requirement of 40 square feet/unit.

B. Review Process. Eliminate Site & Design Review, which currently applies to residential and residential mixed-use projects with 10 more units in commercial zones.

C. Retail Preservation Exemption. Exempt 100% affordable housing projects (120% AMI and below) from the retail preservation requirement except in the Ground Floor (GF) and Retail (R) combining districts;

D. Parking Standards. Adjust multifamily (and senior housing) parking requirements as recommended in the staff report.

E. Modify Affordable Housing Parking Reduction: Strike the proposed affordable housing standards related to parking for multi-family residential uses; and add that an affordable multi-family development may ask for a reduction in parking requirements up to 100% based on maximum anticipated demand; and

F. Retail Parking Exemption: Exempt the first 1,500 square feet of ground-floor retail from parking requirements within residential mixed-use buildings.