



Planning & Transportation Commission Regular Meeting Agenda: March 10, 2021

Virtual Meeting
6:00 PM

<https://zoom.us/join>

Meeting ID: 981 2987 7431

Phone number: 1 669 900 6833

*****BY VIRTUAL TELECONFERENCE ONLY*****

Pursuant to the provisions of California Governor's Executive Order N-29-20, issued on March 17, 2020, to prevent the spread of COVID-19, this meeting will be held by virtual teleconference only, with no physical location. The meeting will be broadcast live on Cable TV and through Channel 26 of the Midpen Media Center at <https://midpenmedia.org/local-tv/watch-now/>.

Members of the public may comment by sending an email to planning.commission@cityofpaloalto.org or by attending the Zoom virtual meeting to give live comments. Instructions for the Zoom meeting can be found on the last page of this agenda.

Call to Order / Roll Call

Oral Communications

The public may speak to any item not on the agenda. Three (3) minutes per speaker.^{1,2}

Agenda Changes, Additions, and Deletions

The Chair or Commission majority may modify the agenda order to improve meeting management.

City Official Reports

6:00 PM-6:15 PM

1. Directors Report, Meeting Schedule and Assignments

Study Session

Public Comment is Permitted. Up to five (5) minutes per speaker.^{1,3}

6:15 PM-8:15 PM

2. Planning and Transportation Commission Study Session to Review Draft Objective Standards That Would Modify Palo Alto Municipal Code Title 18 (Zoning Ordinance)

1. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
2. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
3. The Chair may reduce the allowed time to speak to three minutes to accommodate a larger number of speakers.

and Development Standards, District Regulations, Performance Standards, Overlays and Related Code Changes

Action Items

Public Comment is Permitted. Applicants/Appellant Teams: Fifteen (15) minutes, plus three (3) minutes rebuttal. All others: Up to five (5) minutes per speaker.^{1,3}

8:15 PM-10:45 PM

3. PUBLIC HEARING: Recommendation on the Preferred Plan Alternative for the North Ventura Coordinated Area Plan

Approval of Minutes

Public Comment is Permitted. Three (3) minutes per speaker.^{1,3}

10:45 PM-10:50 PM

4. February 10, 2021 Draft PTC Meeting Minutes

Committee Items

Commissioner Questions, Comments, Announcements or Future Agenda Items

10:50 PM-11:00 PM

Adjournment

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Palo Alto Planning & Transportation Commission

Commissioner Biographies, Present and Archived Agendas and Reports are available online: <http://www.cityofpaloalto.org/gov/boards/ptc/default.asp>. The PTC Commission members are:

Chair Bart Hechtman
Vice Chair Giselle Roohparvar
Commissioner Michael Alcheck
Commissioner Ed Lauing
Commissioner Doria Summa
Commissioner Carolyn Templeton

Get Informed and Be Engaged!

View online: <http://midpenmedia.org/category/government/city-of-palo-alto/> or on Channel 26.

Public comment is encouraged. Email the PTC at: Planning.Commission@CityofPaloAlto.org.

Material related to an item on this agenda submitted to the PTC after distribution of the agenda packet is available for public inspection at the address above.

Americans with Disability Act (ADA)

It is the policy of the City of Palo Alto to offer its public programs, services and meetings in a manner that is readily accessible to all. Persons with disabilities who require materials in an appropriate alternative format or who require auxiliary aids to access City meetings, programs, or services may contact the City's ADA Coordinator at (650) 329-2550 (voice) or by emailing ada@cityofpaloalto.org. Requests for assistance or accommodations must be submitted at least 24 hours in advance of the meeting, program, or service.

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Public Comment Instructions

Members of the Public may provide public comments to teleconference meetings via email, teleconference, or by phone.

1. **Written public comments** may be submitted by email to planning.commission@CityofPaloAlto.org
2. **Spoken public comments using a computer** will be accepted through the teleconference meeting. To address the Board, click on the link below for the appropriate meeting to access a Zoom-based meeting. Please read the following instructions carefully.
 - A. You may download the Zoom client or connect to the meeting in-browser. If using your browser, make sure you are using a current, up-to-date browser: Chrome 30+, Firefox 27+, Microsoft Edge 12+, Safari 7+. Certain functionality may be disabled in older browsers including Internet Explorer.
 - B. You will be asked to enter an email address and name. We request that you identify yourself by name as this will be visible online and will be used to notify you that it is your turn to speak.
 - C. When you wish to speak on an agenda item, click on “raise hand”. The moderator will activate and unmute attendees in turn. Speakers will be notified shortly before they are called to speak. The Zoom application will prompt you to unmute your microphone when it is your turn to speak.
 - D. When called, please limit your remarks to the time limit allotted.
 - E. A timer will be shown on the computer to help keep track of your comments.
3. **Spoken public comments using a smart phone** will be accepted through the teleconference meeting. To address the Council, download the Zoom application onto your phone from the Apple App Store or Google Play Store and enter the Meeting ID below. Please follow instructions B-E above.
4. **Spoken public comments using a phone** use the telephone number listed below. When you wish to speak on an agenda item hit *9 on your phone so we know that you wish to speak. You will be asked to provide your first and last name before addressing the Board. You will be advised how long you have to speak. When called please limit your remarks to the agenda item and time limit allotted.

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Meeting ID: 981 2987 7431 Phone number: 1 669 900 6833 (you may need to exclude the initial “1” depending on your phone service)

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Planning & Transportation Commission

Staff Report (ID # 12073)

Report Type: City Official Reports **Meeting Date:** 3/10/2021

Summary Title: City Official Report

Title: Directors Report, Meeting Schedule and Assignments

From: Jonathan Lait

Recommendation

Staff recommends that the Planning and Transportation Commission (PTC) review and comment as appropriate.

Background

This document includes the following items:

- PTC Meeting Schedule
- PTC Representative to City Council (Rotational Assignments)
- Tentative Future Agenda

Commissioners are encouraged to contact Vinh Nguyen (Vinhloc.Nguyen@CityofPaloAlto.org) of any planned absences one month in advance, if possible, to ensure availability of a PTC quorum.

PTC Representative to City Council is a rotational assignment where the designated commissioner represents the PTC's affirmative and dissenting perspectives to Council for quasi-judicial and legislative matters. Representatives are encouraged to review the City Council agendas (<http://www.cityofpaloalto.org/gov/agendas/council.asp>) for the months of their respective assignments to verify if attendance is needed or contact staff. Prior PTC meetings are available online at <http://midpenmedia.org/category/government/city-of-palo-alto/boards-and-commissions/planning-and-transportation-commission>.

The Tentative Future Agenda provides a summary of upcoming projects or discussion items.

Attachments:

- Attachment A: March 10, 2021 PTC Meeting Schedule and Assignments (DOCX)

City of Palo Alto
 Planning & Development Services
 250 Hamilton Avenue
 Palo Alto, CA 94301
 (650) 329-2442



Planning & Transportation Commission 2021 Meeting Schedule & Assignments

2021 Schedule

Meeting Dates	Time	Location	Status	Planned Absences/Notes
1/13/2021	6:00 PM	Virtual Meeting	Regular	
1/27/2021	6:00 PM	Virtual Meeting	Regular	
2/10/2021	6:00 PM	Virtual Meeting	Regular	
2/24/2021	6:00 PM	Virtual Meeting	Regular	
3/10/2021	6:00 PM	Virtual Meeting	Regular	
3/31/2021	6:00 PM	Virtual Meeting	Regular	
4/14/2021	6:00 PM	Virtual Meeting	Regular	
4/28/2021	6:00 PM	Virtual Meeting	Regular	
5/12/2021	6:00 PM	TBD	Regular	
5/26/2021	6:00 PM	TBD	Regular	
6/9/2021	6:00 PM	TBD	Regular	
6/30/2021	6:00 PM	TBD	Regular	
7/14/2021	6:00 PM	TBD	Regular	
7/28/2021	6:00 PM	TBD	Regular	
8/11/2021	6:00 PM	TBD	Regular	PAUSD Start Week
8/25/2021	6:00 PM	TBD	Regular	
9/8/2021	6:00 PM	TBD	Regular	
9/29/2021	6:00 PM	TBD	Regular	
10/13/2021	6:00 PM	TBD	Regular	
10/27/2021	6:00 PM	TBD	Regular	
11/10/2021	6:00 PM	TBD	Regular	
11/24/2021	6:00 PM	Cancelled	Cancelled	Day Before Thanksgiving
12/8/2021	6:00 PM	TBD	Regular	
12/29/2021	6:00 PM	Cancelled	Cancelled	2 Days Before NYE

2021 Assignments - Council Representation (primary/backup)

January Doria Summa Michael Alcheck	February Giselle Roohparvar Cari Templeton	March Michael Alcheck Bart Hechtman	April	May	June
July	August	September	October	November	December



Planning & Transportation Commission 2021 Tentative Future Agenda

The Following Items are Tentative and Subject to Change:

Meeting Dates	Topics
March 31, 2021	<ul style="list-style-type: none"> • 181 Addison Ave: Preliminary Parcel Map w/ Exceptions & Variance • Ordinance to Update Density Bonus Code PAMC 18.15 • Alma Street and Churchill Avenue Safety Improvement Project • Study Session: Parking Program Enhancements

Upcoming items:

Topics
<ul style="list-style-type: none"> • Review of Boards and Commissions Handbook • Review and Recommendation on Proposed 2022-2026 Capital Improvement Plan and Comprehensive Plan Compliance • University Avenue In-Lieu Parking Program



Planning & Transportation Commission

Staff Report (ID # 11729)

Report Type:	Study Session	Meeting Date: 3/10/2021
Summary Title:	PTC Review of Objective Standards	
Title:	Planning and Transportation Commission Study Session to Review Draft Objective Standards That Would Modify Palo Alto Municipal Code Title 18 (Zoning Ordinance) and Development Standards, District Regulations, Performance Standards, Overlays and Related Code Changes	
From:	Jonathan Lait	

Recommendation

Staff recommends that the Planning & Transportation Commission (PTC):

1. Review the draft objective design standards that would modify Title 18 (Zoning Ordinance) of the Palo Alto Municipal Code (PAMC);
2. Review other draft changes to development standards, district regulations, performance standards, and legislative actions/overlays that would modify Title 18 (Zoning Ordinance) of the PAMC;
3. Provide feedback to staff and consultants.

Report Summary

The State legislature has made several changes to State housing laws in recent years to streamline housing approvals. Specifically, the legislature has taken steps to reduce the amount of subjective discretion jurisdictions have to deny or reduce the density of residential and residential mixed-use projects. Instead, in certain contexts, jurisdictions must rely on objective design and development standards.

This objective standards project aims to respond to State law by making changes to the Zoning Ordinance (Title 18) to transform our subjective context-based design criteria into objective standards. This represents a new way that some projects will be reviewed by Planning staff and the Architectural Review Board (ARB), in particular. This project has less of a direct impact on the PTC's review of development projects. The PTC typically reviews projects that include legislative changes (e.g., zoning text or map amendments); such projects generally would not need to comply with all objective standards.

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The report contains two main discussion items:

1. Design Standards: The ARB expects to make a recommendation on the standards at their March 18, 2021 meeting. Staff, consultants, and the ARB—including an ARB Subcommittee—have created the standards over the past year. A series of nine meetings enabled collaboration on a set of objective design standards. These design standards represent the transformation of the existing (subjective) context-based design criteria into objective standards. Architectural review topics encompass site design and building design. Draft design standards are shown in Attachment #1.
2. Other Code Updates to Support Objective Standards: Consistent with the policy areas staff described to the PTC in May 2020, City staff recommend changes to other sections of Title 18. These changes would strengthen objective standards, remove inconsistencies and redundancies, and streamline project review. Redline changes to the code are shown in Attachment #2 and include edits to the following code sections:
 - 18.13: Multiple Family Residential (RM-20, RM-30 and RM-40) Districts
 - 18.16: Neighborhood, Community, and Service Commercial (CN, CC and CS) Districts
 - 18.18: Downtown Commercial (CD) District
 - 18.20: Office, Research, and Manufacturing (MOR, ROLM, RP and GM) Districts
 - 18.23: Performance Criteria for Multiple Family Commercial, Manufacturing and Planned Community Districts
 - 18.30(J): Affordable Housing (AH) Overlay District
 - 18.30(K): Workforce Housing (WH) Overlay District
 - 18.34: Pedestrian and Transit Oriented Development (PTOD) Combining District
 - 18.54: Parking Facility Design Standards
 - 18.76: Permits and Approvals
 - 18.77: Processing of Permits and Approvals

The following questions for the PTC are embedded in the report below:

1. Should the new objective design standards only be applied to projects that meet the definition of a “housing development project” in the Housing Accountability Act?
2. How should the City’s advisory boards and commissions interact with Housing Accountability Act projects, for which subjective findings (like Architectural Review findings) cannot be a basis for denial?
3. Should the current effort address legislative actions (e.g., AH and WH combining districts) so that a legislative approval is not required for projects that meet the affordability thresholds?

Background

SB2 Funding and Project Purpose

This project, development of objective standards, is funded by Senate Bill 2 (SB2). SB2 provides local governments with grants and technical assistance to prepare plans and process improvements that:

- streamline housing approvals;
- facilitate housing affordability; and/or
- accelerate housing production.

The City of Palo Alto developed a grant proposal to streamline housing approvals through process improvements, namely the development of objective standards. The project is to amend the Zoning Ordinance to simplify and clarify standards and guidelines for staff, decision-makers, and applicants.

Relationship to State Housing Laws

Several State housing laws rely upon objective standards and emphasize the need for this SB2 project. By transforming context-based design criteria into objective standards, the City can identify and enforce its design and development priorities. Furthermore, this project allows the City to comply with recently passed legislation requiring objective standards and streamlined approval processes.

Originally passed in 1982, the Housing Accountability Act (Government Code Section 65589.5) acknowledges the lack of housing as a critical problem in California. The Housing Accountability Act applies to all "housing development projects" which the State defines as: "residential units; mixed-use developments (with at least two-thirds of the square footage designated for residential use), and transitional or supportive housing." The City's interpretation is that the Housing Accountability Act applies to projects with two or more residential units.

The Housing Accountability Act states that a city cannot disapprove a project, reduce its density, or otherwise make a project infeasible, when the project complies with objective standards. However, if an applicant seeks an exception to an objective standard, the project is no longer covered by the Housing Accountability Act. Decision-makers may then rely on the findings required or criteria for approval of that specific modification. In such a case, subjective standards and design guidelines can be used to evaluate projects.

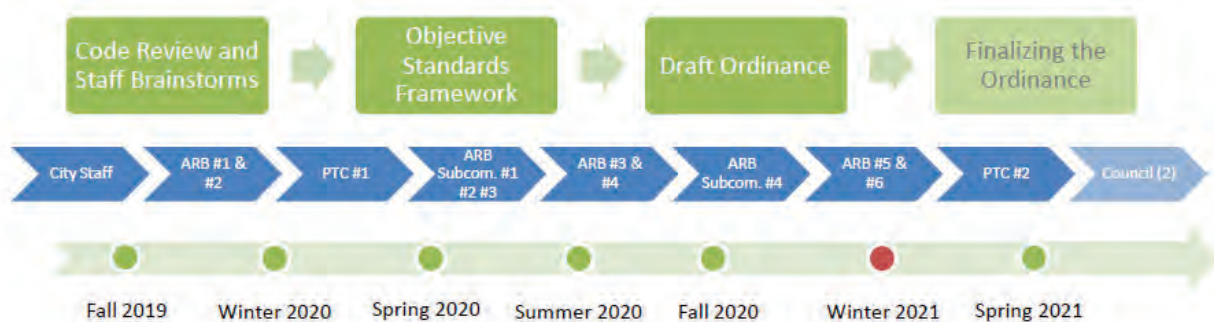
The Housing Accountability Act, Senate Bill (SB) 330, and SB35 project streamlining, when layered together, create the policy context within which Palo Alto must develop its objective standards. For further details on State housing laws, please review the objective standards' staff report presented to the PTC on May 13, 2020, which includes a summary of recent changes in State law:

<https://www.cityofpaloalto.org/civicax/filebank/blobdload.aspx?BlobID=76583>

Summary of Public Meetings

This section summarizes meetings with decision-makers. This includes five meetings, to date, with the ARB, and four meetings with a subcommittee of the ARB to review the objective design standards. Additionally, the PTC met in May 2020 to receive a presentation on the project. Chart 1 illustrates the project timeline.

Chart 1: Project Timeline



ARB Study Sessions – December 5, 2019 and February 6, 2020

Staff and consultants met with the ARB in December 2019¹ and in February 2020.² The presentations provided an overview of the project and a description of key issues and discussed options and recommendations for how to implement the project goals. On February 6, staff and consultants presented issues, options, and recommendations for how the City can implement the requirements of State law with respect to objective standards. The ARB expressed a range of opinions on how to address State requirements and a range of responses to staff and consultant ideas.

PTC Study Session – May 13, 2020

Staff and consultants met with the PTC in May 2020 to provide an overview of the project, key issues, policy options, and the ARB’s recommendations.³ The PTC provided the following feedback to staff and consultants:

1. Commissioners supported transforming context-based design criteria into objective standards, to express the City's design values.
2. Commissioners supported reorganizing the code to reduce redundancies and make it easier to find regulations that apply to a parcel and make other subjective regulations objective.

¹ December 5, 2019 ARB Staff Report: <https://www.cityofpaloalto.org/civicax/filebank/documents/74248>, Minutes: <https://www.cityofpaloalto.org/civicax/filebank/documents/74670>, Video: <https://midpenmedia.org/architectural-review-board-74-1252019/>

² February 6, 2020 ARB Staff Report: <https://www.cityofpaloalto.org/civicax/filebank/documents/75075>, Minutes: <https://www.cityofpaloalto.org/civicax/filebank/documents/75703>, Video: <https://midpenmedia.org/architectural-review-board-74-262020/>

³ May 13, 2020 PTC Staff Report: <https://www.cityofpaloalto.org/civicax/filebank/documents/76583>, Minutes: <https://www.cityofpaloalto.org/civicax/filebank/documents/77132>, Video: <https://midpenmedia.org/planning-transportation-commission-63-5132020/>

3. Commissioners expressed mixed opinions about using graphics in the code: some really like graphics, others worried that they may lead applicants down a certain path.
4. Commissioners were generally interested in making changes to the overlay districts (AH, WH, PTOD) to be more streamlined (e.g., by right, if criteria are met), but were concerned about losing the opportunity for public input and Council review.
5. Commissioners shared a concern that new design standards could lead to projects looking the same throughout the city and across neighborhoods; also, that developers may always choose the same (least expensive option) in the menu of options.
6. Commissioners agreed that if an ARB/PTC joint subcommittee is too challenging, they would like to have a joint meeting with the ARB.
7. At least one commissioner expressed each of the following desires:
 - o to know what other cities are doing
 - o for more form-based code
 - o for more information about what the ARB thinks about this
 - o to ask former ARB members and/or local architects to review these draft standards (another PTC member specifically disagreed)(See Public comment section below)
 - o to standardize conditions of approval

ARB Subcommittee – Summer 2020 and January 2021

The ARB formed a subcommittee, composed of Board members Thompson and Hirsch, to workshop the draft standards. The ARB Subcommittee reviewed and provided written comments on preliminary versions of the standards. The Subcommittee also met with staff and consultants over a series of four video meetings to discuss and debate the format, organization, intent statements, graphics, and specific language of the draft standards.

ARB Study Sessions – October 15, 2020⁴, November 19, 2020⁵, and February 18, 2021⁶

The full ARB met in October and November 2020 to review the draft objective standards. They generally supported the structure of the draft ordinance; considered the applicability of the ordinance to different types of residential vs. commercial projects; debated several design details, menu of options' ideas, and specific measurements for individual design topics; and expressed a range of perspectives about draft zoning graphics.

The full ARB met most recently on February 18th to review the draft objective standards during a final study session. The ARB provided detailed direction about specific intent statements, standards, applicability, and graphics. The Board generally expressed concerns about the

⁴ October 15, 2020 Staff Report: <https://www.cityofpaloalto.org/civicax/filebank/blobdload.aspx?BlobID=78749>, Minutes: <https://www.cityofpaloalto.org/civicax/filebank/documents/79279>, Video: <https://midpenmedia.org/architectural-review-board-74-10152020/>

⁵ November 19, 2020 Staff Report: <https://www.cityofpaloalto.org/civicax/filebank/documents/79180>, Minutes: <https://www.cityofpaloalto.org/civicax/filebank/documents/79609>, Video: <https://midpenmedia.org/architectural-review-board-74-1152020-2/>

⁶ February 18, 2021 Staff Report: <https://www.cityofpaloalto.org/civicax/filebank/blobdload.aspx?BlobID=80252>, Video: <https://midpenmedia.org/architectural-review-board-2182021/>

prescriptive nature of the standards and at least one member asked to limit the use of the objective standards to only those required by the State (i.e., Housing Accountability Act projects). This issue is further discussed in the body of the report below.

Discussion & Analysis

This section is divided into three parts. Questions for the PTC's consideration are identified in italics within each section.

1. An overview of how the City currently regulates housing development projects and proposed changes to strengthen objective standards and streamline the review process.
2. The transformation of existing context-based design criteria into objective standards (summarizing the ARB's efforts to date)
3. Changes to development standards, performance standards, application processing, and legislative actions/overlays to make allow for objective standards.

1. Overview of Planning Regulations and Proposed Changes in Title 18

Table 1 identifies how the City currently regulates development, primarily through Zoning Ordinance regulations and the review process by staff and decision-makers. The first column identifies topics where City staff is looking for PTC feedback; these topics and focused questions are explored further in this report.

The second column summarizes the existing regulatory framework in eight parts. These existing regulations include standards and design criteria that apply to specific uses, standards that apply to individual zoning districts, and other regulations that apply to all uses. The table expresses whether regulations are generally objective standards or whether they are subjective criteria that may be used for projects undergoing discretionary review.

Table 1: Summary of Existing Framework of Regulations and Proposed Changes		
<i>For PTC Consideration</i>	<i>Existing Regulations & Process</i>	<i>Proposed Changes (if any)</i>
Yes	1. Context-Based Design Criteria (Primarily Subjective): Staff analyze projects for conformance with context-based design criteria applicable to the zoning district. The ARB makes recommendations for how to refine the project to better meet the intent of these criteria.	<ul style="list-style-type: none"> • Transform subjective context-based design criteria into objective standards. • Provide option for alternative compliance (i.e., architectural review, consistent with current practice).

The third column summarizes proposed changes to the first five of eight areas to strengthen objective standards and respond to State law. These proposed edits are described further in the remainder of the report.

Yes	2. Development Standards (Objective): Staff review projects for compliance with development standards, such as height, FAR, and open space to determine whether a project meets the development regulations for a specific zoning district (e.g., RM-40).	<ul style="list-style-type: none"> No substantive changes needed. Modest changes to height transitions to clarify language and applicability. Relocate open space and parking standards to reduce redundancies.
Yes	3. Other Applicable Regulations (Objective and Subjective): Staff review projects for compliance with other development regulations that are applicable to one or more districts, such as landscape screening, refuse storage, and lighting.	<ul style="list-style-type: none"> Strengthen performance standards (18.23) and broaden applicability to all project types and locations. Revise parking regulations (18.52 and 18.54) to remove inconsistencies and redundancies, and strengthen objective standards. Strengthen landscaping standards and bring up to date (18.40.130).
Yes	4. Legislative Action (Subjective): Projects seeking flexibility in development standards to build at higher densities and with added affordability may request zoning map changes. These actions require discretionary legislative action by both the PTC and City Council.	<ul style="list-style-type: none"> Transform legislative actions into objective criteria to create incentives for affordable housing. Changes proposed to the Affordable Housing (AH), Workforce Housing (WH). Consider changes to Pedestrian Transit Oriented Development (PTOD)
Yes	5. Board and Commission Review (Subjective): Projects are reviewed by boards and commissions for recommendation against subjective standards like the Architectural Review findings. Boards may recommend changes or conditions in order to make findings.	<ul style="list-style-type: none"> Housing projects qualifying for streamlined review may be presented to a board or commission for a non-binding review if streamlined timeframe permits.
No	6. Use Regulations (Objective): Staff review projects for compliance to determine whether a specific use is permitted, conditionally permitted, or not permitted in a zoning district.	<ul style="list-style-type: none"> No changes proposed; not discussed further in this report.
No	7. Conditions of Approval (Primarily Objective): Staff recommend conditions of approval that relate to local, regional, or State code requirements. However, staff or the ARB may apply additional project-specific conditions requiring a design change during ARB meetings.	<ul style="list-style-type: none"> No changes proposed at this time; not discussed further in this report. The City may want to consider adopting standard conditions of approval (e.g., nesting bird surveys) that are not regulated by Title 18.
No	8. ARB Findings (Subjective): Staff prepare draft architectural review findings. The ARB reviews staff's analysis and makes a recommendation to the Planning Director to take action.	<ul style="list-style-type: none"> New objective standards rooted in ARB findings. No changes proposed to findings; findings will continue to be used to review discretionary projects.

2. Detailed Changes to Context-Based Design Criteria (New Chapter 18.24: Design Standards)

Attachment #1 contains the draft objective standards and related graphics. Staff and consultants have revised the current Context-Based Design Criteria into a stand-alone set of objective standards which would be codified as Chapter 18.24. The Context-Based Design Criteria would be eliminated from the code with approval of these standards. The ARB findings would remain in Title 18.76. The ARB would continue to use these findings to evaluate projects that are undergoing discretionary review (e.g., 100% commercial projects, projects that do not comply with the Housing Accountability Act).

Applicability

This project primarily addresses multi-family housing and residential mixed-use projects and districts. Ground-floor commercial guidelines and standards are addressed insofar as retail is required as part of a mixed-use residential project.

A key question for the PTC is whether the objective design standards should only be applied to projects that meet the definition of a “housing development project” in the Housing Accountability Act? This would include: residential units; mixed-use developments (with at least two-thirds of the square footage designated for residential use), and transitional or supportive housing that meet objective standards. For at least some ARB members, this would provide for more narrow use of the standards and a streamlined path for projects that meet this threshold. At the same time, this would allow for a more flexible—but discretionary path—for all other types of projects, which continue to go through architectural review, just as they do today.

This potential review path acknowledges that State Law applies a high threshold for review and approval of Housing Accountability Act projects (i.e., denial is based on State law thresholds as opposed to the City’s findings) and provides a pathway for compliant projects. Projects that want to pursue more innovative designs or do not want to meet the objective standard for whatever reason could do so, subject to architectural review.

Chart 2 illustrates how the City, including the PTC, reviews different types of multifamily and mixed-use projects and suggests some potential changes (in red) for how this could be modified to allow for streamlined review:

- City Staff will continue to review all projects for completeness and review ministerial projects, such as SB35 projects.⁷ Using these objective standards, staff could also be the primary body to review Housing Accountability Act projects for objective standards compliance. This would include projects proposed under SB330, which are “housing development projects.”
- ARB will continue to review all projects that require architectural review, including 100% commercial projects, residential projects that are not compliant with the Housing Accountability Act and projects seeking additional density under the Housing Incentive

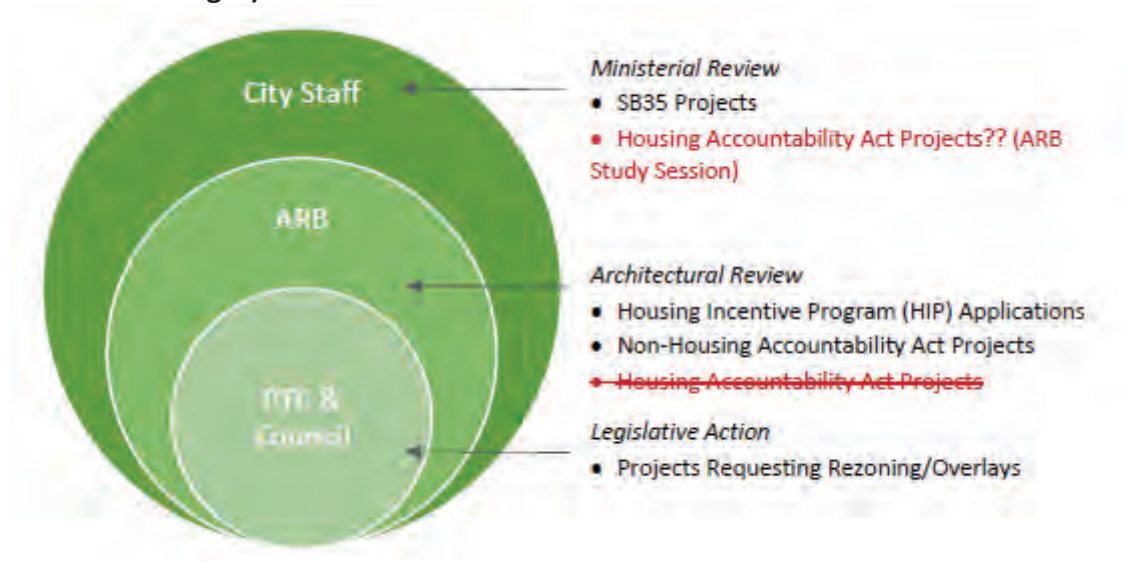
⁷ Other review bodies can review SB35 projects for compliance with objective standards and to provide advisory comments, if completed within the timeframe prescribed under State law.

Program (HIP). Housing Accountability Act projects could be subject to a non-binding hearing (i.e., study session).

- PTC and City Council will continue to review projects that require legislative actions (e.g., AH or WH overlay if unchanged, variances), tentative maps, and projects that are appealed.

Regardless of the level of review, all these project types will be evaluated for their compliance with objective standards.

Chart 2: Project Review Process for Multifamily & Mixed-Use Housing Projects (Existing + Potential Changes)



How should the City's advisory boards and commissions interact with Housing Accountability Act projects, for which subjective findings (like Architectural Review findings) cannot be a basis for denial?

Design Standards Ordinance Structure

Table 2 identifies the topical sections for the new Chapter 18.24. These topics can generally be categorized into three areas:

1. **Administration:** Describes the purpose and applicability of the design standards, including the relevant zoning districts, and defines terms that are specific to this chapter. Notably, commercial and other non-residential projects would only need to meet the intent statements within this chapter and are otherwise proposed to go through the existing review process.
2. **Site Design:** Identifies standards related to the interface between the building and public realm, including sidewalks, driveways, access, entries, and building orientation.

3. Building Design: Identifies standards related to the building itself, including bulk/massing, facades, entries, on-site open space, and materials.

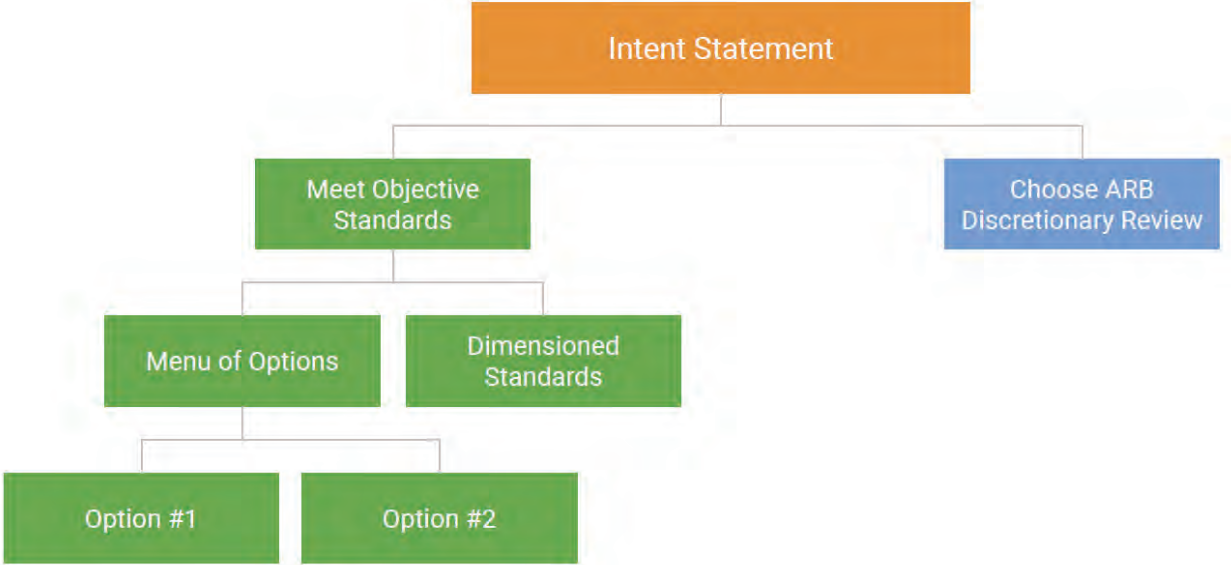
Table 2: Design Standards Organization, by Topic	
Category	Topic
Administration	18.24.010: Purpose and Applicability
Site Design	18.24.020: Public Realm/Sidewalk Character
	18.24.030: Site Access
	18.24.040: Building Orientation and Setbacks
Building Design	18.24.050: Building Massing
	18.24.060: Façade Design
	18.24.070: Residential Entries
	18.24.080: Open Space
	18.24.090: Materials
	18.24.100: Sustainability and Green Building

Each of the design topics above is broken into two sections: (1) an intent statement and (2) a set of objective standards.

1. The **intent statements** represent overarching guidelines for each topic, are subjective, and often include verbatim language from the Context-Based Design Criteria and/or ARB findings.
2. The **objective standards** are ratios, measurements, percentages, or otherwise clear criteria. Some standards are written as a menu of options, providing choices for how they may be met. Standards have been devised based on staff and consultant experience with designing and reviewing multifamily and residential mixed-use projects. If a project meets objective standards for a particular topic, the project automatically meets the intent statement for that section.

Based on feedback from the ARB and ARB Subcommittee, the proposed design standards aim to strike a balance between prescriptiveness and flexibility. The objective design standards are intended to lead to buildings with good design principles and an acceptable level of articulation and detail. However, because these standards are objective, they cannot anticipate all different types of buildings and unique architectural designs. Therefore, draft Chapter 18.24 also includes an alternate path for compliance. These two paths toward compliance are identified in Chart 3.

Chart 3: Two Paths of Compliance: Objective and Discretionary



If architects/applicants do not want to meet or cannot meet the objective standard—for whatever reason—they may instead choose to meet the “intent statement.” In choosing this path, the applicant is choosing to undergo ARB discretionary review. The ARB then makes the determination as to whether the proposed project meets the intent of the code section. This process will be very similar to the ARB’s role in architectural review today, but with the (similar) subjective criteria of the intent statements serving as the basis for review rather than the Context-Based Design Criteria. Notably, if a project chooses the discretionary path, it is no longer meeting objective standards and therefore would not be compliant with the Housing Accountability Act, based on the City’s interpretation of the law.

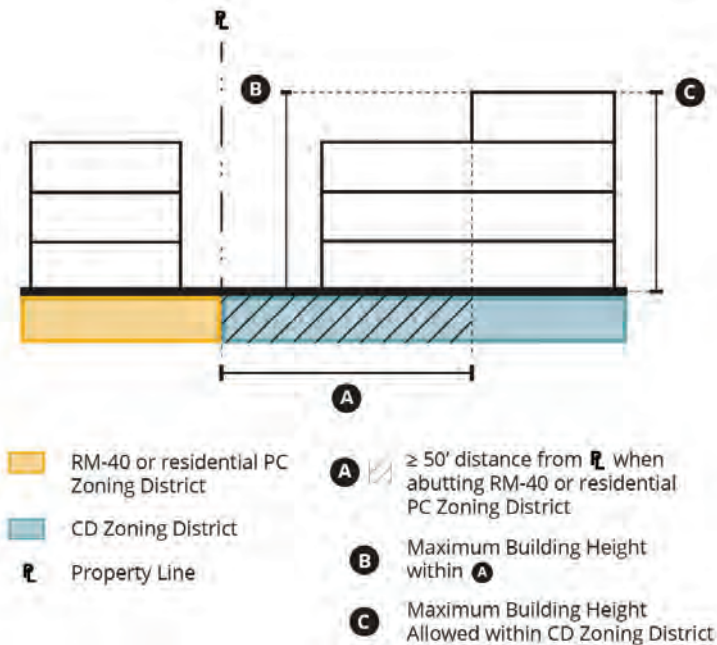
3. Other Code Updates to Support Objective Standards

In addition to design standards, City staff propose other updates to Title 18 to strengthen objective standards and streamline housing approvals, consistent with the goals of the SB2 funding. Key changes are categorized and summarized below and detailed in Attachment #2, which represents a redlined version of selected chapters of Title 18. Table 3 further identifies changes by zoning district.

Development Standards: Within each zoning district that allows multi-family housing, City staff recommend modifications. These would transform subjective development standards and district regulations into objective standards, remove redundancies, and clarify standards that have been historically confusing to staff, applicants and decision-makers. Proposed changes do not have a substantive effect on building envelope.

One notable change in Zoning Code Chapters 18.16 (CN, CC, CS zones) and 18.18 (CD zone) is to clarify how the height transition is applied when a site is adjacent to a lower density residential district. Currently, height transition standards across most districts require reduced heights within 50 feet of a property line when a commercial-zoned site is within 150 feet of a residential zoning district. This standard has never been clear to City staff or applicants. The revised standard clarifies the original intent: that only the portion of the building within 50 feet of the applicable lower density residential zone must have a reduced height limit. This is intended to provide visual relief, and access to light and air. Chart 4 illustrates this concept for the CD zoning district.

Chart 4: Clarification of Height Transition (Example for CD Zoning District)



Performance Standards: Performance standards in Chapter 18.23 were originally conceived to address potential colocation impacts between residential and non-residential uses. However, this code section has been revised over time and has been interpreted to apply to all types of projects, regardless of adjacency. As a result, this section has been a source of confusion for City staff and applicants. To clarify applicability and streamline requirements, staff propose to eliminate the catch-all 18.23 Performance Standards chapter and move those standards into more relevant code locations, as summarized in Table 3.

Staff propose revisions to strengthen objective standards for lighting and screening. Additionally, staff propose to bring these up to date with current zero waste and stormwater management practices, based on feedback from City staff in several departments.

Table 3: Dispersing Performance Standards into Relevant Chapters		
Topic	Existing Location	Proposed Location

Table 3: Dispersing Performance Standards into Relevant Chapters		
<i>Topic</i>	<i>Existing Location</i>	<i>Proposed Location</i>
Refuse Disposal Areas	18.23.020 Refuse Disposal Areas	18.40 (General Standard and Exceptions)
Lighting	18.23.030 Lighting	18.40 (General Standard and Exceptions)
Late Night Uses and Activities	18.23.040 Late Night Uses and Activities	18.42 (Standards for Special Uses)
Visual, Screening and Landscaping	18.23.050 Visual, Screening and Landscaping	18.40 (General Standard and Exceptions)
Noise and Vibration	18.23.060 Noise and Vibration	18.42 (Standards for Special Uses)
Parking	18.23.070 Parking	18.54 (Parking Facility Design Standards)
Vehicular, Pedestrian, and Bicycle Site Access	18.23.080 Vehicular, Pedestrian, and Bicycle Site Access	18.54 (Parking Facility Design Standards)

Legislative Actions: Title 18 offers flexible development standards to facilitate multi-family residential and affordable housing projects, but requires legislative action in order for projects to access these standards. The legislative action adds time, expense, and uncertainty to the development process. Specifically, the Workforce Housing (WH), Affordable Housing (AH), and Pedestrian Transit Oriented Development (PTOD) combining overlays require action by the PTC and City Council prior to architectural review of development proposed for a specific site.

In contrast, the Housing Incentive Program (HIP) process allows more density/FAR without rezoning. Housing achievable under these overlays represent the very types of uses—housing affordable to low- and moderate-income households, and housing near transit—the City has expressed a desire to facilitate in the Housing Work Plan and other policy documents.

Attachment #3 compares the development standards that are achievable under the PTOD vs. HIP to understand why a developer might have an incentive to pursue one path over another. The HIP allows for higher FAR, does not limit residential densities, and only requires ARB review. In comparison, the PTOD allows lower FARs, limits residential density, has a higher open space requirement, and requires review by the ARB, PTC, and City Council. It is unlikely that an applicant would choose the PTOD overlay path if they had a choice. Notably, while sites along El Camino Real and California Avenue are eligible for the HIP, there are sites in the greater California Avenue that are only eligible for the PTOD overlay.

The PTC discussed this topic during its May 2020 study session and recommended that staff and consultants continue to pursue the idea. The PTC expressed a desire to retain opportunities for public review, but also to streamline the process for affordable housing and other desired project types. Draft edits in Attachment #2 would convert the AH and WH overlay criteria into

objective standards and allow the standards to apply certain project types that meet specific criteria without legislative action (e.g., affordable projects that meet objective standards). Projects could still undergo review by the ARB, either the typical architectural review process or a non-binding hearing.

Should the objective standards and SB2 streamlining project address legislative actions (e.g., AH and WH combining districts) so that a legislative approval is not required for projects that meet the affordability thresholds?

Summary: Table 4 summarizes key changes to zoning districts and other code sections, as described in this report and redlined/annotated in Attachment #2.

Table 4: Summary of Proposed Zoning Changes, by Chapter		
Ch. #	Chapter Title	Summary of Proposed Changes
18.13	Multiple Family Residential (RM-20, RM-30 and RM-40) Districts	<ul style="list-style-type: none"> • Replace discretionary setbacks with objective setback standard • Relocate open space design standards to new 18.24 Design Standards; include cross-reference • Replace Context-Based Design Criteria with new 18.24 Design Standards; include cross-reference
18.16	Neighborhood, Community, and Service Commercial (CN, CC and CS) Districts	<ul style="list-style-type: none"> • Clarify height transition when adjacent to lower density residential district • Relocate open space design standards to new 18.24 Design Standards; include cross-reference • Consolidate recycling storage standards with 18.23.020: Refuse Disposal Areas and move to new section in 18.40: General Standards • Replace Context-Based Design Criteria with new 18.24 Design Standards; include cross-reference
18.18	Downtown Commercial (CD) District	<ul style="list-style-type: none"> • Clarify height transition when adjacent to lower density residential district • Relocate open space design standards to new 18.24 Design Standards; include cross-reference • Consolidate recycling storage standards with 18.23.020: Refuse Disposal Areas and move to new section in 18.40: General Standards • Replace Context-Based Design Criteria with new 18.24 Design Standards; include cross-reference • Remove redundant parking and loading section; keep parking standards in 18.52

Table 4: Summary of Proposed Zoning Changes, by Chapter		
Ch. #	Chapter Title	Summary of Proposed Changes
18.20	Office, Research, and Manufacturing (MOR, ROLM, RP and GM) Districts	<ul style="list-style-type: none"> • Clarify height transition when adjacent to lower density residential district • Consolidate recycling storage standards with 18.23.020: Refuse Disposal Areas and move to new section in 18.40: General Standards
18.23	Performance Criteria for Multiple Family Commercial, Manufacturing and Planned Community Districts	<ul style="list-style-type: none"> • Strengthen objective standards • Apply performance criteria to all projects, regardless of use or adjacency to residential • Relocate standards, as shown in Table 2
18.30(J)	Affordable Housing (AH) Overlay District	<ul style="list-style-type: none"> • Clarify height transition when adjacent to lower density residential district • Revise combining district into by-right overlay for projects consistent with objective standards • Allow a non-binding hearing with the ARB, but not legislative approval by the PTC or Council (TBD)
18.30(K)	Workforce Housing (WH) Overlay District	<ul style="list-style-type: none"> • Clarify height transition when adjacent to lower density residential district • Revise combining district into by-right overlay for projects consistent with objective standards • Allow a non-binding hearing with the ARB, but not legislative approval by the PTC or Council (TBD) • Expand districts beyond PF? (TBD)
18.34	Pedestrian and Transit Oriented Development (PTOD) Combining District	<ul style="list-style-type: none"> • Combine district with HIP? (TBD) • Replace Context-Based Design Criteria with new 18.24 Design Standards; include cross-reference
18.52	Parking and Loading Requirements (to be included in a future draft)	<ul style="list-style-type: none"> • Remove inconsistencies and redundancies • Add objective standard for off-site parking distance
18.54	Parking Facility Design Standards	<ul style="list-style-type: none"> • Strengthen objective standards for parking and loading in site planning to avoid conflicts and push parking to rear of sites • Allow mechanical parking lifts by right (instead of by approval of the City Council or Planning Director) to streamline review and acknowledge their prevalence • Remove inconsistencies and redundancies
18.76	Permits and Approvals	<ul style="list-style-type: none"> • Clarify that state streamlining projects are not subject to typical architectural review process

Table 4: Summary of Proposed Zoning Changes, by Chapter		
Ch. #	Chapter Title	Summary of Proposed Changes
18.77	Processing of Permits and Approvals	<ul style="list-style-type: none"> • Create a new process for state streamlining projects.

Environmental Review

The ordinance revisions represent implementation of adopted plans and policy. Therefore, the revisions are exempt under CEQA and/or covered by the CEQA documents prepared for the Comprehensive Plan. The project aims to facilitate implementation of State law. The project does not propose to increase development beyond what was analyzed in the Comprehensive Plan.

Public Notification, Outreach & Comments

The Palo Alto Municipal Code does not require noticing of study sessions; however, this item was published in a local paper, *Daily Post*, on February 26, 2021, which is 12 days in advance of the meeting.

Public Comments

On January 22, 2021 staff sent an email to a wide range of architect and consultants that have worked with the City in the recent past on development projects to solicit comments on the draft objective standards. Of the 30 stakeholders emailed, five people provided feedback. These comments are summarized below and included in their entirety in Attachment #4.

1. Elaine Uang provided detailed comments, including recommendations to provide more flexibility for different sized lots and lot configurations, and different locations.
2. Ken Hayes provided a link to a journal entry he prepared regarding how municipalities regulate and apply design standards.
3. Rick Gosalvez, SV@Home, asked to be added to our project mailing list
4. Heather Young expressed concern that the objective standards do not account for context and site conditions, that dimensional requirements would not work in certain instances, and that the resulting designs may not be desirable.
5. Elaine Breeze, SummerHill, questioned the applicability of the proposed standards to lower density housing types, specifically townhomes, and expressed a desire for alternative compliance, if standards cannot be met..

On February 18th, Chris Wuthmann (from Stanford University Real Estate) addressed the ARB regarding the objective standards; the comments regarded:

- (1) the relationship of the standards to subdivisions (to enable the creation of new contextual references),
- (2) a need to create an option within alternative compliance for demonstrable cost saving elements, including pre-fabricated and modular construction, as a legitimate consideration where the affordability of a project exceeds inclusionary requirements, and

- (3) recognition that new ways of living (post Covid) create a need for adapting building and site plan standards to create necessary areas for safe work spaces in outdoor environments and drop offs located outside of the public rights of way.

Additional written comments received after the February 18th ARB meeting will provided to the PTC for consideration.

Next Steps

City staff and consultants will incorporate the PTC's comments into the draft ordinance and return to the Commission in April for approval. In lieu of a joint meeting between the ARB and PTC, the Chair of the ARB and member of the ARB Subcommittee will attend the PTC's March 10th meeting in order to convey her perspective on the process and draft ordinance.

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PTC⁸ Liaison & Contact Information

Rachael Tanner, Assistant Director
(650) 329-2167

Attachments:

- Attachment A: 18.24 Objective Design Standards 03-03-21 (PDF)
- Attachment B: Revisions to Other Sections of Title (DOCX)
- Attachment C: PTOD vs HIP Comparison Table (PDF)
- Attachment D: Public Comment (PDF)

⁸ Emails may be sent directly to the PTC using the following address: planning.commission@cityofpaloalto.org

Chapter 18.24 Context-Based Design Standards

WORKING DRAFT FOR ARB & PTC REVIEW

March 3, 2021

Preface

This document outlines the topics and potential design standards and guidelines for a new Chapter (18.24) of the Palo Alto Zoning Ordinance. This draft chapter represents a rewrite of the Palo Alto Context-Based Design Criteria and other parts of Title 18 as objective standards. The draft standards are based on the specific language of the existing design criteria, but reorganizes the content into subtopics identified below. The objective standards project aims to transform subjective design criteria into reasonable, objective design standards that support the City’s priorities for design and development.

Table of Contents

- 18.24.010 Purpose and Applicability 1
- 18.24.020 Public Realm/Sidewalk Character 2
- 18.24.030 Site Access 4
- 18.24.040 Building Orientation and Setbacks..... 5
- 18.24.050 Building Massing 11
- 18.24.060 Façade Design..... 14
- 18.24.070 Residential Entries 24
- 18.24.080 Open Space..... 28
- 18.24.090 Materials 30
- 18.24.100 Sustainability and Green Building Design..... 31

18.24.010 Purpose and Applicability

(A) Purpose

- (i) The purpose of the Context-Based Design Standards is to provide guidance for good design in the form of “intent statements” for all project types and objective design standards for multifamily and residential mixed-use development projects that qualify as Residential Development Projects under the Housing Accountability Act. Diagrams are provided for illustrative purposes only and are not intended to convey required architectural style.

(B) Applicability of Regulations

- (i) Within the following zones and combining districts, the intent statements apply to all project types (including non-residential projects), new construction, and renovations; additionally, objective design standards apply to new residential construction projects that meet the definition of “housing development projects” under Government Code 69988.5(h)(2) (the Housing Accountability Act), such as multifamily housing with three or more units and residential mixed-use projects with up to two-thirds residential square feet:
 - (a) 18.13: RM-20, RM-30, RM-40
 - (b) 18.16: CN, CC, CC(2), CS
 - (c) 18.18: CD-C, CD-S, CD-N
 - (d) 18.20: MOR, ROLM, ROLM(E), RP, RP(5), GM
 - (e) 18.30: AH or WH combining district
 - (f) 18.34: PTOD

Public art is subject to Chapter 16.61 and exempt from these requirements.

(C) Process and Alternative Compliance

Each section of this chapter includes an intent statement that gives guidance for all applicable projects, regardless of use.

Residential and mixed-use residential projects are generally required to comply with objective standards; however, applicants may choose to forgo one or more objective standards and instead meet the spirit of the relevant intent statements. Such requests will be reviewed and approved by the Director of Planning and Development Services or City Council, which may include a recommendation by the Architectural Review Board depending on the level of review required by Chapter 18.76.

Non-residential projects shall meet the intent statements. Compliance with the relevant intent statements will be reviewed and approved by the Director of Planning and Development Services or City Council, which may include a recommendation by the Architectural Review Board depending on the level of review required by Chapter 18.76.

(D) Definitions

In addition to definitions identified in Chapter 18.04, the following definitions are specific to this chapter.

- (i) **Primary Building Frontage:** The front lot line or frontage along the public right-of-way. In the case of a through-lot, the primary building frontage could be on either public right-of-way.
- (ii) **Primary Building Entry:** The entrance leading to a lobby and/or accessed from the primary building frontage.
- (iii) **Pedestrian Walkway:** A sidewalk or path that is publicly-accessible and connects from a public right-of-way to another public right-of-way or publicly accessible open space.
- (iv) **Façade Modulation:** A change in building plane, either a recess or a projection, that changes shape of the exterior massing of the building.

18.24.020 Public Realm/Sidewalk Character

(A) Intent

To create an attractive and safe public realm and sidewalk space for pedestrians and cyclists through the implementation of design, landscaping, and infrastructure. Publicly accessible spaces and sidewalks should:

- Design the transition between the public and private realm through the coordination of amenities and materials, such as accent paving, tree wells, lighting and street furniture (e.g., benches, bicycle racks, trash receptacles, and news racks).
- Complement or match accent paving to existing designs in the Downtown and California Avenue business district.
- Provide sidewalk widths that accommodate landscaping, street trees, furniture, and pedestrian amenities; create a pleasant, desirable place to walk; provide shade; and enable comfortable pedestrian passage.
- Provide amenities, such as parking and repair equipment, for micromobility, such as bicycles and scooters.

(B) Streetscape

(i) Sidewalk Widths

(a) Public sidewalks abutting a development parcel in any commercial mixed-use district (CN, CS, CC, CC(2), CD-C, CD-S, CD-N, PTOD) shall have a minimum sidewalk width (curb to back of walk) of at least 10 feet. This standard may be met with a combination of pedestrian clear path and landscape and furniture strip (see Figure 1), as long as the pedestrian clear path is no less than 8 feet. If the existing public sidewalk does not meet the minimum standard, a publicly accessible extension of the sidewalk, with corresponding public access easement, shall be provided.

1. Notwithstanding the total dimension in subsection (a), the following streets/locations shall have a minimum sidewalk width as noted:

- a. Park Boulevard (South of Caltrain to Ventura): **TBD, per NVCAP**
- b. El Camino Real and San Antonio Road, west of Highway 101: 12 ft

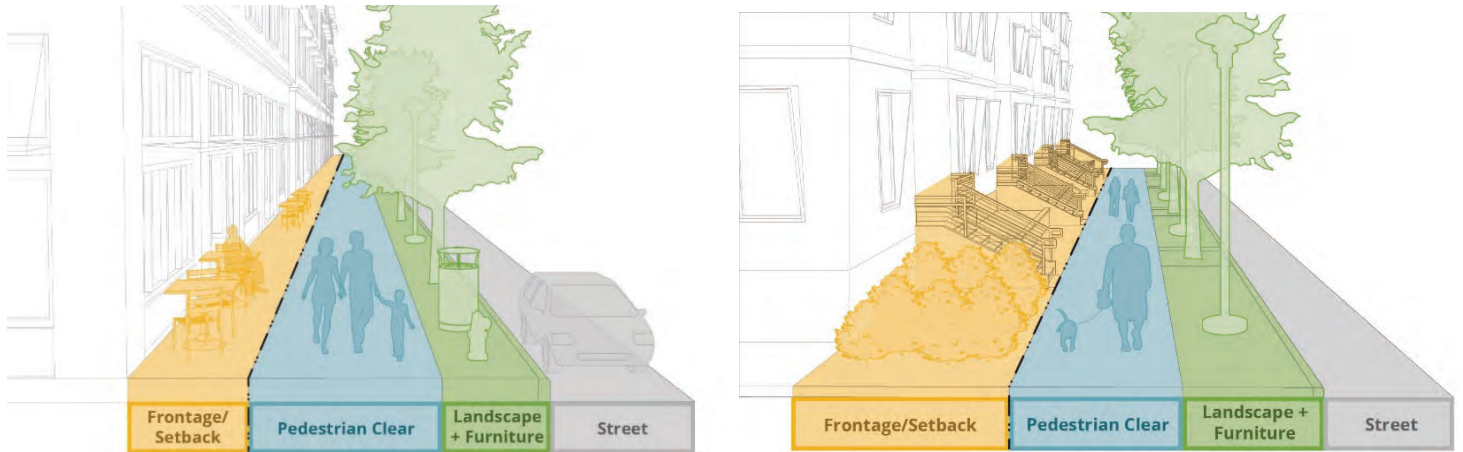
(b) Publicly accessible sidewalks or walkways connecting through a development parcel (e.g., on a through lot) shall have a minimum six-foot width.

(c) Pedestrian walkways that are designed to provide access to bicycles shall have a minimum width of eight feet, with two feet of clear space on either side.

(ii) Street Trees

(a) Sidewalks shall include at least one street tree, within six feet of the sidewalk, for every 30 feet of linear feet of sidewalk length. Rights of way under control of the County of Santa Clara or State of California, supersede this requirement if they have conflicting regulations.

Figure 1: Illustrative Sidewalk Section and Description of Zones



Mixed-Use Frontage

Residential Frontage

Frontage		Sidewalk		Street
Building Setback	Frontage Area	Pedestrian Clear Zone	Landscape/Furniture Zone	Vehicles/Bike Lanes
<i>Mixed-Use</i> <ul style="list-style-type: none"> • Sidewalk Dining • Outdoor Displays • Public Art • Seating • Trees/Planting 		<ul style="list-style-type: none"> • Sidewalk 	<ul style="list-style-type: none"> • Street Trees/Planting • Street Lighting • Seating • Bike Parking • Public Art • Outdoor Dining • Bus Shelters • Utilities (e.g., hydrants) 	<ul style="list-style-type: none"> • Street Parking • Bike Lanes • Drop-off Zones • Parklets • Bus Stops
<i>Residential</i> <ul style="list-style-type: none"> • Stoops • Porches • Front Yards • Trees/Planting 				

(iii) Accent Paving

(a) On University Avenue from Alma Street to Middlefield Road and on California Avenue from El Camino Real to Park Boulevard the following regulation applies:

1. Sidewalks and publicly accessible areas at intersections or fronting University Avenue or California Avenue shall match any existing accent paving design and materials, such as bricks or decorative glass.

(iv) Mobility Infrastructure

- (a) Micromobility infrastructure, such as locations to lock bicycles and scooters, shall be located within 30 feet of the primary building entry and/or a path leading to the primary building entry. This standard may be satisfied by existing infrastructure already located within 50 feet of the project site and located in the public right-of-way.
- (b) Primary building entries shall provide at least one seating area or bench within 30 feet of building entry and/or path leading to building entry. This standard may be satisfied by existing seating area or benches located in public right-of-way within 50 feet of the building entry. On arterials—except Downtown—seating areas or benches shall not be located between the sidewalk and curb. Arterial roadways are identified in Map T-5 of the Comprehensive Plan and do not include residential arterials.

18.24.030 Site Access

(A) Intent

To provide facilities and accommodations for pedestrians, vehicles, cyclists, and transit users to safely and efficiently access and circulate both within individual sites and in the site's surrounding context. Site access should include the following elements:

- Site circulation and access that presents a clear hierarchy and connectivity pattern both within a project and to adjacent sidewalks and transit stops. This hierarchy should prioritize pedestrians, bikes, vehicles, and utility/loading access in the order listed. This hierarchy may provide separate access for vehicles and other modes, or demonstrate how all modes are accommodated in shared access points.
- Connections to side streets, open spaces, mews, alleys, and paseos
- Vehicle, loading and service access that is integrated into building and landscape design and located to prevent conflicts with pedestrians and cyclists, while also provided convenient access to building entries.

(B) Through-Lot Connections

- (i) Through lots located more than 300 feet from an intersecting street or pedestrian walkway shall provide a publicly accessible sidewalk or pedestrian walkway connecting the two streets.

(C) Building Entries

- (i) Entries to Primary Building Entries shall be located from a public right-of-way or, if not possible, a publicly accessible Pedestrian Walkway.

(D) Vehicle Access

- (i) Vehicle access shall be located on alleys or side streets where available.

- (ii) Except for driveway access, off-street parking, off-street vehicle loading, and vehicular circulation areas are prohibited between the building and the primary building frontage.

(E) Loading Docks and Service Areas

- (i) Loading and service areas shall be integrated into building and landscape design and located to minimize impact on the pedestrian experience as follows:
- (a) Loading docks and service areas shall be located on facades other than the primary building frontage, on alleys, from parking areas, and/or at the rear or side of building if building includes these frontages. When only primary building frontage is available, loading docks and service areas shall be recessed a minimum five feet from the primary façade and shall be screened in accordance with Chapter 18.23.050.
- (b) Loading dock and service areas located within setback areas shall be screened in accordance with Chapter 18.23.050 and separated from pedestrian access to the primary building entry to avoid impeding pedestrian movement and safety.

18.24.040 Building Orientation and Setbacks

(A) Intent

To create a coherent and active interface between private development and the public realm that contributes to the sense of place and structure of the neighborhood and enhances the public's experience. Site design that responds to the orientation of adjacent uses and creates opportunities for landscaping and usable open space. Buildings and site design should meet the following criteria:

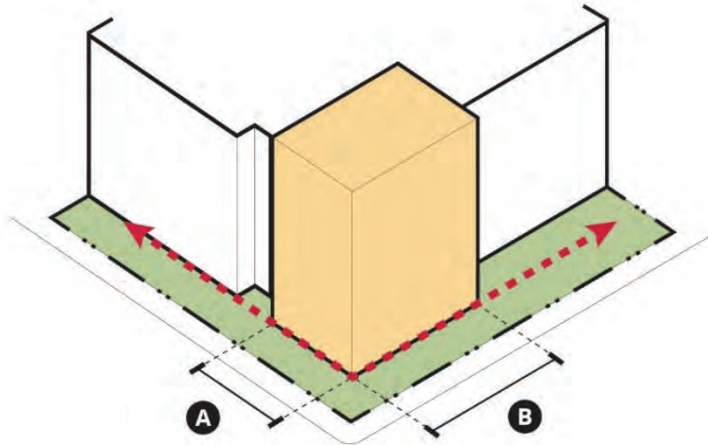
- Buildings that create a contiguous street wall that are compatible with nearby buildings and land uses.
- Placement and orientation of doorways, windows, stoops, and landscape elements to create a direct relationship with the street.
- Ground floor residential units that have direct entry and presence on the street, and maintain privacy
- Transitional spaces and buffer areas between buildings, parcels, and sites through building setbacks that distinguish private and public spaces.
- Buildings that provide side and rear setbacks and/or upper story step backs to create a compatible relationship with adjacent lower density residential development.
- Landscaped or usable areas that contain a balance between landscape and hardscape.
- Optimized building orientation for thermal comfort, shading, daylighting, and natural ventilation and other forms of passive design.

(B) Building Orientation

(i) Treatment of Corner Buildings

(a) Corner buildings greater than 40 feet in height shall include one of the following special features:

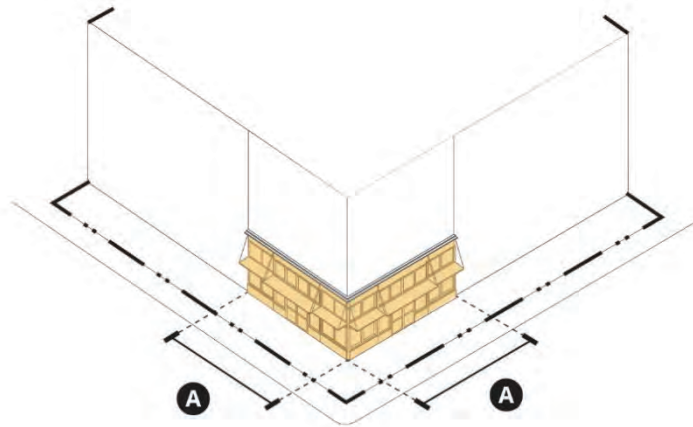
1. Street wall shall be located at the minimum front yard setback or build-to line for a minimum aggregated length of 40 feet in length on both facades meeting at the corner and shall include one or more of the following building features:



- A** Length 1 of corner element ■ Front yard setback area
- B** Length 2 of corner element - - - Build to line

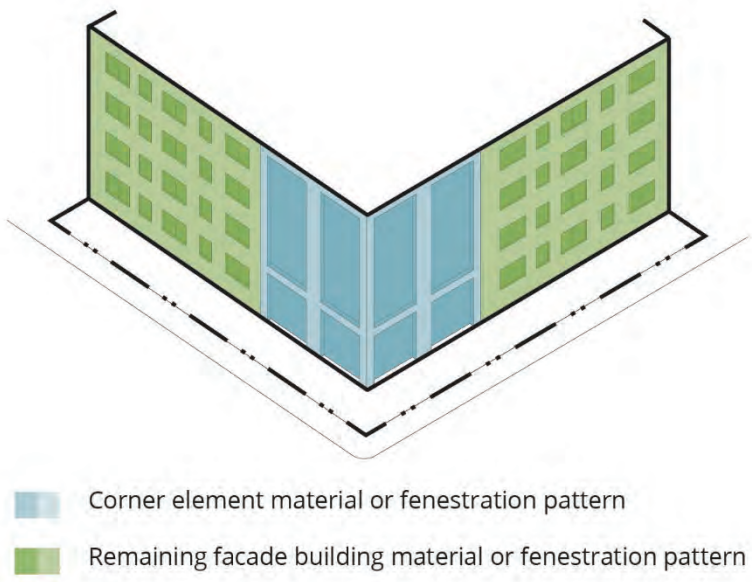
where: **A** + **B** ≥ 40'

- a. An entry to ground floor retail or primary building entrance located within 25 feet of the corner of the building

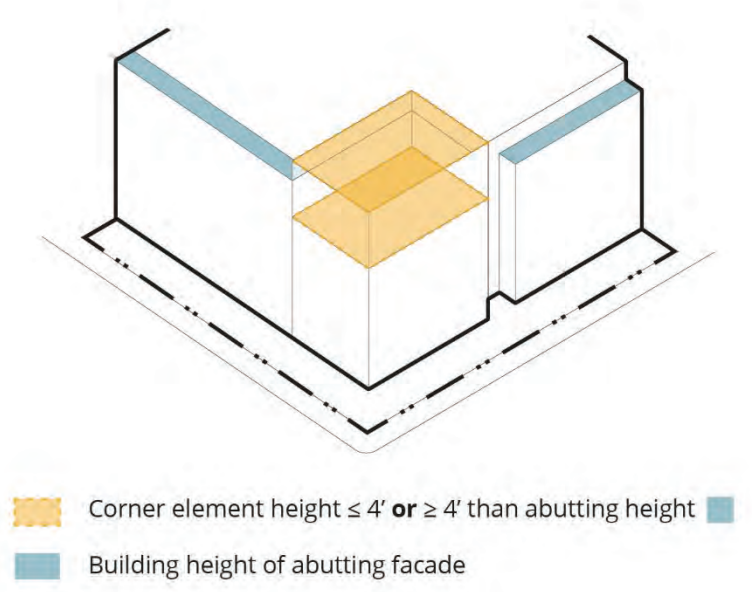


- Corner entry to ground floor retail or primary building entrance
- A** 25' maximum distance from corner

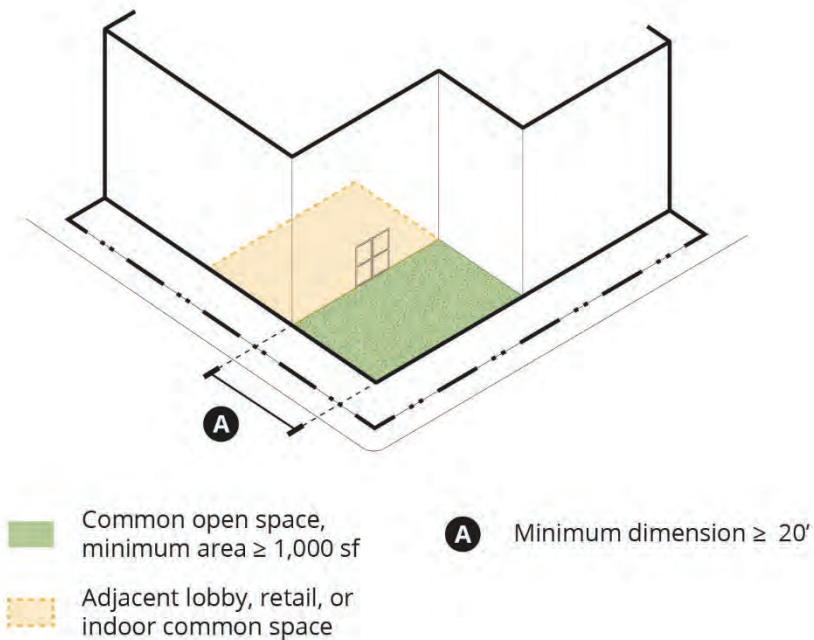
b. A different material application and fenestration pattern from the rest of the façade.



c. A change in height of at least 4 feet greater or less than the height of the abutting primary façade.



2. An open space with a minimum dimension of 20 feet and minimum area of 500 square feet. The open space shall be one of the following:
 - a. A publicly accessible open space/plaza
 - b. A space used for outdoor seating for public dining
 - c. A residential Common Open Space adjacent to a common interior space and less than two feet above adjacent sidewalk grade. Fences and railing shall be a minimum 50% transparent.



(ii) Primary Building Entry

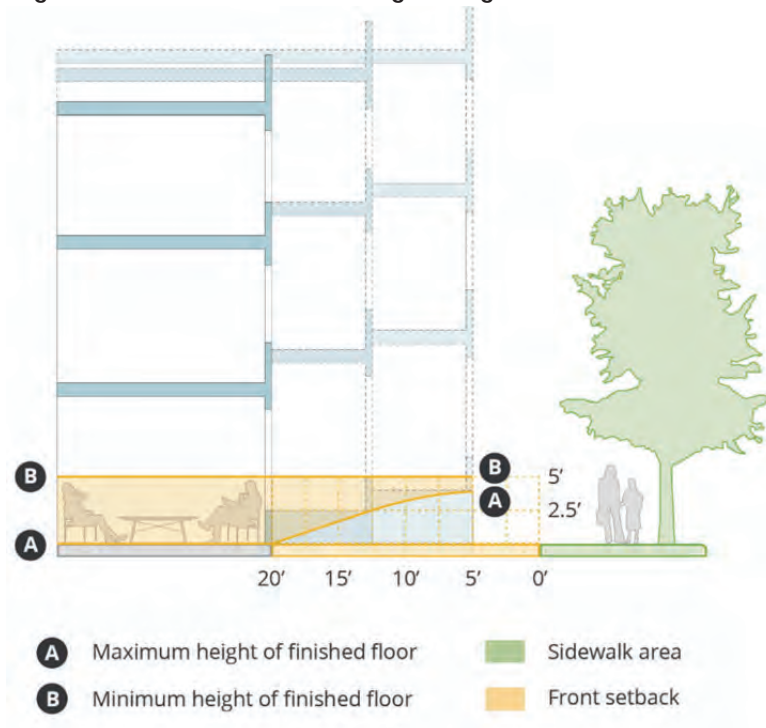
- (a) The primary building entry shall meet one of the following standards:
 1. Face a public right-of-way.
 2. Be visible from a public right-of-way through a forecourt or front porch that meets the following standards:
 - a. For residential buildings with fewer than seven units, building entry forecourts or front porches shall be a minimum area of 36 square feet and minimum dimension of six feet.
 - b. For commercial buildings or residential buildings with seven or more units, building entry forecourts or front porches shall be a minimum of 100 square feet and a minimum width of 8 feet.

(iii) Ground Floor Residential Units

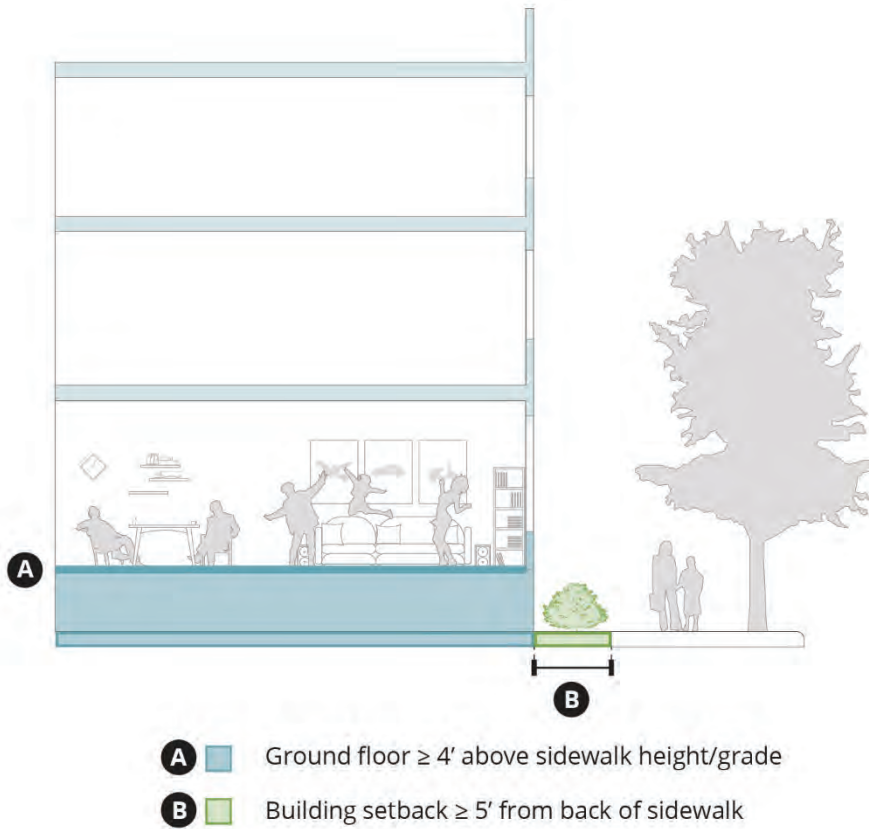
- (a) The finished floor of ground floor residential units shall be within the minimum and maximum heights according to setback distance from back of walk identified in Figure 2. On sites with a cross slope greater than 2% along a building facade, the average height of the finished floor and back of walk shall be used.

- (b) Ground floor units with a setback greater than 15 feet shall have at minimum an average of one tree per 40 linear feet of façade located in the building set back.
- (c) Ground floor residential entries shall be setback a minimum of 10 feet from the back of sidewalk.
- (d) Where no minimum building set back is required, all residential units shall be set back a minimum 5 feet from back of walk.
- (e) A minimum of 80% of the ground floor residential units that face a public right-of-way or publicly accessible path, or open space shall have a unit entry with direct access to the sidewalk, path, or open space. (Senior units or other deed-restricted units for special populations are exempt)

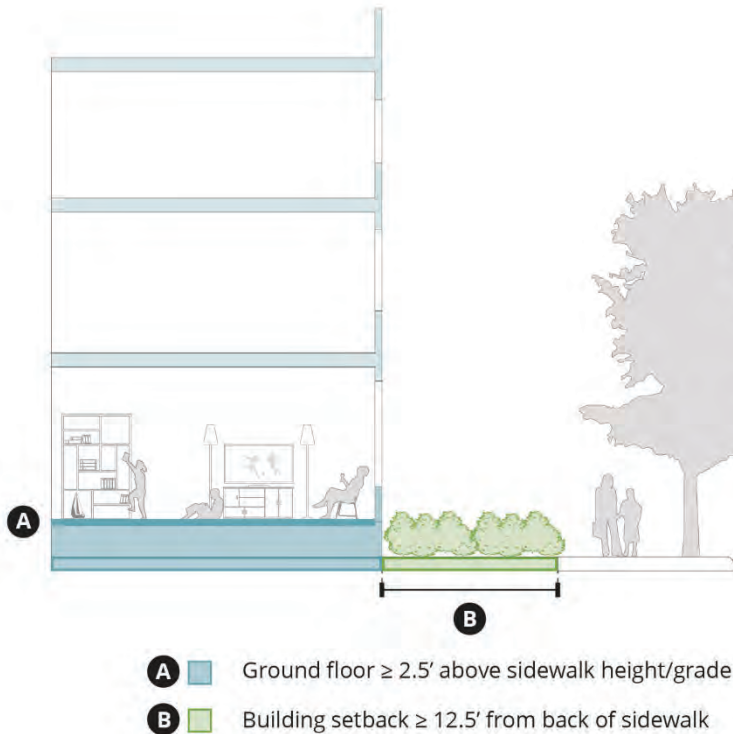
Figure 2: Finished Floor range for ground floor residential units.



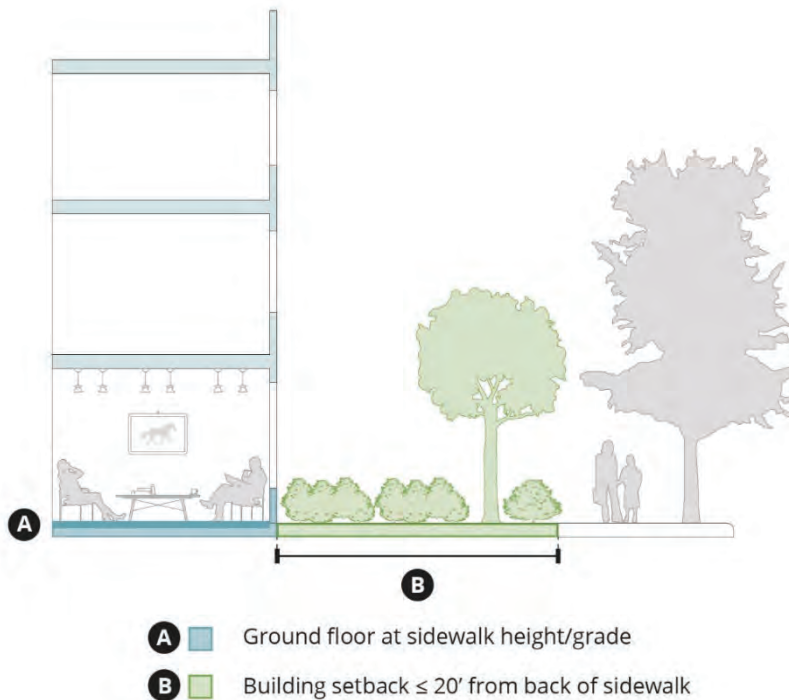
Example 1: Finished floor height greater than 4 feet above sidewalk grade.



Example 2: Finished floor height in the middle of the range.



Example 3: Finished floor height at sidewalk grade.



(C) Front Yard Setback Character

- (i) Required setbacks shall provide a hardscape and/or landscaped area to create a transition between public and private space. The following standards apply, based on intended use and exclusive of areas devoted to outdoor seating, front porches, door swing of building entries, and publicly accessible open space:
 - (a) Ground-floor retail or retail-like uses shall have a minimum of 10% of the required setback as landscaped area or planters.
 - (b) Ground-floor residential uses shall have a minimum of 60% landscaped area in the required setback area.

18.24.050 Building Massing

(A) Intent

To create buildings that are compatible with and enhance the surrounding area through the consideration of building scale, massing, and bulk. Massing should create a human-scale environment that is of high aesthetic quality and accommodates a variety of uses and design features. Building massing should include elements that:

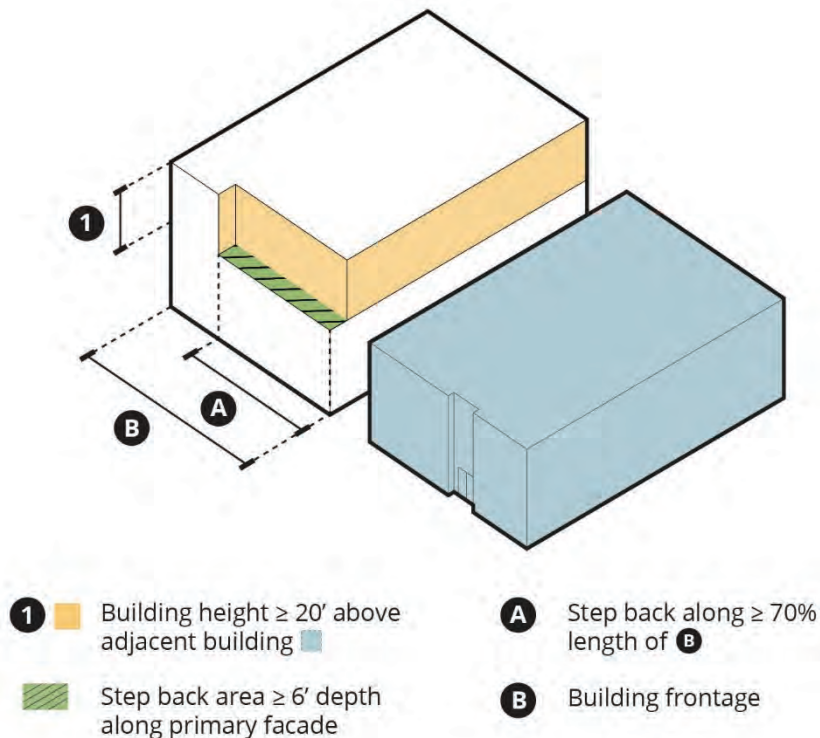
- Break down large building facades and massing to create a human-scaled building that enhances the context of the site

- Are consistent in scale, mass and character to adjacent land uses and land use designations
- Reinforce the definition and importance of the street
- Provide rooflines and massing that emphasize and accentuate significant elements of the building such as entries, bays, and balconies, and shading elements where appropriate.
- Provide harmonious transitions between adjacent properties

(B) Contextual Massing

(i) Upper Floor Step Backs

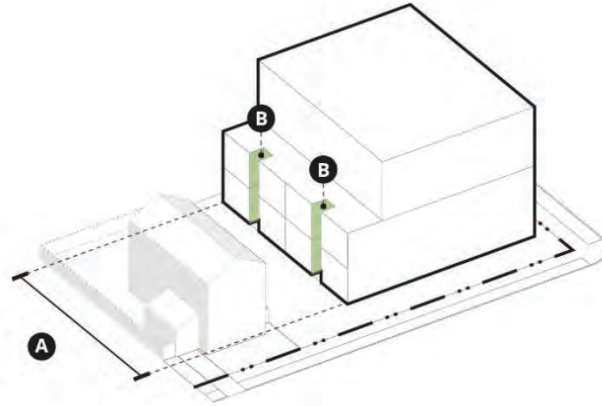
- (a) When the height of the subject building is more than 20 feet above the average height (i.e., average of low and high roof elevations) of an adjacent building, an upper floor step back shall start within 2 vertical feet of the height of the adjacent building. The step back shall be a minimum depth of six feet along the primary building frontage, and the step shall occur for a minimum of 70% of the façade length.
- (b) Notwithstanding, subsection (a), when adjacent to a single-story building, the upper floor step back shall occur between 33 and 37 feet in height.



(ii) Transition to Lower Density Building Types

- (a) When a building abuts a side and/or rear property line with a RE, RMD, R-1, or R-2 zoned parcel or a village residential or existing single-family residential use, the building shall break down the abutting façade by meeting all of the following standards:

1. A landscape screen that includes a row of trees with a minimum 1 tree per 30 linear feet and continuous shrubbery planting. This screening plant material shall be a minimum 72 inches (6 feet) in height when planted. Required trees shall be minimum 24" box size.
2. A minimum façade break of six feet in width and six feet in depth for every 36 to 40 feet of façade length.



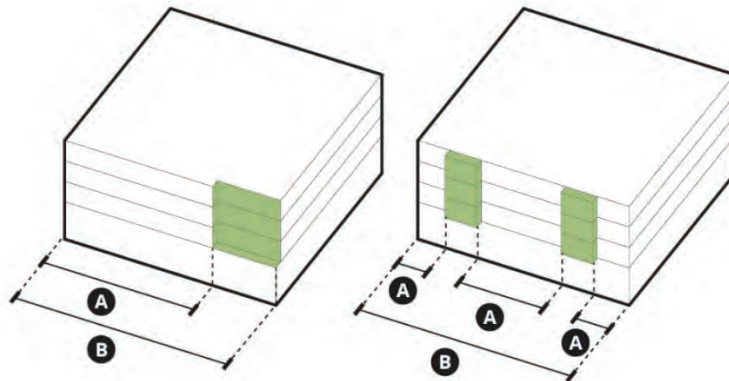
A Building facade \geq 40' **B** 6' wide, 6' deep break

3. Within 40 feet of an abutting structure, no more than 15% of the confronting façade area shall be windows or other glazing. Additional windows are allowed in order to maintain light, if they are fixed and fully obscured.

(C) Maximum Façade Length

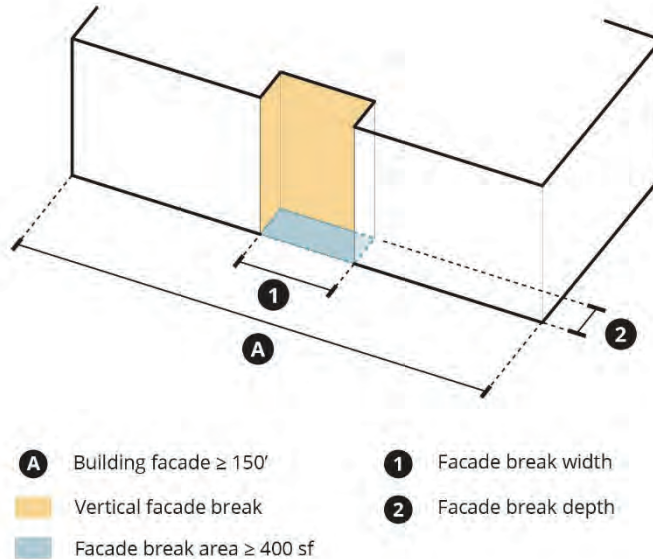
(i) Significant Breaks

- (a) For portions of a building facade facing a public street, right-of-way, or publicly accessible path, any building greater than 25 feet in height and 70 feet in length shall not have a continuous façade plane greater than 70% of the façade length without an upper floor modulation, which can include bay windows. Upper floor façade modulations shall be a minimum 4 feet in depth, which can be a recess or a projection.



A Non-continuous building facade \leq 70% length of **B** **B** Building length
 Green shaded area: Upper floor above 25' with modulation \geq 4' in depth

- (b) Buildings greater than 150 feet in length, which face a public street, right-of-way, or publicly accessible path, shall have at least one vertical façade break with a minimum area greater than 400 square feet and a width greater than or equal to two times the depth.



(D) Special Conditions

(i) Railroad Frontages

- (a) All parcels with lot lines abutting railroad rights-of-way shall meet the following standards on the railroad-abutting facade:
1. A minimum facade break of at least 10 feet in width and six feet in depth for every 60 feet of façade length.
 2. For portion of a building 20 feet or greater in height, a maximum continuous façade length shall not exceed 60 feet.

18.24.060 Façade Design

(A) Intent

To create cohesive and well-crafted building facades with human-scaled details that incorporate textures, colors, and other details that are compatible with and enhance the surrounding area. Facades should include the following elements:

- Human-scaled detail, articulation, and craftsmanship
- Quality of construction, craftsmanship, and design to create long lasting buildings
- Expression of a human-scaled façade rhythm and pattern that reflects the building's use
- Fenestration that enhances the architectural character of the building
- Defined building entry that is proportional to the building and number of people served

- Articulation of the building shall break down the scale of the building via building modulation, façade articulation, and variation of fenestration and material patterns.

(B) Application

- All facades shall meet all the required design standards and guidelines to ensure the same level of care and integrity throughout the building design.
- Façade sidewalls located along a zero-lot line where, at time of approval are not visible from a right-of-way, are exempt.
- Façade sidewalls located along a zero-lot line, where at time of approval are visible from a right-of-way, shall continue color, material, and pattern of the main façade.

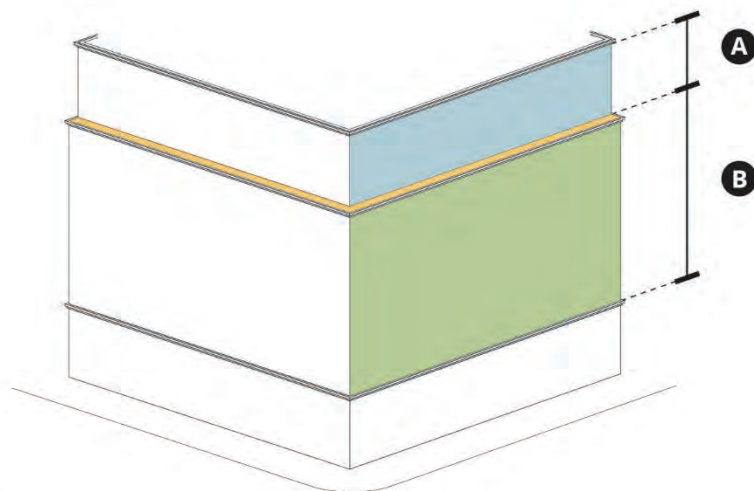
(C) Human Scaled Architecture

(i) Base/Middle/Top

- Buildings three stories or taller on lots wider than 50 feet shall be designed to differentiate a defined base or ground floor, a middle or body, and a top, cornice, or parapet cap. Each of these elements shall be distinguished from one another for a minimum of 80% of the façade length through use of two or more of the following four techniques:

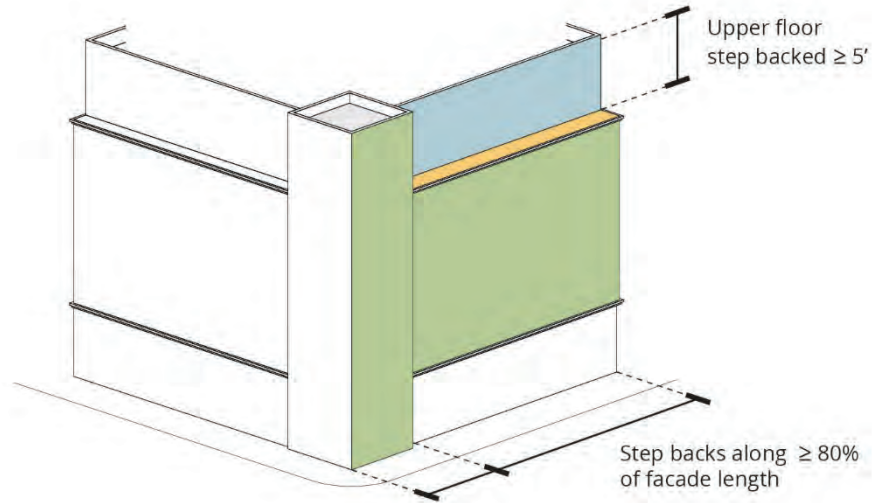
1. *Variation in building modulation (minimum of one, if option selected)*

- a. Horizontal shifts. Changes in floor plates that protrude and/or recess with a minimum dimension of two feet from the primary facade.



- A Horizontal shift from primary facade > 2' deep
- B Primary Facade
- Recessed Facade

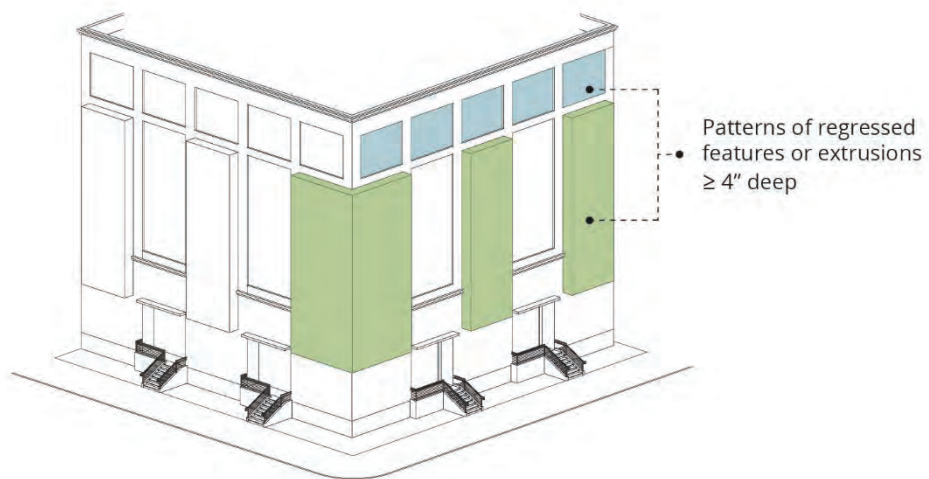
- b. Upper floor step backs. A horizontal step back of upper-floor façades with a minimum five-foot step back from the primary façade for a minimum of 80% of the length of the façade.



- c. Ground floor step back. A horizontal shift of the ground floor facade with a minimum depth of two feet for a minimum 80% of the length of the façade. Ground floor step backs shall not exceed the maximum setback requirements, where stated.

2. *Variation in facade articulation (minimum of one, if option selected)*

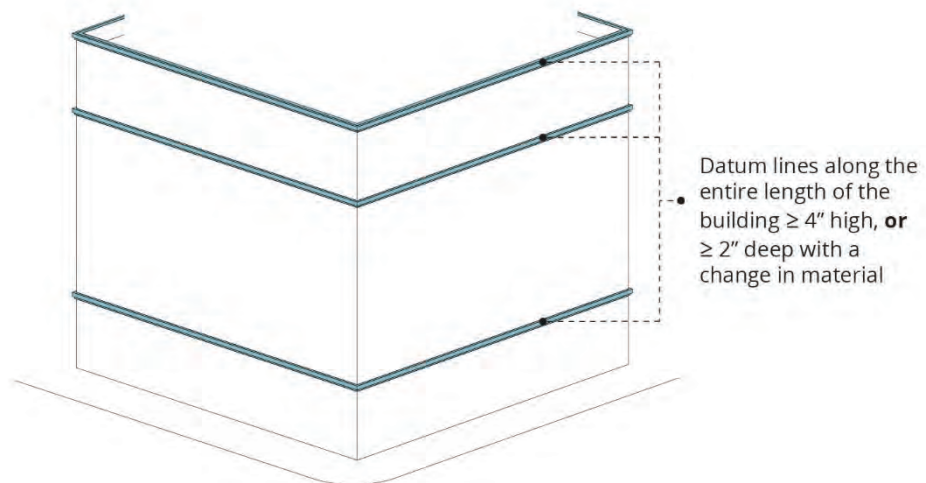
- a. Horizontal and/or vertical recesses or projections such as a pattern of recessed grouping of windows, recessed panels, bay windows or similar strategies as approved by the Director of Planning and Development Services. The recess shall be a minimum four inches in depth.



- b. Horizontal and/or vertical projections such as shading and weather protection devices, decorative architectural details, or similar strategies as approved by the Director. Projections shall be a minimum four inches in depth.



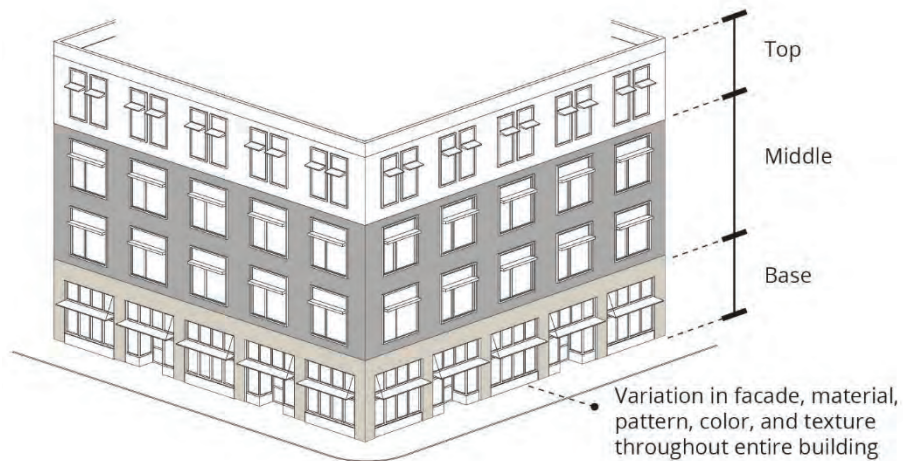
- c. Datum lines that continue the length of the building, such as parapets or cornices, with a minimum four inches in height or a minimum two inches in depth and include a change in material;



3. *Variation in fenestration size, proportions, pattern, and depth or projection.*



4. *Variation in two of the following: façade material, material size, texture and pattern, or color.*



(ii) **Façade Composition**

- (a) Building facades shall use a variety of strategies including building modulation, fenestration, and façade articulation to create visual interest and express a variety of scales through a variety of strategies. All facades shall include a minimum of two of the following façade articulation strategies to create visual interest:

1. Vertical and horizontal recesses such as a pattern of recessed grouping of windows, recessed panels, or similar strategies as approved by the Director of Planning and Development Services. The recess shall be a minimum four inches in depth.
2. Vertical and horizontal projections such as shading and weather protection devices, decorative architectural details, or similar strategies as approved by the Director of Planning and Development Services. Projections shall be a minimum four inches in depth.
3. Datum lines that continue the length of the building, such as cornices, with a minimum four inches in depth, or a minimum two inches in depth and include a change in material;
4. Balconies, habitable projections, or Juliet balconies (every 20 to 40 feet) with a minimum four inches in depth;
5. Screening devices such as lattices, louvers, shading devices, perforated metal screens, or similar strategies as approved by the Director of Planning and Development Services; or
6. Use of fine-grained building materials, such as brick or wood shingles, not to exceed eight inches in either height or width.

(iii)Compatible Rhythm and Pattern

- (a) Storefront uses shall express a vertical rhythm not to exceed 30 to 50 feet in width.
- (b) Residential or residential mixed-use buildings shall express a vertical rhythm and pattern that reflects the size and scale of a housing unit and/or individual rooms and spaces. This may be achieved with building modulation to create vertically oriented facades (height greater than the width of the façade), façade articulation and fenestration repetitive vertically oriented patterns. The following standards apply:
 1. Facades shall use vertical patterns of building modulation, façade articulation, and fenestration (Figure 3) **OR** Facades that use horizontal articulation and fenestration patterns shall use a vertical massing strategy with a minimum four feet wide and two feet deep vertical shift in modulation at least once every 50 feet of façade length (Figure 4).

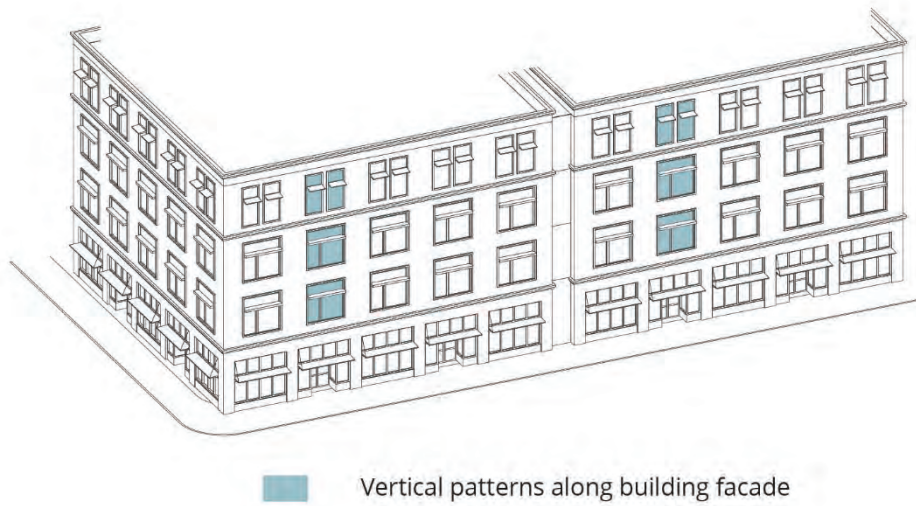


Figure 3

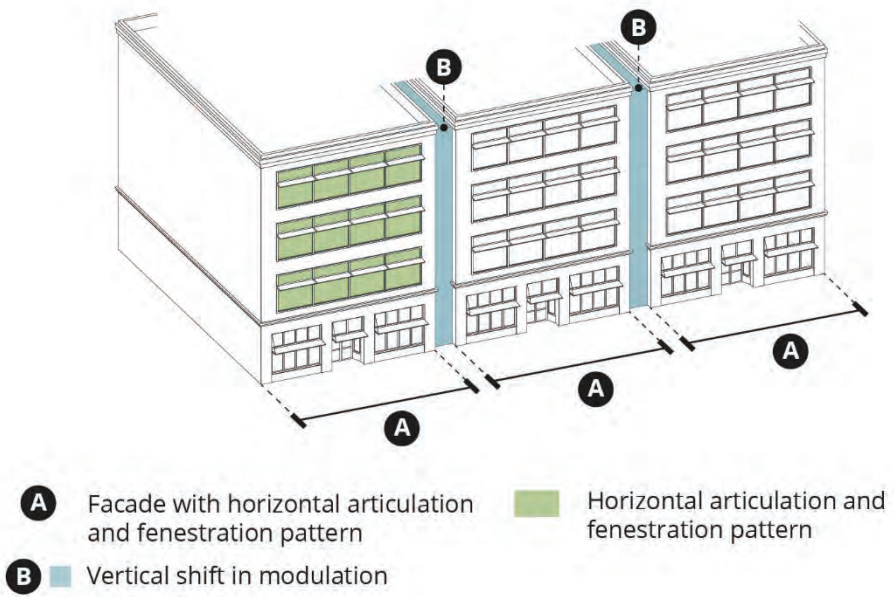
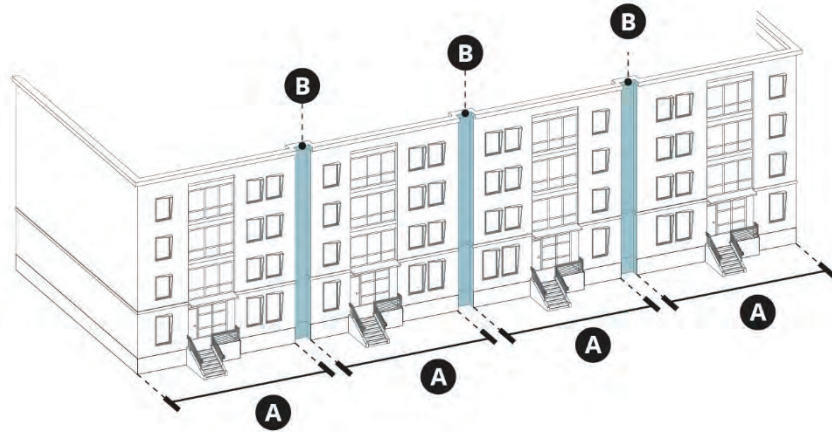


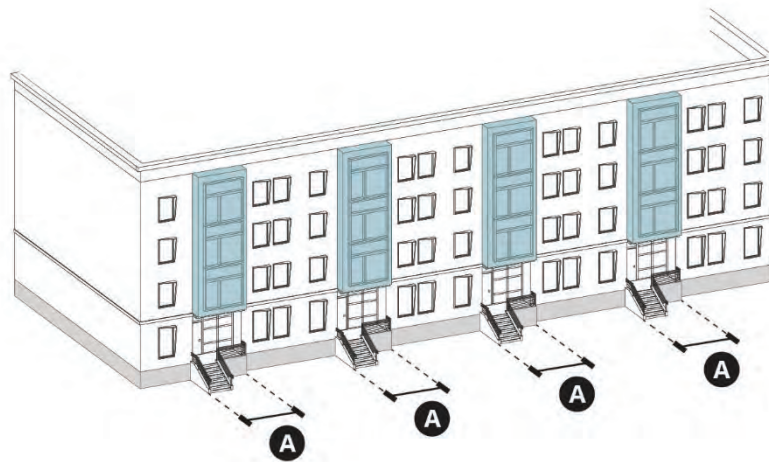
Figure 4

- 2. For continuous facades greater than 100 feet in length, the façade shall include either:
 - a. A vertical recess or change in façade plane with a minimum two feet deep vertical shift modulation for a minimum 4 feet in width to establish a vertical rhythm or a unit between 20 to 50 feet in width; or



- A** Vertical rhythm between 20' - 50' ■ Vertically oriented patterns
- B** Vertical shift modulation

- b. A vertical recess or projection with a minimum depth of 2 feet that establishes the vertical rhythm housing units or individual rooms between 10 to 16 feet in width.



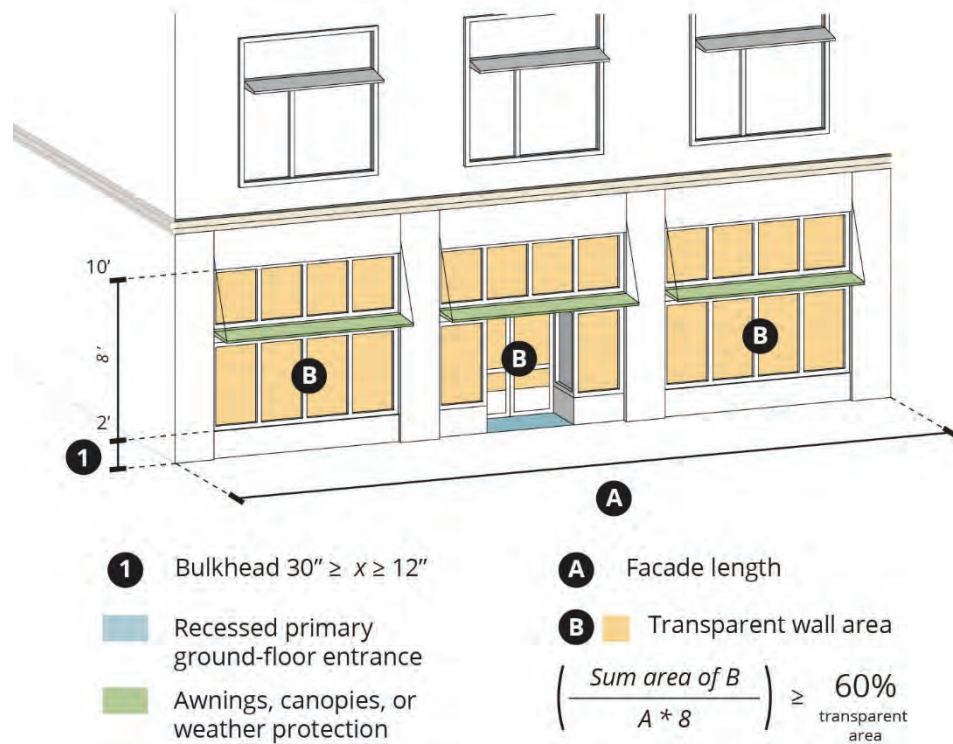
- A** Rhythm between 10' - 16' ■ Vertical projection

(iv) Emphasize Building Elements and Massing**(a) Building Entries Within Façade Design**

1. Primary building entries shall be scaled proportionally to the number of people served (amount of floor-area or number of units accessed). Building entries inclusive of doorway and facade plane shall meet the following minimum dimensions:
 - a. Individual residential entries: five feet in width
 - b. Shared residential entry, such as mixed-use buildings: 8 feet in width
 - c. Commercial building entry: 20 feet in width
 - d. Storefront entry: six feet in width
 2. Primary building entries (not inclusive of individual residential entries) shall include a façade modulation that includes at least one of the following:
 - a. A recess or projection from the primary façade plane with a minimum depth of two feet.
- (b) Primary entries shall include weather protection that is a minimum 4 feet wide and 4 feet deep by recessing the entry, providing an awning or using a combination of these methods.

(D) Ground Floor Character**(i) Storefront/Retail Ground Floors**

- (a) Ground floor height shall be a minimum 14 feet floor-to-floor or shall maintain a 2nd floor datum line of an abutting building-
- (b) Transparency shall include a minimum 60 percent transparent glazing between 2 and 10 feet in height from sidewalk, providing unobstructed views into the commercial space.
- (c) Bulkheads and solid base walls: If provided, shall measure between 12 and 30 inches from finished grade
- (d) Primary entries shall include weather protection that is a minimum 6 feet wide and 4 feet deep by recessing the entry, providing an awning or using a combination of these methods.
- (e) Awnings, canopies and weather protection:
 1. When transom windows are above display windows, awnings, canopies and similar weather protection elements shall be installed between transom and display windows. These elements should allow for light to enter the storefront through the transom windows and allow the weather protection feature to shade the display window.
 2. Awnings may be fixed or retractable.

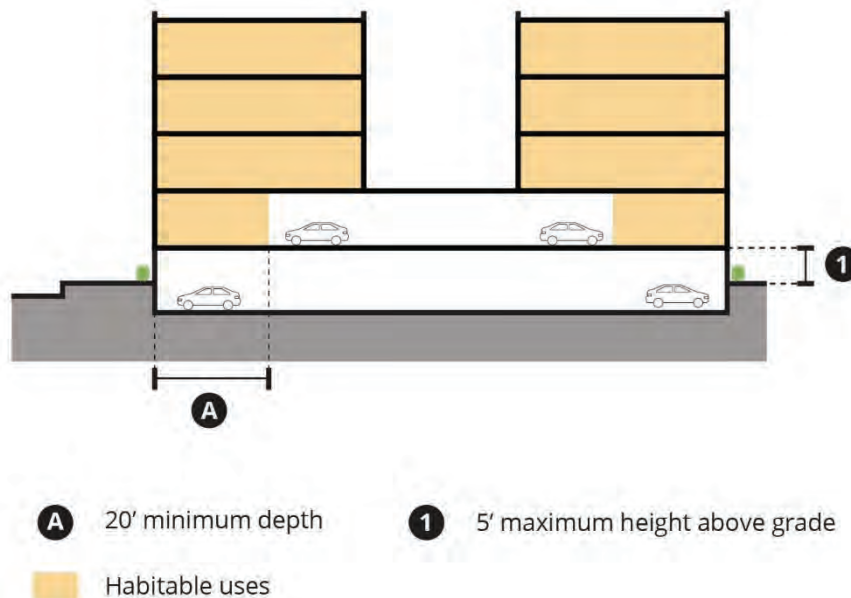


(ii) Other Non-residential Ground Floors

- (a) Ground floor height shall be a minimum 14 feet floor-to-floor or shall match the 2nd floor datum line of an abutting building.
- (b) Transparency shall include a minimum 50 percent transparent glazing between 4 and 10 feet in height from sidewalk or terrace grade.
- (c) Primary entries shall include weather protection that is a minimum 8 feet wide and 6 feet deep by recessing the entry, providing an awning or using a combination of these methods.

(E) Parking/Loading/Utilities

- (i) Entry Size: No more than 25% of the site frontage facing a street should be devoted to garage openings, carports, surface parking, loading entries, or utilities access (on sites with less than 100 feet of frontage, no more than 25 feet)
- (ii) Above grade structured parking levels facing a public right-of-way or publicly accessible open space/path shall be lined with commercial or habitable uses with a minimum depth of 20 feet.
- (iii) Partially sub-grade parking shall not have an exposed façade that exceeds five feet in height above abutting grade at back of sidewalk.
 - (a) Partially sub-grade parking shall be screened with continuous landscaping and shrubbery with minimum height of 3 feet and be within 10 feet of the sub-grade parking.

**18.24.070 Residential Entries****(A) Intent**

Private entries into ground floor residential units shall be designed to provide:

- human-scaled detailing
- enhanced pedestrian experience
- transition between public and private space
- spaces for residents to gather and spend time outdoors
- resident privacy

(B) Ground floor unit entries

(i) Where ground floor residential unit entries are required, one or more of the following entry types shall be provided:

(a) Stoop:

1. Stoops shall provide entry access for a maximum of two units; and
2. Stoop heights shall be within 1 step of finished floor height of adjacent unit; and
3. Stoop entry landings shall be a minimum 5 feet in depth; and
4. The maximum stoop height from the back of sidewalk grade shall be 5 feet.

**(b) Porch:**

1. Porches shall provide entry access for a maximum of one unit; and
2. Porch heights shall be within 1 step of finished floor height of adjacent unit; and
3. Porches shall be large enough so a 6-foot by 6-foot square can fit inside of a porch for each unit; and
4. The maximum porch floor height from the back of sidewalk grade shall be 5 feet.

**(c) Patio Entry**

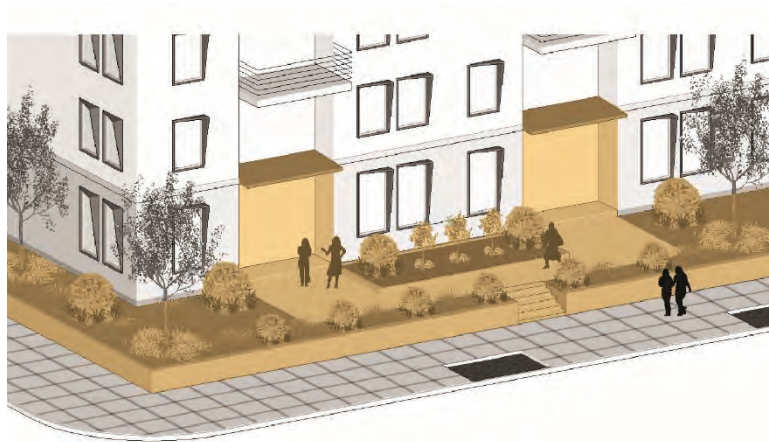
1. Patio entries may serve up to two units; and
2. Patios shall be large enough so a 5-foot by 5-foot square can fit inside of the patio for each unit; and

3. The Patio shall include at least one of the following features to define the transition between public and private space:
- A row of shrubs not exceeding 42 inches in height located between the sidewalk and the patio that assists with defining the edge between public and private space. Shrubs shall be at least one gallon in size and be planted a maximum of three feet on center; or
 - A fence not to exceed 30 inches in height located between the sidewalk and the patio that assists with defining the edge between public and private space, with a gate or fence opening to provide access to the pedestrian route between the pedestrian way and the front door; or
 - A metal, wood or stone wall not to exceed 30 inches in height located between the sidewalk and the patio that assists with defining the edge between public and private space with a gate or wall opening to provide access to the pedestrian route between the pedestrian way and the front door. A minimum 18-inch landscape strip shall be located between the wall and the abutting pedestrian way and entirely landscaped with ground cover, shrubs or other landscape living plant material.



(d) Terrace:

1. A Terrace may serve multiple unit entries; and
2. The maximum Terrace height shall be 30 inches above the grade of the back of the adjacent sidewalk or accessway; and
3. Walls, fences and hedges on Terraces shall be a maximum of 42 inches tall and have a minimum transparency of 40 percent.



(e) Frontage Court:

1. A Frontage Court may serve multiple unit entries; and
2. The minimum Frontage Court width along a primary frontage shall be 25 feet; and
3. The maximum Frontage Court width along a primary frontage shall be 50 percent of the facade length or 80 feet, whichever is less; and
4. The minimum Frontage Court depth shall be 25 feet; and
5. The maximum Frontage Court depth shall be 50 feet or a ratio not to exceed 2:1 depth to width.



18.24.080 Open Space

(A) Intent

To ensure that residents and visitors have access to usable open space and common facilities that provide recreational opportunities, promote a healthy environment, and enhance the experience of living in Palo Alto. Common and private open spaces should include the following characteristics:

- Be integrated into the site access and building circulation strategy
- Be generous in dimension to provide usable space
- Provide landscape elements that will support the health of the plants and enhance the character of place
- Promote public health
- Be located to provide easy access to private and common building areas, and balance privacy and noise impacts to neighboring uses
- Promote sustainable practices and opportunities for green infrastructure
- Promote community safety through eyes on the street

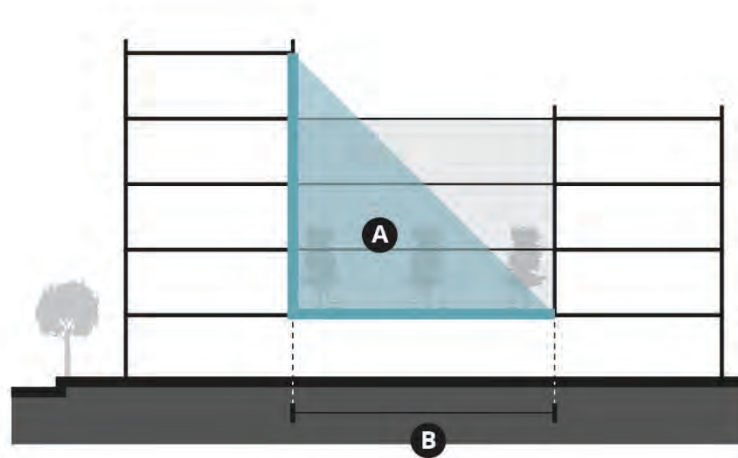
(B) Private Open Space

- (i) If Private Open Spaces is provided, it shall meet the following standards:
 - (a) Floor area shall include a clear space with a minimum dimension of a circle with a six-foot diameter.
 - (b) Minimum clear height dimension of 8'-6" feet
 - (c) Be accessed directly from a residential unit
 - (d) Balconies shall not be located within the daylight plane
 - (e) Notwithstanding subsection (a), ground floor patios shall meet the following minimum requirements:
 1. RM-20 and RM-30 districts: Minimum 100 square feet of area, the least dimension of which is eight feet for at least 75% of the area
 2. RM-40 districts: Minimum 80 square feet of area, the least dimension of which is six feet for at least 75% of the area
 3. Street facing private open space on the ground floor shall meet the finished floor height for ground floor residential standards in section 18.24.040(iii)(a)

(C) Common Open Space

- (i) If Common Open Space is provided, it shall meet the following standards:
 1. Minimum size of 200 square feet
 2. Floor area shall include a space with a minimum dimension of a circle with a 10-foot diameter.
 3. A minimum of 60% of the area shall be open to the sky and free of permanent weather protection or encroachments. Trellises and similar open-air features are permitted.

4. Notwithstanding subsection (1), courtyards enclosed on four sides shall have a minimum dimension of 40 feet and have a minimum courtyard width to building height ratio of 1:1.25



- A** Minimum courtyard width to building height ratio of 1:1.25 **B** 40' minimum dimension

5. Include places to sit
6. A minimum 20% of landscaping
7. Soil Depth: Planting in above grade courtyards shall have a minimum soil depth of 12 inches for ground cover, 20 inches for shrubs, and 36 inches for trees.
8. Rooftop Open Space:
- In order to qualify as usable open space, a rooftop garden shall meet the requirements set forth in Section 18.40.230.
 - Rooftop open spaces may fulfill usable open space requirements in the following districts:
 - 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.
 - 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.

18.24.090 Materials

(A) Intent

To promote the use of high quality, durable, sustainable, and attractive materials that exhibit a sense of permanence and contribute to the aesthetic quality of the development and to the urban design fabric of the community.

(B) Façade Materials

- (i) Primary, Secondary and Accent materials are allowed or prohibited as in the Residential and Residential Mixed-use Material List maintained use.
- (ii) Secondary materials are prohibited as primary cladding on building facades and shall not be allowed on more than 35 percent of each building facade.
- (iii) Accent materials are permitted on no greater than 5 percent of each facade as trims or accents (e.g., flashing, projecting features, ornamentation, etc.).
- (iv) Buildings 30 feet and shorter, measured from grade plane to eave or top of parapet, whichever is higher, with elevations 50 feet or narrower may utilize any secondary material as a primary material.

Table 1: Allowable and Prohibited Materials

<i>Material</i>	<i>Usage</i>
Brick (full dimensional)	P
Stone/masonry	P
Stucco	P
Glass (transparent, spandrel)	P
Finished wood, wood veneer, engineered wood, and wood siding	P
Factory or naturally finished flat, profiled, fluted, or ribbed metal panels	P
Fiber reinforced cement siding and panels	P
Terracotta	P
Concrete (poured in place or precast)	S
Concrete blocks with integral color (ground, polished, or glazed finishes)	S
Concrete blocks with integral color (split face finish)	S
Ceramic tile	S
Standing seam metal	S
Glass block	A
Corrugated metal	A
Vegetated wall panels or trellises	A
Vinyl siding	N

<i>Material</i>	<i>Usage</i>
T-111 Plywood	N
Exterior Insulation Finishing System (EIFS)	N
Plastic or vinyl fencing	N
Chain link fencing	N

P = Primary or Secondary material

S = Secondary material only

A = Accent material

N = Prohibited material or fencing type

18.24.100 Sustainability and Green Building Design

(A) Intent

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

- Optimize building orientation for thermal comfort, shading, daylighting, and natural ventilation, including operable windows
- Design landscaping to create comfortable micro-climates and reduce heat island effects
- Maximize onsite stormwater management through landscaping and permeable pavement
- Use sustainable building materials
- Design lighting, plumbing and equipment for efficient energy use
- Create healthy indoor environments
- Use creativity and innovation to build more sustainable environments. One example is establishing gardens with edible fruits, vegetables or other plants to satisfy a portion of project open space requirements

(B) Standards

See Chapter 16.14: California Green Building Standards additional requirements for green building and sustainable design. Notwithstanding Section 18.24.010(c), these regulations may not be modified through alternative compliance.

NOT YET ADOPTED

Ordinance No. _____

Ordinance of the Council of the City of Palo Alto

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

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

SECTION 2. Section 18.13.040 (Development Standards) of Chapter 18.13 (Multiple Family Residential (RM-20, RM-30 and RM-40) Districts) of Title 18 (Zoning) is amended as follows:

18.30.040 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 Development Services, pursuant to the regulations set forth in [Chapter 18.76](#), ~~performance criteria set forth in Chapter 18.23~~, and the context-based design ~~criteria standards~~ set forth in ~~Section 18.13.060~~Chapter 18.24.

**Table 2
Multiple Family Residential Development Table**

	RM-20	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	
Substandard Lot Specifications				
Site Area (ft ²)	Less than 8,500 square feet			
Site Width (ft)	and/or less than 70 feet in width			
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)	0-2025 (1)	0-2025 (1)	0-25 (1)	
Interior Side Yards (ft)				
For lots with width of 70 feet or greater	10	10	10	

Commented [YA1]: Flexible setbacks are converted to objective requirements, with the ability to seek an exception based on ARB recommendation.

NOT YET ADOPTED

For lots with width of less than 70 feet	6 feet			
Interior Rear Yards (ft) ⁽²⁾	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-20 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 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	
Residential Density (units)				
Maximum number of units per acre ⁽³⁾	20	30	40	18.13.040(g)
Minimum number of units per acre ⁽⁸⁾	11	16	21	

Commented [YA2]: Appears to be a typo in existing code

NOT YET ADOPTED

Minimum Site Open Space(5) (percent)	35	30	20	18.13.040(e)
Minimum Usable Open Space (sf per unit)(5)	150	150	150	18.24.040
Minimum common open space (sf per unit)	75	75	75	18.13.040(e) 18.24.040
Minimum private open space (sf per unit)	50	50	50	18.24.040
Performance Criteria	See provisions of Chapter 18.23			Ch. 18.23
General Standards and Exceptions	See provisions of Chapter 18.40			Ch. 18.40
Landscape Requirements				18.40.130
Parking(6)	See provisions of Chapter 18.52			Ch. 18.52
Footnotes:				
(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 in Section 18.13.060. Arterial roadways are identified in Map T-5 of the Comprehensive Plan and do not include residential arterials. 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 pursuant to criteria set forth in Chapter 18.76. Special setbacks of greater than 25 feet may not be reduced except upon approval of a design enhancement exception or variance.				
(2) Lesser setbacks may be allowed by the Planning Director, upon recommendation. 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. A site with an existing single-family use or two-family use may be redeveloped at the existing density, either single-family or two-family as applicable. An existing or replaced single-family or two-family residence shall not be considered a nonconforming use, and the provisions of Chapter 18.70 shall not apply, solely based on the minimum density requirement.				

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

(1) Setbacks

NOT YET ADOPTED

~~(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.~~

Commented [YA3]: Moved to Table and footnotes.

~~(B)~~(A) 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)~~(B) 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.

(c) Single-Family and Two-Family Uses

(1) The regulations in Chapter 18.12 that apply to the R-1 district shall apply to sites in single-family use in the multiple-family residence districts. The regulations in Chapter 18.10 that apply to the R-2 district may be applied, at the applicant's discretion, to sites in two-family use in the multiple-family residence districts, in lieu of the multi-family standards.

(2) The Individual Review provisions of Section 18.12.110 of the Zoning Ordinance shall be applied to any single-family or two-family residence in the multi-family districts, to those sides of a site that share an interior side lot line with the interior side or rear lot line of a property zoned for or used for single-family or two-family dwellings. The Individual Review shall not be applied to adjacent uses other than single-family and two-family uses.

(3) Notwithstanding other provisions of this chapter, existing two-family residential development in multiple family residential districts may be divided into two separate ownership parcels where all of the following circumstances exist:

- (A) At least one residence is designated on the City's Historic Inventory as

NOT YET ADOPTED

a Category 1, Category 2, Category 3, or Category 4 historic structure as defined in Section 16.49.020 of this code or are contributing structures located within a locally designated historic district or are eligible for the National or California Registers; and

(B) No increase in the total number of residences on the site is proposed; and

(C) Separate lots are proposed to be created, each with a minimum lot size not less than 4,000 square feet if only one residence is historic; if both residences are historic and subject to a covenant, the allowable minimum lot size is 2,000 square feet and

(D) The resultant parcel lines may create less than minimum lot size (no less than the area stated in item (C) of this section), site width and depth, setback and daylight plane encroachments, floor area and site coverage exceeding the maximum allowable for existing development with respect to each new parcel, without the need for approval of a Variance or Home Improvement Exception, but would not generally increase any existing non-complying building features; however, minor additions for functional improvements may be allowed at the discretion of the Director of Planning and Community Environment; and

(E) The Historic Resources Board has determined that at least one existing residence on the property has historic integrity and qualities for listing on the City's Historic Inventory.

(F) A covenant is recorded to run with the land in perpetuity, assuring that the historic residences will be maintained consistent with the Secretary of the Interior's Standards for Historic Rehabilitation through compliance with Historic Resources Board review and recommendation. The covenant will stipulate that HRB review is required for all major projects on the site including significant changes to any non-historic residence. Any modifications to a non-historic residence must be compatible with the historic residence and satisfy the Secretary of Interior's Standards for Historic Compatibility.

(G) The two residences on the property were in existence as of January 28, 2009.

(H) Application of the state Historic Building Code is available for use on any eligible building.

(I) Residences subject to a covenant must meet all government health, life and safety codes.

(d) Substandard Lots

Substandard lots in the multiple family zoning districts are those that are: 1) less than the minimum 8,500 square feet in size, or 2) less than 70 feet in width. These lots may be developed pursuant to the regulations outlined in Table 2 or may be developed according to the regulations provided for Village Residential development, as outlined in Section 18.13.050. Single-family and two-family development on these lots shall be developed as outlined in subsection (c) above.

(e) Usable Open Space

NOT YET ADOPTED

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 where feasible.~~

(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-20 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.~~

Commented [JE4]: Integrated into the new 18.24.090 design standards section.

~~(f)(e)~~ 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.

(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,

NOT YET ADOPTED

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~~

Commented [YA5]: Redundant with the Sign Ordinance

~~(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.~~

Commented [YA6]: Parking regulations consolidated in PAMC 18.52

~~(8)(6)~~ 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 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, and where the average household income does not exceed 80% of the area median income level, except for a building manager's unit.

~~(g)~~(f) 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;

NOT YET ADOPTED

- (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.

~~(h)~~(g) General Standards, Exceptions, and Performance Criteria

In addition to all other provisions of this chapter, all multi-family development shall comply with applicable provisions of Chapter 18.2340 ~~(Performance Criteria for Multiple Family, Commercial, Manufacturing and Planned Community Districts~~ General Standards and Exceptions).

SECTION 3. Section 18.13.040 (Development Standards) of Chapter 18.13 (Multiple Family Residential (RM-20, RM-30 and RM-40) Districts) of Title 18 (Zoning) is amended as follows:

18.13.050 Village Residential Development

(a) Purpose

Village Residential multiple-family development is intended to create, preserve and enhance areas for a mixture of single-family and multiple-family housing that is compatible with lower density and residential districts nearby, including single-family residence districts. Housing types may include but are not limited to single family houses on small lots, attached rowhouse/townhouse, and cottage clusters. Village Residential development also serves as a transition to moderate density multiple-family districts or districts with nonresidential uses.

Permitted densities range from eight to twelve dwelling units per acre. Village Residential housing also provides a means to accommodate home ownership options in multiple-family zones.

(b) Applicability of Regulations

Village Residential development standards may be applied to RM-20 multiple-family residence district sites, as well as to substandard RM- 30 and RM-40 multiple-family residence sites. It may also be applied to the perimeter of RM-30 and RM-40 sites larger than one acre in size where a transition to a lower-density adjacent use is desired. The Director may require the submittal of Covenants, Conditions and Restrictions (CC&Rs), maintenance agreements, easements, and/or other legal instruments to document and disclose conditions of the project approval.

(c) Development Standards

Table 3 specifies the development standards for new Village Residential developments that provide for individual lots established for sale of one housing unit on a lot. These developments shall be designed and constructed in compliance with the following requirements and the context-based design criteria outlined in Section 18.13.060, 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:

NOT YET ADOPTED

Table 3		
Village Residential Development Table		
	Village Residential	Subject to regulations in:
Minimum Site Specifications		
Site Area (ft ²)	6,000	
Site Width (ft)	50	
Site Depth (ft)	100	
Minimum Setbacks	RM-20 development standards apply to perimeter of site	
Minimum Lot Specifications (1)		
Lot Area (ft ²), Attached Units	1,500	
Lot Area (ft ²), Detached Units	2,500	
Maximum Lot Area (ft ²)	4,000	
Front lot setback (ft)	5	
Rear lot setback (ft)	3	
Side lot setback (ft)	0	
Distance between detached units (ft)	3	
Maximum House Size (ft²)	2,500 (2)	
Maximum Height (ft)	30	
Daylight Planes	RM-20 development standards apply to perimeter of site	
Maximum Site Coverage	RM-20 development standards apply to entire site	
Maximum Floor Area Ratio (FAR) (3)	0.5:1 applied to entire site	
Maximum Residential Density (units)		
Maximum number of units per acre	12	
Minimum Site Open Space (4)	35% of entire site 18.13.040	18.13.040(e)
Minimum Usable Open Space (per unit) (3)	300 sq. ft.	<u>18.24.040</u>

NOT YET ADOPTED

Minimum Common Open Space (per unit)	No requirement	18.13.040(e) 18.24.040
Minimum Private Open Space (per unit)	100 sq. ft.	18.24.040
Performance Criteria		Ch. 18.23
General Standards and Exceptions	See provisions of Chapter 18.40	Ch. 18.40
Landscape Requirements		18.40.130
Parking (5)	See provisions of Chapter 18.52	Ch. 18.52
<p>Footnotes:</p> <p>(1) Individual lots are created by subdividing the development site to create one for-sale lot per dwelling unit. Overall development intensity (FAR, site coverage, landscape/open space) shall be calculated across the entire site to comply with RM-20 zone standards, and setbacks and daylight planes at the perimeter of the site shall comply with RM-20 setbacks and daylight planes. For common-ownership developments such as condominiums and apartments, the underlying multiple-family zone district development standards shall apply.</p> <p>(2) Covered parking that is attached to the residence shall be included in the maximum house size.</p> <p>(3) 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.</p> <p>(4) 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.</p> <p>(5) 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.</p>		

(d) Design for Entire Site

The entire development plan for a Village Residential project, including subdivision of the site into individual lots and design of buildings, streets, driveways, parking, and open space shall be submitted and reviewed at one time. Design for individual lots may not be phased for subsequent approval.

(e) Post-Construction Modifications

(1) Modifications to completed units, such as additions to dwelling units, changes in circulation or parking, exterior building design features, and provisions for open space, must be submitted as an amendment to the Village Residential development, unless an alternate review process is outlined in the initial project approval. The Director may require the submittal of Covenants, Conditions and Restrictions (CC&Rs) and/or other legal instruments to document and disclose the post-construction approval process.

(2) An amendment to the Village Residential approval may only be submitted by the owner of the entire site or by an entity (such as a homeowners association) representing the property owners. The amendment shall be reviewed in the same

NOT YET ADOPTED

manner as the original approval and must demonstrate compliance with the applicable standards for the entire site. Minor architectural review may be approved by staff, pursuant to the process outlined in Section 18.76.020 for exterior architectural or site modifications deemed minor by the Director.

SECTION 4. Section 18.13.060 (Multiple Family Context-Based Design Criteria) of Chapter 18.13 (Multiple Family Residential (RM-20, RM-30 and RM-40) Districts) of Title 18 (Zoning) is deleted in its entirety and restated to read as follows:

18.13.060 Multiple Family Context-Based Design ~~Criteria~~ Standards

In addition to the standards for development prescribed above, all development in the RM districts shall comply with applicable standards and/or intent statements outlined in Chapter 18.24, as defined therein.

Commented [YA7]: Replaced with new 18.24 Design Standards

SECTION 5. Section 18.16.060 (Development Standards) of Chapter 18.16 (Multiple Family Residential (Neighborhood, Community, And Service Commercial (CN, CC And CS) Districts) of Title 18 (Zoning) is amended as follows:

18.16.060 Development Standards

(a) Exclusively Non-Residential Uses

Table 3 specifies the development standards for exclusively non-residential uses and alterations to non-residential uses or structures in the CN, CC, CC(2) and CS districts. 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 3
Exclusively Non-residential Development Standards**

	CN	CC	CC(2)	CS	Subject regulations to Section
Minimum Site Specifications Site Area (ft ²) Site Width (ft) Site Depth (ft)	None Required				
Minimum Setbacks					

NOT YET ADOPTED

Front Yard (ft)	0 - 10' to create an 8' - 12' effective sidewalk width (1), (2), (8)	None Required (8)	0 - 10'to create an 8' -12' effective sidewalk width (1), (2), (8)	0 - 10' to create an 8' - 12' effective sidewalk width (1), (2), (8)	Setback lines imposed by a special setback map pursuant to Chapter 20.08 of this code
Rear Yard (ft)	None required				
Interior Side Yard (ft)					
Street Side Yard (ft)	20' (2)	None required			
Minimum Yard (ft) for lot lines abutting or opposite residential districts or residential PC districts	10' (2)	10' (2)	10' (2)	10' (2)	
Build-To-Lines	50% of frontage built to setback (7) 33% of side street built to setback (7)				
Minimum setbacks from alleys for structures other than public parking garages (ft) (3)					
Corner lots, from rear lot line on the alley	Not applicable		8'	Not applicable	
Corner lots, from side lot line on the alley			None		
All lots other than corner lots			20'		
Maximum Site Coverage	50%	None Required			
Maximum Height (ft)					<u>18.08.030</u>
Standard	25' and 2 stories	50'	37' (4)	50'	
<u>Any portion of structure within 50 feet of a residential zone district (other than an RM-40 or PC</u>		35'	35'	35'	

Commented [EJ8]: This has been identified as a confusing standard for City staff and applicant. Revised language in all dev std tables to clarify intent which is reduce the height of any portion of the structure that is within 50 feet of a lower residential zone. If the structure or a portion of the structure is more than 50 feet from the lower density district then they could adhere to the regular height standard.

NOT YET ADOPTED

zone) Within 150 ft. of a residential district (other than an RM-40 or PC zone) abutting or located within 50 feet of the site					
Maximum Floor Area Ratio (FAR)	0.4:1		2.0:1	0.4:1	18.18.060(e)
Maximum Floor Area Ratio (FAR) for Hotels	N/A	- (5)	2.0:1	2.0:1	18.18.060(d)
Daylight Plane for lot lines abutting one or more residential zone districts other than an RM-40 or PC zone					
Initial Height at side or rear lot line (ft)	- (6)	- (6)	- (6)	- (6)	
Slope	- (6)	- (6)	- (6)	- (6)	
Footnotes:					
(1) No parking or loading space, whether required or optional, shall be located in the first 10 feet adjoining the street property line of any required yard.					
(2) Any minimum front, street side, or interior yard shall be planted and maintained as a landscaped screen excluding areas required for access to the site. A solid wall or fence between 5 and 8 feet in height shall be constructed along any common interior lot line.					
(3) No setback from an alley is required for a public parking garage.					
(4) As measured to the peak of the roof or the top of a parapet; penthouses and equipment enclosures may exceed this height limit by a maximum of five feet, but shall be limited to an area equal to no more than ten percent of the site area and shall not intrude into the daylight plane.					
(5) See additional regulations in subsection (e) of this Section 18.16.050.					
(6) The initial height and slope shall be identical to those of the most restrictive residential zone abutting the site line in question.					
(7) Twenty-five-foot driveway access permitted regardless of frontage; build-to requirement does not apply to CC district.					
(8) A 12-foot sidewalk width is required along El Camino Real frontage.					

(b) Mixed Use 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 standards in Chapter 18.24, 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

NOT YET ADOPTED

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'				
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				

NOT YET ADOPTED

	setbacks				
Maximum Site Coverage	50%	50%	100%	50%	
Minimum Landscape/Open Space Coverage	35%	30%	20%	30%	
Usable Open Space	150 sq ft per unit (2)				18.24.040
Maximum Height (ft)					
Standard	35'(4)	50'	37'	50'	
<u>Any portion of structure within 50 feet of a residential zone district (other than an RM-40 or PC zone) 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</u>	35'	35'(5)	35'(5)	35'(5)	18.08.030
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	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)	
Parking	See Chapters 18.52 and 18.54 (Parking)				18.52, 18.54
Footnotes:					
(1) Twenty-five-foot driveway access permitted regardless of frontage; build-to requirement does not apply to CC district.					
(2) Reserved. 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					

Commented [EJ9]: This has been identified as a confusing standard for City staff and applicant. Revised language in all dev std tables to clarify intent which is reduce the height of any portion of the structure that is within 50 feet of a lower residential zone. If the structure or a portion of the structure is more than 50 feet from the lower density district then they could adhere to the regular height standard.

NOT YET ADOPTED

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 18.40.230.~~

(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 are allowed on CN zoned housing inventory sites identified in the Housing Element. Other CN zoned sites not located on El Camino Real 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.

(1) 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.

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

(c) Exclusively Residential Uses

Exclusively residential uses are generally prohibited in the CN, CS, and CC 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 and CC(2) sites, ~~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 or 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.~~

Commented [JE10]: Integrated into the new design standards section.

Commented [JE11]: Integrated into the new design standards section.

NOT YET ADOPTED

(d) Hotel Regulations

(1) The purpose of these regulations is to allow floor area for development of hotels in excess of floor area limitations for other commercial uses, in order to provide a visitor-serving use that results in an enhanced business climate, increased transient occupancy tax and sales tax revenue, and other community and economic benefits to the city.

(2) Hotels, where they are a permitted use, may develop to a maximum FAR of 2.0:1, subject to the following limitations:

(A) The hotel use must generate transient occupancy tax (TOT) as provided in Chapter 2.33 of the Palo Alto Municipal Code; and

(B) No room stays in excess of thirty days are permitted, except where the city council approves longer stays through an enforceable agreement with the applicant to provide for compensating revenues.

(3) Hotels may include residential condominium use, subject to:

(A) No more than twenty-five percent of the floor area shall be devoted to condominium use; and

(B) No more than twenty-five percent of the total number of lodging units shall be devoted to condominium use; and

(C) A minimum FAR of 1.0 shall be provided for the hotel/condominium building(s); and

(D) Where residential condominium use is proposed, room stays for other hotel rooms shall not exceed thirty days.

(4) Violation of this chapter is subject to enforcement action for stays in excess of thirty days not permitted under the provisions of this chapter, in which case each day of room stay in excess of thirty days shall constitute a separate violation and administrative penalties shall be assessed pursuant to Chapters 1.12 and 1.16.

(e) CC District Shopping Center Floor Area Ratio Regulations

(1) The maximum floor area ratio for the Town and Country Village Shopping Center shall be .35 to 1; and office uses at said shopping center shall be limited to 15% of the floor area of the shopping center existing as of August 1, 1989. Hotel use shall not be included as part of the .35 to 1 maximum floor area ratio, but shall not exceed an additional .25 to 1 floor area ratio, for a maximum site floor area ratio of .60 to 1.

(2) The maximum floor area ratio for mixed use development for the Town and Country Village Shopping Center shall be limited to .50 to 1; provided that no more than .35 to 1 floor area shall be nonresidential, consistent with part (1) above, and not more than .15 to 1 floor area shall be residential.

(3) Stanford Shopping Center shall not be permitted to add more than 80,000 square feet of floor area to the total amount of floor area of the shopping center existing as of June 14, 1996, 1,332,362 square feet, for a total square footage not to exceed 1,412,362. Any hotel or mixed use development for the Stanford Shopping Center shall only be included if approved as part of a Development Agreement for the site.

(f) Size of Establishments in the CN District

NOT YET ADOPTED

In the CN district, permitted commercial uses shall not exceed the floor area per individual use or business establishment shown in Table 5. Such uses may be allowed to exceed the maximum establishment size, subject to issuance of a conditional use permit in accord with Section 18.76.010. The maximum establishment size for any conditional use shall be established by the director and specified in the conditional use permit for such use.

TABLE Table 5

MAXIMUM SIZE OF ESTABLISHMENT

Type of Establishment	Maximum Size (ft²)
Personal Services	2,500
Retail services, except grocery stores	15,000
Grocery stores	20,000
Eating and drinking services	5,000
Neighborhood business services	2,500

(g) Nuisances Prohibited

All uses, whether permitted or conditional, shall be conducted in such a manner as to preclude nuisance, hazard, or commonly recognized offensive conditions or characteristics, including creation or emission of dust, gas, smoke, noise, fumes, odors, vibrations, particulate matter, chemical compounds, electrical disturbance, humidity, heat, cold, glare, or night illuminations. Prior to issuance of a building permit, or occupancy permit, or at any other time, the building inspector may require evidence that adequate controls, measures, or devices have been provided to ensure and protect the public interest, health, comfort, convenience, safety, and general welfare from such nuisance, hazard, or offensive condition.

(h) Outdoor Sales and Storage

- (1) In the CN district, all permitted office and commercial activities shall be conducted within a building, except for:
- (A) Incidental sales and display of plant materials and garden supplies occupying no more than 500 square feet of exterior sales and display area,
 - (B) Farmers' markets that have obtained a conditional use permit, and
 - (C) Recycling centers that have obtained a conditional use permit.
- (2) In the CC district and in the CC(2) district, the following regulations shall apply to outdoor sales and storage:
- (A) Except in shopping centers, all permitted office and commercial activities shall be conducted within a building, except for:
 - (i) Incidental sales and display of plant materials and garden supplies occupying no more than 2,000 square feet of exterior sales and display area,
 - (ii) Outdoor eating areas operated incidental to permitted eating and drinking services,
 - (iii) Farmers' markets that have obtained a conditional use permit, and
 - (iv) Recycling centers that have obtained a conditional use permit.
 - (B) Any permitted outdoor activity in excess of 2,000 square feet shall be

NOT YET ADOPTED

subject to a conditional use permit.

(C) Exterior storage shall be prohibited, except as provided under subparagraph (A)(iv) of this subsection.

(3) In the CS district, outdoor sales and display of merchandise, and outdoor eating areas operated incidental to permitted eating and drinking services shall be permitted subject to the following regulations:

(A) Outdoor sales and display shall not occupy a total site area exceeding the gross building floor area on the site, except as authorized by a conditional use permit.

(B) Areas used for outdoor sales and display of motor vehicles, boats, campers, camp trailers, trailers, trailer coaches, house cars, or similar conveyances shall meet the minimum design standards applicable to off street parking facilities with respect to paving, grading, drainage, access to public streets and alleys, safety and protective features, lighting, landscaping, and screening.

(C) Exterior storage shall be prohibited, unless screened by a solid wall or fence of between 5 and 8 feet in height.

(i) Recycling Storage

All new development, including approved modifications that add thirty percent or more floor area to existing uses, shall provide adequate and accessible interior areas or exterior enclosures for the storage of recyclable materials in appropriate containers. The design, construction and accessibility of recycling areas and enclosures shall be subject to approval by the architectural review board, in accordance with design guidelines adopted by that board and approved by the city council pursuant to Section 18.76.020.

Commented [YA12]: This section may be moved to 18.24 and/or 18.40, pending discussions with Public Works

(j) Employee Showers

Employee shower facilities shall be provided for any new building constructed or for any addition to or enlargement of any existing building as specified in Table 6.

TABLE 6
EMPLOYEE SHOWERS REQUIRED

Uses	Gross Floor Area of New Construction (ft ²)	Showers Required
Medical, Professional, and	0-9,999	No requirement
General Business Offices, Financial Services, Business and Trade Schools, General Business Services	10,000-19,999	1
	20,000-49,999	2
	50,000 and up	4
Retail Services, Personal Services, and Eating and Drinking Services	0-24,999	No requirement
	25,000-49,999	1
	50,000-99,999	2
	100,000 and up	4

(k) Housing Incentive Program

NOT YET ADOPTED

(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 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 permissive than the standards applicable to the Affordable Housing (AH) Combining District Incentive Program 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, and where the average household income does not exceed 60% of the area median income level, 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 (Residential Density Bonus).

(l) 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.

SECTION 6. Section 18.16.080 (General Standards, Exceptions, and Performance Standards) of Chapter 18.16 (Multiple Family Residential (Neighborhood, Community, And Service Commercial (CN, CC And CS) Districts) of Title 18 (Zoning) is amended as follows:

18.16.080 General Standards, Exceptions, and Performance Standards

In addition to the standards for development prescribed above, all development in the CN, CS, CC, and CC(2) districts shall comply with the performance criteria, general standards, and exceptions-outlined in Chapter 18.2340 of the Zoning Ordinance. All mixed use development shall also comply with the applicable provisions of Chapter 18.2340 of the Zoning Ordinance.

NOT YET ADOPTED

SECTION 7. Section 18.16.090 (Context-Based Design Standards) of Chapter 18.16 (Multiple Family Residential (Neighborhood, Community, And Service Commercial (CN, CC And CS) Districts) of Title 18 (Zoning) is deleted in its entirety and restated to read as follows:

18.16.090 Context-Based Design Criteria Standards

In addition to the standards for development prescribed above, all development in the CN, CS, CC, and CC(2) districts shall comply with applicable standards and/or intent statements outlined in Chapter 18.24, as defined therein.

Commented [YA13]: Replaced with new 18.24 Design Standards

SECTION 8. Section 18.18.060 (Development Standards) of Chapter 18.18 (Downtown Commercial (CD) District) of Title 18 (Zoning) is amended as follows:

18.18.60 Development Standards

(a) Exclusively Non-Residential Use

Table 2 specifies the development standards for new exclusively non-residential uses and alterations to non-residential uses or structures in the CD district, including the CD-C, CD-S, and CD-N subdistricts. These developments shall be designed and constructed in compliance with the following requirements and the context-based design criteria outlined 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 2				
Exclusively Non-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 (1)	
Rear Yard (ft)	None required			
Interior Side Yard (ft)	None required			
Street Side Yard (ft)	None required		20 (1)	

NOT YET ADOPTED

Minimum street setback for sites sharing a common block face with any abutting residential zone district	- (43)	- (43)	- (43)	
Minimum yard (ft) for lot lines abutting or opposite residential zone districts	10' (1)	10' (1)	10' (1)	
Maximum Site Coverage	None required		50%	
Maximum Height (ft)				
Standard	50	50	25	
Within 150 ft. of an abutting residential zone district Any portion of structure within 50 feet of a residential zone district	(3) Maximum height of the abutting residential zone district standard	(3) Maximum height of the abutting residential zone district standard	(3) Maximum height of the abutting residential zone district standard	18.08.030
Maximum Floor Area Ratio (FAR)	1.0:1 (54)	0.4:1 (54)	0.4:1 (45)	18.18.060(e) 18.18.070
Maximum Floor Area Ratio (FAR) for Hotels	2.0:1	2.0:1	N/A	18.18.060(d)
Maximum Size of New Non-Residential Construction or Expansion Projects	25,000 square feet of gross floor area or 15,00 square feet above the existing floor area, whichever is greater, provided the floor area limits set forth elsewhere in this chapter are not exceeded			
Daylight Plane for lot lines abutting one or more residential zone districts				
Initial Height at side or rear lot line	- (2)	10	10	
Slope	- (2)	1:2	1:2	
Footnotes:				
(1) The yard shall be planted and maintained as a landscaped screen, excluding area required for site access.				
(2) The initial height and slope shall be identical to those of the residential zone abutting the site line in question.				
(3) The maximum height for the portion of the structure(s) within 50 feet of any abutting residential zone district shall not exceed the height limit of the abutting residential district.				
(34) The minimum street setback shall be equal to the residentially zoned setback for 150 feet from the abutting single-family or multiple family development.				

Commented [EJ14]: This has been identified as a confusing standard for City staff and applicant. Revised language in all dev std tables to clarify intent which is reduce the height of any portion of the structure that is within 50 feet of a lower residential zone. If the structure or a portion of the structure is more than 50 feet from the lower density district then they could adhere to the regular height standard.

Commented [YA15]: Added to body of table

NOT YET ADOPTED

(45) 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 subdistricts.

(b) Mixed Use and Residential

Table 3 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 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	150 sq ft per unit (±)			<u>18.24.040</u>

NOT YET ADOPTED

	CD-C	CD-S	CD-N	Subject to regulations in Section:
Maximum Height (ft)				
Standard <u>or if adjacent to RM-40 zone or residential PC district</u>	50'	50'	35' <u>or 50' if next to RM-40 or residential PC</u>	
Portion of the structure(s) within 150 ft. of an abutting residential zone. Any portion of structure within 50 feet of a residential zone except the RM-40 or residential PC district	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)⁽²¹⁾	No maximum	30	30	
Maximum Weighted Average Residential Unit Size⁽⁵³⁾	1,500 sq ft per unit	No maximum	No maximum	
Maximum Residential Floor Area Ratio (FAR)	1.0:1 ⁽³²⁾	0.6:1 ⁽³²⁾	0.5:1 ⁽³²⁾	
Maximum Nonresidential Floor Area Ratio (FAR)	1.0:1 ⁽³²⁾	0.4:1	0.4:1	
Total Floor Area Ratio (FAR)⁽³²⁾	2.0:1 ⁽³²⁾	1.0:1 ⁽³²⁾	0.9:1 ⁽³²⁾	18.18.070

NOT YET ADOPTED

Parking Requirement	See Chapters 18.52 and 18.54	Chs. 18.52, 18.54
<p><u>Footnotes:</u></p> <p>(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.</p> <p>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 18.40.230.</p> <p>(1) 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.</p> <p>(2) 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.</p> <p>(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.</p> <p>(3) 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.</p>		

Commented [JE16]: Proposed to be integrated into the new design standards section.

Commented [EJ17]: Added to body of table

(1) 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.

Commented [JE18]: This language may be moved to 18.40

(c) Exclusively Residential Uses

(1) Exclusively residential uses are allowed in the CD-C subdistrict, except in the ground floor (GF) combining district. Exclusively residential uses are generally prohibited in the CD-N and CD-S subdistricts. Such uses are allowed, however, where a site is designated as a 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-20, RM-30, or RM-40) identified for the site in the Housing Element.

(d) Hotel Regulations

(1) The purpose of these regulations is to allow floor area for development of hotels in excess of floor area limitations for other commercial uses, in order to provide a visitor-serving use that results in an enhanced business climate, increased transient occupancy tax and sales tax revenue, and other community and economic benefits to the city.

(2) Hotels, where they are a permitted use, may develop to a maximum FAR of 2.0:1, subject to the following limitations:

- (A) The hotel use must generate transient occupancy tax (TOT) as provided in Chapter 2.33 of the Palo Alto Municipal Code; and
- (B) No room stays in excess of thirty days are permitted, except where the city council approves longer stays through an enforceable agreement with the

NOT YET ADOPTED

applicant to provide for compensating revenues.

- (3) Hotels may include residential condominium use, subject to:
- (A) No more than twenty-five percent of the floor area shall be devoted to condominium use; and
 - (B) No more than twenty-five percent of the total number of lodging units shall be devoted to condominium use; and
 - (C) A minimum FAR of 1.0 shall be provided for the hotel/condominium building(s); and
 - (D) Where residential condominium use is proposed, room stays for other hotel rooms shall not exceed thirty days.

(4) Violation of this chapter is subject to enforcement action for stays in excess of thirty days not permitted under the provisions of this chapter, in which case each day of room stay in excess of thirty days shall constitute a separate violation and administrative penalties shall be assessed pursuant to Chapters 1.12 and 1.16.

(e) Exempt Floor Area

(1) When an existing building is being expanded, square footage which, in the judgement of the chief building official, does not increase the usable floor area, and is either necessary to conform the building to Title 24 of the California Code of Regulations, regarding disability related access, or is necessary to implement the historic rehabilitation of the building, shall not be counted as floor area. For the purposes of this section disability related upgrades are limited to the incremental square footage necessary to accommodate disability access and shall be subject to the Director's approval not to exceed 500 square feet per site. Disability related upgrades shall only apply to remodels of existing buildings and shall not qualify for grandfathered floor area in the event the building is later replaced or otherwise redeveloped.

(2) Buildings located in the CD-C subdistrict that are noncomplying for height or gross floor area shall be permitted to increase height and expand floor area to the minimum degree necessary to provide rooftop access and related amenities. Such access and amenities may include features such as stairs, elevators, trellises, outdoor furniture, railings, lighting, and other similar features. For the purposes of this section rooftop access floor area shall not be counted as gross floor area. Rooftop access-related features may be located only on portions of buildings located at least 150 feet from a residential zone which, for the purposes of this section, includes the R-1, R-2, RMD, RM-15, RM-30, RM-40, and SOFA districts or Planned Community (PC) districts that permit residential uses. Any request for a rooftop access exception under this section shall be subject to a conditional use permit. The Planning Director may initiate a formal review pursuant to Chapter 18.77 (Processing of Permits and Approvals) of any conditional use permit granted under this section if the site is the subject of multiple complaints in violation of Chapter 9.10 (Noise). For buildings requesting increased height, all fixtures and structures shall remain below a plane measured at a forty-five degree angle beginning from the edges of the building, nearest the rooftop deck surface, and sloping upward and inward toward the center of the building.

(f) Restrictions on Office Uses

- (1) New construction and alterations in the CD-C zoning district shall be required

NOT YET ADOPTED

to design ground floor space to accommodate retail use and shall comply with the provisions of the Pedestrian (P) combining district.

(2) In the CD-S and CD-N subdistricts, the following requirements shall apply to office uses:

(A) No new gross square footage of a medical, professional, general business, or administrative office use shall be allowed, once the gross square footage of such office uses, or any combination of such uses, on a site has reached 5,000 square feet.

(B) No conversion of gross square footage from any other use to a medical, professional, general business, or administrative office use shall be allowed once the gross square footage of such office uses, or any combination of such uses, on a site has reached 5,000 square feet.

(g) Restrictions on Size of Commercial Establishments in CD-N Subdistrict

In the CD-N subdistrict, permitted commercial uses shall not exceed the floor area per individual use or business establishment shown in Table 4. Such uses may be allowed to exceed the maximum establishment size, subject to the issuance of a conditional use permit in accordance with Chapter 18.76. The maximum establishment size for any conditional use shall be established by the director and specified in the conditional use permit for such use.

**TABLE 4
MAXIMUM SIZE OF ESTABLISHMENT**

Type of Establishment	Maximum Size (ft ²)
Personal Services	2,500
Retail services, except grocery stores	15,000
Grocery stores	20,000
Eating and drinking services	5,000

(h) Outdoor Sales and Storage.

The following regulations shall apply to outdoor sales and storage in the CD district:

(1) CD-C Subdistrict

In the CD-C subdistrict, the following regulations apply:

(A) Except in shopping centers, all permitted office and commercial activities shall be conducted within a building, except for:

(i) Incidental sales and display of plant materials and garden supplies occupying no more than 2,000 square feet of exterior sales and display area,

(ii) Outdoor eating areas operated incidental to permitted eating and drinking services,

(iii) Farmers' markets which have obtained a conditional use permit, and

(iv) Recycling centers that have obtained a conditional use permit.

(B) Any permitted outdoor activity in excess of 2,000 square feet shall be subject to a conditional use permit.

(C) Exterior storage shall be prohibited, except recycling centers which have

NOT YET ADOPTED

obtained a conditional use permit.

(2) CD-S Subdistrict

In the CD-S subdistrict, outdoor sales and display of merchandise, and outdoor eating areas operated incidental to permitted eating and drinking services shall be permitted subject to the following regulations:

(A) Outdoor sales and display shall not occupy a total site area exceeding the gross building floor area on the site, except as authorized by a conditional use permit.

(B) Areas used for outdoor sales and display of motor vehicles, boats, campers, camp trailers, trailers, trailer coaches, house cars, or similar conveyances shall meet the minimum design standards applicable to off-street parking facilities with respect to paving, grading, drainage, access to public streets and alleys, safety and protective features, lighting, landscaping, and screening.

(C) Exterior storage shall be prohibited, unless screened by a solid wall or fence of between 5 and 8 feet in height.

(3) CD-N Subdistrict

In the CD-N subdistrict, all permitted office and commercial activities shall be conducted within a building, except for:

(A) Incidental sales and display of plant materials and garden supplies occupying not more than 500 square feet of exterior sales and display area, and

(B) Farmers' markets that have obtained conditional use permits.

(i) Employee Showers

Employee shower facilities shall be provided for any new building constructed or for any addition to or enlargement of any existing building as specified in Table 5.

**TABLE 5
EMPLOYEE SHOWERS REQUIRED**

Uses	Gross Floor Area of New Construction (ft ²)	Showers Required
Medical, Professional, and General Business Offices, Financial Services, Business and Trade Schools, General Business Services	0-9,999	No requirement
	10,000-19,999	1
	20,000-49,999	2
	50,000 and up	4
Retail Services, Personal Services, and Eating and Drinking Services	0-24,999	No requirement
	25,000-49,999	1
	50,000-99,999	2
	100,000 and up	4

(j) Nuisances Prohibited

All uses, whether permitted or conditional, shall be conducted in such a manner as to preclude nuisance, hazard, or commonly recognized offensive conditions or characteristics, including creation or emission of dust, gas, smoke, noise, fumes, odors, vibrations,

NOT YET ADOPTED

particulate matter, chemical compounds, electrical disturbance, humidity, heat, cold, glare, or night illuminations. Prior to issuance of a building permit, or occupancy permit, or at any other time, the building inspector may require evidence that adequate controls, measures, or devices have been provided to ensure and protect the public interest, health, comfort, convenience, safety, and general welfare from such nuisance, hazard, or offensive condition.

(k) Recycling Storage

All new development, including approved modifications that add thirty percent or more floor area to existing uses, shall provide adequate and accessible interior areas or exterior enclosures for the storage of recyclable materials in appropriate containers. The design, construction and accessibility of recycling areas and enclosures shall be subject to approval by the architectural review board, in accordance with design guidelines adopted by that board and approved by the city council pursuant to Section 16.48.070.

Commented [JE19]: This section may be moved to 18.24 and/or 18.40, pending discussions with Public Works.

(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 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 percent 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 permissive 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 percent of the area median income, as defined in Section 16.65.020, and where the average household income does not exceed sixty percent of the area median income level, 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 (Residential 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.

NOT YET ADOPTED

SECTION 9. Subsection (b) (Restrictions on Floor Area Bonuses) of Section 18.18.070 (Floor Area Bonuses) of Chapter 18.18 (Downtown Commercial (CD) District) of Title 18 (Zoning) is amended as follows:

18.18.070 Floor Area Bonuses

[...]

(a) Restrictions on Floor Area Bonuses

The floor area bonuses in subsection (a) shall be subject to the following restrictions:

(1) All bonus square footage shall be counted as square footage for the purposes of the ~~350,000~~ annual square foot limit on office development specified in Section ~~18.40.210.18.18.040.~~

(2) All bonus square footage shall be counted as square footage for the purposes of the project size limit specified in Section 18.18.060(a).

(3) In no event shall a building expand beyond a FAR of 3.0:1 in the CD-C subdistrict or a FAR of 2.0:1 in the CD-S or CD-N subdistrict.

(4) The bonus shall be allowed on a site only once.

(5) For sites in Seismic Category I, II, or III, seismic rehabilitation shall conform to the analysis standards referenced in Chapter 16.42 of this code.

(6) For sites in Historic Category 1 or 2, historic rehabilitation shall conform to the Secretary of the Interior's *Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings* (36 CFR §67,7).

(7) For sites in both Seismic Category I, II, or III and Historic Category 1 or 2, no bonus shall be granted unless the project includes both seismic and historic rehabilitation conforming to the standards in subsections (5) and (6).

(8) For sites in both Seismic Category I, II, or III and Historic Category 1 or 2, a bonus granted under this section that will be used on-site is subject to the following requirements:

(A) The city council must approve on-site use of such a FAR bonus. Such approval is discretionary, and may be granted only upon making both of the following findings:

(i) The exterior modifications for the entire project comply with the U.S. Secretary of the Interior's *Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings* (36 CFR §67,7); and

(ii) The on-site use of the FAR bonus would not otherwise be inconsistent with the historic character of the interior and exterior of the building and site.

(B) The applicant for on-site use of a cumulative floor area bonus shall have the burden of demonstrating the facts necessary to support the findings required for council approval.

[...]

NOT YET ADOPTED

SECTION 10. Subsection (f) (Limitations On Usage of Transferable Development Rights) of Section 18.18.080 (Transfer of Development Rights) of Chapter 18.18 (Downtown Commercial (CD) District) of Title 18 (Zoning) is amended as follows:

18.18.80 Transfer of Development Rights

[. . .]

(f) Limitations On Usage of Transferable Development Rights

No otherwise eligible receiver site shall be allowed to utilize transferable development rights under this chapter to the extent such transfer would:

(1) Be outside the boundaries of the downtown parking assessment district, result in a maximum floor area ratio of 0.5 to 1 above what exists or would otherwise be permitted for that site under Section 18.18.060, whichever is greater, or result in total additional floor area of more than 10,000 square feet.

(2) Be within the boundaries of the downtown parking assessment district, result in a maximum floor area ratio of 1.0 to 1 above what exists, or would otherwise be permitted for that site under Section 18.18.060, whichever is greater, or result in total additional floor area of more than 10,000 square feet.

(3) Cause the annual development limitation ~~or project size limitation~~ set forth in Section ~~18.18.040~~18.40.210 to be exceeded.

(4) Cause the site to exceed 3.0 to 1 FAR in the CD-C subdistrict or 2.0 to 1 FAR in the CD-S or CD-N subdistricts.

[. . .]

SECTION 11. Section 18.18.100 (General Standards, Exceptions, and Performance Standards) of Chapter 18.18 (Downtown Commercial (CD) District) of Title 18 (Zoning) is amended as follows:

18.18.100 General Standards, Exceptions, and Performance Standards

In addition to the standards for development prescribed above, all development shall comply with the performance criteria, general standards, and exceptions outlined in Chapter 18.~~2340~~ of the Zoning Ordinance. All mixed use development shall also comply with the applicable provisions of Chapter 18.~~2340~~ of the Zoning Ordinance.

SECTION 12. Section 18.18.110 (Context-Based Design Standards) of Chapter 18.18 (Downtown Commercial (CD) District) of Title 18 (Zoning) is deleted in its entirety and restated to read as follows:

18.18.110 Context-Based Design ~~Criteria Standards~~

Commented [YA20]: Replaced with new 18.24 Design Standards

NOT YET ADOPTED

In addition to the standards for development prescribed above, all development in the CD district shall comply with applicable standards and/or intent statements outlined in Chapter 18.24, as defined therein.

SECTION 13. Section 18.20.040 (Site Development Standards) of Chapter 18.20 (Office, Research, And Manufacturing (MOR, ROLM, RP And GM) Districts) of Title 18 (Zoning) is amended as follows:

18.20.040 Site Development Standards

Development in the office research, industrial, and manufacturing districts is subject to the following development standards, provided that more restrictive regulations may be required as part of design review under Chapter 18.76 of the Palo Alto Municipal Code.

(a) Development Standards for Non-Residential Uses

Table 2 shows the site development standards for exclusively non-residential uses in the industrial and manufacturing districts.

**TABLE 2
INDUSTRIAL/MANUFACTURING NON-RESIDENTIAL SITE DEVELOPMENT STANDARDS**

	MOR	ROLM	ROLM(E)	RP	RP(5)	GM	Subject to Regulations in Chapter:
Minimum Site Specifications							
Site Area (sq. ft.)	25,000	1 acre		1 acre	5 acres	1	
Site Width (ft.)	150	100		100	250		
Site Depth (ft.)	150	150		150	250		
Minimum Setbacks	Setback lines imposed by a special setback map pursuant to Chapter 20.08 of this code may apply.						
Front Yard (ft)	50(3)	20		20	100	(1)	
Rear Yard (ft)	10(3)	20		20	40		
Interior Side Yard (ft)	10	20		20	40		
Street Side Yard (ft)	20(3)	20		20	70		
Minimum Yard (ft) for site lines abutting or opposite residential districts	10(3)	20		20	.10		18.20.060(e)(1)(D) 18.20.060(e) (1)(E)
Maximum Site Coverage	30%	30%		30%	15%		
Maximum Floor Area Ratio (FAR)	0.5:1	0.4:1(4)	0.3:1(4)	0.4:1 W	0.3:1(4)	0.5:1	
Parking	See Chs. 18.52, 18.54						Chs. 18.52,

NOT YET ADOPTED

					18.54
Landscaping	See Section 18.20.050 (Performance Criteria)				18.20.050
Maximum Height (ft)					
Standard	50	35(4)	35(4)	50	
Portion of the structure(s) within 150 ft. of a residential zone < Any portion of structure within 50 feet of a residential or residential PC zone district (5)	35	35	35	35	18.08.030
Within 40 ft. of a residential zone (5)	35	25	25	35	
Daylight Plane for site lines having any part abutting one or more residential districts.					
Initial Height	(2)			10	
Slope	(2)			1:2	
Footnotes:					
(1) For any property designated GM and fronting on East Bayshore Road a minimum setback of 20 feet along that frontage is established.					
(2) Daylight plane requirements shall be identical to the daylight plane requirements of the most restrictive residential district abutting the side or rear site line. Such daylight planes shall begin at the applicable site lines and increase at the specified slope until intersecting the height limit otherwise established for the MOR district.					
(3) In the MOR district, no required parking or loading space shall be located in the first 10 feet adjoining the street property line of any required yard.					
(4) See subsection 18.20.040(e) below for exceptions to height and floor area limitations in the ROLM and RP zoning districts.					
(5) Residential zones include R-1, R-2, RE, RMD, RM-20, RM-30, RM-40 and residential Planned Community (PC) zones.					

(b) Development Standards for Exclusively Residential Uses

Residential uses shall be permitted in the MOR, RP, RP(5), ROLM, ROLM(E), and GM zoning districts, subject to the following criteria.

(1) It is the intent of these provisions that a compatible transition be provided from lower density residential zones to higher density residential or non-residential zones. The Village Residential development type should be evaluated for use in transition areas and will provide the greatest flexibility to provide a mix of residence types compatible with adjacent neighborhoods.

(2) No new single-family or two-family residential development is permitted in

NOT YET ADOPTED

any of the office, research and manufacturing districts, and no new residential development is permitted within 300 feet of an existing Hazardous Materials Tier 2 use. Existing single-family and two-family uses and existing residential development within 300 feet of an existing Hazardous Materials Tier 2 use shall be permitted to remain, consistent with the provisions of Chapter 18.70 (Nonconforming Uses and Noncomplying Facilities).

(3) MOR District. All multi-family development in the MOR zoning district shall be permitted subject to approval of a conditional use permit and compliance with the development standards prescribed for the RM-30 zoning district.

(4) RP and RP(5) Districts. All multi-family development in the RP, and RP(5) zoning districts that is located within 150 feet of an R-E, R-1, R-2, RMD, or similar density residential PC zone shall be permitted subject to the provisions above in 18.20.040(b)(2), approval of a conditional use permit, and compliance with the development standards prescribed for the RM-20 zoning district, including Village Residential development types. Multi-family development in the MOR, RP, and RP(5) zoning districts that is located greater than 150 feet from an R-E, R-1, R-2, RMD, or low density residential PC shall be permitted subject to the provisions above in 18.20.040(b)(2), approval of a conditional use permit, and compliance with the development standards prescribed for the RM-30 zoning district.

(5) ROLM (E) District. All multi-family development in the ROLM(E) zoning district shall be permitted subject to the provisions above in 18.20.040(b)(2), approval of a conditional use permit, and compliance with the development standards prescribed for the RM-20 zoning district.

(6) ROLM District. All multi-family development in the ROLM zoning district shall be permitted subject to the provisions above in 18.20.040(b)(2), approval of a conditional use permit, and compliance with the development standards prescribed for the RM-30 zoning district.

(7) GM District. All residential development is prohibited in the GM zoning district.

(c) Development Standards for Mixed (Residential and Nonresidential) Uses in the MOR, ROLM, ROLM(E), RP, and RP(5) zoning Districts

Mixed (residential and nonresidential) uses shall be permitted in the MOR, ROLM, ROLM(E), RP, and RP(5) zoning districts, subject to the following criteria:

(1) It is the intent of these provisions that a compatible transition be provided from lower density residential zones to higher density residential, non-residential, or mixed use zones. The Village Residential development type should be evaluated for use in transition areas and will provide the greatest flexibility to provide a mix of residence types compatible with adjacent neighborhoods.

(2) New sensitive receptor land uses shall not be permitted within 300 feet of a Hazardous Materials Tier 2 or Tier 3 use. Existing sensitive receptors shall be permitted to remain, consistent with the provisions of Chapter 18.70 (Nonconforming Uses and Noncomplying Facilities).

(3) ROLM(E) District. Mixed (residential and nonresidential) development in the

NOT YET ADOPTED

ROLM(E) zoning district shall be permitted, subject to the provisions above in 18.20.040(c)(2), approval of a conditional use permit, determination that the nonresidential use is allowable in the district and that the residential component of the development complies with the development standards prescribed for the RM-20 zoning district. The maximum floor area ratio (FAR) for mixed use development is 0.3 to 1.

(4) ROLM District. Mixed (residential and nonresidential) development in the ROLM zoning district shall be permitted, subject to the provisions above in 18.20.040(c)(2), approval of a conditional use permit, determination that the nonresidential use is allowable in the district and that the residential component of the development complies with the development standards prescribed for the RM-30 zoning district. The maximum floor area ratio (FAR) for mixed use development is 0.4 to 1.

(5) GM District. Mixed use (residential and nonresidential) development is prohibited in the GM zoning district.

In computing residential densities for mixed (residential and nonresidential) uses, the density calculation for the residential use shall be based on the entire site, including the nonresidential portion of the site.

(d) Floor Area Bonus for Child Care Facilities

Floor area operated as a licensed child care facility shall not be included when calculating floor area ratios for a site. In addition, the permitted floor area on the site shall be increased by an amount equal to fifty percent (50%) of the floor area of the child care facility. The floor area bonus is not exempt from parking requirements and shall not be granted unless the director determines that on-site circulation (including for pick-up and drop-off) for the child care facility is adequate.

(e) Height and Floor Area Exceptions for Equipment Storage and Access in the RP and RP(5) Districts

(1) The intent of this subsection is to provide flexibility in height and floor area limitations to accommodate equipment needs for research and development and similar facilities.

(2) The maximum height in the RP and RP(5) zoning districts may be increased to forty (40) feet where a) interstitial space is provided between floors to accommodate mechanical and/or electrical equipment, b) the load for such interstitial space is limited, to the satisfaction of the Building Official, to preclude conversion to habitable space, c) the building contains no more than two stories of habitable space above grade, and d) the portion of any building over 35 feet in height is located a minimum of 150 feet from the nearest property line of a residential zone or residential PC zone. Interstitial space refers to intermediate floors used for mechanical or electrical systems and access for equipment maintenance purposes.

(3) Rooftop and/or basement areas used to enclose mechanical equipment shall be excluded from floor area calculations, provided that the total of any such excluded areas does not exceed one-third of the building footprint area. Rooftop equipment or

NOT YET ADOPTED

rooftop equipment enclosures shall not extend above a height of fifteen (15) feet above the roof, and any enclosed rooftop equipment located adjacent to residential property shall be set back at least 20 feet from the building edge closest to the residential site or a minimum of 100 feet from the residential property line, whichever is closer.

(f) Limitations on Outdoor Uses and Activities.

(1) In the GM district, outdoor sales and display of merchandise and outdoor eating areas operated incidental to permitted eating and drinking services are permitted subject to the following regulations:

(A) Outdoor sales and display shall not occupy a total site area exceeding the gross building floor area on the site, except as authorized by a conditional use permit.

(B) Areas used for outdoor sales and display of motor vehicles, boats, campers, camp trailers, trailers, coaches, house cars, or similar conveyances shall meet the minimum standards applicable to off-street parking facilities with respect to paving, grading, drainage, access to public streets and alleys, safety and protective features, lighting, landscaping, and screening.

(C) Exterior storage shall be prohibited, unless screened by a solid wall or fence of between five and eight feet in height. This requirement is not applicable to recycling centers.

(2) In the ROLM and RP districts, all outdoor activities or uses are prohibited except:

(A) Outdoor activities associated with residential use;

(B) Landscaping;

(C) Parking and loading facilities;

(D) Recycling centers that have obtained a conditional use permit;

(E) Noncommercial recreational activities and facilities accessory to permitted or conditional uses; and

(F) Activities and facilities accessory to conditional uses, when authorized by a conditional use permit.

(3) In all industrial and manufacturing districts, equipment such as generators and air conditioning compressors is permitted outdoors so long as it is located out of setbacks adjacent to (including across a street from) a residential use, and is screened from view from the residential area.

(4) Any outdoor storage or use of hazardous materials in excess of exempt quantities prescribed in Title 15 of the Municipal Code or outdoor storage, use or handling of any amount of toxic gas or materials regulated under Title 15 shall also require a conditional use permit.

(g) Employee Showers.

Employee shower facilities shall be provided for any new building constructed or for any addition to or enlargement of any existing building as specified in Table 4.

**TABLE 4
EMPLOYEE SHOWERS REQUIRED**

NOT YET ADOPTED

Uses	Gross Floor Area of New Construction (sqft)	Showers Required
Medical, Professional, and General Business Offices, Financial Services, Colleges and Universities, Business and Trade Schools, Research and Development, General Business Services, and Manufacturing	0-9,999	No requirement
	10,000-19,999	1
	20,000-49,999	2
	50,000 and up	4

(h) Nuisances and Hazards

In all office research, industrial, and manufacturing districts, excluding the MOR Medical Office and Medical Research district, all uses, whether permitted or conditional, shall be conducted in such a manner so as to preclude any nuisance, hazard, or commonly recognized offensive conditions or characteristics, including creation or emission of dust, gas, smoke, noise, fumes, odors, vibrations, particulate matter, chemical compounds, etiological (biological) agents, electrical disturbance, humidity, heat, cold, glare, or night illumination. Prior to issuance of a building permit or occupancy permit, or at any other time, the building official may require evidence that adequate controls, measures, or devices have been provided to ensure and protect the public interest, health, comfort, convenience, safety, and general welfare from such nuisance, hazard, or offensive condition.

(i) Recycling Storage

All new development, including approved modifications that add thirty percent or more floor area to existing uses, shall provide adequate and accessible interior areas or exterior enclosures for the storage of recyclable materials in appropriate containers. The design, construction and accessibility of recycling areas and enclosures shall be subject to approval by the architectural review board, in accordance with design guidelines adopted by that board and approved by the city council pursuant to Chapter 18.76.

Commented [JE21]: This section may be moved to 18.24 and/or 18.40, pending discussions with Public Works; needs modification to create objective requirements.

(j) Designated Sites

Notwithstanding any other provisions of this Section 18.20.040, on those sites that are Designated Sites under the Development Agreement between the City of Palo Alto and Stanford University approved and adopted by Ordinance No. 4870, the maximum floor area ratio shall be 0.5 to 1 as provided in that Agreement.

SECTION 14. Section 18.20.050 (General Standards, Exceptions, and Performance Standards) of Chapter 18.20 (Office, Research, And Manufacturing (MOR, ROLM, RP And GM) Districts) of Title 18 (Zoning) is amended as follows:

18.20.050 General Standards, Exceptions, and Performance Standards

NOT YET ADOPTED

All development in the Office/Research/Manufacturing zoning districts shall comply with the applicable requirements and guidelines outlined in Chapter 18.2340, including performance criteria. ~~Such requirements and guidelines are~~ intended to reduce the impacts of these non-residential uses on surrounding residential districts and other sensitive receptors.

SECTION 15. Section 18.23.010 (Purpose and Applicability) of Chapter 18.23 (Performance Criteria for Multiple Family, Commercial, Manufacturing and Planned Community Districts) of Title 18 (Zoning) is deleted in its entirety.

SECTION 16. Section 18.23.020 (Refuse Disposal Areas) of Chapter 18.23 (Performance Criteria for Multiple Family, Commercial, Manufacturing and Planned Community Districts) of Title 18 (Zoning) is amended as follows:

18.23.020 Refuse Disposal Areas

(A) Purpose

Assure that development provides adequate and accessible interior areas or covered exterior enclosures for the storage of refuse in appropriate containers with storage capacity for a maximum of one week, and that refuse disposal structures and enclosures are located as far from abutting residences as is reasonably possible. The following requirements apply to new construction, change of use, additional uses, and/or renovating thirty (30) percent or more existing floor area.

(B) Requirements

Location and Capacity

(i) Capacity standards pursuant to Section 5.20: Collection, Removal, and Disposal of Refuse and Green Waste Department "Trash Enclosure Area Guidelines for New Construction and Redevelopment Projects" which may be updated from time to time.

(ii) ~~(i)~~ Refuse disposal and structures and enclosures shall be accessible to all residents or users of the property.

(iii) Mixed use development shall have separate enclosures for each use classification (example: residential and commercial)

(iv) ~~(ii)~~ Compostable materials and recyclable materials facilities shall be located adjacent to solid waste receptacles, sized, and designed to encourage and facilitate convenient use.

~~(v)~~ Refuse enclosures shall be no closer than 20 feet from any dwelling unit (including those on abutting properties). No minimum distance from dwellings is required if containers are located within a fully enclosed utility room.

Commented [YA22]: Edits shown here for illustration; proposed to be added to 18.40 (General Standards and Exceptions)

NOT YET ADOPTED

(vi) Individual garage containers may be used to serve residential projects with one or two dwelling units. Shared containers or dumpsters shall service residential projects with three or more units, unless otherwise approved by the Public Works Director or any designee.

Screening and Enclosures

(vii) Green Waste Department "Trash Enclosure Area Guidelines for New Construction and Redevelopment Projects" and "Trash Enclosure Design Guide" standards which may be updated from time to time.

(viii) ~~(iii)~~ Refuse disposal areas shall be screened from public view by masonry, wood, or other opaque and durable material, ~~and shall be enclosed and covered~~ or located within a building or covered enclosure.

(ix) Enclosures shall have a roof, walls, and be at least 6 feet tall. Enclosures shall ~~and~~ include wheel stops or curbs to prevent dumpsters from damaging enclosure walls.

(x) Gates or other controlled access shall be provided where feasible.

(xi) Chain link enclosures are ~~strongly discouraged~~ prohibited.

(xii) ~~(iv)~~ Refuse disposal structures and enclosures shall be architecturally compatible with the design of the project.

(xiii) Notwithstanding, section **(v) above**, in lower density residential districts (RE, R-1, R-2, and RMD), containers may be stored under extended eaves at least 3 feet deep, without full enclosures.

~~(ii)~~

~~(iii)(xiv) (iv)~~ The design, construction and accessibility of refuse disposal areas and enclosures shall be ~~subject to approval by the Architectural Review Board, in accordance with design guidelines adopted by that Board and approved by the Council pursuant to Section 18.76.020.~~

SECTION 17. Section 18.23.030 (Lighting) of Chapter 18.23 (Performance Criteria for Multiple Family, Commercial, Manufacturing and Planned Community Districts) of Title 18 (Zoning) is amended as follows:

18.23.30 Lighting

(A) PurposeIntent:

Exterior lighting of parking areas, pathways, and common open spaces, including fixtures on building facades and free-standing lighting should aim to:

- ~~To~~ Minimize the visual impacts of lighting on abutting or nearby ~~residential sites~~ properties and from adjacent roadways.
- Provide for safe and secure access on a site and adjacent pedestrian routes
- Achieve maximum energy efficiency
- Complement the architectural design of the project

Guidelines:

- Lighting of the building exterior, parking areas and pedestrian ways should be of the

Commented [YA23]: Edits shown here for illustration; proposed to be added to 18.40 (General Standards and Exceptions)

NOT YET ADOPTED

lowest intensity and energy use adequate for its purpose, and be designed to focus illumination downward to avoid excessive illumination above the light fixture.

- Unnecessary continued illumination, such as illuminated signs or back-lit awnings, should be avoided. Internal illumination of signs, where allowed, should be limited to letters and graphic elements, with the surrounding background opaque. Illumination should be by low intensity lamps.
- Timing devices and dimmers should be used for exterior and interior lights in order to minimize light glare at night and control lighting levels. At the time of project approval, the project applicant should demonstrate how interior and exterior lighting sources will be reduced after operating hours or when the use of the facility is reduced.

(B) Requirements

~~(i) Exterior lighting in parking areas, pathways and common open space shall be designed to achieve the following: (1) provide for safe and secure access on the site, (2) achieve maximum energy efficiency, and (3) reduce impacts or visual intrusions on abutting or nearby properties from spillover and architectural lighting that projects upward.~~

~~(ii)(i) The use of high pressure sodium and metal halide are permitted light sources. Low pressure sodium is not allowed.~~

~~(ii)(ii) Exterior lighting fixtures shall be mounted less than or equal to 15 feet from grade to top of fixture in low activity or residential parking lots and 20 feet in medium or high activity parking lots.~~

~~(iii) Levels of exterior illumination for most uses range from 0.5 to 5 footcandles. Areas of higher or lower levels of illumination should be indicated on project plans.~~

~~(iv) Where the light source is visible from outside the property boundaries on an abutting residential use, such lighting shall not exceed 0.5 foot-candle as measured at the abutting ~~residential~~ property line.~~

~~(v) Interior lighting shall be designed to minimize nighttime glow visible from and/or intruding into nearby properties and shall be shielded to eliminate glare and light spillover beyond the perimeter property line of the development.~~

~~(vi) Light fixtures shall ~~not~~ be located at least XX feet from next to driveways or intersections, which to avoid obstructing clear sight distance triangles.~~

~~(vii) — Lighting of the building exterior, parking areas and pedestrian ways should be of the lowest intensity and energy use adequate for its purpose, and be designed to focus illumination downward to avoid excessive illumination above the light fixture.~~

~~(viii) Pedestrian and security lighting fixtures ~~should~~ shall be directed downward fully shielded. Architectural lighting that projects upward from the ground as used in landscaping, courtyards, or building accent should be directed ~~so as not to affect abutting land uses onto the building face~~.~~

~~(viii) Non-residential projects, adjacent to residential zoning districts or residential uses, shall use timing devices, dimmers, and/or window shades with timers in order to minimize light glare at night and control lighting levels from exterior and interior lights.~~

(C) Guidelines

NOT YET ADOPTED

~~(i) Unnecessary continued illumination, such as illuminated signs or back-lit awnings, should be avoided. Internal illumination of signs, where allowed, should be limited to letters and graphic elements, with the surrounding background opaque. Illumination should be by low intensity lamps.~~

~~(ii) Timing devices should be considered for exterior and interior lights in order to minimize light glare at night without jeopardizing security of employees. At the time of project approval the project applicant must demonstrate how interior and exterior lighting sources will be reduced after operating hours or when the use of the facility is reduced.~~

SECTION 18. Section 18.23.040 (Late Night Uses and Activities) of Chapter 18.23 (Performance Criteria for Multiple Family, Commercial, Manufacturing and Planned Community Districts) of Title 18 (Zoning) is amended as follows:

18.23.040 Late Night Uses and Activities

(A) Purpose

The purpose is to restrict retail or service commercial businesses abutting (either directly or across the street) or within 50 feet of residentially zoned properties or properties with existing residential uses located within nonresidential zones, with operations or activities between the hours of 10:00 p.m. and 6:00 a.m. Operations subject to this code may include, but are not limited to, deliveries, parking lot and sidewalk cleaning, and/or clean up or set up operations, but does not include garbage pick up.

(B) Requirements

(i) Retail (including restaurants) or service commercial businesses abutting or within 50 feet of residentially zoned properties or properties with existing residential uses located within nonresidential zones, that are open or with operations or activities between the hours of 10:00 p.m. and 6:00 a.m. shall be operated in a manner to protect residential properties from excessive noise, odors, lighting or other nuisances from any sources during those hours.

(ii) Where planning or building permits are required or for a change in use that results in any such commercial business in the CN or CS zone districts, operating or with activities between the hours of 10:00 p.m. and 6:00 a.m., a conditional use permit shall be obtained and conditions of approval shall be applied as deemed necessary to ensure the operation is compatible with the abutting (or within 50 feet of) residential property. Said use permit shall be limited to operations or activities occurring between 10:00 p.m. and 6:00 a.m.

(iii) Truck deliveries shall not occur before 6:00 a.m. or after 10:00 p.m., except pursuant to the provisions of a conditional use permit.

Commented [YA24]: Edits shown here for illustration; proposed to be added to 18.42 (Standards for Special Uses)

NOT YET ADOPTED

SECTION 19. Section 18.23.050 (Visual, Screening and Landscaping) of Chapter 18.23 (Performance Criteria for Multiple Family, Commercial, Manufacturing and Planned Community Districts) of Title 18 (Zoning) is amended as follows:

18.23.050 Visual, Screening and Landscaping

(A) Purpose

Utilities, mechanical equipment, service areas, and other site fixtures should be:

- Integrated into the site planning and architectural design of a project and surrounding uses
- Visually screened from public view and from adjacent properties through architectural design, landscaping and screening devices

~~Privacy of abutting residential properties or properties with existing residential uses located within nonresidential zones (residential properties) should be protected by screening from public view all mechanical equipment and service areas. Landscaping should be used to integrate a project design into the surrounding neighborhood, and to provide privacy screening between properties where appropriate.~~

(B) Requirements

(i) For non-residential properties abutting residential uses:

- A solid wall or fence between five and eight feet in height shall be constructed and maintained along the residential property line.
- ~~(i)~~ Walls facing residential properties shall incorporate architectural design features and landscaping in order to reduce apparent mass and bulk.
- ~~(ii)~~ Loading docks and exterior storage of materials or equipment shall be screened from view from residential properties by fencing, walls or landscape buffers.
- ~~(iii)~~ All required interior yards (setbacks) abutting residential properties shall be planted and maintained as a landscaped screen.

(ii) For all project types:-

- All areas not covered by structures, service yards, walkways, driveways, and parking spaces shall be landscaped with ground cover, shrubs, and/or trees.
- ~~(iv)~~ Rooftop equipment shall be screened by a parapet or enclosure. Rooftop equipment or rooftop equipment enclosures ~~shall not extend above a height of 15 feet above the roof, and any enclosed rooftop equipment nearest residential property shall be set back at least 20 feet from the building edge closest to the residential property~~ or a minimum of 100 feet from the residential property line, whichever is closer. Roof vents, flues and other protrusions through the roof of any building or structure shall be obscured from public view, when viewed from the abutting opposite sidewalk, by a roof screen or proper placement. See Section 18.40.090 (height limit exceptions)

Commented [YA25]: Edits shown here for illustration; proposed to be added to 18.40 (General Standards and Exceptions)

NOT YET ADOPTED

for further restrictions.

- ~~(v)~~ For sites abutting residential properties, a solid wall or fence between five and eight feet in height shall be constructed and maintained along the residential property line where privacy or visual impacts are an issue.
- ~~(vi)~~ A minimum 10-foot planting and screening strip shall be provided adjacent to any façade abutting a low density residential district (R-1, R-2, or RMD) or abutting railroad tracks.
- ~~(vii)~~ All exterior mechanical and other types of equipment, whether installed on the ground or attached to a building roof or walls, shall be screened obscured from public view, when viewed from the abutting opposite sidewalk and, if visible and feasible, from overhead view.
- Windows, balconies or similar openings above the first story should be offset so as not to have a direct line-of-sight into the interior living areas of adjacent units within the project or into units on abutting residential property.

(C) Guidelines

~~(iii)~~(i) For landscape buffers to provide a visual screen, trees and shrubs in the buffer area shall be installed in a manner that provides maximum visual separation of residential uses from the commercial or industrial use, taking into consideration topography and sight lines from residences.

~~(iii)~~(ii) Size and density of plant materials shall be in proportion to the size of planting areas and the mass of the structure.

~~(iv)~~(iii) Plant material selection shall take into consideration solar orientation, drought tolerance, maintenance requirements and privacy screening.

~~(v)~~(iv) Plant material species and container sizes shall allow for a mature appearance within five years.

(C) Guidelines

~~(i)~~(v) Roof vents, flues and other protrusions through the roof of any building or structure should be clustered where feasible and where visual impacts would thereby be minimized.

~~(ii) Windows, balconies or similar openings above the first story should be offset so as not to have a direct line-of-sight into the interior living areas of adjacent units within the project or into units on abutting residential property.~~

~~(iii)~~(vi) Building elevations facing residential property should not have highly reflective surfaces, such as reflective metal skin and highly reflective glazing. The paint colors should be in subdued hues.

~~(iv)~~(vii) Increased setbacks or more restrictive daylight planes may be proposed by the applicant, or recommended by the architectural review board, as mitigation for the visual impacts of massive buildings.

~~(v)~~(viii) Appropriate landscaping should be used to aid in privacy screening.

~~(vi)~~(ix) Planting strips and street trees should be included in the project.

~~(vii)~~(x) Textured and permeable paving materials should be used, where feasible, in pedestrian, driveway and parking areas in order to visually reduce paved areas and to

NOT YET ADOPTED

allow for retention and/or infiltration of storm water to reduce pollutants in site runoff.

~~(viii)~~(xi) Landscaping material associated with screening should have adequate room to grow and be protected from damage by cars and pedestrian traffic.

~~(ix)~~(xii) Where rooftops are visible from offsite, they should be treated to minimize aesthetic impacts, including the use of rooftop gardens or other green spaces, where feasible.

SECTION 20. Sections 18.23.070 (Parking) and 18.23.080 (Vehicular, Pedestrian, and Bicycle Access of Chapter 18.23 (Performance Criteria for Multiple Family, Commercial, Manufacturing and Planned Community Districts) of Title 18 (Zoning) are ~~deleted in their entirety.~~

Commented [YA26]: These sections are consolidated into Chapter 18.54 (Parking Facility Design Standards)

SECTION 21. Subchapter 18.30(J) (Affordable Housing (AH) Combining District Regulations) of Chapter 18.30 (Combining Districts) of Title 18 (Zoning) is deleted in its entirety and a new Chapter 18.XX (Affordable Housing ~~Bonus-Incentive~~ Program) is created to read as follows:

Sections:

18.30(J).010 Specific Purpose

18.30(J).020 Applicability of Regulations and Affordable Housing Requirement

18.30(J).030 Definitions

18.30(J).040 ~~Zoning Map Designation~~Reserved

18.30(J).050 ~~Site Development~~Review Process

18.30(J).060 Conformance to Other Combining Districts and Retail Preservation

18.30(J).070 Permitted Uses

18.30(J).080 Conditional Uses

18.30(J).090 Development Standards

18.30(J).010 Specific Purpose

The affordable housing ~~combining district incentive program~~ is intended to promote the development of 100% affordable rental housing projects located within one-half mile of a major transit stop or one-quarter mile of a high-quality transit corridor, as defined in subdivision (b) of Section 21155 of the Public Resources Code, by providing flexible development standards and modifying the uses allowed in the commercial districts and subdistricts.

18.30(J).020 Applicability of Regulations and Affordable Housing Requirement

(a) The affordable housing incentive program ~~combining district may be combined with~~ shall apply to properties zoned CD, CN, CS, and CC ~~districts~~, set forth in Chapters 18.16 and 18.18 of this Title, in accord with Chapter 18.08 and Chapter 18.80, ~~but excluding-~~ The Town and Country Village Shopping Center, Midtown Shopping Center, and Charleston

NOT YET ADOPTED

~~Shopping Center shall not be considered eligible for the application of the affordable housing combining district. Where so combined, the regulations established by this chapter shall apply for 100% affordable housing projects in lieu of the uses allowed and development standards and procedures applied in the underlying district. A property owner may elect to use the site consistent with the underlying district, in which case the applicable regulations in Chapters 18.16 and 18.18 for the commercial districts shall apply. The Town and Country Village Shopping Center, Midtown Shopping Center, and Charleston Shopping Center shall not be considered eligible for the application of the affordable housing combining district.~~

(b) The affordable housing ~~combining district~~incentive program provides flexibility in development standards that allow for a density increase that would in most cases exceed density bonuses under state law, Government Code Section 65915, and the opportunities available pursuant to objective standards elsewhere in this code. Therefore, a project applicant may utilize the affordable housing ~~combining district~~incentive program and the provisions of this chapter as an alternative to use of the state density bonus law implemented through Chapter 18.15 (Density Bonus) of this Title, but may not utilize both the affordable housing ~~combining district~~incentive program and density bonuses. If an applicant utilizes state density bonus law, the regulations in Chapters 18.16 or 18.18 for the applicable underlying commercial district shall apply. In addition, in order to utilize the affordable housing incentive program, a project applicant must submit the project for architectural review pursuant to Section 18.76.020, including application of architectural review findings.

18.30(J).030 Definitions

For purposes of this chapter, the following definitions shall apply.

(a) "100% affordable housing project" means a multiple-family housing project consisting entirely of for-rent affordable units, as defined in Section 16.65.020 of this code, ~~except for a building manager's unit~~, and 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.

18.30(J).040 ~~Zoning Map Designation~~Reserved

~~The affordable housing combining district shall apply to properties designated on the zoning map by the symbol "AH" within parentheses, following the commercial designation with which it is combined.~~

18.30(J).050 ~~Site Development~~Review Process

All projects shall be subject to architectural review as provided in Section 18.76.020. ~~Projects and~~ shall not be subject to the requirements of site and design review in Chapter 18.30(G). Projects shall not be subject to any other discretionary action, unless the applicant requests amendment to the zoning map or zoning regulations, pursuant to

NOT YET ADOPTED

[Chapter 18.80, a subdivision map pursuant to Title 21, or other modifications or variances that trigger review by the Planning & Transportation Commission and/or City Council.](#)

18.30(J).060 Conformance to Other Combining Districts and Retail Preservation

The following requirements shall apply to projects in the AH affordable housing [combining district incentive program](#):

(a) Where applicable, the requirements of Chapter 18.30(A) (Retail Shopping (R) Combining District Regulations), Chapter 18.30(B) (Pedestrian Shopping (P) Combining District Regulations), and Chapter 18.30(C) (Ground Floor (GF) Combining District Regulations), and Pedestrian Shopping (P) Combining Districts shall apply.

(b) Where applicable, the retail preservation requirements of Section 18.40.180 shall apply except as provided below.

(1) Waivers and adjustments

a. Except in the R or GF combining districts, the City Council shall have the authority to reduce or waive the amount of retail or retail like gross floor area required in Section 18.40.180 for any 100% affordable housing project if the City Council determines that it would be in the public interest. Any such reduction or waiver shall not be subject to the waiver and adjustments requirements in Section 18.40.180(c). In the R and GF combining districts, any reduction or waiver in retail or retail like gross floor area shall remain subject to the requirements of Section 18.40.180(c) or the combining district as applicable.

b. The City Council shall have the authority to modify retail parking requirements associated with a 100% affordable housing project that also requires ground floor retail.

18.30(J).070 Permitted Uses

The following uses shall be permitted in the AH affordable housing [combining district incentive program](#):

(a) 100% affordable housing projects;

(b) In conjunction with a 100% affordable housing project, any uses permitted in the underlying district, provided the uses are limited to the ground floor.

18.30(J).080 Conditional Uses

The following uses may be permitted in the AH affordable housing [combining district incentive program](#) in conjunction with an 100% affordable housing project, subject to issuance of a conditional use permit in accord with Chapter 18.76 (Permits and Approvals), provided that the uses are limited to the ground floor:

(a) Business or trade school.

(b) Adult day care home.

(c) Office less than 5,000 square feet when deed-restricted for use by a not-for-profit organization.

(d) All other uses conditionally permitted in the applicable underlying zoning district.

NOT YET ADOPTED

18.30(J).090 Development Standards

The following development standards shall apply to projects subject to the AH affordable housing ~~combining district~~ [incentive program](#) in lieu of the development standards for the underlying zoning district, except where noted below:

**Table 1
Development Standards**

AH Combining District ⁽¹⁾		
Minimum Site Specifications		Subject to regulations in:
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)	Same as underlying district	
Rear Yard (ft)	Same as underlying district	
Rear Yard abutting residential zoning district (ft)	Same as underlying district	
Interior Side Yard if abutting residential zoning district (ft)	Same as underlying district	
Street Side Yard (ft)	Same as underlying district	
Build-to-Lines	Same as underlying district	
Permitted Setback Encroachments	Same as underlying district	
Maximum Site Coverage	None Required	
Landscape/Open Space Coverage	20%(2)	
Usable Open Space	25 sq ft per unit for 5 or fewer units(2), 50 sq ft per unit for 6 units or more(2)	18.24.040
Maximum Height (ft)	50'	
Any portion of structure within 50 ft of a R1, R-2, RMD, RM-20, or RM-	35'(3)	

NOT YET ADOPTED

30 zoned property		
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	
Maximum Residential Density (net)	None Required	
Maximum Residential Floor Area Ratio (FAR) - Residential Portion of a Project	2.0:1	
Maximum Non-Residential FAR	0.4:1	
Vehicle Parking	0.75 per unit. The Director may modify this standard based on findings from a parking study that show fewer spaces are needed for the project. The required parking ratio for special needs housing units, as defined in Section 51312 of the Health and Safety Code shall not exceed 0.3 spaces per unit. For Commercial Uses, See Chapters 18.52 and 18.54 (Parking).	Adjustments to the required ratios shall be considered per Chapter 18.52 (Parking).
TDM Plan	A transportation demand management (TDM) plan shall be required pursuant to Section 18.52.050(d) and associated administrative guidelines	18.52.050(d)
<p>Notes:</p> <p>(1) These developments shall be designed and constructed in compliance with the performance criteria outlined in Chapter 18.23, as well as the context-based design criteria outlined in Section 18.13.060 for residential-only projects, Section 18.16.090 for mixed use projects in the CN, CC, and CS districts, and Section 18.18.110 for mixed use projects in the CD district context-based design standards in Section 18.24. For projects undergoing discretionary review, 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.</p> <p>(2) Landscape coverage is the total area of the site covered with landscaping as defined in Chapter 18.04. For the purposes of this Chapter 18.30(J), areas provided for usable open space may be counted towards the landscape site coverage requirement. Landscape and</p>		

NOT YET ADOPTED

open space areas may be located on or above the ground level, and may include balconies, terraces, and rooftop gardens.
 (3)The Planning Director may recommend a waiver from the transitional height standard.

SECTION 22. Subchapter 18.30(K) (Workforce Housing (WH) Combining District Regulations) of Chapter 18.30 (Combining Districts) of Title 18 (Zoning) is deleted in its entirety and a new Chapter 18.30 (Workforce Housing Incentive Program) is created to read as follows:

18.30(K).010 Specific Purpose

The purpose of the workforce housing combining district is to incentivize development of new housing that is affordable to the local workforce. This combining district promotes the development of such housing projects located within one-half mile radius of a major fixed-rail transit stop by providing flexible development standards and modifying the uses allowed in the public facilities (PF) district.

18.30(K).020 Applicability of Regulations and Affordable Housing Requirement

(a) The workforce housing incentive program combining district may be combined with shall apply to properties in the public facilities (PF) zoning district set forth in Chapter 18.28 of this title, in accord with Chapter 18.08 and Chapter 18.80, which are located on any parcel that is located within one-half mile radius of a major fixed-rail transit station platform with the exception of sites in park use or being used for outdoor recreational purpose or within 25 feet of such a use at the time of adoption of this chapter. Where so combined, the regulations established by this chapter shall apply for workforce housing projects in lieu of the uses allowed and development standards and procedures applied in the underlying PF district. A property owner may elect to use the parcel consistent with the underlying district, in which case the regulations in Chapter 18.28 for the PF district shall apply.

(b) The workforce housing incentive program provides flexibility in development standards that allow for a density increase that would in most cases exceed density bonuses under state law, Government Code Section 65915, and the opportunities available pursuant to objective standards elsewhere in this code. Therefore, a project applicant may utilize the workforce housing incentive program and the provisions of this chapter as an alternative to use of the state density bonus law implemented through Chapter 18.15 (Density Bonus) of this Title, but may not utilize both the workforce housing incentive program and density bonuses. If an applicant utilizes state density bonus law, the regulations in Chapters 18.16 or 18.18 for the applicable underlying commercial district shall apply. In addition, in order to utilize the affordable housing incentive program, a project applicant must submit the project for architectural review pursuant to Section 18.76.020, including application of architectural review findings.

18.30(K).030 Definitions

NOT YET ADOPTED

For purposes of this chapter, the following definitions shall apply:

(a) "Workforce housing" means a multi-family rental housing project in which at least 20% of the units, excluding any required below-market-rate units, are affordable to households earning more than 120% of area median income (AMI) up to and including 150% of AMI.

18.30(K).040 ~~Zoning Map Designation~~ Reserved

~~The workforce housing combining district shall apply to properties designated on the zoning map by the symbol "WH" within parentheses, following the public facilities (PF) district designation with which it is combined.~~

18.30(K).050 ~~Site Development~~ Review Process

All projects shall be subject to architectural review as provided in Section 18.76.020, ~~except that projects proposing nine units or more shall not be subject to site and design review under Chapter 18.30(G). Projects shall not be subject to any other discretionary action, unless the applicant requests amendment to the zoning map or zoning regulations, pursuant to Chapter 18.80, a subdivision map pursuant to Title 21, or other modifications or variances that trigger review by the Planning & Transportation Commission and/or City Council.~~

18.30(K).060 Permitted Uses

(a) The following uses shall be permitted in the WH ~~combining district~~ incentive program:

- (1) Workforce housing;
- (2) Incidental retail and/or community center space on the ground floor only when provided in conjunction with workforce housing and not to exceed 10% of the total gross floor area of the site;
- (3) All other uses permitted in the underlying district, subject to the development standards for the underlying district.

(b) The uses in subsections (a)(1) and (a)(2) above shall not be used in combination with (a)(3).

18.30(K).070 Development Standards

(a) Where the WH ~~combining district is combined with the public facilities district~~ incentive program applies, the following development standards shall apply for workforce housing projects, including permitted incidental uses, in lieu of the development standards for the underlying PF zoning district:

Table 1
Development Standards

WH Combining District	
Minimum Site Specifications	Subject to regulations in:

NOT YET ADOPTED

Site Area (ft)	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)	10 feet; may be increased to 20 feet by decisionmaking body (1)	
Rear Yard (ft)	10'(2)	
Interior Side Yard	5'(2)	
Interior Side Yard if abutting residential zoning district (ft) (other than an RM-40 or PC zone)	10'(2)	
Street Side Yard (ft)	5 feet; may be increased to 10 feet by decisionmaking body (1)	
Maximum Site Coverage	None Required	
Landscape/Open Space Coverage	20%(3)	
Usable Open Space(4)	75 square feet (sf) per unit	18.24.040
Maximum Height (ft)		
Standard	50'	
<u>Any portion of structure within 50 feet of a residential zone (other than an RM-40 or PC zone) Within 150 ft. of a residential district (other than an RM-40 or PC zone) abutting or located within 50 feet of the site</u>	35', except as limited by applicable daylight plane requirements	
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	
Maximum Residential Density (net)	None Required	
Maximum Residential Floor Area Ratio (FAR)	2.0:1	

NOT YET ADOPTED

<p>- Residential-Only or Mixed Use Projects</p>		
<p>Maximum Unit Size</p>	<p>750 sf</p>	
<p>Vehicle Parking</p>	<p>Parking requirements shall be no less than one space per unit or bedroom, whichever is greater. The decisionmaking body may reduce this standard based on a parking study. Any incidental retail or community center space shall be subject to the parking requirements outlined in Chapter 18.52.</p>	
<p>Bicycle Parking</p>	<p>Bicycle parking requirements shall be in accordance with Section 18.52.040.</p>	
<p>TDM Plan</p>	<p>A transportation demand management (TDM) plan shall be required and shall comply with the TDM pursuant to Section 18.52.050(d), associated administrative guidelines, and the decisionmaking body.</p>	
<p>Notes:</p> <ol style="list-style-type: none"> 1. A 12-foot sidewalk width is required along El Camino Real frontage. 2. In order to encourage below-grade parking, garage ramps and subterranean structures may encroach into the required setback provided that sufficient landscaping is still provided between the project site and adjacent properties. 3. Landscape/open space may be any combination of landscaping or private and common open spaces. 4. Useable open space includes a combination of common and private open space. <p>(b) These developments shall be subject to context-based design standards in Section 18.24. For projects undergoing discretionary review, the performance criteria outlined in Chapter 18.23, as well as the context-based design criteria outlined in Section 18.13.090 for residential projects, provided that more restrictive regulations may be recommended by the architectural review board and approved by the director, pursuant to Section 18.76.020.</p>		

18.30(K).080 Additional WH Combining District Regulations

(a) Affordability requirement. At least 20% of the units in a workforce housing project, excluding any required below-market-rate units, shall be affordable to households earning

NOT YET ADOPTED

up to and including 150% of area median income (AMI).

(b) BMR provisions applicable. The below market rate housing requirements set forth in Chapter 16.65 of Title 16 of this code shall apply to workforce housing projects. Any BMR units provided will not be counted toward the total number of units in a workforce housing project for purposes of calculating the number of workforce affordable units required under subsection (a) above.

(c) Continued affordability. All workforce housing units provided under subsection (a) above shall be subject to a deed of trust or regulatory agreement recorded against the property for execution by the City Manager in a form approved by the City Attorney, to ensure the continued affordability of the workforce housing units. All workforce housing units shall remain affordable to the targeted income group for 99 years.

(d) Local workforce preference. All residential units within a workforce housing project shall be offered first to eligible households with at least one household member who currently lives or whose place of employment is within a three mile radius of the project or within the City of Palo Alto. If units remain unoccupied after offers are made to this first category, those units shall be offered to eligible households with at least one household member whose place of employment is within one-half mile of a major fixed-rail transit stop.

SECTION 22. Section 18.34.040 (Pedestrian and Transit Oriented Development (PTOD) Combining District Regulations) of Chapter 18.34 (Pedestrian and Transit Oriented Development (PTOD) Combining District Regulations) of Title 18 (Zoning) is amended as follows:

18.34.040 Pedestrian and Transit Oriented Development (PTOD) Combining District Regulations

(a) Properties in the PTOD combining district are subject to the following regulations:

**TABLE 2
DEVELOPMENT STANDARDS**

Standards ¹	PTOD - California Avenue	PTOD - Downtown [Reserved]
Max. Dwelling Units:	40 DU/AC 2	
Max. FAR:		
100% Residential FAR	1.0:1 2	
Mixed Use FAR	1.25:1 23	
Mixed Use Non-Residential FAR Cap	Total: 0.35 4 Office and research and development uses: 0.25 FAR	
Hotels	2.0	
Height:	40 feet ²	
Open Space:		

NOT YET ADOPTED

Minimum area required	5 or fewer units: 200 sq. ft. per unit 6 or more units: 100 s.f. per unit	18.24.040
Minimum dimensions	Private open space: 6 feet Common open space: 12 feet	18.24.040
Parking:	Rates established by use, per Chs. 18.52 and 18.54	
Parking Adjustments:	See Section 18.34.040(d)	
Setbacks and daylight plane requirements for properties adjacent to R-1 and R-2 zones:		
Setbacks	On portion of site that abuts: 1. Interior side yard: 6 feet 2. Rear yard: 20 feet	
Daylight Plane	On portion of site that abuts: 1. Interior side yard: Initial height at interior side lot line: 10 feet Angle (degrees): 45 2. Rear yard: Initial height at rear setback line: 16 feet Angle (degrees): 45	
Setbacks and daylight and daylight plane requirements for properties adjacent to Caltrain Right-of-Way:		
Setbacks	On portion of site that abuts Caltrain right-of-way: 5 feet (landscaped)	
Daylight Plane	On portion of site that abuts Caltrain right-of-way: Initial height at property line w/Caltrain right-of-way: 16 feet Angle (Degrees): 45	
Footnotes:		
<p>(1) Non-residential development that is not consistent with the mixed-use limitations set forth above, with the exception of hotels, must be developed per the underlying zoning district regulations.</p> <p>(2) See Section 18.34.040 (e) for Below Market Rate (BMR) bonus provisions.</p> <p>(3) The residential component of the mixed use may not exceed 1.0:1.</p> <p>(4) The non-residential component of a mixed use project shall not exceed 50% of the total square-footage of the project.</p>		

(b) Live/Work Units

(1) A live/work unit, for the purposes of this chapter, is defined as a rental or ownership unit comprised of both living space and work area, with the living space occupying a minimum of 60% of the total gross floor area of the unit, and such that the resident of the living space is the owner/operator of the work area.

Commented [JE27]: Consider permitting Live/work in other districts

NOT YET ADOPTED

(2) The work area shall be located on the ground level, oriented to the street and provide for at least one external entrance/exit separate from the living space. The work area may be used for office, retail, personal services, or handcrafted goods (unless otherwise limited by this chapter), but shall not be used for restaurants or cafes or for any business involving the storage or use of hazardous materials in excess of the quantities allowed by Title 15 of the Municipal Code (Section 105.8 of the Fire Code).

(3) The maximum number of employees who do not reside within the unit is two.

(4) The signage shall not exceed the requirements of the City of Palo Alto Municipal Code and shall require approval and recommendation by the architectural review process prior to approval by the director.

(5) The parking requirements shall include a maximum total of two spaces for the residential unit, plus one space per 200 square feet for the gross square footage of the work area, less one space from the total (to reflect the overlap of the resident and one employee).

(6) The live/work units are subject to the development standards of the PTOD zone outlined in Table 2 for a 100% residential development, except that the maximum non-residential FAR is limited to 0.40.

(7) The maximum size of a live/work unit shall be limited to 2,500 square feet.

~~(8) The design of street frontage of a live/work unit shall be consistent with the context-based criteria outlined for street frontage in Section 18.34.050 below.~~

~~(9)(8)~~ A live/work unit may be converted to an entirely residential unit where residential use on the ground floor is not otherwise prohibited.

(c) Hotels

(1) Hotels for the purpose of this section are defined as hotels, motels, or other lodging for which City of Palo Alto transient occupancy tax is collected, consistent with the provisions and limitations outlined in Section 18.16.060(d) for hotels in commercial zoning districts.

(2) Hotels may be constructed to a maximum FAR of 2.0 and a maximum height of 50 feet.

(3) All hotels are subject to the context-based design criteria outlined in Section 18.34.050 below.

(d) Parking Adjustments

Adjustments to the required parking standards may be allowed with the director's approval pursuant to the provisions outlined in Section 18.52.050, with the following additional allowances and requirements:

(1) For multi-family residential or mixed use projects on sites rezoned to the PTOD combining district, the director may ~~waive a portion of or all guest parking requirements, and may~~ waive any requirement to provide a landscape reserve for parking, subject to the following conditions:

(A) The project includes a minimum of four residential units;

(B) The average residential unit size is 1,250 square feet or less; and

Commented [JE28]: Eliminated in 2019

NOT YET ADOPTED

(C) Not more than one parking space per residential unit shall be assigned or secured, such that other required parking spaces are available to other residents and guests.

(2) Projects providing more than 50% of the project residential units at low or very-low income housing rates may further reduce parking requirements by an additional 20%.

(3) In no case, however, shall total parking requirements for the site be reduced by greater than 30% from the standard requirements, or by greater than 40% for an affordable housing project consistent with subdivision (2) above, or by more than 50% if housing for the elderly is proposed pursuant to Section 18.52.050(d) of the Zoning Ordinance.

(4) For any request for parking adjustments, the project applicant shall indicate parking and traffic demand measures to be implemented to reduce parking need and trip generation. Measures may include, but are not limited to: limiting "assigned" parking to one space per residential unit, providing for Caltrain and/or other transit passes, or other measures to encourage transit use or to reduce parking needs. The program shall be proposed to the satisfaction of the director, shall include proposed performance targets for parking and/or trip reduction, and shall designate a single entity (property owner, homeowners association, etc.) to implement the proposed measures. Monitoring reports shall be submitted to the director not later than two years after building occupancy and again not later than five years after building occupancy, noting the effectiveness of the proposed measures as compared to the initial performance targets and suggestions for modifications if necessary to enhance parking and/or trip reductions.

(e) Density, FAR, and Height Bonus Provisions

The following provisions are intended to allow for increased density, FAR, height, and other development bonuses upon construction of additional below market rate (BMR) housing units. The bonus allowances shall be allowed subject to the following limitations:

(1) Bonuses are only applicable where below market rate (BMR) units are provided in excess of those required by Palo Alto's BMR program as set forth in Section 18.14.030(a) and Program H-3.1.2 of the Housing Element. Key elements of the BMR Program include:

- (A) Five or more units: Minimum 15% of units must be BMR units;
- (B) Five or more acres being developed: Minimum 20% of units must be BMR units;

and

(C) BMR units shall meet the affordability and other requirements of Program H-3.1.2 and the city's BMR Program policies and procedures.

(2) The following BMR bonuses shall be considered and may be approved upon rezoning to the PTOD district:

(A) Density Increase: Density may be increased above the maximum base density allowed (40 units per acre), such that at least one additional BMR unit is provided for every three additional market rate units constructed. The resultant density may not exceed fifty units per acre. Density shall be calculated based on the gross area of the site prior to development.

(B) FAR Increase: For projects with a residential density greater than thirty units per acre, the allowable residential FAR may be increased. The FAR increase shall be equivalent to 0.05 for each additional 5% (in excess of the city requirements) of the total

NOT YET ADOPTED

number of units that are proposed as BMR units, but may not exceed 50% of the residential FAR prior to the bonus, and may not exceed a total FAR of 1.5.

(C) Height Increase: For projects with a residential density greater than 30 units per acre, the allowable project height may be increased. The height increase shall be equivalent to one foot above the maximum for each additional 5% (in excess of the city requirements) of the total number of units that are proposed as BMR units, but may not exceed a maximum height (50 feet).

(D) Other incentives for development of BMR units, such as reduced setbacks and reduced open space, may be approved where at least 25% of the total units constructed are BMR units and subject to approval by the architectural review board.

(3) The provisions of this section are intended to address the density bonus requirements of state law within the PTOD District. The maximum bonus density available under this section shall be the greater of the bonus density allowed under this chapter or under the city's density bonus provisions contained in Chapter 18.15.

SECTION 23. Section 18.34.050 (Pedestrian and Transit Oriented Development (PTOD) Combining District Context-Based Design Criteria) of Chapter 18.34 (Pedestrian and Transit Oriented Development (PTOD) Combining District Regulations) of Title 18 (Zoning) is deleted in its entirety and restated to read as follows:

18.34.110 Pedestrian and Transit Oriented Development (PTOD) Combining District Context-Based Design ~~Criteria~~ Standards

In addition to the standards for development prescribed above, all development in the PTOD combining district shall comply with applicable standards and/or intent statements outlined in Chapter 18.24, as defined therein.

Commented [YA29]: Replaced with new 18.24 Design Standards

SECTION 24. Section 18.40.130 (Landscaping) of Chapter 18.40 (General Standards and Exceptions) of Title 18 (Zoning) is amended as follows:

18.40.130 Landscaping

(a) Purpose

The purpose of this section is to encourage creative and sustainable landscape design that enhances structures, open space areas, streetscapes and parking areas. Sustainable landscape design preserves native plant species to the maximum extent feasible, consumes less water and provides permeable surfaces for storm water management and groundwater recharge. Tree shading and appropriate landscape design can contribute to economic vitality and public health, and can reduce the need for frequent infrastructure repair.

Landscaping provides recreation areas, cleans the air and water, prevents erosion, offers fire protection, replaces ecosystems displaced by development, and is water efficient.

NOT YET ADOPTED

(b) General Regulations

In addition to the provisions of this section, all projects shall adhere to the landscape requirements cited elsewhere in Title 18 (Zoning Ordinance), including but not limited to:

- (1) Design Standards - General Parking Facilities (Section 18.54.020).
- (2) Design Standards - Landscaping in Parking Facilities and Required Landscape Areas (Section 18.54.040).
- (3) Architectural Review Findings (Section 18.76.020).

(c) Natural Areas (Open Space District, Hillside Lands, Baylands, Creek and Riparian Areas)

Landscaping should retain or enhance native vegetation in hillside, baylands or other natural open spaces areas or adjacent to such areas. The existing natural vegetation and land formations should remain in a natural state unless modification is found to be necessary or appropriate for a specific use allowed through architectural or site design review.

- (1) In the selection of new landscaping, preference shall be given to natural, indigenous and drought resistant plants and materials. Non-indigenous landscaping should be limited to the immediate area around a structure or structures.
- (2) Site development plans shall, to the maximum extent feasible, provide for the retention of existing vegetation and land formations, and shall include an erosion and sediment control element setting forth reasonable mitigation measures in accord with the grading and subdivision ordinances of the city.
- (3) Landscaping shall, to the maximum extent feasible, integrate and accommodate existing trees and vegetation to be preserved; make use of water-conserving plants, materials and irrigation systems; and be clustered in natural appearing groups, as opposed to being placed in rows or regularly spaced.
- (4) Colors of roofing materials shall blend with the natural landscape and be nonreflective. All roof mounted equipment shall be screened in a manner that protects the viewshed from adjacent properties, including from views from above.
- (5) Planting of invasive plant species shall not be permitted and removal of invasive species may be required as part of landscape plan requirements.
- (6) To the maximum extent feasible, existing vegetation shall be retained or enhanced to maintain contiguous wildlife habitat.
- (7) Riparian vegetation shall be retained or enhanced within natural stream corridors, and best practices for development shall be used to protect riparian habitat and water quality of adjacent streams.

(d) Low-Density Residential Landscaping Design Standards

- (1) In the R-1, R-2, and RMD zones, a minimum of 50% of the required front setback area shall be landscaped, subject to the limitations of Section 18.12.040(h). Planting in the right-of-way shall not count towards fulfillment of the required landscape area.
- (2) Street trees may be required to be planted in the right-of-way frontage of any residential structure subject to individual review for a new second story or addition to a second story, or for other discretionary review in the R-1, R-2, or RMD zones.

NOT YET ADOPTED

(3) Trees planted near public bicycle trails or curbs shall be of a species and installed in a manner that prevents physical damage to sidewalks, curbs, gutters and other public improvements.

(4) Trees and shrubs shall be planted so that at maturity they do not interfere with service lines (a minimum of five feet from water lines and ten feet from sanitary sewer lines) and traffic safety visibility areas.

(5) All proposed light wells and below-grade basements shall be screened to minimize visibility from public rights-of-way or other public properties.

(e) Special Design and Landscaping Standards for All Zoning Districts
Requirements:

(1) Utilities (e.g., transformer cabinets, pads, fiber optic trenching and above ground cabinets, large water check valves) and underground utilities shall not be placed within required landscaped areas, except where they will not preclude appropriate planting of trees and will be predominantly screened from public view.

(2) All landscaping within multi-family, commercial, and industrial zoning districts shall be equipped with automatic irrigation systems. Backflow preventers shall be located in the rear or side yard and screened from public view by landscaping. If backflow preventers must be located in the front yard for access purposes, they should be located near the main structure to the maximum extent feasible, ~~and shall be predominantly screened from public view.~~

Commented [JE30]: Confirm with Fire Department

(3) For all development within commercial and industrial zoning districts, lawn areas shall not exceed 15 percent of the planting area on a property. Required common areas, active recreation areas, and areas located within the public right-of-way between the curb and public sidewalk shall not count against such lawn area.

~~(4) Landscaping within surface parking areas shall include tree plantings designed to result in 50 percent shading of parking lot surface areas within 15 years.~~

~~(5)~~(4) All required perimeter yards shall be landscaped. The landscaping of these yards shall, at a minimum, consist of a combination of living vegetation, such as trees, shrubs, grasses or ground cover materials. The director may, however, allow a combination of hardscape and landscape to satisfy landscape requirements where the visual quality and screening functions of the hardscape/landscape area are maintained. Landscape buffering and screening shall be designed to create compatible relationships of scale and appearance with neighboring properties.

Commented [YA31]: Not objective. Full landscaping may be difficult to achieve for some projects

~~(6)~~(5) Plant material shall be maintained in a healthy, disease-free, growing condition at all times. All required planting areas shall be maintained free of weeds, debris, and litter. The planning director may specify conditions of approval to assure that dead or diseased plantings are replaced in a timely manner and with adequate replacement plantings.

Guidelines:

(1) Rooftop gardens, edible gardens, and other sustainable agricultural landscaping alternatives are encouraged for multi-family, commercial, industrial, and multi-family developments. See supplementary standards in Chapter 18.40.230: Rooftop Gardens. Rooftop gardens are particularly encouraged where the rooftop is highly

NOT YET ADOPTED

~~visible from neighboring properties.~~

(2) Structural soils, as specified by the director of planning and community environment, shall be preferred where planting in compacted soil areas, such as parking lots and sidewalks.

(3) Landscape swales, ~~permeable pervious~~ paving and other landscape features should be incorporated into site design to the maximum extent feasible to accommodate filtration of storm water runoff from impervious areas, particularly from parking lots.

(4) All projects requiring discretionary review within the multi-family, commercial, or industrial zoning districts should, where feasible, pursuant to Section 16.12: Recycled Water, and include the following:

(a) Incorporation of recycled water usage into the design of landscape and irrigation systems.

(b) Consideration of plants suitable for irrigation with recycled water.

(c) The installation of the infrastructure necessary to connect the irrigation system to the city's recycled water supply, if available in the foreseeable future.

(5) The director may allow a combination of hardscape and landscape to satisfy landscape requirements where permeable surface materials are used and where the visual quality and screening functions of the hardscape/landscape area are maintained, as specified in the conditions of approval.

Commented [EJ32]: Water quality staff may seek some changes.

SECTION 25. Subdivisions (a) and (b) of Section 18.54.020 (Vehicle Parking Facilities) of Chapter 18.54 (Parking Facility Design Standards) of Title 18 (Zoning) is amended as follows:

18.54.020 Vehicle Parking Facilities

(a) Parking Facility Design

Parking facilities shall be designed in accordance with the following regulations:

(1) Requirements for dimensions of parking facilities at, above, and below grade are contained in this section and in Figures [1-6](#) and Tables [3-6](#) of Section [18.54.070](#).

(2) Stalls and aisles shall be designed such that columns, walls, or other obstructions do not interfere with normal vehicle parking maneuvers. All required stall and aisle widths shall be designed to be clear of such obstructions.

(3) The required stall widths shown in [Table 3](#) of Section [18.54.070](#) shall be increased by 0.5 foot for any stall located immediately adjacent to a wall, whether on one or both sides. The director may require that the required stall widths be increased by 0.5 foot for any stall located immediately adjacent to a post, where such post limits turning movements into or out of the stall.

(4) For property owners or tenants seeking to install EVSE, the required stall widths shown in [Table 3](#) of Section [18.54.070](#) may be reduced by no more than eighteen inches below the code required minimum dimensions in order to accommodate EVSE or associated electrical utility equipment. This reduction may be applied to 10% of the total required parking stalls, or two stalls, whichever is greater. The director may approve a reduction in

NOT YET ADOPTED

width for a greater number of stalls through a director's adjustment pursuant to Section [18.52.050](#).

(5) Dead-end aisles shall be avoided to the greatest extent feasible.

(6) Except for at-grade parking facilities serving a maximum of two dwelling units, all parking facilities shall be set back a sufficient distance from the street so that vehicles need not back out into or over a public street (not including an alley) or sidewalk.

(7) Surface parking areas shall be located so that garages or carports are not predominantly facing the street; parking locations behind the building(s) are preferable.

(8) Carport structures shall be architecturally compatible with the main structures in the project and should utilize substantial support posts. Landscaping material associated with the carport shall have adequate room to grow and be protected from damage by cars and pedestrian traffic.

(9) Except for single-family uses, parking should be underground, semi-depressed, enclosed or concealed for all projects to the extent feasible.

(9) Where feasible, parking shall be broken into smaller groupings of spaces to avoid large expanses of parking and to provide for more opportunities to intercept and filter drainage from the parking areas.

(10) Proximity of underground parking garages to residentially zoned properties should take into consideration the need for landscaping along the perimeter of the site. In instances where substantial planting is necessary, the placement of parking garages should be adequately setback from the property line to provide for the landscaping.

(b) Off-Street Parking Stalls

(1) Each off-street parking stall shall consist of a rectangular area not less than eight and one-half (8.5) feet wide by seventeen and one-half (17.5) feet long (uni-class stall), or as otherwise prescribed for angled parking by Table 1 in Section 18.54.070.

(2) Garages and carports for single-family and two-family development shall provide a minimum interior clearance of ten (10) feet wide by twenty (20) feet long for a single car and a minimum of twenty (20) feet wide by twenty (20) feet long for two cars to allow sufficient clearance.

(3) Dimensions of parking stalls for parallel parking shall be as follows. The minimum dimensions of such a stall located adjacent to a wall shall be ten feet wide and twenty feet long. The minimum dimensions of such a stall located adjacent to a curb with a minimum two-foot clearance to a wall shall be eight feet wide and twenty feet long. These required stall widths are in addition to the required width of the access driveway or aisle.

(4) Mechanical lifts may be used to satisfy off-street parking requirements, ~~subject to approval by the director or city council, as applicable, and~~ in accordance with the following provisions:

A. The regulations in this section apply to mechanical lifts, elevators and turn-around devices specified for vehicle use, and other mechanical devices that facilitate vehicle parking;

B. Mechanical vehicle lifts may be used for multi-family residential, office, hotel, automotive, industrial or institutional uses. Other uses may use mechanical vehicle lifts subject to approval from the Director of Planning and Community

NOT YET ADOPTED

Development and may be required to provide dedicated on-site valet assistance for no fee to the user.

C. The location of mechanical lifts shall be located within an enclosed parking facility. All lifts and associated equipment shall be screened from public views and the screening shall be architecturally compatible with the site conditions;

D. Applicant shall submit an analysis and report, prepared by a qualified professional, for review and approval by the Director of Planning and Community Environment that demonstrates the effectiveness of the proposed parking lift system; operational details; schematic or technical drawings; regular and emergency maintenance schedule, procedures and backup systems; vehicle queuing, access and retrieval efficiency; and potential impacts, delays, or inconveniences to all of the following:

- i. site residents, workers, and visitors
- ii. pedestrian and bicycle movement and safety on and nearby the site
- iii. vehicular movement and safety on and nearby the site

E. Mechanical car lifts shall not be used for accessible parking spaces or loading spaces;

F. Mechanical car lifts shall accommodate mid-size sport utility vehicles and full-size cars.

G. For all non-residential uses, a minimum of two spaces or 10% of the total number of parking spaces provided, whichever is greater, shall be provided as standard non-mechanical parking spaces. The required accessible spaces shall not be counted as one of the standard spaces for this requirement;

H. Additional information, reports and analysis may be required and conditions may be imposed to ensure the use, operation and function of the lift system is not detrimental to the public welfare, property, land uses and users of the property, other properties, or the public right of way, in the general vicinity.

I. [Lift design must allow for removal of any single vehicle without necessitating the temporary removal of any other vehicle](#)

J. The Director shall have authority to adopt regulations to implement this provision.

(5) Each off-street motorcycle parking stall shall consist of a rectangular area not less than five feet wide by ten feet long, as illustrated in Figure 7 of Section 18.54.070.

[...]

SECTION 26. Subdivision (c) of Section 18.54.050 (Miscellaneous Design Standards) of Chapter 18.54 (Parking Facility Design Standards) of Title 18 (Zoning) is amended as follows:

18.54.050 Miscellaneous Design Standards

[...]

(c) Additional Parking Facility Design Requirements

NOT YET ADOPTED

- (1) Site design shall assure that connections to adjacent existing or planned bicycle or pedestrian facilities (sidewalks, bike paths or lanes, etc.) allow for ready access for residents and other users of the site.
- (2) The location of driveways, shipping and receiving areas, and loading docks should be sited as far away from residentially zoned properties or properties with existing residential uses located within nonresidential zones as is reasonably feasible while recognizing site constraints and traffic safety issues.
- (3) Employee ingress and egress to a site should be located to avoid the use of residential streets wherever feasible.
- (4) Late hour and early morning truck traffic to a site located in or near a residential area should be discouraged.
- (5) Vehicular access points should not conflict with pedestrian and bicycle walkways and facilities.
- (6) Pedestrian and bicycle facilities (sidewalks, bike paths, etc.) should, where feasible, be provided through sites to provide connections to other pedestrian and bicycle routes and to allow for safe access to schools, recreation facilities and services.
- (7) Additional requirements for parking facility design, internal layout, acceptable turning radii and pavement slope, vehicular and pedestrian circulation, and other design features may be adopted by the director when deemed appropriate.

[...]

SECTION 27. Subsection (b) of Section 18.76.020 (Architectural Review) of Chapter 18.76 (Permits and Approvals) of Title 18 (Zoning) is amended as follows:

18.76.020 Architectural Review

[...]

(b) Applicability

No permit required under Title 2, Title 12 or Title 16 shall be issued for a major or minor project, as set forth in this section, unless an application for architectural review is reviewed, acted upon, and approved or approved with conditions as set forth in Section 18.77.070.

(1) Exempt Projects. The following projects do not require architectural review:

(A) Single-family and two-family residences, except as provided under subsections (b)(2)(C) and (b)(2)(D).

(B) Projects determined by the director of planning and development services to be substantially minor in nature and have inconsequential visual impacts to the adjacent properties and public streets. These exempt projects are referred to as "over the counter projects". The director shall have the authority to promulgate a list of such exempt projects under this subsection.

(C) Housing development projects, as defined in Government Code Section 65589.5(h)(2) (the Housing Accountability Act), but only to the extent such projects

NOT YET ADOPTED

comply with all objective standards in this code and do not seek any discretionary exceptions. Such projects shall be subject to the process set forth in Section 18.77.073, which may include a study session before the Architectural Review Board.

(2) Major Projects. The following are "major projects" for the purposes of the architectural review process set forth in Section [18.77.070](#), and are subject to review by the architectural review board:

- (A) New construction, including private and public projects, that:
 - (i) Includes a new building or building addition of five thousand square feet or more; or
 - (ii) Is not exempt under the California Environmental Quality Act (CEQA) (Section 21000 et seq. of the California Public Resources Code); or
 - (iii) Requires one or more variances or use permits and, in the judgment of the director, will have a significant effect upon the aesthetic character of the city or the surrounding area;
- (B) Any multiple-family residential construction project that contains three or more units;
- (C) Construction of three or more adjacent single-family homes or duplexes;
- (D) In the Neighborhood Preservation Combining District (NP), properties on which two or more residential units are developed or modified, except when one of those units is an "accessory dwelling unit," as described in Section [18.10.140\(d\)](#);
- (E) Any project using transferred development rights, as described in [Chapter 18.18](#);
- (F) A master sign program, pursuant to [Chapter 16.20](#);
- (G) Signs that do not meet all applicable design guidelines adopted by the city council or do not conform to a previously approved master sign program;
- (H) Signs requiring a sign exception pursuant to [Chapter 16.20](#);
- (I) Any minor project, as defined in subsection (3), that the director determines will significantly alter the character or appearance of a building or site.

(3) Minor Projects. The following are "minor projects" for the purposes of the architectural review process set forth in Section [18.77.070](#), except when determined to be major pursuant to subsection (2)(I) or exempt pursuant to subsection (1)(B):

- (A) New construction, including private and public projects, that involves a new building or building addition of fewer than 5,000 square feet, and which is exempt under the California Environmental Quality Act (CEQA) (division 13 of the Public Resources Code, commencing with section 21000);
- (B) Signs that meet all applicable guidelines and conform to any previously approved master sign program;
- (C) Landscape plans, fences, exterior remodeling, and design of parking areas, when not part of a major project;
- (D) Any project relating to the installation of cabinets containing communications service equipment or facilities, pursuant to any service subject to [Chapter 2.11](#), [Chapter 12.04](#), [Chapter 12.08](#), [Chapter 12.09](#), [Chapter 12.10](#), or [Chapter 12.13](#).
- (E) Minor changes to the following:
 - (i) Plans that have previously received architectural review approval;

NOT YET ADOPTED

- (ii) Previously approved planned community district development plans;
- (iii) Plans that have previously received site and design approval;
- (iv) Previously approved plans for projects requiring council approval pursuant to a contractual agreement, resolution, motion, action or uncodified ordinance;
- (v) Existing structures requiring council site and design approval or approval pursuant to a contractual agreement, resolution, motion, action, or uncodified ordinance.

As used in this subsection (b)(3)(E), the term "minor" means a change that is of little visual significance, does not materially alter the appearance of previously approved improvements, is not proposed for the use of the land in question, and does not alter the character of the structure involved. If the cumulative effect of multiple minor changes would result in a major change, a new application for Architectural Review approval of a major project, Site and Design approval, Planned Community District approval, or other applicable approval is required.

(F) Any changes to previously approved plans requiring architectural review as a minor project as part of the conditions of a permit or approval.

[...]

SECTION 28. Section 18.77.073 (Housing Development Project Review Process) of Chapter 18.77 (Processing of Permits and Approvals) of Title 18 (Zoning) is added as follows:

18.77.073 Housing Development Project Review Process

(a) Applicability

This section shall apply to applications for housing development projects, as defined in Government Code Section 65589.5(h)(2), that comply with all objective standards in this code and thereby qualify for streamlining under Government Code sections 65589.5, 65913.4, or 65905.5.

(b) Decision by the Director

(1) Once an application for a qualifying housing development project is deemed complete, the Director shall prepare a written decision to approve the application, approve it with conditions, or deny it.

(2) Prior to preparing a written decision, the Director may, in his or her sole discretion, submit the application for study session review by one or more advisory boards or committees.

(3) Notice of the proposed director's decision shall be given by mail to owners and residents of property within 600 feet of the property, and by posting in a public place. The notice shall include the address of the property, a brief description of the proposed project, a brief description of the proposed director's decision, the date the decision will be final if it is not appealed, and a description of how to file an appeal.

NOT YET ADOPTED

(4) The Director's decision shall become final 14 days after the date notice is mailed unless an appeal is filed.

(c) Appeals

(1) Any party, including the applicant, may file an appeal of the Director's decision in written form in a manner prescribed by the director.

(2) An appeal seeking disapproval of a project or a reduction in density shall be limited to the following grounds:

(A) The project does not comply with all applicable objective standards; or

(B) Both of the following exist:

(i) The project would have a specific, adverse impact upon the public health or safety unless the project is disapproved or approved upon the condition that the project be developed at a lower density. As used in this paragraph, a "specific, adverse impact" means a significant, quantifiable, direct, and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete. And

(ii) There is no feasible method to satisfactorily mitigate or avoid the adverse impact identified pursuant to subsection (c)(2)(B)(i), other than the disapproval of the housing development project or the approval of the project upon the condition that it be developed at a lower density.

(c) Decision by the City Council

An appeal may be set for hearing before the City Council or may be placed on the Council's consent calendar, pursuant to the process for appeal set forth in Section 18.77.070(f).

(d) Final Decision by the Council

The decision of the council on the appeal is final.

SECTION W. 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 X. 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 Y. CEQA statement.

NOT YET ADOPTED

SECTION Z. 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

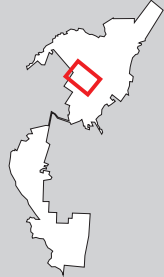
Director of Planning & Development
Services

Comparison of PTOD and Housing Incentive Program Standards

<i>Standard</i>	<i>CC(2)/PTOD (Cal Ave.)</i>		<i>CC(2) Housing Incentive Program</i>		<i>CN/PTOD (El Camino Real)</i>		<i>CN Housing Incentive Program</i>	
	<i>15% Inclusionary Housing</i>	<i>20% Inclusionary Housing</i>	<i>15% Inclusionary Housing</i>	<i>100% BMR Housing (avg. <60% of AMI)</i>	<i>15% Inclusionary Housing</i>	<i>20% Inclusionary Housing</i>	<i>15% Inclusionary Housing</i>	<i>100% BMR Housing (avg. <60% of AMI)</i>
Max. Intensity (FAR)								
Commercial	0.25-0.35	0.25-0.35	0.25-0.35	0.4	0.25-0.35	0.25-0.35	0.5	0.4
Residential	1.0	1.5	2.0	2.0	1.0	1.5	1.5	2.0
Total Mixed Use	1.25	1.5	2.0	2.4	1.25	1.5	1.5	2.4
Max. Residential Density (du/acre)	40	50	None	None	40	50	None	None
Maximum Height (feet)								
Standard	40	50	37	50	40	50	40	50
w/in 150' of res. zone	n/a	n/a	35	35	n/a	n/a	35	35
Parking (spaces/du)	1 space/1-bed du 2 space/2-bed+ du	Fewer with Director approval	1/studio or 1-bed 2/2-bed+	0.75 sp./du or fewer with Director approval	1 sp./1-bed du 2 sp./2-bed+ du	Fewer with Director approval	1/studio or 1-bed 2/2-bed+	0.75 space/unit or fewer with Director approval
Usable Open Space (sq. ft./du)	200sf/unit (<6 du) 100sf/unit (6+ du)	Less with ARB approval	150 sf/unit	25 sf/unit (<6 units) 50 sf/unit (6+ units)	200sf/unit (<6 units) 100sf/unit (6+ units)	Less with ARB approval	150 sf/unit	25 sf/unit (<6 units) 50 sf/unit (6+ units)
Review Process	ARB Architectural Review (3) PTC Recommendation (3) City Council Action (3) Total # of Meetings (9)		ARB Architectural Review (3) Total # of Meetings (3)		ARB Architectural Review (3) PTC Recommendation (3) City Council Action (3) Total # of Meetings (9)		ARB Architectural Review (3) Total # of Meetings (3)	



The City of Palo Alto



Housing Incentive Program (HIP) Eligible Sites with PTOD and NVCAP Boundaries

This map is a product of the City of Palo Alto GIS



Legend

- Housing Incentive Program (HIP) Eligible Sites
- NVCAP Boundary
- PTOD Eligible Parcels
- Zone District Labels
- City Jurisdictional Limits
- Transportation Stations

JOURNAL

The Shape of Three Cities

Nearly every community, if not all, in the San Francisco Bay Area have adopted development standards codified in their municipal codes as site development regulations and guidelines, precise plans or specific plans. Typically drafted by a team of design consultants, city boards and community stakeholders, these development standards are viewed as the map or blueprint for the shape of the community's built environment and vary from community to community.

On the Peninsula, three contiguous city's have very different development standards based either on building form, architectural style or design compatibility. Each commercial planning application is evaluated in terms of the specific requirements of these different standards. City planning staff, planning commissions and architectural review boards apply these standards to determine if a proposed project is compliant. Some standards are more objective, formulaic and easier to use than others that require a deeper understanding of the subjective nature of architecture.

Form based development standards take a measured, objective approach to design evaluation. The building must be no taller than the height limit, it must setback from the property line a prescribed distance and step back from the street above a certain height; it must be punctuated by rhythms of minor and major building modulations with precise widths and depths that extend to the sky, as well as, building breaks that create open space between building mass. Ground floors must have windows set back a defined number of inches from the exterior wall surface, not be longer than a certain dimension and comprise a certain percentage of the wall area or the project is non-compliant. The architectural style is not dictated thus allowing for many architectural expressions, provided all criteria in the form based standards are satisfied and checked off by planning staff.

Style based development standards take a formulaic, controlled approach to design evaluation. This method dictates not only some form based standards discussed above like height, setback and open space but go even further to determine the architectural style and execution of the proposed building. Depending on the area of the community where the building is located, the designer has the option of three architectural styles for instance: Neo-classical, Mediterranean or Art Deco. Once the style is selected, the height of the building's base, building's middle (body) and cornice size and projection are all predetermined. The location, depth, proportion and pattern of the windows is dictated by the standard. How colors are applied to the building and what architectural details can be used are also not left to chance, all predetermined for the designer. Is there any design subjectivity or personal expression left? Not really, but this makes it easier for the planning staff, planning commissions and architectural review boards to evaluate the proposals and not disrupt the community.

Compatibility based development standards are more subjective but take into consideration how well the proposed building responds to the community's goals, how it addresses the sidewalk, how the building creates active pedestrian areas and how it defines or reinforces open spaces. Architectural compatibility is measured by considering the building's context, the rhythm of the street wall, the alignment of roof lines, canopies and cornices and the size, shape, proportion and location of windows and building entries. Compatibility also addresses our time, considering the market needs for certain kinds of space and the environmental and sustainability demands of our world. Compatibility does not address architectural style since different styles have co-existed since our cities began and can be mutually compatible. Evaluating a building based on a compatibility standard is much more difficult since there is no checklist of prescriptions or styles to check off, it is subjective and left up to the designer to present his or her project and demonstrate that it satisfies the standard of compatibility.

Quality design that responds to the goals, issues and problems of today is not about style based or form based site development requirements but rather compatibility should be the standard and within this framework buildings should be reviewed. It is more subjective and can take more time but the discussion that ensues between planning staff, commissions, review boards and the designers will make our communities a better place.



From: Breeze, Elaine <EBreeze@shapartments.com>
Sent: Wednesday, February 24, 2021 4:22 PM
To: Gerhardt, Jodie <Jodie.Gerhardt@CityofPaloAlto.org>
Cc: Raybould, Claire <Claire.Raybould@CityofPaloAlto.org>; Hickey, John <JHickey@shhomes.com>
Subject: [2850 West Bayshore Road](#) Townhomes - SummerHill Homes

CAUTION: This email originated from outside of the organization. Be cautious of opening attachments and clicking on links.

Hello Jodie,

We have been working with Claire on a Preliminary ARB Application submitted for a proposed 48-unit townhome project at [2850 W. Bayshore Road](#) (thank you, Claire!). We are following up on our conversation with her today to let you know we will be submitting a SB 330 application for the project in the near future, prior to the City's adoption of its Objective Design Standards.

We did have the opportunity to review the draft standards and noticed that they appear directed and applicable to higher density multifamily residential. In some cases, the standards would be potentially problematic for townhome style for-sale housing if there was no exception or alternative standard provided. We recognize that the City does not see a lot of townhome residential these days but we wanted to bring this observation to your attention and are happy to schedule a zoom call to discuss further and answer any questions you might have.

Thank you for your consideration and we are excited to have the opportunity to work in Palo Alto again.

Best Regards,

Elaine Breeze
Senior Vice President of Development
SummerHill Apartment Communities | SummerHill Homes
777 S. California Avenue, Palo Alto, CA 94304
Tel (650) 842-2404 • Mobile (415) 971-0660 • Fax (650) 857-1077
ebreeze@shapartments.com
shapartments.com | shhousinggroup.com

Eisberg, Jean

From: Heather Young <heather@hyarchs.com>
Sent: Tuesday, February 16, 2021 7:00 PM
To: Gerhardt, Jodie; French, Amy; Raybould, Claire; Eisberg, Jean; Lait, Jonathan;
 Architectural Review Board
Cc: jgracelee; Lew, Alex
Subject: ARB Review of Objective Standards - comments

CAUTION: This email originated from outside of the organization. Be cautious of opening attachments and clicking on links.

Jonathan, Jodie, Amy, Claire, Jean, and members of the ARB

It's clear that city staff, the ARB, and consultant team have worked diligently to develop Objective Standards over the last 15 months to both further the existing design standards within the Municipal Ordinance and prepare for the potential of accelerated review applications under state law. I applaud you for taking on this complex and demanding challenge. Much of the development outlined in the draft Objective Standards clarifies existing design intent and supports positive urban planning practice. That said, as an architect who works with the PAMC, local clients, local sites, and constructability challenges, many of the dimensioned requirements in these sections are disconnected from those realities.

The idea that good or even acceptable design results from the overlay of one-size-fits-all fixed dimensional requirements on all projects regardless of site, use, context, or style is an illusion that completely misses the opportunity and nuance that take our cities from rote need fulfillment to delight. I'm happy to see that extensive comments have been added to the Feb 18 meeting packet by Elaine Uang (pages 65-88) questioning the set dimension and square footage requirements and inclusion of the Ken Hayes essay on Form based design, another name for Objective Standards. Please take both of these to heart and look closer at the language to provide dimensional ranges or clarify intent. Menlo Park has implemented a similar set of Standards as part of their Downtown Specific Plan and the result is already looking very forced and very vanilla. Given no leeway, staff is required to enforce these requirements even when they make no sense. When I pointed out to a planner that the required 10' sideyard setback would significantly reduce the available building width of a 50' lot on El Camino Real creating an awkward and unappealing massing, the response was, "why don't you buy another lot?". Comprehension that the Specific Plan requirements could and should not be taken without any contextual consideration was unimaginable but apparently the ready availability of adjacent property was. Tempting as the game of Monopoly is, acquisition of multiple parcels is a slow game at best, particularly when the development standards are so modest. Much of Menlo Park and Palo Alto parcel sizes are the result of early subdivisions into 50' wide lots and that infrastructure is very much alive and present today and yet the MP Specific Plan was developed around properties more easily obtained in the Central Valley.

Like the Standards proposed in Palo Alto, Menlo Park has set dimensions for breaks in the facade or for material changes and upper floor setbacks. Unfortunately the standards seem to have less to do with the natural rhythms of apartment units, office plans, retail frontage, and building structure, or even building code, and more to do with a pat urban wish list. Upper floor setbacks are deadly to multi-family stacked-core construction and livable floor plans; there are other ways to develop a "base-middle-top" partee. Parking access on facades is about more than a 25% opening requirement; although relatively flat, many sites have multiple feet of grade change along a facade impacting parking, accessibility, floor levels and max building heights. What's the magic of a 4' wide by 2' deep vertical modulation every 50' min - the list goes on and on. Until exterior facade and massing Objective Standards are integrated with building interiors and the realities of how buildings of a variety

of types are designed and function, our cities will be forced to endure uninspiring crop of vanilla held to the lowest common denominator for generations to come.

Thank you for your time. I respectfully ask that you find a way to support the goals of good urban design without the lockstep checklist of the proposed objective standards. If not, the approval rate may accelerate but we'll all be left enjoying the wrong results.

Regards -
Heather

Heather Young, Partner



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Chapter 18.24 Context-Based Design Standards

18.24.010 Purpose and Applicability

(A) Purpose

- (i) The purpose of the Context-Based Design Standards is to provide design guidance and objective design standards development projects.

(B) Applicability of regulations

- (i) Within the following zones, the intent statements apply to all project types, new construction, and renovation; design standards apply to new construction: 1

- | | |
|--|--|
| <ul style="list-style-type: none"> (a) RM-20, RM-30, RM-40 (b) CN, CS, CD, CC (c) PTOD (d) MOR, ROLM, RP (e) PC | <p>Cite relevant chapters:</p> <ul style="list-style-type: none"> a) 18.13 Multiple Family Residential b) 18.16 CN,CC,CS & 18.18 CD c) 18.34 PTOD d) MOR, ROLM, RP e) PC - what about PHZ? |
|--|--|

Public art in residential and residential mixed-use projects is subject to Chapter 16.61 and exempt from these requirements.

(C) Alternative compliance

Each section of this chapter includes an intent statement that gives guidance for all applicable projects, **regardless of use.**

Residential and mixed-use residential projects may choose to forgo one or more objective standards and **instead meet the spirit of the relevant intent statements,** as determined by the Director or the Architectural Review Board, depending on the level of review required by Chapter 18.75.

Commercial-only projects or other non-residential projects should meet relevant standards; they are not required to adhere irrelevant standards related to residential uses. Depending on the level of review required by Chapter 18.75, the Director or the Architectural Review Board will determine compliance with the relevant intent statements.

(D) Definitions

In addition to definitions identified in Chapter 18.04, the following definitions are specific to this chapter.

- (i) **Primary Building Frontage:** The front lot line or frontage along the public right-of-way. In the case of a through-lot, the primary building frontage could be on either public right-of-way.
- (ii) **Primary Building Entry:** The entrance leading to a lobby and/or accessed from the primary building frontage.
- (iii) **Pedestrian Walkway:** A sidewalk or path that is publicly-accessible and connects from a public right-of-way to another public right-of-way or publicly accessible open space.
- (iv) **Façade Modulation:** A change in building plane, either a recess or a projection, that changes shape of the interior space.

Summary of Comments on Agenda - Thursday, November 19, 2020

Page: 2

☰ Number: 1 Author: elaine Subject: Text Box Date: 1/18/2021 8:51:45 AM

Cite relevant chapters: a) 18.13 Multiple Family Residential b) 18.16 CN,CC,CS & 18.18 CDc) 18.34 PTOD d) MOR, ROLM, RPe) PC - what about PHZ?

📄 Number: 2 Author: elaine Subject: Highlight Date: 12/5/2020 1:26:02 PM
regardless of use.

📄 Number: 3 Author: elaine Subject: Highlight Date: 12/5/2020 1:38:19 PM
d instead meet the spirit of the relevant intent statements

18.24.020 Public Realm/Sidewalk Character

(A) Intent

¹ To create an attractive and safe public realm and sidewalk space for pedestrians and cyclists through the implementation of design, landscaping, and infrastructure. Publicly accessible spaces and sidewalks should:

- Design the transition between the public and private realm through the coordination of amenities and materials, such as accent paving, tree wells, lighting and street furniture (e.g., benches, bicycle racks, trash receptacles, and news racks).
- Complement or match accent paving to existing designs in downtown and Cal Ave areas.
- Provide sidewalk widths that accommodate landscaping, street trees, furniture, and pedestrian amenities; create a pleasant, desirable place to walk; provides shade; and enable comfortable pedestrian passage.
- Provide amenities, such as parking and repair equipment, for micromobility, such as bicycles and scooters.

(B) Streetscape

(i) Sidewalk Widths

(a) Public sidewalks abutting a development parcel shall have a minimum sidewalk width (curb to back of walk) of XXX feet [TBD in consultation with Public Works]. If the existing public sidewalk does not meet the minimum standard,² a publicly accessible extension of the sidewalk, with corresponding public access easement, shall be provided.

1. Notwithstanding subsection (a), the following streets/locations shall have a ³minimum sidewalk width of:

- a. Park Boulevard (South of Caltrain to Ventura): TBD, per NVCAP
- b. El Camino Real and San Antonio Avenue: 12 ft
- c. Other Corridors in Commercial Zones (CN, CS, CC, CC(2)) : 8ft
- d. CD Districts and SOFA: 10 ft

(b) Publicly accessible sidewalks or walkways connecting through a development parcel (e.g., on a through lot) shall have a ⁴minimum six-foot width. Pedestrian walkways that are designed to provide access to bicycles shall have a minimum width of eight feet.

(ii) Street Trees

(a) Sidewalks shall include at least one street tree, within six feet of the sidewalk, for every 30 feet of linear feet of sidewalk length. **WHERE POSSIBLE.** ⁵

COVID ERA
SUGGESTION, WITH 6'
SIDEWALKS, CONSIDER
WAITING/PASSING
ZONES IN LANDSCAPE
AREA, TO ALLOW FOR
PHYSICALLY
DISTANCED PASSING

Page: 3

Number: 1 Author: elaine Subject: Highlight Date: 12/5/2020 3:28:49 PM

To create an attractive and safe public realm and sidewalk space for pedestrians and cyclists through the implementation of design, landscaping, and infrastructure. Publicly accessible spaces and sidewalks should:

- Design the transition between the public and private realm through the coordination of amenities and materials, such as accent paving, tree wells, lighting and street furniture (e.g., benches, bicycle racks, trash receptacles, and news racks).
- Complement or match accent paving to existing designs in downtown and Cal Ave areas.
- Provide sidewalk widths that accommodate landscaping, street trees, furniture, and pedestrian amenities; create a pleasant, desirable place to walk; provides shade; and enable comfortable pedestrian passage.
- Provide amenities, such as parking and repair equipment, for micromobility, such as bicycles and scooter

Number: 2 Author: elaine Subject: Highlight Date: 12/5/2020 3:44:11 PM

, a publicly accessible extension of the sidewalk, with corresponding public access easement, shall be provided.

Number: 3 Author: elaine Subject: Text Box Date: 12/5/2020 3:44:49 PM

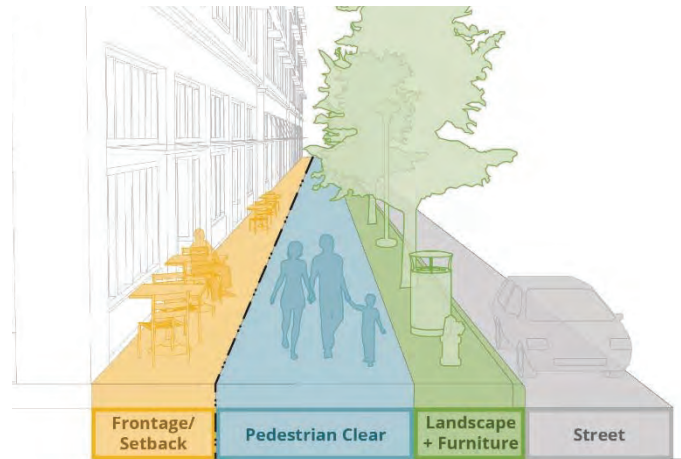
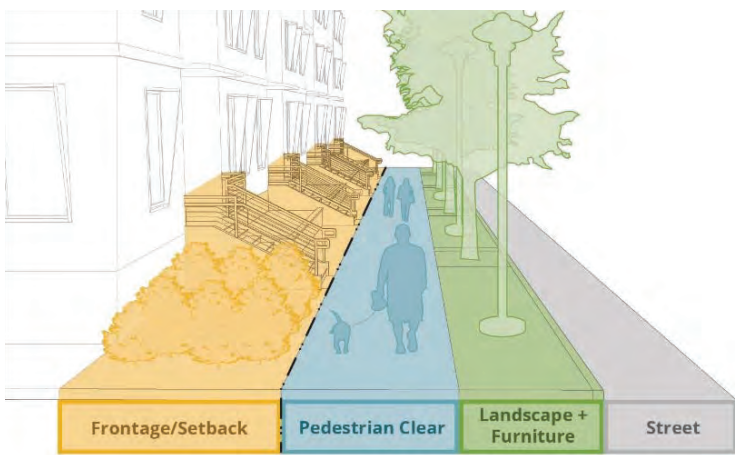
COVID ERA SUGGESTION, WITH 6' SIDEWALKS, CONSIDER WAITING/PASSING ZONES IN LANDSCAPE AREA, TO ALLOW FOR PHYSICALLY DISTANCED PASSING

Number: 4 Author: elaine Subject: Highlight Date: 12/5/2020 3:43:15 PM

minimum six-foot width

Number: 5 Author: elaine Subject: Text Box Date: 12/5/2020 1:31:48 PM

WHERE POSSIBLE.



LABELS THESE DIAGRAMS (MIXED USE VS RESIDENTIAL?) AND EXPLAIN THE DIFFERENCES IN USE AND DIMENSIONAL REQUIREMENTS

Frontage		Sidewalk		Street
Building Setback	Frontage Area	Pedestrian Clear Zone	Landscape/Furniture Zone	
Property Line Varies			Landscape/Furniture Area	Edge Zone 18" typ. Curb + Step Out Area
<i>Mixed-Use</i> <ul style="list-style-type: none"> • Sidewalk Dining • Outdoor Displays • Public Art • Seating • Planting 			<ul style="list-style-type: none"> • Street Trees/Planting • Street Lighting • Seating • Mobility Infrastructure • Bike Parking • Public Art • Outdoor Dining 	<ul style="list-style-type: none"> • Street Parking • Bike Lanes • Drop-off Zones • Parklets
<i>Residential</i> <ul style="list-style-type: none"> • Stoops • Porches • Front Yards • Utilities • Planting 				

ALLOW FOR FLEXIBILITY AND BETTER DESIGN CHOICES. WHAT IF EXISTING PAVING IS NOT IDEAL? FOR EXAMPLE, THE RECYCLED GLASS ALONG CAL AVE IS KIND OF DANGEROUS FOR LITTLE KIDS, AND UNEVEN AND SUBOPTIMAL FROM AN ACCESSIBILITY STANDPOINT

(iii) Accent Paving

(a) Sidewalks and publicly accessible areas fronting University Avenue and California Avenue shall match existing accent paving design and materials, such as a mosaic tile and bricks.

(iv) Mobility Infrastructure

(a) Micromobility infrastructure, such as locations to lock bicycles and scooters, shall be located within 20 feet of the primary building entry and/or a path leading to the primary building entry. This standard may be satisfied by existing

Page: 4

☰ Number: 1 Author: elaine Subject: Text Box Date: 1/18/2021 8:52:28 AM

LABELS THESE DIAGRAMS (MIXED USE VS RESIDENTIAL?) AND EXPLAIN THE DIFFERENCES IN USE AND DIMENSIONAL REQUIREMENTS

☰ Number: 2 Author: elaine Subject: Text Box Date: 1/18/2021 8:50:30 AM

ALLOW FOR FLEXIBILITY AND BETTER DESIGN CHOICES. WHAT IF EXISTING PAVING IS NOT IDEAL? FOR EXAMPLE, THE RECYCLED GLASS ALONG CAL AVE IS KIND OF DANGEROUS FOR LITTLE KIDS, AND UNEVEN AND SUBOPTIMAL FROM AN ACCESSIBILITY STANDPOINT

📄 Number: 3 Author: elaine Subject: Highlight Date: 12/5/2020 1:34:47 PM

) Sidewalks and publicly accessible areas fronting University Avenue and California Avenue shall match existing accent paving design and materials, such a mosaic tile and bricks.

infrastructure already located within 50 feet of the project site and located in the public right-of-way.

- (b) Primary building entries shall provide at least one seating area or bench within 20 feet of building entry and/or path leading to building entry. This standard may be satisfied by existing seating area or benches located in public right-of-way within 50 feet of the building entry.

18.24.030 Site Access

1 (A) Intent

To provide facilities and accommodations for pedestrians, vehicles, cyclists, and transit users to safely and efficiently access and circulate both within individual sites and in the site's surrounding context. Site access should include the following elements:

- Site circulation and access that presents a clear hierarchy and connectivity pattern for all travel modes both within a project and to adjacent sidewalks and transit stops. This hierarchy may provide separate access for vehicles and other modes, or demonstrate how all modes are accommodated in shared access points.
- Connections to side streets, open spaces, mews, alleys, and paseos
- Vehicle, loading and service access that is integrated into building and landscape design and located to prevent conflicts with pedestrians and cyclists, while also provided convenient access to building entries.

(B) Circulation Hierarchy

- (i) Sites shall clearly identify a hierarchy of connectivity in a circulation plan that identifies a priority for pedestrian, bike, private vehicles, and utility/loading access in the order listed. [see comment in text box below]
- (ii) Through lots located more than 300 feet from an intersecting street or pedestrian walkway shall provide a publicly accessible sidewalk or pedestrian walkway connecting the two streets. **UNDER CIRCULATION HIERARCHY, PLEASE INCLUDE AND REFERENCE ACCESS/INFRASTRUCTURE FOR MICROMOBILITY** ²

(C) Building Entries **VEHICLES. ALLOW FLEXIBILITY FOR FUTURE TRANSPORT MODES**

- (i) Entries to Primary Building Entries shall be located from a public right-of-way or if not possible a publicly accessible Pedestrian Walkway.

Circulation Plan: Some topics are inherently difficult to create clear and objective standards to meet the intent of the guidelines while providing flexibility that is needed for each project. One way to create an objective standard for these performance criteria is to have a requirement that a developer submit a plan to meet these criteria. The review of the plan material, description of how the project will meet the intent of the guidelines, and the implementation will not be objective and thus not applicable to deny a project for not meeting the City's expectations of the guidelines, but the act of having to write the report/plan may provide enough guidance and design thinking to get most of the way there in most cases.

Number: 1 Author: elaine Subject: Highlight Date: 12/5/2020 3:28:12 PM

(A) Intent

To provide facilities and accommodations for pedestrians, vehicles, cyclists, and transit users to safely and efficiently access and circulate both within individual sites and in the site's surrounding context. Site access should include the following elements:

Site circulation and access that presents a clear hierarchy and connectivity pattern for all travel modes both within a project and to adjacent sidewalks and transit stops.

This hierarchy may provide separate access for vehicles and other modes, or demonstrate how all modes are accommodated in shared access points.

Connections to side streets, open spaces, mews, alleys, and paseos

Vehicle, loading and service access that is integrated into building and landscape design and located to prevent conflicts with pedestrians and cyclists, while also provided convenient access to building entries.

Number: 2 Author: elaine Subject: Text Box Date: 12/5/2020 1:42:29 PM

UNDER CIRCULATION HIERARCHY, PLEASE INCLUDE AND REFERENCE ACCESS/INFRASTRUCTURE FOR MICROMOBILITY VEHICLES. ALLOW FLEXIBILITY FOR FUTURE TRANSPORT MODES

**DOES VEHICLE ACCESS MEAN CARS/TRUCKS/MOTORCYCLES?
MICROMOBILITY VEHICLES SHOULD HAVE A SEPARATE CATEGORY.
THEIR USE CASES AND TRAVEL ZONES ARE DIFFERENT** 1

(D) Vehicle Access

- (i) Vehicle access shall be located on alleys or side streets where available.
- (ii) Vehicle access, vehicle loading, and off-street parking shall follow the following standards:
 - (a) Except for driveway access, off-street parking, off-street vehicle loading, and vehicular circulation areas are prohibited between the building and the primary building frontage.
- (iii) Special Conditions
 - (b) California Avenue: 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.
 - (c) University Avenue: 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.

(E) Loading Docks and Service Areas

- (iii) Loading and service areas shall be integrated into building and landscape design and located to minimize impact on the pedestrian experience as follows:
 - (a) Loading docks and service areas shall be located on facades other than the primary building frontage, on alleys, from parking areas, and/or at the rear or side of building if building includes these frontages. When only primary building frontage is available, ²loading docks and service areas shall be recessed a minimum five feet from the primary façade and shall be screened in accordance with Chapter 18.23.050.
 - (b) Loading dock and service areas located ³within setback areas shall be screened in accordance with Chapter 18.23.050 and separated from pedestrian access to the primary building entry to avoid impeding pedestrian movement and safety.

ON SITES WITH ONLY ONE FRONTAGE, YOU'LL NEED FLEXIBILITY DUE TO COMPETING DEMANDS OF OTHER INFRASTRUCTURE ALONG THE STREET FRONTAGE.. RECOMMEND ALLOWING SERVICE AREAS TO BE WITHIN THE SETBACK, NOT A FORCED RECESS FROM THE PRIMARY FAÇADE. SCREENING WILL BE IMPORTANT, BUT THERE SHOULD BE FLEXIBILITY ON THE SCREENING TYPE 4

18.24.040 Building Orientation and Setbacks

5 (A) Intent

To create a coherent and active interface between private development and the public realm that contributes to the sense of place and structure of the neighborhood and enhances the public's experience. Site design that responds to the orientation of adjacent uses and creates opportunities for landscaping and usable open space. Buildings and site design should meet the following criteria:

- Buildings that create a contiguous street wall that are compatible with nearby buildings and land uses.
- Placement and orientation of doorways, windows, stoops, and landscape elements to create a direct relationship with the street

Page: 6

☰ Number: 1 Author: elaine Subject: Text Box Date: 12/5/2020 1:44:08 PM

DOES VEHICLE ACCESS MEAN CARS/TRUCKS/MOTORCYCLES? MICROMOBILITY VEHICLES SHOULD HAVE A SEPARATE CATEGORY. THEIR USE CASES AND TRAVEL ZONES ARE DIFFERENT

📄 Number: 2 Author: elaine Subject: Highlight Date: 12/5/2020 1:44:14 PM

, loading docks and service areas shall be recessed a minimum five feet

📄 Number: 3 Author: elaine Subject: Highlight Date: 12/5/2020 1:44:39 PM

within setback areas shall be screened in accordance with Chapter 18.23.050

☰ Number: 4 Author: elaine Subject: Text Box Date: 12/5/2020 1:51:30 PM

ON SITES WITH ONLY ONE FRONTAGE, YOU'LL NEED FLEXIBILITY DUE TO COMPETING DEMANDS OF OTHER INFRASTRUCTURE ALONG THE STREET FRONTAGE.. RECOMMEND ALLOWING SERVICE AREAS TO BE WITHIN THE SETBACK, NOT A FORCED RECESS FROM THE PRIMARY FACADE. SCREENING WILL BE IMPORTANT, BUT THERE SHOULD BE FLEXIBILITY ON THE SCREENING TYPE.

📄 Number: 5 Author: elaine Subject: Highlight Date: 12/5/2020 3:30:11 PM

(A) Intent

To create a coherent and active interface between private development and the public realm that contributes to the sense of place and structure of the neighborhood and enhances the public's experience. Site design that responds to the orientation of adjacent uses and creates opportunities for landscaping and usable open space. Buildings and site design should meet the following criteria:

Buildings that create a contiguous street wall that are compatible with nearby buildings and land uses.

Placement and orientation of doorways, windows, stoops, and landscape elements to create a direct relationship with the street

- Ground floor residential units that have direct entry and presence on the street
- Transitional spaces and buffer areas between buildings, parcels, and sites through building setbacks that distinguish private and public spaces.
- Buildings that provide side and rear setbacks and/or upper story stepbacks to create separation between adjacent lower density residential development.
- Landscaped or usable areas that contain open space or hardscaped areas.
- Optimized building orientation for heat gain, shading, daylighting, and natural ventilation and other forms of passive design.

(B) Building Orientation

IS THERE A SECTION FOR MID-BLOCK BUILDINGS, WITH NEIGHBORS ON ON 2 SIDES? 1

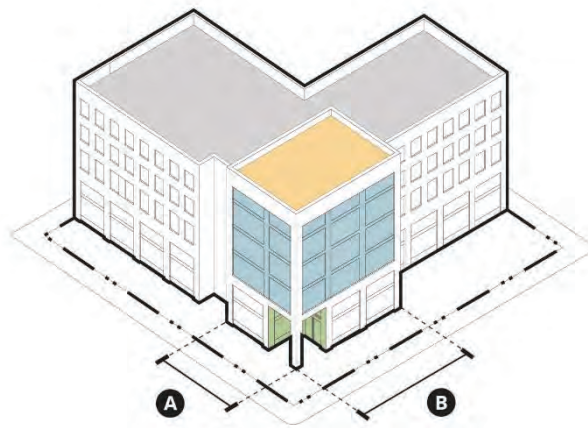
(i) Treatment of Corner Buildings

(a) Corner buildings shall include one of the following special features:

1. Street wall shall be located at the minimum front yard setback or build-to line 2 or a minimum aggregated length of 50 feet in length on both facades meeting at the corner and shall include one or more of the following building features:
 - a. A corner entry to ground floor retail or primary building entrance
 - b. A different material application and fenestration pattern from the rest of the façade
 - c. A change in height of at least 8 feet greater or less than the height of the abutting façade.

WHY 60'? THE HISTORIC BUILDING AT RAMONA AND UNIVERSITY AVE - ONE OF PALO ALTO'S MOST ICONIC BUILDINGS - PROBABLY WOULD NOT MEET THIS STANDARD

CORNER TREATMENTS MAY HAVE DIFFERENT CONSIDERATIONS ALONG ECR OR SAN ANTONIO VS UNIVERSITY AVE. EVEN A CORNER BLDG ON A SMALLER STREET LIKE LYTTON AVE OR COLLEGE AVE MAY NEED DIFFERENT STANDARDS 4



- A Length 1 of corner building
- B Length 2 of corner building
- where: A + B > 60'
- Corner Entry or Primary Building Entrance
- Variation in fenestration pattern
- Change in height of ≥ 8' from abutting facade

Page: 7

☰ Number: 1 Author: elaine Subject: Text Box Date: 12/5/2020 2:11:08 PM

IS THERE A SECTION FOR MID-BLOCK BUILDINGS, WITH NEIGHBORS ON ON 2 SIDES?

📄 Number: 2 Author: elaine Subject: Highlight Date: 12/5/2020 1:52:08 PM

60 feet

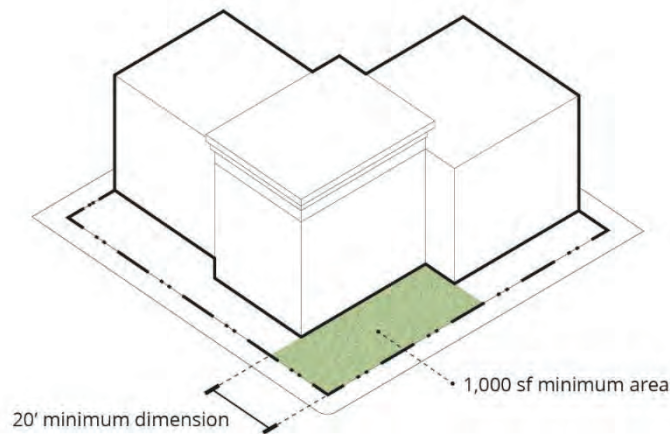
☰ Number: 3 Author: elaine Subject: Text Box Date: 1/18/2021 8:53:29 AM

WHY 60'? THE HISTORIC BUILDING AT RAMONA AND UNIVERSITY AVE - ONE OF PALO ALTO'S MOST ICONIC BUILDINGS - PROBABLY WOULD NOT MEET THIS STANDARD

☰ Number: 4 Author: elaine Subject: Text Box Date: 12/5/2020 2:23:55 PM

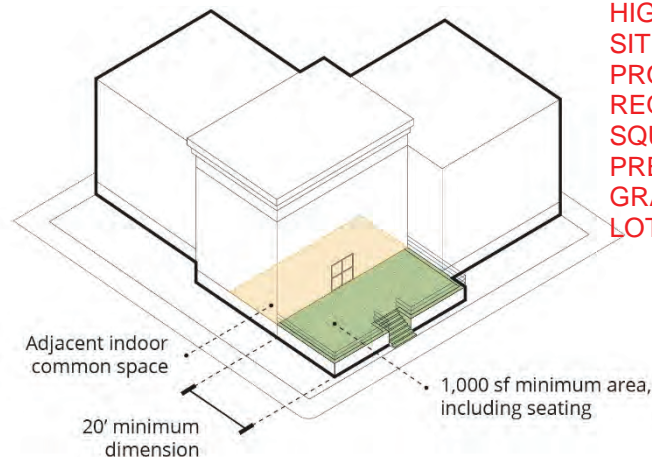
CORNER TREATMENTS MAY HAVE DIFFERENT CONSIDERATIONS ALONG ECR OR SAN ANTONIO VS UNIVERSITY AVE. EVEN A CORNER BLDG ON A SMALLER STREET LIKE LYTTON AVE OR COLLEGE AVE MAY NEED DIFFERENT STANDARDS

2. A publicly accessible open space with a minimum dimension of ¹20 feet and minimum area of 1,000 square feet.



²
NARROW DEPTH SITES MAY NEED AN EXEMPTION. A LOT OF GOOD PUBLIC ACTIVITY CAN HAPPEN IN A 12-15' DEPTH. 1000SF OVERALL SEEMS HIGH (20'X50'!), ESPECIALLY ON SMALLER SITES. RECOMMEND 500 SF MIN OR A GRADUATED MINIMUM BASED ON MINIMUM LOT SIZE (IE 500 SF FOR SITES < 1/4 ACRE, 750 FOR SITES < 1/2 ACRE AND 1000 SF FOR SITES OVER 1/2 ACRE.

3. A common open space that is no more than six feet above the back of walk grade at the corner, is located adjacent to indoor common spaces, with direct access, has areas for seating, has a minimum dimension of ³20 feet and ⁴minimum area of ⁴1,000 square feet, and has a fence or railing that is no less than 50 percent open or transparent.










⁵
AGAIN THESE DIMENSIONS FOR AN INTERIOR COMMON SPACE SEEM HIGH, ESPECIALLY FOR SMALLER SITES, OR BLDGS WITH COMPLEX PROGRAMS AND INFRASTRUCTURE REQUIREMENTS WHERE EVERY SQUARE FOOT ON GROUND FLOOR IS PRECIOUS. THINK ABOUT GRADUATED STANDARDS BASED ON LOT SIZE

(ii) Primary Building Entry

- (a) The primary building entry shall meet one of the following standards:
1. Face a public right-of-way. Be visible from a public right-of-way through a forecourt or front porch that meets the following standards:
 - a. For residential buildings with fewer than seven units, building entry forecourts or front porches shall be a minimum area of 36 square feet and ⁷minimum dimension of five feet.
 - b. For commercial buildings or residential buildings with more than six units, building entry forecourts or front porches shall be a minimum of 100 square feet and a minimum width of 8 feet.

Page: 8

-
-  Number: 1 Author: elaine Subject: Highlight Date: 12/5/2020 1:59:49 PM
20 feet
-
-  Number: 2 Author: elaine Subject: Text Box Date: 12/5/2020 2:24:10 PM
NARROW DEPTH SITES MAY NEED AN EXEMPTION. A LOT OF GOOD PUBLIC ACTIVITY CAN HAPPEN IN A 12-15' DEPTH. 1000SF OVERALL SEEMS HIGH (20'X50'!), ESPECIALLY ON SMALLER SITES. RECOMMEND 500 SF MIN OR A GRADUATED MINIMUM BASED ON MINIMUM LOT SIZE (IE 500 SF FOR SITES < 1/4 ACRE, 750 FOR SITES <1/2 ACRE AND 1000 SF FOR SITES OVER 1/2 ACRE.
-
-  Number: 3 Author: elaine Subject: Highlight Date: 12/5/2020 2:04:38 PM
20 feet and
minimum area of
-
-  Number: 4 Author: elaine Subject: Highlight Date: 12/5/2020 2:04:29 PM
1,000 square feet,
-
-  Number: 5 Author: elaine Subject: Text Box Date: 1/18/2021 8:55:11 AM
AGAIN THESE DIMENSIONS FOR AN INTERIOR COMMON SPACE SEEM HIGH, ESPECIALLY FOR SMALLER SITES, OR BLDGS WITH COMPLEX PROGRAMS AND INFRASTRUCTURE REQUIREMENTS WHERE EVERY SQUARE FOOT ON GROUND FLOOR IS PRECIOUS. THINK ABOUT GRADUATED STANDARDS BASED ON LOT SIZE
-
-  Number: 6 Author: elaine Subject: Text Box Date: 12/5/2020 2:07:07 PM
.
-
-  Number: 7 Author: elaine Subject: Highlight Date: 12/5/2020 2:52:52 PM
minimum dimension of five feet.

(iii) Ground Floor Residential Units

- (a) A minimum of 80% of ground floor residential units facing a public right-of-way or publicly accessible path or open space shall have a unit entry with direct access to the sidewalk, path, or open space. (Senior units or other deed-restricted units for special populations are exempt)
- (b) Entries to ground floor residential units shall face a public right-of-way or publicly accessible path/open space or be visible from a public right-of-way through a forecourt or front porch that is a minimum of 30 square feet.
- (c)¹ Ground floor residential units shall be setback a minimum 15 feet from the back of sidewalk.

CONSIDER VARIANCES FOR NARROW DEPTH SITES. MOST PRE-WW2 STRUCTURES DON'T HAVE 15' SETBACKS AND WORK , ESP FOR SMALL MULTIFAMILY LIKE RM-20 THRU RM-50 "MISSING MIDDLE" TYPE HOUSING

(C) Front Yard Setback Character

- (i) Required setbacks shall provide an extension of the sidewalk as a hardscape and/or landscaped area to create a transition between public and private space. The following standards apply, based on intended use and exclusive of areas devoted to outdoor seating, front porches, door swing of building entries, and publicly accessible open space:

- (a) Ground-floor retail or retail-like uses = Minimum of 20% of the required setback
- (b)³ Other ground-floor non-residential uses. A minimum of 40% of the required setback area Ground-floor residential uses. A minimum of 60% of the required setback area

NOT CLEAR.

18.24.050 Building Massing**(A) Intent**

To create buildings that are compatible with and enhance the surrounding area through the consideration of building scale, massing, and bulk. Massing should create a human-scale environment that is of high aesthetic quality and accommodates a variety of uses and design features. Building massing should include elements that:

- Break down large building facades and massing to create a human-scaled building that enhances the context of the site
- Are consistent in scale, mass and character to adjacent land uses and land use designations
- Reinforce the definition and importance of the street
- Provide rooflines and massing that emphasize and accentuate significant elements of the building such as entries, bays, and balconies, and shading elements where appropriate.
- Provide harmonious transitions between adjacent properties

(B) Contextual Massing

MOST PEOPLE NEVER EXPERIENCE BUILDINGS AT THIS

(i) Upper Floor Step Backs HEIGHT AND NEVER NOTICE SETBACKS.

- (c) When the average height of the building is greater than 20 feet above the average height of an adjacent building, an upper floor step back shall start within 2 vertical feet, plus or minus, of the height of the adjacent building, be a minimum depth of six feet along the primary building frontage, and the step should shall occur for a minimum of 70% of the façade length.

Page: 9

Number: 1 Author: elaine Subject: Highlight Date: 12/5/2020 2:08:10 PM
 Ground floor residential units shall be setback a minimum 15 feet from the back of sidewalk.

Number: 2 Author: elaine Subject: Text Box Date: 1/18/2021 8:56:06 AM

CONSIDER VARIANCES FOR NARROW DEPTH SITES. MOST PRE-WW2 STRUCTURES DON'T HAVE 15' SETBACKS AND WORK , ESP FOR SMALL MULTIFAMILY LIKE RM-20 THRU RM-50 "MISSING MIDDLE" TYPE HOUSING

Number: 3 Author: elaine Subject: Highlight Date: 12/5/2020 2:09:50 PM
) Other ground-floor non-residential uses. A minimum of 40% of the required setback area Ground-floor residential uses. A minimum of 60% of the required setback area

Number: 4 Author: elaine Subject: Text Box Date: 12/5/2020 2:09:59 PM

NOT CLEAR.

Number: 5 Author: elaine Subject: Highlight Date: 12/5/2020 3:29:35 PM

(A) Intent

To create buildings that are compatible with and enhance the surrounding area through the consideration of building scale, massing, and bulk. Massing should create a human-scale environment that is of high aesthetic quality and accommodates a variety of uses and design features. Building massing should include elements that:

- Break down large building facades and massing to create a human-scaled building that enhances the context of the site

- Are consistent in scale, mass and character to adjacent land uses and land use designations

- Reinforce the definition and importance of the street

- Provide rooflines and massing that emphasize and accentuate significant elements of the building such as entries, bays, and balconies, and shading elements

Number: 6 Author: elaine Subject: Highlight Date: 12/5/2020 3:29:39 PM

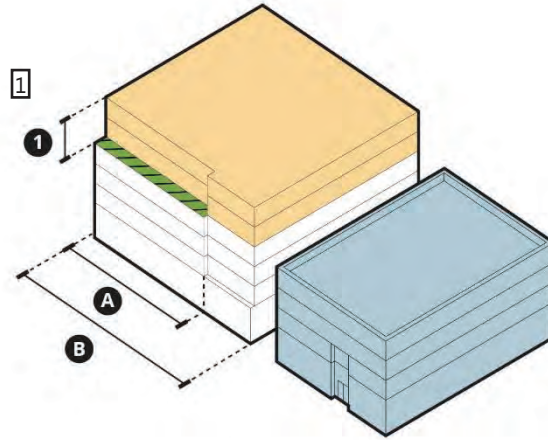
appropriate.

Provide harmonious transitions between adjacent properti

Number: 7 Author: elaine Subject: Text Box Date: 12/5/2020 3:50:02 PM

MOST PEOPLE NEVER EXPERIENCE BUILDINGS AT THIS HEIGHT AND NEVER NOTICE SETBACKS.

IN PALO ALTO, LEFT SIDE DIAGRAM CURRENTLY NOT ALLOWED BUT IT SHOULD BE! SIX STORY STRUCTURES ARE NOT FEASIBLE - SINCE THEY ARE OVER 50'! :)



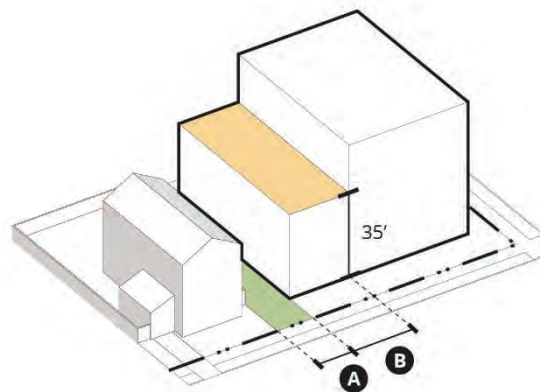
RIGHT SIDE DIAGRAM OF THIS BLDG IS THE TALLEST ALLOWABLE IN PALO ALTO RIGHT NOW! YOU MAY WANT TO EDIT TO SHOW RELATIONSHIP BETWEEN 2 STORY AND 4 STORY STRUCTURE

- 1 Building height $\geq 20'$ above adjacent building
- A Step back along $\geq 70\%$ length of B
- Step back area $\leq 6'$ depth along primary facade
- B Building frontage

(ii) Transition to Lower Density Building Types

(d) When a building abuts a side and/or rear property line with a RE, RMD, R-1, or R-2 zoned parcel or a village residential or existing single-family residential use, the building shall break down the abutting façade by meeting the following standards:

1. A reduction in mass through one of the following:
 - a. A minimum 15-foot building setback and an upper floor step back above 35 feet in height for a minimum depth of 25 feet.
 - b. Jodie - to add IR privacy type Guidelines that are objective
 - (i) Frosted windows
 - (ii) Staggered window placement



- A Minimum side or rear setback $\geq 15'$
- B Upper floor step back $\geq 25'$ deep

Page: 10

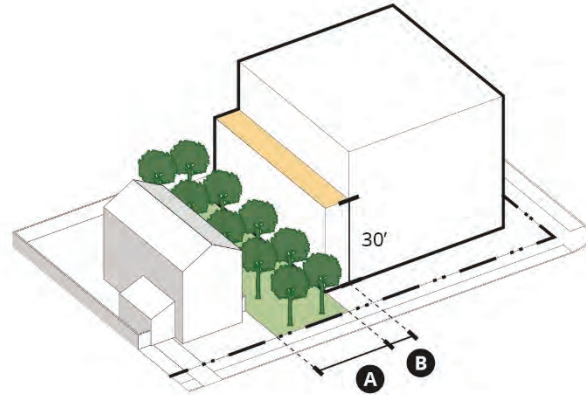
☰ Number: 1 Author: elaine Subject: Text Box Date: 1/18/2021 8:57:12 AM

IN PALO ALTO, LEFT SIDE DIAGRAM CURRENTLY NOT ALLOWED BUT IT SHOULD BE! SIX STORY STRUCTURES ARE NOT FEASIBLE - SINCE THEY ARE OVER 50'! :)

☰ Number: 2 Author: elaine Subject: Text Box Date: 1/18/2021 8:56:40 AM

RIGHT SIDE DIAGRAM OF THIS BLDG IS THE TALLEST ALLOWABLE IN PALO ALTO RIGHT NOW! YOU MAY WANT TO EDIT TO SHOW RELATIONSHIP BETWEEN 2 STORY AND 4 STORY STRUCTURE

- c. A minimum ¹20-foot building side yard setback, a minimum 10-foot step back above 30 feet in height, and a landscape screen that includes a double row of trees with a minimum 1 tree per 30 linear feet plus continuous shrubbery planting 72 inches (6 feet) in height [NOTE: Alternative is to maintain existing daylight plane]



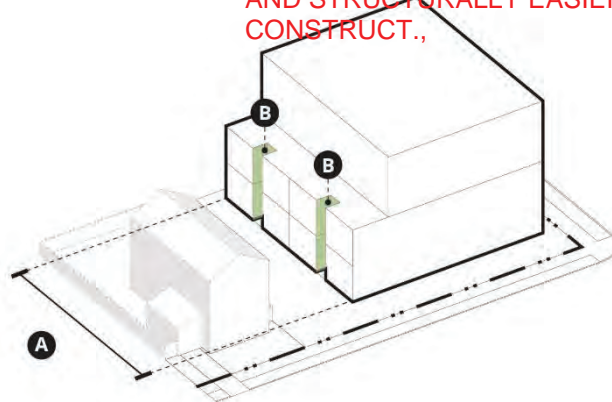
- A Minimum side or rear setback $\geq 30'$ including double row of trees
- B Upper floor step back $\geq 10'$ deep

THIS WILL BE TOUGH TO ACHIEVE ON SMALLER OR NARROW DEPTH SITES (<60'). IN ADDITION TO MAINTAINING EXISTING DAYLIGHT PLANE AS AN ALTERNATE OR OPTION, PLEASE CONSIDER APPROACH - DIFFERENT CRITERIA FOR SITES

- A) <60' MIGHT HAVE A 8' LANDSCAPE BUFFER
- B) 60-100' MIGHT HAVE A 10'-12' BUFFER
- C) >100' COULD ACCOMODATE 15'-20'

- 2. A minimum façade break of ³six feet in width and six feet in depth for every 36 to 40 feet of façade length. ⁴

6' DEPTH IS A LOT ESPECIALLY ON SMALLER SITES, <100' IN ONE DIRECTION. 2-3' IS BETTER AND STRUCTURALLY EASIER/CHEAPER TO CONSTRUCT.,



- A Building facade $\geq 40'$
- B 6' wide, 6' deep break

- 3. A maximum 15% window coverage of facades within 30 feet of abutting property line.

Page: 11

Number: 1 Author: elaine Subject: Highlight Date: 12/5/2020 2:17:10 PM
20-foot building side yard setback, a minimum 10-foot step back
above 30 feet in height

Number: 2 Author: elaine Subject: Text Box Date: 12/5/2020 2:26:08 PM

THIS WILL BE TOUGH TO ACHIEVE ON SMALLER OR NARROW DEPTH SITES (<60'). IN ADDITION TO MAINTAINING EXISTING DAYLIGHT PLANE AS AN ALTERNATE OR OPTION, PLEASE CONSIDER APPROACH - DIFFERENT CRITERIA FOR SITESA) <60' MIGHT HAVE A 8' LANDSCAPE BUFFERB) 60-100' MIGHT HAVE A 10'-12 BUFFERC) >100' COULD ACCOMODATE 15'-20'

Number: 3 Author: elaine Subject: Highlight Date: 12/5/2020 2:35:22 PM
f six feet in width and six feet in dept

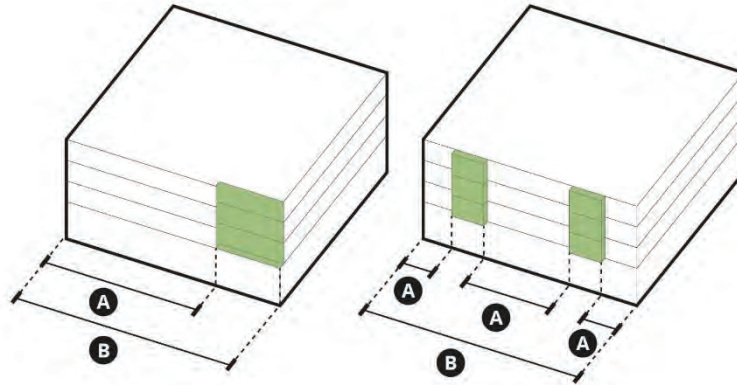
Number: 4 Author: elaine Subject: Text Box Date: 1/18/2021 8:59:24 AM

6' DEPTH IS A LOT ESPECIALLY ON SMALLER SITES, <100' IN ONE DIRECTION. 2-3' IS BETTER AND STRUCTURALLY EASIER/ CHEAPER TO CONSTRUCT.,

(C) Maximum Façade Length

(i) Significant Breaks

(a) For portions of a building facade facing a public street, right-of-way, or publicly accessible path, any building greater than 25 feet in height shall not have a continuous facade greater than 70% of the façade length. Upper floor façade modulation shall be a **1** minimum 2 feet in depth.



- A** Non-continuous building facade \leq 70% length of **B**
- B** Building length
- Upper floor above 25' with modulation \geq 2' in depth

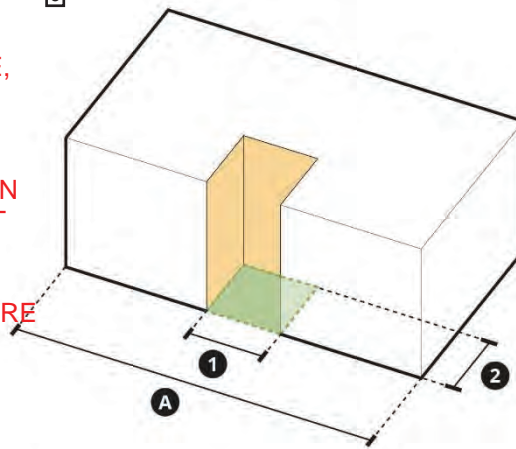
100' LONG SITES ARE NOT THAT LONG/WIDE, INSTEAD OF MANDATING THIS HUGE BREAK, USE MASSING TO CONTROL VARIATION ALONG A FACADE, ALTERNATIVE: CHANGE 100' TO BLDGS OVER 200' IN LENGTH

2

(b) Buildings greater than **3** 100 feet in length, which face a public street, right-of-way, **4** or publicly accessible path, shall have at least one vertical façade break with a minimum area greater than **5** 600 square feet and a width less than or equal to two times the depth.







A MINIMUM 600 SF VERTICAL BREAK IS A LOT, THIS SHOULD NOT BE MORE THAN 0-100 SF. ON A TYPICAL DOWNTOWN SITE, 150' WIDE X 150' SITE THIS STANDARD WOULD REQUIRE A 20' X 30' BREAK SOMEWHERE? IT'S FINE TO HAVE AN OBJECTIVE STANDARD THAT REQUIRES AN OPEN SPACE, BUT ALLOW THE APPLICANT FLEXIBILITY ON HOW TO REDUCE OR MODULATE BUILDING MASS AND OPEN SPACE. THIS STANDARDS DESCRIBED HERE ARE TOO ONEROUS AND CAN CONSTRAIN GOOD DESIGN ALTERNATIVES OR MAKE DEVELOPMENT INFEASIBLE.

6



- A** Building facade \geq 100'
- Vertical facade break
- Facade break area \geq 600 sf
- 1** Facade break width \leq (2 * **2**)
- 2** Facade break depth

Page: 12

-
-  Number: 1 Author: elaine Subject: Highlight Date: 12/5/2020 2:36:24 PM
minimum 2 feet in dept
-
-  Number: 2 Author: elaine Subject: Text Box Date: 12/5/2020 2:34:25 PM
100' LONG SITES ARE NOT THAT LONG/WIDE, INSTEAD OF MANDATING THIS HUGE BREAK, USE MASSING TO CONTROL VARIATION ALONG A FACADE, ALTERNATIVE: CHANGE 100' TO BLDGS OVER 200' IN LENGTH
-
-  Number: 3 Author: elaine Subject: Highlight Date: 12/5/2020 2:29:45 PM
100 feet
-
-  Number: 4 Author: elaine Subject: Text Box Date: 12/5/2020 2:34:17 PM
-
-  Number: 5 Author: elaine Subject: Highlight Date: 12/5/2020 2:27:21 PM
600 square feet
-
-  Number: 6 Author: elaine Subject: Text Box Date: 1/18/2021 9:00:38 AM
A MINIMUM 600 SF VERTICAL BREAK IS A LOT, THIS SHOULD NOT BE MORE THAN 0-100 SF. ON A TYPICAL DOWNTOWN SITE, 150' WIDE X 150' SITE THIS STANDARD WOULD REQUIRE A 20' X 30' BREAK SOMEWHERE? IT'S FINE TO HAVE AN OBJECTIVE STANDARD THAT REQUIRES AN OPEN SPACE, BUT ALLOW THE APPLICANT FLEXIBILITY ON HOW TO REDUCE OR MODULATE BUILDING MASS AND OPEN SPACE. THIS STANDARDS DESCRIBED HERE ARE TOO ONEROUS AND CAN CONSTRAIN GOOD DESIGN ALTERNATIVES OR MAKE DEVELOPMENT INFEASIBLE.

(D) Special Conditions**(i) Railroad Frontages**

- (a) All parcels with lot lines abutting railroad rights-of-way shall meet the following standards on the railroad-abutting facade:
1. A minimum facade break of at least 10 feet in width and six feet in depth for every 60 feet of façade length.
 2. For portion of a building greater than 20 feet or greater in height, a maximum continuous façade length shall not exceed 60 feet.
 3. A daylight setback plane starting 10 feet in height from grade at the property line and extending at a 1:1 ratio.

18.24.060 Façade Design**1 (A) Intent Statement:**

To create cohesive and well-crafted building facades with human-scaled details that incorporate textures, colors, and other details that are compatible with and enhance the surrounding area. Facades should include the following elements:

- Human-scaled detail, articulation, and craftsmanship
- Quality of construction, craftsmanship, and design to create long lasting buildings
- Articulation of the building base or ground floor, body or middle, and top, cornice or parapet edge
- Expression of a human-scaled façade rhythm and pattern that reflects the building's use
- Fenestration that enhances the architectural character of the building
- Defined building entry that is proportional to the building and number of people served

(B) Application

- (i) All facades shall meet all the required design standards and guidelines to ensure the same level of care and integrity throughout the building design.
- (ii) Façade sidewalls located along a zero-lot line where, at time of approval are not visible from a right-of-way, are exempt.
- (iii) Façade sidewalls located along a zero-lot line, where at time of approval are visible from a right-of-way, shall continue color, material, and pattern of the main façade.

(C) Human Scaled Architecture**(i) Base/Middle/Top**

- (a) Buildings three stories or taller shall be designed to differentiate a defined base or ground floor, a middle or body, and a top, cornice, or parapet cap. Buildings two stories or less shall include a defined base and top. Each of these elements shall be distinguished from one another through use of two or more of the following four techniques:

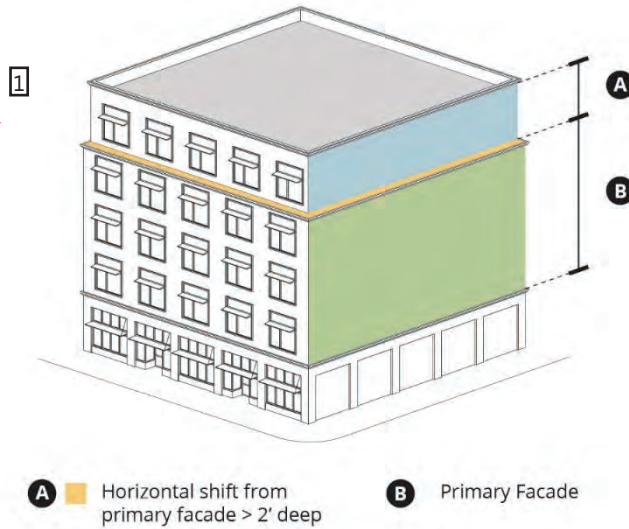
Number: 1 Author: elaine Subject: Highlight Date: 12/5/2020 2:36:52 PM

(A) Intent Statement:

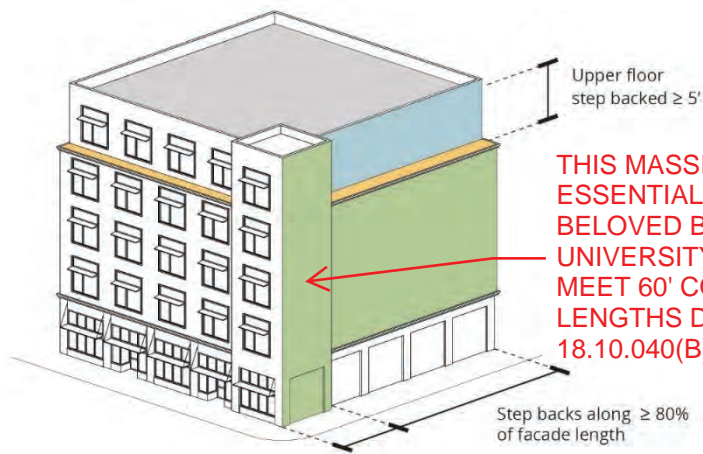
To create cohesive and well-crafted building facades with human-scaled details that incorporate textures, colors, and other details that are compatible with and enhance the surrounding area. Facades should include the following elements:

- 1. *Variation in building modulation* (select a minimum of one)
 - a. Horizontal shifts. Changes in floor plates that protrude and/or recess with a minimum dimension of two feet from the primary facade.

LOVE THESE DIAGRAMS, BUT THEY ILLUSTRATE BUILDINGS TALLER THAN PALO ALTO'S CURRENT 50' HEIGHT LIMIT (WE SHOULD ALLOW STRUCTURES THIS TALL THOUGH!)



- b. Upper floor step backs. A horizontal step back of upper-floor façades with a minimum five-foot step back from the primary façade for a minimum of 80% of the length of the façade.



THIS MASSING IS GOOD, ESSENTIALLY A DIAGRAM OF THE BELOVED BUILDING AT RAMONA & UNIVERSITY, BUT IT MIGHT NOT MEET 60' COMBINED CORNER LENGTHS DESCRIBED IN 18.10.040(B)(a)1

- c. Ground floor step back. A horizontal shift of the ground floor facade with a minimum depth of two feet for a minimum 80% of the length of the façade. Ground floor step backs shall not exceed the maximum setback requirements, where stated.

Page: 14

Number: 1 Author: elaine Subject: Text Box Date: 1/18/2021 9:01:08 AM

LOVE THESE DIAGRAMS, BUT THEY ILLUSTRATE BUILDINGS TALLER THAN PALO ALTO'S CURRENT 50' HEIGHT LIMIT (WE SHOULD ALLOW STRUCTURES THIS TALL THOUGH!)

Number: 2 Author: elaine Subject: Callout Date: 1/18/2021 9:01:41 AM

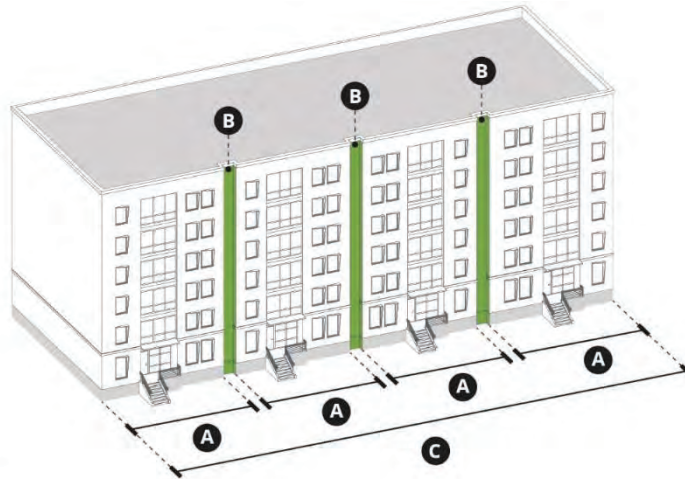
THIS MASSING IS GOOD, ESSENTIALLY A DIAGRAM OF THE BELOVED BUILDING AT RAMONA & UNIVERSITY, BUT IT MIGHT NOT MEET 60' COMBINED CORNER LENGTHS DESCRIBED IN 18.10.040(B)i(a)1

THIS IS A BETTER STANDARD THAN 18.24.050(C). AS LONG AS THIS IS INCLUDED, THE OTHER SHOULD NOT EXIST. AS CURRENTLY WRITTEN, THEY CONTRADICT EACH OTHER.

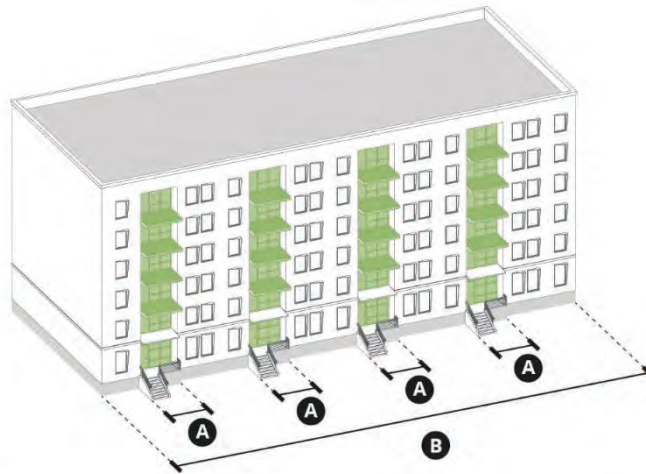
1

2.d

2. **For continuous facades greater than 100 feet in length**, the façade shall include a vertical recess or projection with a minimum four feet wide and two feet deep vertical shift modulation to establish a rhythm between 20 to 50 feet in width for housing units or 12 to 16 feet in width for individual rooms and spaces.




- A** 20' - 50' horizontal increment
- B** 4' wide, 2' deep vertical recesses
- C** Facade length \geq 100'
- Vertically oriented patterns





- A** 12' - 16' wide vertical recess/projections
- B** Building length \geq 100'
- Vertically oriented patterns

Page: 18

 Number: 1 Author: elaine Subject: Text Box Date: 12/5/2020 2:42:04 PM

THIS IS A BETTER STANDARD THAN 18.24.050(C). AS LONG AS THIS IS INCLUDED, THE OTHER SHOULD NOT EXIST. AS CURRENTLY WRITTEN, THEY CONTRADICT EACH OTHER.

 Number: 2 Author: elaine Subject: Cloud Date: 12/5/2020 2:39:56 PM

 Number: 3 Author: elaine Subject: Highlight Date: 12/5/2020 3:42:03 PM

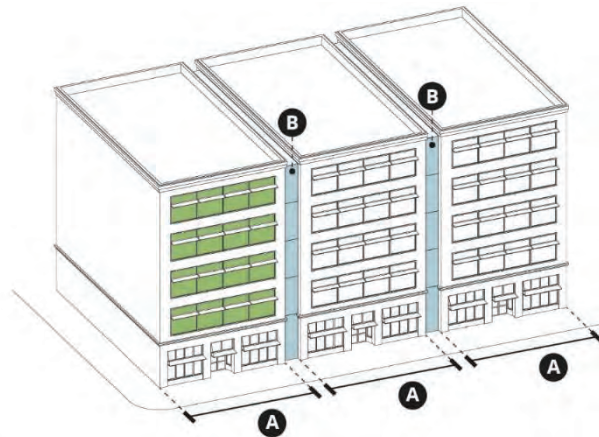
For continuous facades greater than 100 feet in length

- (b) Residential mixed-use and non-residential buildings shall express a vertical rhythm and pattern by using one of the following options:
 1. Facades shall use vertical patterns of building modulation, façade articulation, and fenestration;



Vertical patterns along building facade

- 2. 1 Facades that use horizontal articulation and fenestration patterns shall use a vertical massing strategy with a minimum four feet wide and two feet deep vertical shift in modulation at least once every 50 feet of façade length.




THIS STANDARD IS ALSO BETTER THAN 18.24.050(C)

2


- A** Vertical modulation \geq 50' of building length
- B** 4' wide, 2' deep vertical recesses
- Horizontally oriented patterns along building facade

- (c) Storefront uses shall express a vertical rhythm not to exceed 30 to 50 feet in width.

Page: 19

 Number: 1 Author: elaine Subject: Highlight Date: 12/5/2020 2:42:24 PM

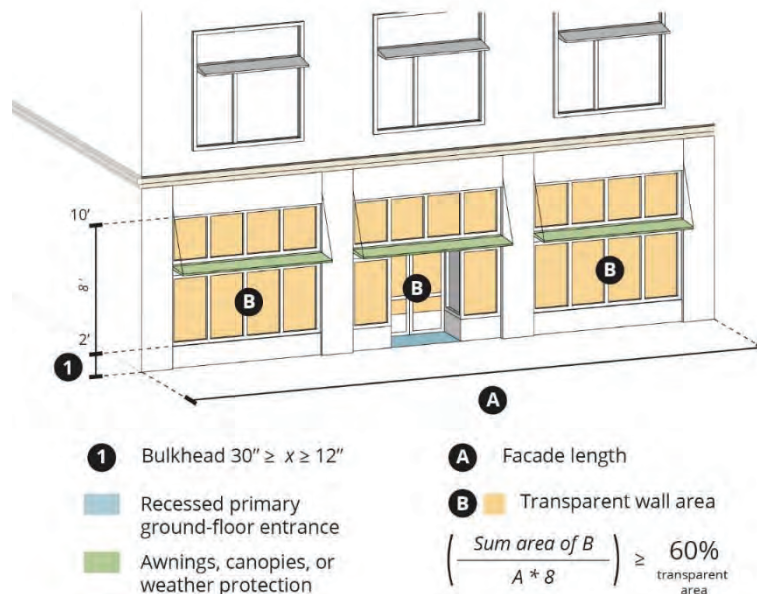
Facades that use horizontal articulation and fenestration patterns shall use a vertical massing strategy with a minimum four feet wide and two feet deep vertical shift in modulation at least once every 50 feet of façade length.

 Number: 2 Author: elaine Subject: Text Box Date: 12/5/2020 2:42:42 PM

THIS STANDARD IS ALSO BETTER THAN 18.24.050(C)

(D) Ground Floor Character**(i) Storefront/Retail Ground Floors**

- (a) Ground floor height shall be a **minimum 14 feet floor-to-floor** or shall maintain a 2nd floor datum line of an abutting building-
- (b) Transparency shall include a minimum 60 percent transparent glazing between 2 and 10 feet in height from sidewalk, providing unobstructed views into the commercial space.
- (c) Bulkheads and solid base walls: If provided, shall measure between 12 and 30 inches from finished grade
- (d) Primary entries shall include weather protection that is a **minimum 2.5 feet wide and 4 feet deep** by recessing the entry, providing an awning or using a combination of these methods.
- (e) Awnings, canopies and weather protection:
- When transom windows are above display windows, awnings, canopies and similar weather protection elements shall be installed between transom and display windows. These elements should allow for light to enter the storefront through the transom windows and allow the weather protection feature to shade the display window.
 - Awnings may be fixed or retractable.
 - Awnings, canopies and other weather protection elements shall not extend across the entire facade. Instead, individual segments shall be installed over each storefront entry or set of storefront windows and shall not extend across wall sections, across multiple windows or over columns.


**(ii) Other Non-residential Ground Floors**


- (a) Ground floor height shall be a **minimum 14 feet floor-to-floor** or shall match the 2nd floor datum line of an abutting building.
- (b) Transparency shall include a minimum 50 percent transparent glazing between 4 and 10 feet in height from sidewalk or terrace grade.


4

THERE SHOULD BE SOME FLEXIBILITY FOR PROGRAM NEEDS OR NAVIGATING GRADE CHANGES FRONT TO BACK. CONSIDER A RANGE, (IE 12'-15' FLOOR TO FLOOR) RATHER THAN A STRICT MINIMUM.

Page: 21

 Number: 1 Author: elaine Subject: Highlight Date: 12/5/2020 3:22:33 PM
minimum 14 feet floor-to-floor

 Number: 2 Author: elaine Subject: Highlight Date: 12/5/2020 3:22:43 PM
6 feet wide and
4 feet

 Number: 3 Author: elaine Subject: Highlight Date: 12/5/2020 2:44:27 PM
a minimum 14 feet floor-to-floor

 Number: 4 Author: elaine Subject: Text Box Date: 12/5/2020 2:46:32 PM

THERE SHOULD BE SOME FLEXIBILITY FOR PROGRAM NEEDS OR NAVIGATING GRADE CHANGES FRONT TO BACK. CONSIDER A RANGE, (IE 12'-15' FLOOR TO FLOOR) RATHER THAN A STRICT MINIMUM.

80 SF SEEMS LARGE FOR SMALL SITES, MAKE SURE THIS IS CONSISTENT WITH 18.24.040(B)ii PRIMARY BUILDING ENTRY

1

- (c) Primary entries shall include weather protection that is a minimum 10 feet wide and 8 feet deep by recessing the entry, providing an awning or using a combination of these methods.

(iii) Residential Ground Floors

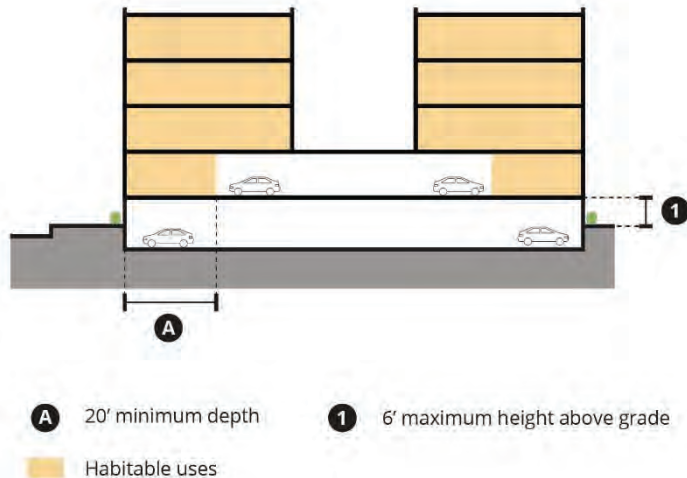
- (a) Finished Floor Height: Units on ground floors shall have a finished floor height at a minimum two feet above average back of sidewalk height for the associated façade.
- (b) Primary entries shall include weather protection that is a minimum 4 feet wide and 4 feet deep by recessing the entry, providing an awning or using a combination of these methods.

THE 25% ON NARROW 100' SITES MAY BE IMPOSSIBLE TO MEET. GARAGES ARE TYPICALLY 20' WIDE FOR INGRESS AND EGRESS, THERE MAY ALSO BE UTILITY ACCESS (ELECTRICAL ROOMS, TRASH ROOMS, BACKFLOW PREVENTERS,) IN ADDITION TO GARAGE ACCESS,






3

(E) Parking/Loading/Utilities

- (i) Entry Size: No more than 25% of the site frontage facing a street should be devoted to garage openings, carports, surface parking, loading entries, or utilities access (on sites with less than 100 feet of frontage, no more than 25 feet)
- (ii) Above grade structured parking levels facing a public right-of-way or publicly accessible open space/path shall be lined with commercial or habitable uses with a minimum depth of 20 feet.
- (iii) Partially sub-grade parking not exceeding six feet in height above abutting grade at back of sidewalk shall be screened with features meeting the standards of section 18.24.110 Visual, Screening, and Landscaping.



Page: 22

-
-  Number: 1 Author: elaine Subject: Text Box Date: 12/5/2020 3:22:06 PM
80 SF SEEMS LARGE FOR SMALL SITES, MAKE SURE THIS IS CONSISTENT WITH 18.24.040(B)ii PRIMARY BUILDING ENTRY
-
-  Number: 2 Author: elaine Subject: Highlight Date: 12/5/2020 2:46:48 PM
10 feet wide
and 8 feet deep by recessing the entr
-
-  Number: 3 Author: elaine Subject: Text Box Date: 12/5/2020 3:21:36 PM
THE 25% ON NARROW 100' SITES MAY BE IMPOSSIBLE TO MEET. GARAGES ARE TYPICALLY 20' WIDE FOR INGRESS AND EGRESS, THERE MAY ALSO BE UTILITY ACCESS (ELECTRICAL ROOMS, TRASH ROOMS, BACKFLOW PREVENTERS,) IN ADDITION TO GARAGE ACCESS,
-
-  Number: 4 Author: elaine Subject: Highlight Date: 12/5/2020 2:51:26 PM
25% of the site frontage facing a street should be devoted to
garage openings, carports, surface parking, loading entries, or utilities access (on sites
with less than 100 feet of frontage, no more than 25 feet)
-
-  Number: 5 Author: elaine Subject: Highlight Date: 12/5/2020 2:51:20 PM
20 feet.

18.24.070 Residential Entries

(A) Intent

Private entries into ground floor residential units shall be designed to provide:

- human-scaled detailing
- enhanced pedestrian experience
- transition between public and private space
- spaces for residents to gather and spend time outdoors
- resident privacy

(B) Ground floor unit entries

(i) Where ground floor residential unit entries are required, one or more of the following entry types shall be provided:

(a) Stoop:

1. Stoops shall provide entry access for a maximum of two units.; and
2. Stoop entry landings shall be a minimum 4 feet in depth; and
3. The maximum stoop height from the back of sidewalk grade shall be 5 feet.




BE CONSISTENT WITH 18.10.024.(C)ii WHICH SAYS 36 SF AND MIN 5' DIMENSION

(b) Porch:


1. Porches shall provide entry access for a maximum of one unit; and
2. Porches shall be large enough so a 5-foot by 6-foot square can fit inside of a porch for each unit; and
3. The maximum porch floor height from the back of sidewalk grade shall be 5 feet.




Page: 23


 Number: 1 Author: elaine Subject: Highlight Date: 12/5/2020 3:27:46 PM

Private entries into ground floor residential units shall be designed to provide:
human-scaled detailing
enhanced pedestrian experience
transition between public and private space
spaces for residents to gather and spend time outdoors
resident privacy

 Number: 2 Author: elaine Subject: Highlight Date: 12/5/2020 3:27:52 PM

 Number: 3 Author: elaine Subject: Text Box Date: 12/5/2020 2:55:19 PM

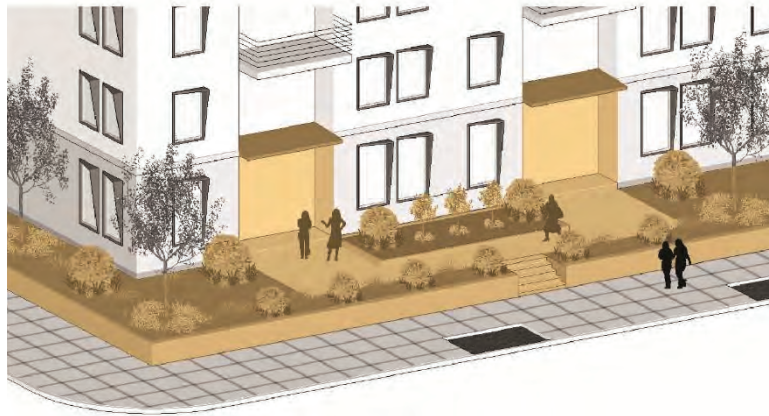
BE CONSISTENT WITH 18.10.024.(C)ii WHICH SAYS 36 SF AND MIN 5' DIMENSION

 Number: 4 Author: elaine Subject: Highlight Date: 12/5/2020 2:52:06 PM

6-foot by 6-foot square can fit inside of a porch for each unit

(c) Terrace:


1. A Terrace may serve multiple unit entries; and
2. The maximum Terrace height shall be 40 inches above the grade of the back of the adjacent sidewalk or accessway; and
3. Walls, fences and hedges on Terraces shall be a maximum of 42 inches tall and have a minimum transparency of 40 percent.



(d) Frontage Court:

1. A Frontage Court may serve multiple unit entries; and
2. The minimum Frontage Court width along a primary frontage shall be 25 feet; and
3. The maximum Frontage Court width along a primary frontage shall be 50 percent of the facade length or 80 feet, whichever is less; and
4. The minimum Frontage Court depth shall be 25 feet; and
5. The maximum Frontage Court depth shall be 50 feet or a ratio not to exceed 2:1 depth to width.



 Number: 1 Author: elaine Subject: Highlight Date: 12/5/2020 2:55:59 PM
30 inches

18.24.080 Open Space

1 (A) Intent

To ensure that residents and visitors have access to usable open space and common facilities that provide recreational opportunities, promote a healthy environment, and enhance the experience of living in Palo Alto. Common and private open spaces should include the following characteristics:

- Be integrated into the site access and building circulation strategy
- Be generous in dimension to provide usable space
- Provide landscape elements that will support the health of the plants and enhance the character of place
- Promote public health
- Be located to provide easy access to private and common building areas
- Promote sustainable practices and opportunities for green infrastructure
- Promote community safety through eyes on the street

(B) Private Open Space

Private Open Spaces shall be immediately accessible from each residential unit, provide direct visible access to the sky, protect from weather, and take advantage of possible views. Private Open Spaces shall meet the following standards:

- (a) Minimum dimension of six feet by six feet.
- (b) Minimum clear height dimension of 8'-6" feet
- (c) Be accessed directly from a residential unit
- (d) Balconies shall not be located within the daylight plane
- (e) Notwithstanding subsection (a), ground floor patios shall meet the following minimum requirements:

- 2 1. RM-20 and RM-30 districts, Minimum dimension of eight feet by eight feet and 3 100 square feet of area for at least 75% of the area
2. RM-40 districts, Minimum dimension of six feet by six feet and 4 30 square feet of area for at least 75% of the area
3. [TO COME: Regulating height above the ground-floor/setback from the street to ensure privacy/usability]

THIS MAKES NO SENSE. IS THERE A DIAGRAM?

(C) Common Open Space

Common Open Space shall meet the following standards:

1. Minimum dimension of 12 feet.
2. Minimum of 60% of area open to the sky free of permanent weather protection or encroachments
3. Notwithstanding subsection (1), courtyards enclosed on four sides shall have a minimum dimension of 40 feet and have a minimum courtyard width to building height ratio of 1:1.25
4. Include places to sit
5. A minimum 20% of landscaping

Number: 1 Author: elaine Subject: Highlight Date: 12/5/2020 3:29:15 PM

(A) Intent

To ensure that residents and visitors have access to usable open space and common facilities that provide recreational opportunities, promote a healthy environment, and enhance the experience of living in Palo Alto. Common and private open spaces should include the following characteristics:

Be integrated into the site access and building circulation strategy

Be generous in dimension to provide usable space

Provide landscape elements that will support the health of the plants and enhance the character of place

Promote public health

Be located to provide easy access to private and common building areas

Promote sustainable practices and opportunities for green infrastructure

Promote community safety through eyes on the street

Number: 2 Author: elaine Subject: Text Box Date: 12/5/2020 3:20:40 PM

THIS MAKES NO SENSE. IS THERE A DIAGRAM?

Number: 3 Author: elaine Subject: Highlight Date: 12/5/2020 2:59:25 PM

100 square feet of area for at least 75% of the area

Number: 4 Author: elaine Subject: Highlight Date: 12/5/2020 2:59:20 PM

80 square feet of
area for at least 75% of the are



Planning & Transportation Commission

Staff Report (ID # 11991)

Report Type: Action Items **Meeting Date:** 3/10/2021

Summary Title: NVCAP - Review Plan Alternatives

Title: PUBLIC HEARING: Recommendation on the Preferred Plan Alternative for the North Ventura Coordinated Area Plan

From: Jonathan Lait

Recommendation

Staff recommends the Planning and Transportation Commission review the North Ventura Coordinated Area Plan (NVCAP) draft alternatives and recommend a preferred alternative to the City Council.

Report Summary

The Planning and Transportation Commission (PTC) discussed the draft NVCAP plan alternatives on January 13, 2021 and made the motion to have staff return with modifications to Alternatives #2 and #3. This report responds to that motion. The report also summarizes the PTC's discussion and public comment during the December 9, 2020 and January 13, 2021 meetings on the draft alternatives.

Background

This section summarizes the PTC's review of draft alternatives from April 2020 to present. It also documents the PTC's motion at the most recent January 13th meeting. The alternatives, related outcomes (e.g., residents and jobs generated), and relationship to the Council goals, are reiterated in Attachment A.

Summary of PTC Review of Draft Alternatives

Over the past year, City staff and consultants conducted extensive research and community outreach to develop a set of alternative land use and transportation scenarios for the North Ventura planning area. This outreach included the Working Group, stakeholder meetings, and

with the community at-large. The PTC reviewed the first draft of alternatives¹ on April 29, 2020 and requested changes to those alternatives considered.²

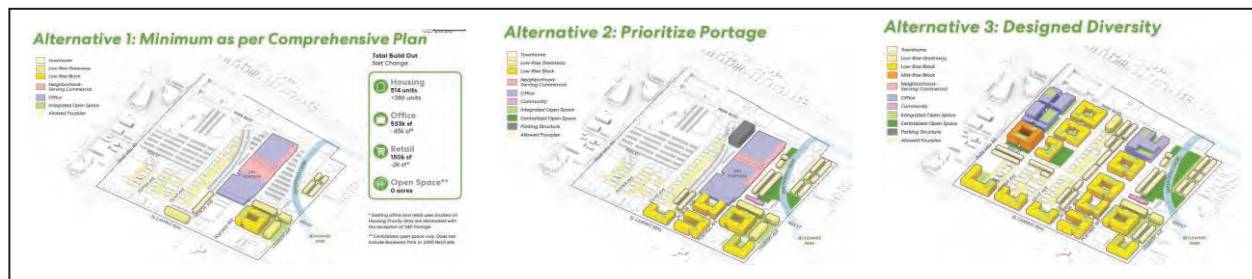


Figure 1: Snapshots of Initial Draft Alternatives (April 2020)

Following direction from the PTC, staff proceeded to work with the Working Group to reexamine the alternatives. The results of that collaboration are reflected in the three alternatives presented to the PTC on December 9, 2020 and January 13, 2021. At the December 9th meeting, the PTC took public comment and held a discussion that culminated in several questions to staff, and then continued the meeting to January 13th.

For additional information about the project, the alternatives, community engagement, and feedback on the alternatives, please see the following resources from the December 9, 2020 PTC meeting:

- Staff Report: <https://www.cityofpaloalto.org/civicax/filebank/documents/79522>
- Minutes: <https://www.cityofpaloalto.org/civicax/filebank/documents/79847>
- Video: <https://midpenmedia.org/planning-transportation-commission-63-1292020-2/>
- Public Comment: <https://www.cityofpaloalto.org/civicax/filebank/blobdload.aspx?BlobID=79571>

For City staff's response to PTC comments, see the response to questions document presented to the PTC on January 13, 2021:

- Staff Response to Questions: <https://www.cityofpaloalto.org/civicax/filebank/blobdload.aspx?BlobID=79840>
- Minutes: <https://www.cityofpaloalto.org/civicax/filebank/documents/80165>
- Video: <https://midpenmedia.org/planning-transportation-commission-63-1132021/>
- Public Comment: <https://www.cityofpaloalto.org/civicax/filebank/blobdload.aspx?BlobID=79889>

¹ Draft alternatives: <https://www.cityofpaloalto.org/civicax/filebank/blobdload.aspx?BlobID=75521&t=65883.06>

² Summary of PTC comments 4/29/20:

<https://www.cityofpaloalto.org/civicax/filebank/blobdload.aspx?BlobID=76811&t=60539.31>

PTC Motion

The PTC was generally concerned that only one of the draft alternatives presented was financially feasible (Alternative #3). Additionally, there was concern that this one financially feasible option generated an undesirably low amount of open space and below-market rate (BMR) housing. At the conclusion of the January 13, 2021, the PTC made the motion to consider the following modifications to the alternatives:

- Alternative #2:
 1. Determine the amount of public funds necessary to make the alternative financially feasible.

- Alternative #3:
 2. Increase the BMR housing by adding additional 5% BMR (to equal 20% total BMR), of which, the 5% is for very low-income households below 80% AMI; determine the amount of public funds necessary for the modified alternative to be financially feasible;
 3. Increase the amount of open space to at least the city-wide average (later identified by Parks and Recreation staff as 2.6 acres per 1,000 residents).

More than 30 public comments were received at the two PTC meetings. There was unanimous support for creating additional housing in the plan area, specifically for affordable housing and middle-income housing. Several speakers supported higher density residential housing to meet the region's housing need (Alternative 3), while some preferred low to medium density housing as in Alternative 2. No public commenters supported Alternative 1.

Other comments included:

- Support for finding creative solutions for financing affordable housing, middle income housing and prevention of displacement of existing residents from the plan area.
- Limited support for large floorplan office spaces, but greater support for small neighborhood-serving offices.
- Concern that too much development is proposed within the plan area and wanted more equitable distribution of growth throughout the city.
- Mixed support for retention of the cannery building; some preferred complete removal of the old cannery building for better and efficient use of the existing space. While few supported partial retention of the building.
- Support for more open space, stating there is a deficiency of existing open spaces in the plan area. The plan should meet the citywide goal of four acres of park space per 1,000 residents. There was a preference for one large neighborhood park within the plan area, in addition to small pocket parks and linear parks.
- Concern about cut through traffic in the area and advocacy for traffic calming measures and improved bike and pedestrian connectivity.

Analysis

The analysis below presents and evaluates the refinements to Alternatives #2 and #3 in response to the PTC motion. Strategic Economics, the economics consultant for the NVCAP, has responded to the financial elements of the motions in Attachment B. These results, along with the open space assessment, are summarized below.

Alternative #2 – Financial Feasibility: Public Subsidy

As detailed in Attachment B, Strategic Economics identified what it would take to transform Alternative #2 into a financially feasible alternative. The total funding gap is estimated at \$130 million, for 1,620 units under the maximum buildout scenario (including market rate units). The funding gap for the multifamily condos is about \$94,000 per unit. The funding gap for multifamily rentals is almost \$83,000 per unit. This funding gap represents the shortfall for residential development only; it does not include other funding needs for infrastructure, parks, and other community benefits. If public sources were made available, this would be the per unit subsidy required.

The townhouse prototype is financially feasible and would not require subsidy. Therefore, in Alternative #2, the likely development response would be to build for-sale townhomes, even in areas that allow for greater height. Notably, townhomes tend to be the largest and most expensive of the prototypes in terms of sales prices.

Please note, the total buildout disregards the proposal for 85 townhomes at 200 Portage.

Alternative #3 – Expanding BMR Housing

Also detailed in Attachment B, Strategic Economics identified what it would take to increase BMR housing in Alternative #3 to set aside 20% of the units, instead of 15%. They concluded that Alternative #3 would allow for ownership development prototypes to set aside 20% of units for BMR households and still be financially feasible. This additional 5% increment of BMR units could target an additional 5% for low-income households (and 15% for moderate income households).

However, for rental projects the 15% inclusionary requirement represents the break-even point: 5% low and 10% moderate income set asides are equal to development costs and therefore represent the limit of what may be financially feasible. Because rental housing has a lower per unit value than ownership housing, it would not be able to support a greater percentage of BMR units onsite or a deeper affordability target.

Compared to Alternative #2, these BMR percentages work since Alternative #3 has significantly lower development costs per unit for all prototypes compared to the other alternatives. This is due to its lower parking requirement, which increases site efficiency and reduces construction costs. To conclude, no public subsidy would be needed for ownership units in this modified alternative, since it is still financially feasible. However, the rental units have a funding gap of

\$37 million in order to achieve a 20% BMR set-aside, with a mix of very low (5%), low (5%), and moderate income (10%) units. This represents a shortfall of \$20,000 per rental unit.

Alternative #3 – Ways to Increase Public Open Space

One of the City Council's adopted goals for the NVCAP is to align community facilities, such as parks and open space, with private development, recognizing both the community's needs and that such investments can increase the cost of housing.

There are several ways that cities can generate publicly accessible open space. Table 1 breaks these down into strategies for public property and strategies for publicly accessible private open space. It also explores how much parkland could theoretically be generated in the NVCAP planning area based on the amount of development assumed under Alternative #3. These ideas are illustrated in Figure 2 and Attachment C, which shows potential acreage by block and open space type.

Alternative #3 Open Space Concepts

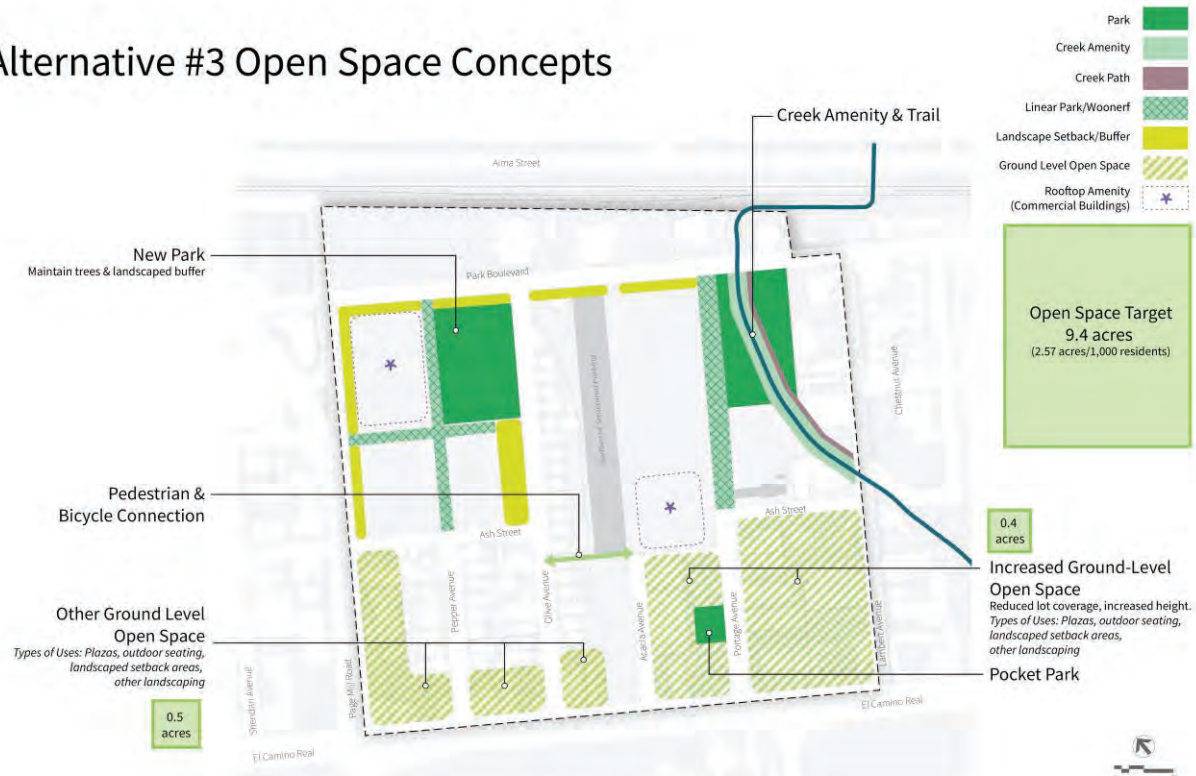


Figure 2: Alternative #3 Open Space Concepts

As noted in Table 1, one key idea is to increase ground-level open space by allowing taller buildings on the block bounded by Portage Avenue, Ash Street, Lambert Avenue, and El Camino Real. Under this concept, reduced lot coverage and increased height up to 8 stories, could allow for about 0.4 acres of additional ground-level open space in the form of plazas, landscaped setbacks, or similar ground-level publicly accessible open space.

The City has a parkland ratio of 2.57 acres/1,000 residents, based on the current population and park acres.³ Alternative #3 would need to generate 9.4 acres of parkland in order to maintain this standard for the NVCAP. If the 200 Portage project moves forward with 85 units (and no redevelopment of the remainder of 340 Portage site), Alternative #3 would need to generate 6.3 acres to maintain the current ratio.

Table 1: Methods to Increase Open Space in Alternative #3

	<i>Method</i>	<i>Opportunities</i>	<i>Challenges</i>	<i>Potential Acres</i>	
				<i>With 200 Portage</i>	<i>W/O 200 Portage</i>
Public /Quasi-Public Property	Site Acquisition City would acquire land to develop a public park	<ul style="list-style-type: none"> • Best chance for large open spaces • Potentially contiguous with existing open spaces or other community facilities 	<ul style="list-style-type: none"> • With land values at \$12 million/acre for vacant land, this option is expensive. • Development of the park relies on impact fees or General Fund. • Maintenance responsibility and expense falls on the City, which relies on the General Fund 	n/a	n/a
	Linear Park/Woonerf City and/or private property would vacate the public or private right-of-way to operate as linear park and/or bike/ped path	<ul style="list-style-type: none"> • City already owns land in the case of public rights-of-way. • Creates linear parks with walking and biking connections 	<ul style="list-style-type: none"> • Real or perceived impacts on traffic • Portage and Acacia are not public streets. • Actual street vacation would reduce vehicular circulation 	1.87	0.87
	Creek Amenity Matadero Creek beautification and restoration concepts proposed by WRA	<ul style="list-style-type: none"> • Could be a beautiful natural resource and connection 	<ul style="list-style-type: none"> • SCVWD does not own creek ROW. • Naturalization is expensive, estimated at up to \$8 million 	1.04	.52
Private Property	Parkland Dedication Private property that is dedicated for public access (example: Old Elks Lodge project)	<ul style="list-style-type: none"> • Precedent exists with current dedication requirements for subdivisions. • Potentially larger 	<ul style="list-style-type: none"> • Potential barrier to development: may result in financially infeasible projects. • Need both a maintenance 	3.78	2.82

³ Recreation and Parks does not include Foothills Park in the calculation of acres per 1,000 residents.

	<i>Method</i>	<i>Opportunities</i>	<i>Challenges</i>	<i>Potential Acres</i>	
				<i>With 200 Portage</i>	<i>W/O 200 Portage</i>
		open spaces	agreement but also enforceable language in the Municipal Code. <ul style="list-style-type: none"> • Possible to have developer turn the land over to the City, though in practice the City has not done this 		
	Bike/Ped Connection Create a linear park/ped-bike connection through from Olive St. to Acacia	<ul style="list-style-type: none"> • Completes street grid. • Adds a third north-south through-street in addition between El Camino Real and Park Blvd. 	<ul style="list-style-type: none"> • Requires voluntary agreement by Olive St. property owner. • Requires redevelopment of private property, including likely demolition of an existing rental home 	.08	.08
	Rooftop Spaces Utilizing private rooftop spaces for public access	<ul style="list-style-type: none"> • Maintains developable building envelope. • Does not compete with building for lot coverage/other requirements. • Views, seating, amenities • Implementation likely to create multiple opportunities more broadly spread out 	<ul style="list-style-type: none"> • Access may be limited to certain hours. • Likely only feasible on non-residential buildings • Access considerations (e.g., signage, liability) 	.68	.68
	Ground-Level Open Space and Landscape Buffers Require publicly accessible open space at the ground-level. Consider allowing taller, skinnier buildings to	<ul style="list-style-type: none"> • Allows for ground-level open space that could be accessible to the public • Incremental series of green spaces that 	<ul style="list-style-type: none"> • Increases height of buildings to provide more area for open space at the ground level. • Smaller footprint buildings may not be feasible/more expensive to build. 	2.72	2.36

	<i>Method</i>	<i>Opportunities</i>	<i>Challenges</i>	<i>Potential Acres</i>	
				<i>With 200 Portage</i>	<i>W/O 200 Portage</i>
	maintain developable envelope while freeing up ground-floor space (e.g., on Portage/Ash/Lambert Block)	provide visual and physical relief	<ul style="list-style-type: none"> • Disconnected series of small spaces 		
	Creek Trail Long-term strategy for the City to develop a creek trail through a series of springing easements ⁽¹⁾	<ul style="list-style-type: none"> • Creek access • Limited impacts on private property 	<ul style="list-style-type: none"> • Incremental strategy, • Requires voluntary agreement of private property owners. • Challenging for property owners of shallow sites 	.24	.24
	Total			10.41	7.57

Notes: (1) An easement that comes into effect following a specified trigger. For example, the City obtains a public access easement from an interior lot abutting Matadero Creek, but the easement does not go into effect until public access is granted by another adjacent property.

Parkland Acquisition and Dedication

The City could explore acquiring parkland for the purposes of parkland development. Parkland dedication is potentially the most expensive option in the NVCAP area at roughly \$12 million/acre for raw land, but could result in the largest acreage. This section explains the process by which the Parks Department dedicates land.

The City dedicates parkland through City Council adoption of an ordinance per the City Charter.⁴ Upon dedication as parkland, use of the land remains for the purpose of park, playground, recreation, or conservation. The City has dedicated parkland through conversion of City-owned land, acquisition of land, and purchase of land. In the past 15 years, there have been five occasions creating parkland through land dedication.

1. In 2005, 13 acres of land adjacent the Pearson Arastradero Nature Preserve was purchased and added to the preserve.
2. In the following year, 2006, land was dedicated near downtown to become Heritage Park. The 2.4 acres of land was acquired from the developer of the adjacent home development.
3. Then in 2014, the City dedicated 7.7 acres of land the City already owned adjacent to Foothills Park.
4. This was followed by 36.5 acres of land near East Bayshore Road dedicated in 2017. This was also City-owned land and added to the Baylands Nature Preserve.

⁴ https://codelibrary.amlegal.com/codes/paloalto/latest/paloalto_ca/0-0-0-26815

5. Most recently, in 2019, the City purchased 0.64 acres of land adjacent to Boulware Park (and immediately adjacent to the NVCAP planning area) and dedicated the land as parkland.

Although there have been opportunities on occasion, establishing new parks does not occur regularly, and as land value increases, opportunities to purchase land becomes more challenging. Development impact fees can be used toward acquisition and generally are spent on neighborhood parks within ½ mile of the project paying into the fund or a district park citywide. Construction of the park relies on impact fees or General Fund; maintenance responsibility and expense also fall on the City, which relies on the General Fund.

Response from Developers/Property Owners

City staff presented the Alternative #3 open space concept to several property owners in the NVCAP area to gather their feedback. At the time this report was published, staff had spoken with representatives from the Jay Paul Company, Lund Smith, and Tarlton Properties. In general, property owners were open to locating on-site publicly accessible open space. However, they articulated that the amount of open space requested, as a proportion of the land area under ownership, was generally too high to make for a feasible project. As a result, some suggested they may not redevelop at all. Additionally, some property owners had concerns about site security and marketability. For example, tenants may not want members of the public to have access to certain areas of private property. Providing some flexibility or incentive, such as additional height or density could help to increase the viability on the amount of open space requested, but is unlikely to resolve concerns about site access and security.

Discussion

The PTC is asked to consider the information regarding inclusionary housing, financial feasibility, and provision of parks in order to recommend a preferred alternative.

In regard to financial feasibility, staff recommend Alternative 3, as this alternative is financially feasible and can provide a greater number of inclusionary units. If the PTC selects Alternative 2, the PTC may consider reducing the parking requirements to 1 space per unit; such a reduction would mirror the development standards of Alternative 3 and reduce the cost per unit. Staff remain concerned that, because no office space can be expanded in Alternative 2, limited redevelopment may result. The public subsidy and financial feasibility calculations identified in the analysis above do not reflect the opportunity costs for a property owner to transition from commercial to residential uses. Namely, the loss of operating revenue from existing office and commercial uses, which generate greater net income than residential on a square foot basis.

Regarding open space and parks, the PTC is asked to recommend a combination of open spaces and parks that can achieve the desired amount of acreage per 1,000 residents.

The PTC may also make other adjustments to the preferred alternative. The decisions will be consolidated into a revised alternative presented to the City Council. Due to the time

constraints, staff request the PTC to make a recommendation at the March 10, 2021 meeting. The City must adopt a coordinated area plan by December 1, 2023. In advance of adoption, the environmental review must be completed along with other steps necessary to finalize the plan.

Environmental Review

The current action requested of the PTC does not represent a project under the California Environmental Quality Act (CEQA). The City anticipates that either an Addendum or Supplemental Environmental Impact Report to the Comprehensive Plan Final Environmental Impact Report (2017) will be the appropriate level of environmental review for the approval of the NVCAP. The level of environmental review depends upon plan development. CEQA scoping and analysis will begin next year.

The Historic Resources Evaluation⁵ (HRE), prepared by Page & Turnbull in 2019, concludes that the 340 Portage site is significant at the local level for its association with the historic Santa Clara County cannery industry. Accordingly, the property is eligible for listing in the California Register of Historical Resources. As such, the property qualifies as a historic resource for the purposes of review under CEQA. If the NVCAP contemplates demolition of the 340 Portage building, the CEQA document will need to analyze the potential for a significant and unavoidable impact and the City Council would need to adopt a Statement of Overriding Considerations.

Public Notification

The Palo Alto Municipal Code requires publication of a notice of this public hearing in a local paper at least ten days in advance of the meeting. Notice of the PTC public hearing was published in the Daily Post on February 26, 2021, which is 12 days in advance of the meeting.

Next Steps

City Staff will bring the alternatives and the PTC's recommendation to the City Council for consideration and selection of a preferred alternative in Spring 2021. After Council provides direction on a selected alternative, staff will advise the consultant team to complete additional study and refinement of the preferred alternative.

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⁵ HRE: <https://www.cityofpaloalto.org/civicax/filebank/blobdload.aspx?BlobID=79291&t=54966.14>

⁶ Emails may be sent directly to the PTC using the following address: planning.commission@cityofpaloalto.org

Attachments:

- Attachment A: NVCAP Alternatives & Buildout Table (PDF)
- Attachment B: Financial Analysis Memorandum of NVCAP Housing Alternatives (PDF)
- Attachment C: Open Space Concepts in Alternative 3 (PDF)

Alternative 1

Office/Industrial

3.a

Retail

Higher Density Mixed Use

Lower Density Mixed Use

Higher Density Residential Use

Lower Density Residential Use

Park/Open Space/Plaza

Office/Light Industrial

Continuation of Existing Uses

Creek Restoration & New Park

Would require city bond or other type of public funds

Retain Office Building

Allow existing office to remain

Allow multi-family residential (townhomes) up to 35' on surface parking lots. Redevelopment unlikely under these conditions

Retain Cannery

Allow cannery to remain and permit multi-family residential (townhomes) up to 35' on surface parking lots. Redevelopment unlikely under these conditions

Ground Floor Retail

Allow multi-family residential uses up to 35' on surface parking

Retain Office/Industrial Designation

Duplexes

Rezone to R-2

Area of Stability

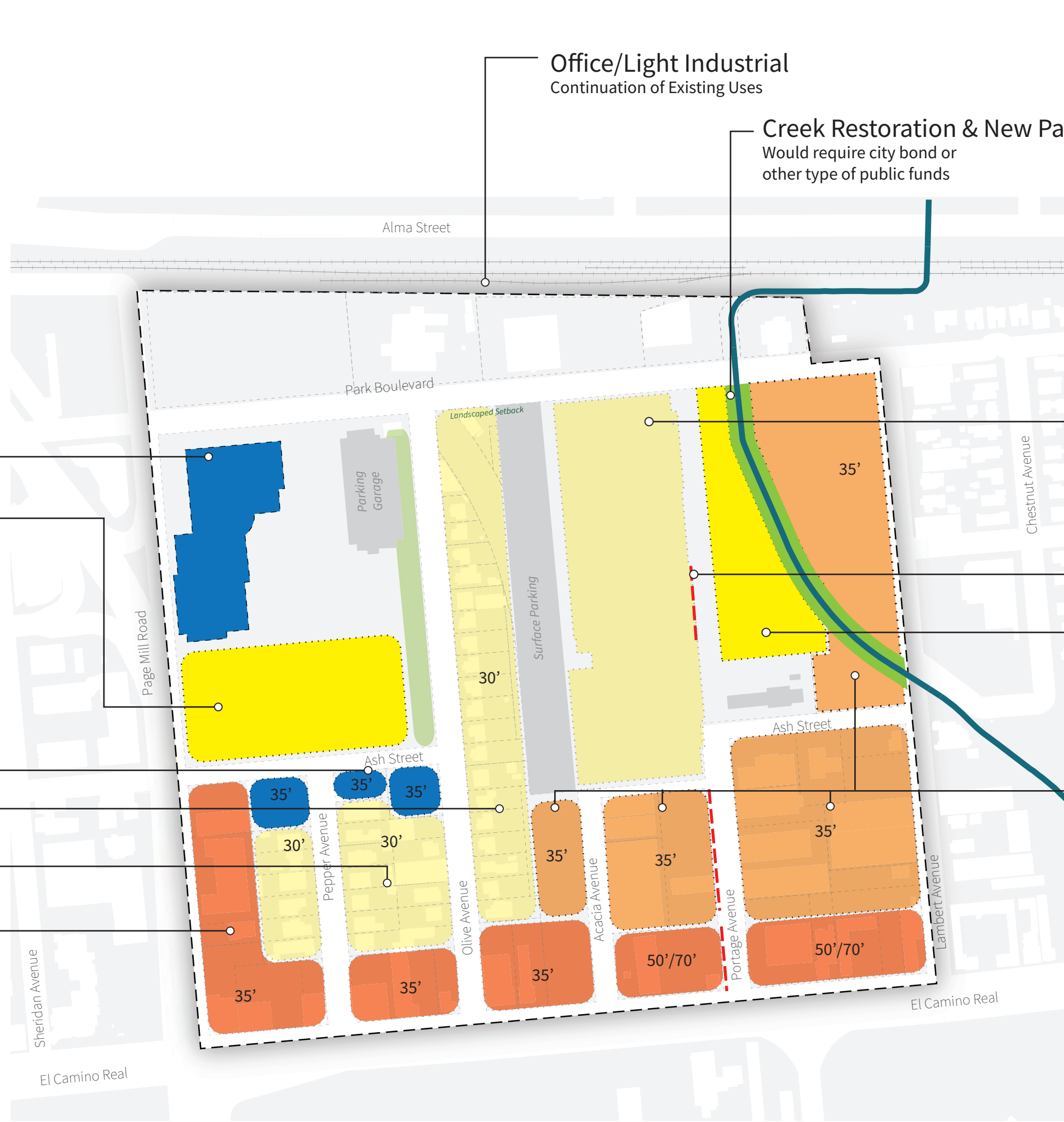
No change from current standards

Mixed District*

Office & commercial remain until no longer in use; then converts to residential w/ ground floor retail if desired

Residential/Retail Mixed Use Corridor

Decrease height vs. existing zoning, but increase allowable FAR



Alternative 2

Office/Industrial **3.a**

Retail

Higher Density Mixed Use

Lower Density Mixed Use

Higher Density Residential Use

Lower Density Residential Use

Park/Open Space/Plaza

Office/Light Industrial w/ Rezone Option
Can be redeveloped & rezoned to MFR

Creek Restoration & New Park

New Park

Maintain trees & landscaped buffer

Retain Office Floor Area

Up to 50' w/small ground floor retail

New Mid-Rise Residential

50' w/ 70' bonus

Height transition down towards Olive

Retain Office/
Industrial Designation

Four-Plexes

Assumes lot consolidation

Allow Duplexes

Residential/Retail

Mixed Use Corridor

New Mid-Rise Residential

50' Height

Increased residential density (70 du/acre)

Creekside improvements required

New Mid-Rise Residential*

50' with small office & retail

Repurpose Victorian office as

community building

Retain Office Floor Area*

Up to 50' w/small ground floor retail

Maintain monitor roofs

Mixed District*

Office may remain or be replaced.

Additional floor area would be residential

*Extra 5' height bonus with

ground floor retail

Ground Floor Retail



Alternative 3

Office/Industrial **3.a**

Retail

Higher Density Mixed Use

Lower Density Mixed Use

Higher Density Residential Use

Lower Density Residential Use

Park/Open Space/Plaza

Office/Light Industrial w/ Rezone Option
Can be redeveloped & rezoned to MFR

Creek Restoration & New Park

New Park

Maintain trees & landscaped buffer

Expand Office Floor Area

Up to 50' w/small ground floor retail

New Mid-Rise Residential

50' w/ 70' bonus

Height transition down towards Olive

Retain Office/
Industrial Designation

Six-Plexes

Assumes lot consolidation

Allow Duplexes

Residential/Retail
Mixed Use Corridor

New Mid-Rise Residential

50' Height

Increased residential density (70 du/acre)

Creekside improvements required

New Mid-Rise Residential

50' with small office & retail

Repurpose Victorian office as
community building

Expand Office Floor Area

Up to 50' w/small ground floor retail

Demolish 340 Portage

Mixed District*

Office may remain or be replaced.

Additional floor area would be residential

*Extra 5' height bonus with

ground floor retail

Ground Floor Retail



DEVELOPMENT POTENTIAL

<i>Land Use</i>	<i>Existing Development</i>	<i>New Development</i>		
		<i>Alt #1</i>	<i>Alt #2</i>	<i>Alt #3</i>
Net New Housing Units	142			
Realistic Potential	-	500	1,170	1,490
Maximum Potential	-	860	1,620	2,130
New Office Commercial SF	744,000	8,600	33,300	126,700
New Retail Commercial SF	111,200	7,500	17,600	22,300
Parks and Open Space (approximate acres)	0	1.2	3.6	5.5
# of Potential Redevelopment Sites (Range = Realistic to Maximum Sites Turning Over)	n/a	16 to 23	37 to 41	37 to 52

METRICS BASED ON REALISTIC POTENTIAL

<i>Metric</i>	<i>Existing (Estimates)</i>	<i>Alternative #1</i>	<i>Alternative #2</i>	<i>Alternative #3</i>
Below-Market Rate Housing Units (assumes 15% of total) ¹	23	70	180	220
Residential Population	340	1,210	2,840	3,610
Office Jobs	2,460	30	110	430
Retail Jobs	200	10	30	40
Jobs/Housing Ratio (Housing Units to Support New Jobs)	170	50	180	580
Parks and Open Space (acres/1,000 new residents)	0	1.0	1.3	1.5

Relationship to City Council Adopted Goals

City Council Adopted Goal	Alt #1	Alt #2	Alt #3
1. Housing and Land Use: Add to the City’s supply of multifamily housing, including market rate, affordable, “missing middle,” and senior housing in a walkable, mixed use, transit-accessible neighborhood, with retail and commercial services and possibly start up space, open space, and possibly arts and entertainment uses.	✓	✓✓	✓✓✓
2. Transit, Pedestrian and Bicycle Connections: Create and enhance well-defined connections to transit, pedestrian, and bicycle facilities, including connections to the Caltrain station, Park Boulevard and El Camino Real.		✓	✓✓
3. Connected Street Grid: Create a connected street grid, filling in sidewalk gaps and street connections to California Avenue, the Caltrain Station, and El Camino Real where appropriate.		✓	✓✓
4. Community Facilities and Infrastructure: Carefully align and integrate development of new community facilities and infrastructure with private development, recognizing both the community’s needs and that such investments can increase the cost of housing.			✓
5. Balance of Community Interests: Balance community-wide objectives with the interests of neighborhood residents and minimize displacement of existing residents and small businesses.	✓✓	✓✓✓	✓
6. Urban Design, Design Guidelines and Neighborhood Fabric: Develop human-scale urban design strategies, and design guidelines that strengthen and support the neighborhood fabric. Infill development will respect the scale and character of the surrounding residential neighborhood. Include transition zones to surrounding neighborhoods.	✓	✓	✓
7. Sustainability and the Environment: Protect and enhance the environment, while addressing the principles of sustainability	✓	✓	✓



MEMORANDUM

To: Jean Eisberg, Lexington Planning
Clare Campbell, City of Palo Alto

From: Sujata Srivastava and Jesse Brown, Strategic Economics

Date: March 4, 2021

Subject: Additional Financial Analysis of NVCAP Housing Alternatives

This memo report summarizes additional financial analysis of the preliminary land use alternatives for the North Ventura Coordinated Area Plan. The findings presented in this report are based on a pro forma analysis that was completed in January 2020 and builds on the conclusions from the “Financial Feasibility of NVCAP Alternatives” memo from November 2020. The previous analysis found that much of the residential development envisioned in Alternatives 1 and 2 were not likely to be financially feasible due to the height limits and parking requirements. However, the residential development types in Alternative 3 had a higher probability of being built and delivering community benefits.

The additional analysis described in this memo is meant to address the following questions:

- If the residential development envisioned in Alternative 2 is infeasible, what is the shortfall, or funding gap?
- Can residential development projects in Alternative 3 feasibly provide more than 15% of units at below-market rate rents or sales prices?

Key Findings

The total funding gap is estimated at \$130 million for Alternative 2, assuming that each residential development prototype sets aside 15% of units for BMR households. This funding gap represents the shortfall for residential development only; it does not include other funding needs for infrastructure, parks, and other community benefits.

Alternative 3 has significantly lower development costs per unit for all prototypes, which would allow for ownership developments to set aside 20% of units for BMR households. This alternative can potentially result in a greater percentage of BMR units targeting a mix of moderate (15%) and low (5%) income households.

Alternative 3 can also allow for rental developments to provide 15% BMR units if they are targeted to a mix of moderate (10%) and low (5%) income households without subsidy. This generally represents a “break even” point. Because rental housing has a lower per unit value than ownership housing, it would not be able to support a greater percentage of BMR units onsite or a deeper affordability target without a source of subsidy.

For Alternative 3 to achieve the goal of setting aside 20% BMR units in rental developments, there is a funding gap of \$37 million. The funding gap represents the shortfall of \$20,000 per unit for rental

residential projects to set aside 20% of units to a mix of very low (5%), low (5%), and moderate income (10%) households.

Assumptions

BUILDING TYPES

Drawing on its previous analyses and the parcel buildout assumptions for the NVCAP alternatives, Strategic Economics developed assumptions regarding the building types that would be most likely to be under the proposed height limits. They are described in Figure 1 below.

As shown, the buildings in the areas with a 35-foot height limit are most likely to be townhomes, with up to two stories over an above-ground parking podium. Three-story (35 feet) multifamily condos and apartments are unlikely to be developed at this height limit, due to the cost of underground parking relative to the number of units that can be achieved on the sites and the parking requirements. Townhomes in the Peninsula and Silicon Valley markets are usually for-sale products.

In the 50-foot to 70-foot range, it is expected that the development would be a blend of multifamily rental apartments and condominiums. Based on recent development trends and the ownership of the key parcels designated for higher density multifamily housing, Strategic Economics estimates that 80 percent of these would be rental apartments, and 20 percent would be for-sale condominiums.

Under Alternative 2's maximum buildout assumptions, there could be 1,620 units, including 1,423 multifamily rental apartments, 64 townhomes, and 133 multifamily condominiums. Under Alternative 3's maximum buildout assumptions, there could be 1,856 multifamily rental apartments, 88 townhomes, and 185 multifamily condominiums.

FIGURE 1: MAXIMUM BUILDOUT BY UNIT TYPE FOR ALTERNATIVE 2 AND ALTERNATIVE 3

Prototype	Height Limit	Tenure	Alternative 2 Units	Alternative 3 Units
Townhomes	35 Feet	For-sale	64	88
Multifamily Rental	50-70 Feet	Rental	1,423	1,856
Multifamily Condominiums	50-70 Feet	For-Sale	133	185
Total Housing Units			1,620	2,129

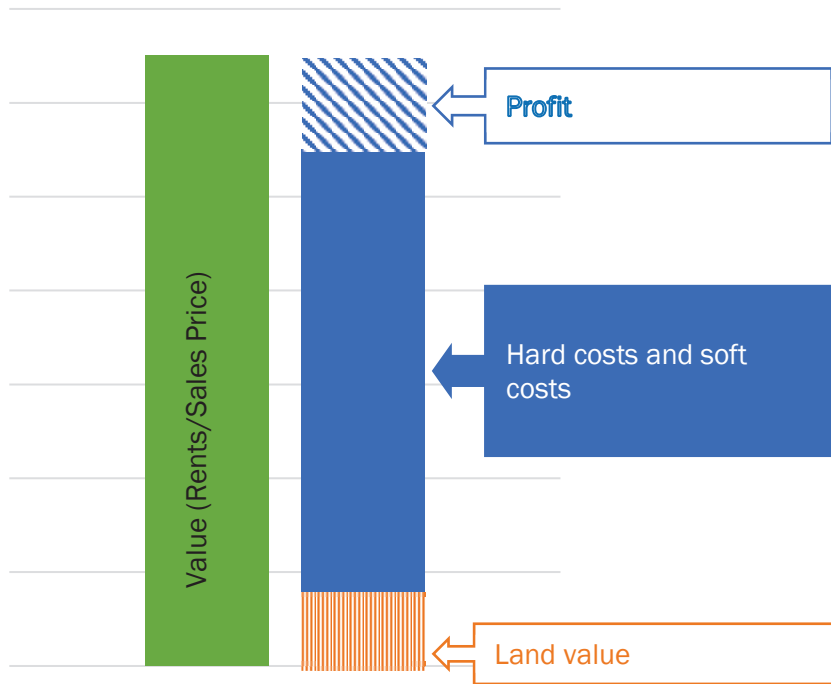
Source: City of Palo Alto, Strategic Economics.

DEVELOPMENT COSTS

Residential development costs include land costs, construction (hard) costs, soft costs (including city permits, architectural and engineering, and other fees), and profit. The profit expectations would vary depending on the financing sources specific to each project, but for the purposes of this analysis, Strategic Economics assumed that profit (return on cost) would be equivalent to 15 percent of the sum of the other development costs. The components of development costs, including profit, are illustrated in Figure 2 below.

To be considered financially feasible, the value of a project must be equal to or greater than the total development costs.

FIGURE 2: COMPONENTS OF DEVELOPMENT COST



Source: Strategic Economics

Strategic Economics calculated the per-unit development costs by prototype for Alternative 2 and Alternative 3. The value is calculated as the sales price for ownership units and as the capitalized value of the rental units.¹

As shown in Figure 3 and Figure 4, the per-unit development costs are higher in Alternative 2 than Alternative 3 because of the amount of parking that is required. In Alternative 2, the parking ratio is 2.0 spaces per unit for larger units (townhomes and multifamily condos) and 1.5 spaces per unit for more multifamily rental units. In Alternative 3, the parking ratio is 1.0 space per unit for all unit types.

¹ The capitalized value for rental housing is calculated as the net operating income divided by the capitalization rate for multifamily properties.

FIGURE 3: DEVELOPMENT COST PER UNIT FOR ALTERNATIVE 2

Prototype	Townhome	Multifamily Condos	Multifamily Rental
	35 feet	50-70 feet	50-70 feet
Description	2-story townhomes with podium parking	4 to 6-story condos with underground parking	4 to 6-story apartments with underground parking
Total Units	18	119	170
Number of Market Rate Units	15	101	170
Number of BMR Units Required	3	18	0
Average Unit Size (in square feet)	1,600	1,000	700
Number of Parking Spaces	36	238	255
Parking Ratio (spaces/unit)	2	2	1.5
Development Cost per Unit	\$1,212K	\$1,083K	\$742K

Source: Strategic Economics, January 2020.

FIGURE 4: DEVELOPMENT COST PER UNIT FOR ALTERNATIVE 3

Prototype	Townhome	Multifamily Condos	Multifamily Rental
	35 feet	50-70 feet	50-70 feet
Description	2-story townhomes with podium parking	4 to 6-story condos with underground parking	4 to 6-story apartments with underground parking
Total Units	18	119	170
Number of Market Rate Units	15	101	144
Number of BMR Units Required	3	18	0
Average Unit Size (in square feet)	1,600	1,000	700
Number of Parking Spaces	18	119	170
Parking Ratio (spaces/unit)	1	1	1
Development Cost per Unit	\$1,153K	\$936K	\$668K

Source: Strategic Economics, January 2020

BMR UNITS

For Alternative 2, it is assumed that all residential development projects (rental and for-sale) would be required to set aside 15% of the units at below-market rate sales prices or rents. Currently, the City of Palo Alto requires 15% onsite inclusionary units for for-sale projects, and housing impact fees for rental projects.

For Alternative 3, Strategic Economics tested the financial feasibility of providing more than the current requirement for BMR housing.

- For ownership housing, Strategic Economics analyzed the potential for developments to provide 15% BMR units (current requirement) in Scenario 1. In Scenario 2 and Scenario 3, the alternative provides 20% BMR units onsite, including 5% low income and 15% moderate income units.
- For rental housing, Strategic Economics tested the potential for 15% BMR units onsite with different income targets. Scenario 1 has 15% BMR units with a mix of very low, low, and moderate income units. Scenario 2 also provides 15% BMR units but only for low and moderate income households. Scenario 3 sets aside 20% BMR units for very low, low, and moderate income households.

The Alternative 3 BMR scenarios are summarized in Figure 5 below.

FIGURE 5: BMR SCENARIOS FOR ALTERNATIVE 3

Prototype	Scenario 1	Scenario 2	Scenario 3
Townhomes and Multifamily Condominiums	15% Moderate	5% Low 15% Moderate	5% Low 15% Moderate
Multifamily Rental	5% Very Low 5% Low 5% Moderate	5% Low 10% Moderate	5% Very Low 5% Low 10% Moderate

Source: Strategic Economics

UNIT VALUES

The values of the market-rate units and below-market rate units are summarized in Figure 6 below. The weighted average of the units in each prototype under the various BMR scenarios are shown in Figure 7. Scenarios with a higher BMR percentage, or that target lower income categories, have a lower average unit value because of the limits on rents and sales prices for BMR units.

FIGURE 6: MAXIMUM SALES PRICES AND RENTS BY UNIT TYPE

	Townhome	Multifamily Condos	Multifamily Rental
	35 feet	50-70 feet	50-70 feet
80% AMI (Low Income)	\$334,870	\$278,724	\$2,076
100% AMI (Moderate Income)	\$450,950	\$379,753	\$2,643
120% AMI (Moderate Income)	\$608,172	\$516,803	\$3,185
Market-Rate	\$1,440,000	\$1,150,000	\$3,850

Source: Alta Housing, City of Palo Alto, Strategic Economics

FIGURE 7: WEIGHTED AVERAGE VALUE PER UNIT BY BMR SCENARIO

BMR Scenario	Townhome	Multifamily Condos	Multifamily Rental
	35 feet	50-70 feet	50-70 feet
Scenario 1 (15% BMR for ownership targeting Mod, 15% BMR for rental targeting VLI, LI, Mod)	\$1,234,528	\$989,250	\$658,754
Scenario 2 (20% BMR for ownership targeting Mod, 15% BMR for rental targeting LI and Mod)	\$1,182,035	\$947,864	\$668,150
Scenario 3 (20% BMR for ownership targeting Mod, 20% BMR for rental targeting VLI, LI, and Mod)	\$1,182,035	\$947,864	\$647,674

Source: Alta Housing, City of Palo Alto, Strategic Economics

Conclusions

FUNDING GAP FOR ALTERNATIVE 2

In Alternative 2, the total development cost exceeds the value per unit for the multifamily condos and multifamily rental prototypes. The funding gap for the multifamily condos is about \$94,000 per unit. The funding gap for multifamily rentals is almost \$83,000 per unit. The townhouse prototype is financially feasible. Therefore, in Alternative 2, the likely development response would be to build for-sale townhomes, even in areas that allow for greater height.

The total funding gap is estimated at \$130 million for Alternative 2, assuming that each residential development prototype sets aside 15% of units for BMR households. This funding gap represents the shortfall for residential development only; it does not include other funding needs for infrastructure, parks, and other community benefits.

Because there is a funding gap for multifamily residential building types, there is limited potential for Alternative 2 to provide additional community benefits contributions from residential development in the NVCAP area.

FIGURE 8: ESTIMATED FUNDING GAP FOR ALTERNATIVE 2

Alternative 2	Townhome	Multifamily Condos	Multifamily Rental
	35 feet	50-70 feet	50-70 feet
Weighted Average Value per Unit	\$1,234,528	\$989,250	\$658,754
Development Cost per Unit	\$1,212,133	\$1,083,385	\$741,532
Gap per Unit	\$22,395	(\$94,136)	(\$82,778)
Number of Units in Maximum Buildout	64	133	1,423
Funding Gap	n/a	(\$12,520,033)	(\$117,793,031)
Total Funding Gap			(\$130,313,064)

Source: Strategic Economics

POTENTIAL FOR ADDITIONAL BMR HOUSING IN ALTERNATIVE 3

Alternative 3 has significantly lower development costs per unit for all prototypes, which would allow for ownership housing to provide 20% BMR units onsite. This alternative can potentially result in the provision of at least 20% BMR units onsite, targeting a mix of moderate and low income households (Scenario 2).

Alternative 3 can also allow for rental developments to provide 15% BMR units if they are targeted to a mix of moderate and low income households. In Scenario 2, which would provide 15% BMR units (10% moderate and 5% low), the weighted average value per unit of \$668,000 is equivalent to the development cost per unit, meaning that the projects would generally “break even.” Because rental housing has a lower per unit value than ownership housing, it would not be able to support a greater percentage of BMR units onsite or a deeper affordability target. In Scenario 1, which would provide 5% of the units to very low income households, the development cost per unit of \$668,000 exceeds the average value per unit of \$659,000.

There is an estimated funding gap of \$37 million for rental developments in Alternative 3 to provide 20% BMR units. As shown in Figure 10, achieving a goal of 20% BMR units for rental projects targeting very low, low, and moderate income households would require a subsidy of about \$20,000 per unit. This represents the difference between the cost of developing a rental unit (\$668,000) and the average value of the rental unit (\$648,000). As noted above, the ownership products can feasibly provide 20% BMR units for moderate income households.

FIGURE 9: PER UNIT DEVELOPMENT COSTS, BY BMR LEVEL

	Townhome	Multifamily Condos	Multifamily Rental
	35 feet	50-70 feet	50-70 feet
Development Cost per Unit	\$1,153K	\$936K	\$668K
Weighted Average Value per Unit			
Scenario 1 (15% BMR for ownership targeting Mod, 15% BMR for rental targeting VLI, LI, Mod)	\$1,235K	\$989K	\$659K
Scenario 2 (20% BMR for ownership targeting Mod, 15% BMR for rental targeting LI and Mod)	\$1,182K	\$948K	\$668K
Scenario 3 (20% BMR for ownership targeting Mod, 20% BMR for rental targeting VLI, LI, and Mod)	\$1,182K	\$948K	\$648K

Source: Strategic Economics

FIGURE 10: ALTERNATIVE 3, SCENARIO 3 FUNDING GAP (20% BMR FOR OWNERSHIP AND RENTAL)

	Townhome 35 feet	Multifamily Condos 50-70 feet	Multifamily Rental 50-70 feet
Weighted Average Value per Unit	\$1,182,035	\$947,864	\$647,674
Development Cost per Unit	\$1,153,134	\$935,886	\$667,783
Gap per Unit	\$28,901	\$11,978	(\$20,109)
Number of Units in Maximum Buildout	88	185	1,856
Funding Gap	n/a	n/a	(\$37,322,386)
Total Funding Gap			(\$37,322,386)

Source: Strategic Economics

EFFECTS OF COVID-19 ON HOUSING DEVELOPMENT

It is important to note that the feasibility analysis summarized in this report was conducted in January 2020 prior to the onset of the COVID-19 pandemic and does not account for the severe economic impact of the pandemic. There are some indications that the for-sale housing market, especially for single-family homes, has remained strong in the Bay Area. According to Costar data, the average rental rates in Palo Alto declined by eight percent from the end of 2019 to November 2020. Vacancy rates have also increased from four percent at the end of 2019 to eight percent at the end of 2020. Some of the reduced demand for market-rate rental housing could be attributed to Stanford University's decision to limit the number of students on campus during the academic year.

While the demand for rental apartments shows some weakness, construction costs continue to rise. Architects and developers report that the cost of lumber has increased by approximately 20 percent in the last year in response to the recent boom in home improvements and renovations.

There is insufficient data to confidently predict the timing of the recovery from COVID-19, and the long-term outcomes on the demand for market-rate housing. The need for housing is likely to continue, especially for workforce and lower-income households. However, it is not clear whether construction and land costs will continue to rise, and whether the demand for market-rate multifamily housing will return to the same levels that existed prior to the pandemic. The feasibility analysis shows that strategies to reduce the cost of construction for multifamily housing (such as parking reductions) and to create incentives for redevelopment will improve the likelihood of new housing development; this will continue to be the case if the demand for market-rate housing takes time to recover.

Alternative #3 Open Space Concepts

Park 3.c

Creek Amenity

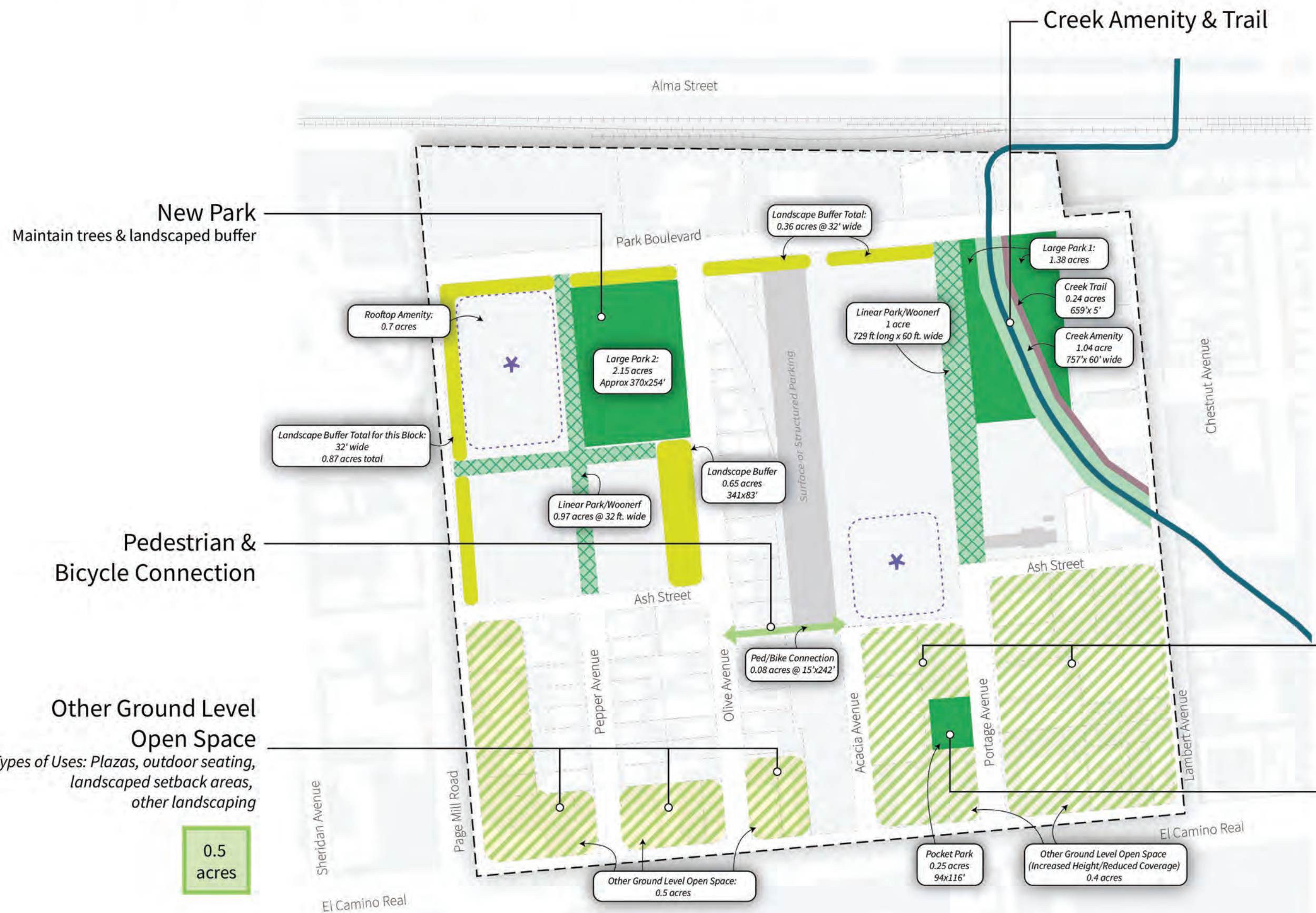
Creek Path

Linear Park/Woonerf

Landscape Setback/Buffer

Ground Level Open Space

Rooftop Amenity (Commercial Buildings)



Open Space Target
9.4 acres
 (2.57 acres/1,000 residents)

0.4 acres

Increased Ground-Level Open Space
 Reduced lot coverage, increased height.
 Types of Uses: Plazas, outdoor seating, landscaped setback areas, other landscaping

Pocket Park

0.5 acres

Other Ground Level Open Space
 Types of Uses: Plazas, outdoor seating, landscaped setback areas, other landscaping

New Park
 Maintain trees & landscaped buffer

Pedestrian & Bicycle Connection





Planning & Transportation Commission

Staff Report (ID # 12077)

Report Type: Approval of Minutes **Meeting Date:** 3/10/2021

Summary Title: February 10, 2021 Draft Meeting Minutes

Title: February 10, 2021 Draft PTC Meeting Minutes

From: Jonathan Lait

Recommendation

Staff recommends that the Planning and Transportation Commission (PTC) adopt the meeting minutes.

Background

Draft minutes from the February 10, 2021 Planning and Transportation Commission (PTC) meetings were made available to the Commissioners prior to the March 10, 2021 meeting date. The draft PTC minutes can be viewed on line on the City's website at <http://www.cityofpaloalto.org/gov/boards/ptc/default.asp>.