



Stream Corridor Protection Ordinance Update

Community Meeting

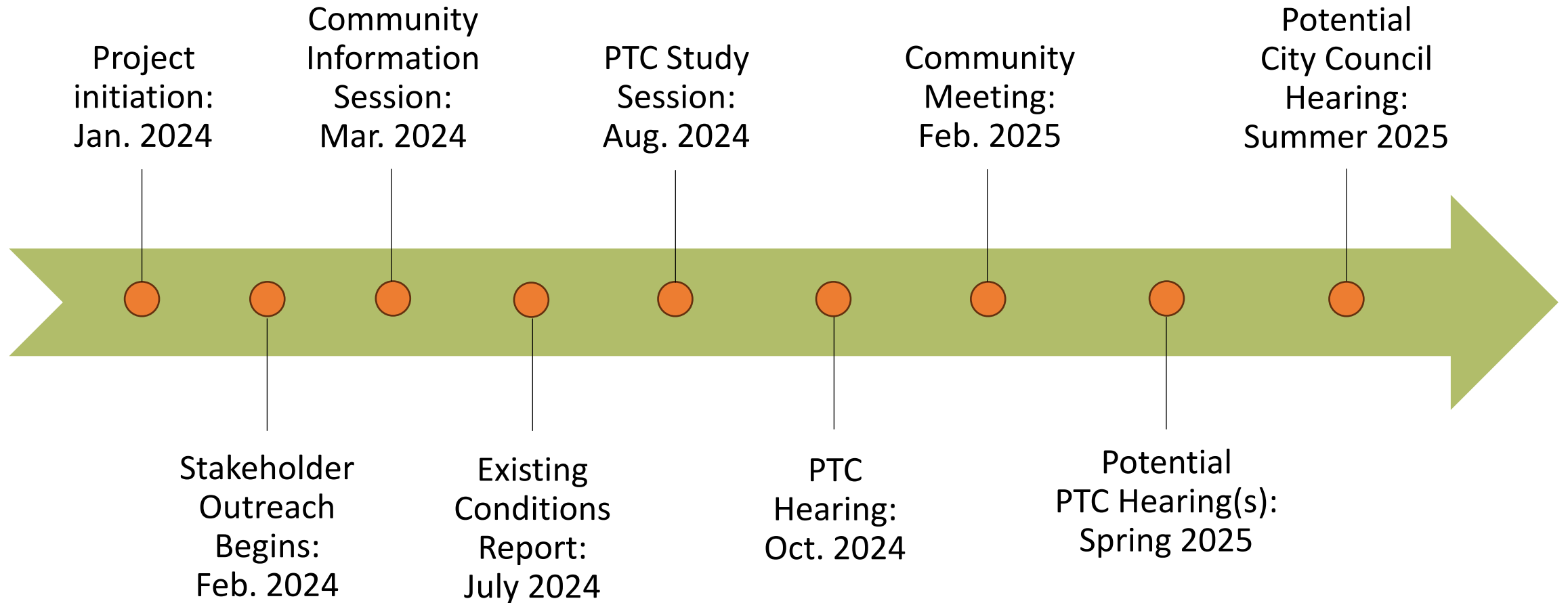
February 6, 2025



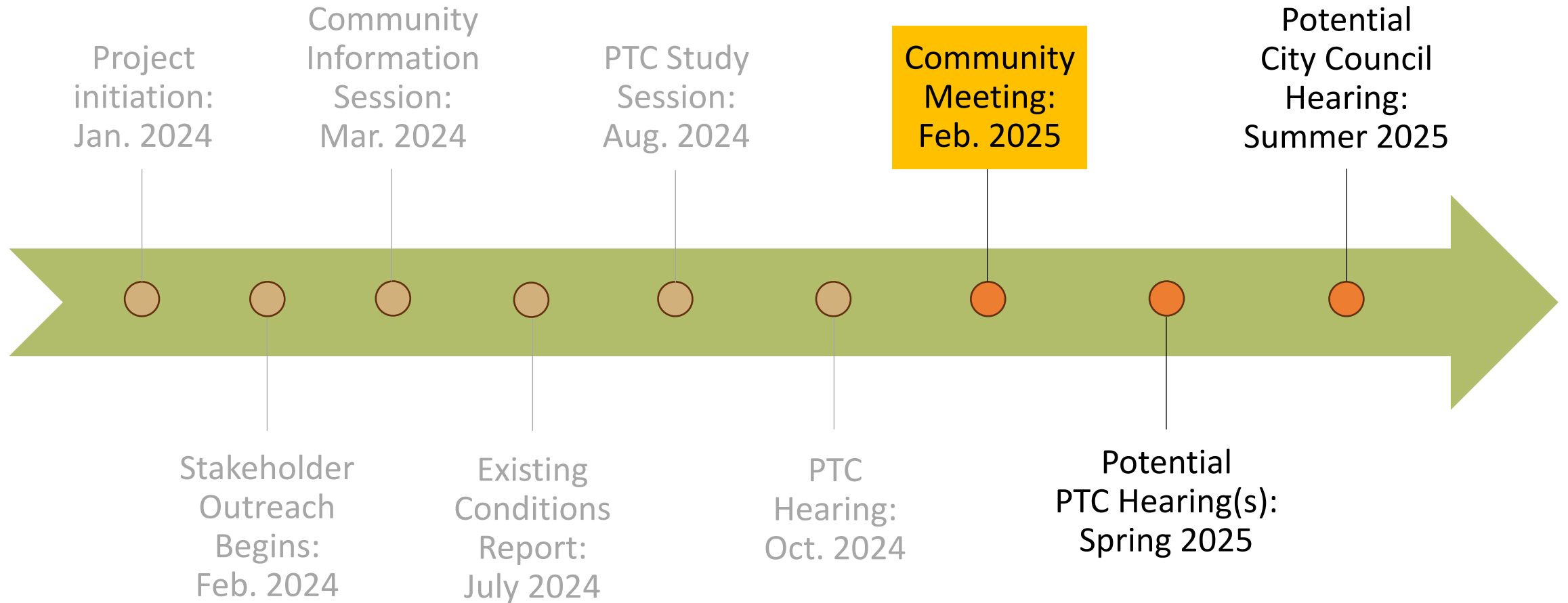
AGENDA

- Meeting purpose/overview
- Project background
- Stream conditions in Palo Alto
- Existing ordinance
- Proposed ordinance

INTRODUCTION AND PROJECT OVERVIEW



PROJECT TIMELINE AND COMMUNITY ENGAGEMENT

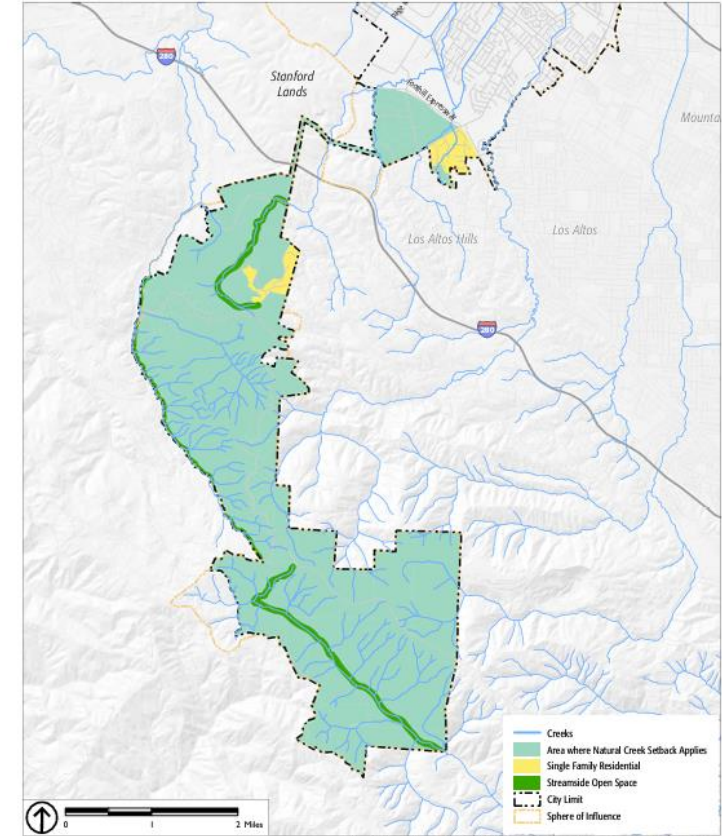


COMPREHENSIVE PLAN AND COUNCIL PRIORITY

Council Priority

2024 City Council objective under the “Climate Change & the Natural Environment: Protection & Adaptation” Priority

PALO ALTO COMPREHENSIVE PLAN
NATURAL ENVIRONMENT ELEMENT



Source: ESRI, 2010; Tiger Lines, 2010; USGS, 2010; NHD, 2013; City of Palo Alto, 2016; PlaceWorks, 2016.

MAP N-4

AREA WHERE NATURAL CREEK SETBACK APPLIES

COMPREHENSIVE PLAN POLICIES

CREEKS AND RIPARIAN AREAS

GOAL N-3 Conservation of both natural and channelized creeks and riparian areas as open space amenities, natural habitat areas and elements of community design.

Policy N-3.1 All creeks are valuable resources for natural habitats, connectivity, community design, and flood control, and need different conservation and enhancement strategies. Recognize the different characteristics along creeks in Palo Alto, including natural creek segments in the city’s open space and rural areas, primarily west of Foothill Expressway; creek segments in developed areas that retain some natural characteristics; and creek segments that have been channelized. Pursue opportunities to enhance riparian setbacks along urban and rural creeks as properties are improved or redeveloped.

Policy N-3.2 Prevent the further channelization and degradation of Palo Alto’s creeks.

Policy N-3.3 Protect the city’s creeks from the impacts of future buildings, structures, impervious surfaces and ornamental landscaping and preserve their function as habitat connectivity corridors by establishing a range of setback requirements that account for existing creek conditions, land use characteristics, property ownership and flood control potential.

COMPREHENSIVE PLAN POLICIES

Program N 3.3.1 Update the Stream Corridor Protection Ordinance to explore 150 feet as the desired stream setback along natural creeks in open space and rural areas west of Foothill Expressway. This 150-foot setback would prohibit the siting of buildings and other structures, impervious surfaces, outdoor activity areas and ornamental landscaped areas within 150 feet of the top of a creek bank. Allow passive or intermittent outdoor activities and pedestrian, equestrian and bicycle pathways along natural creeks where there are adequate setbacks to protect the natural riparian environment. Within the setback area, provide a border of native riparian vegetation at least 30 feet along the creek bank.

The update to the Stream Protection Ordinance should establish: Design recommendations for development or redevelopment of sites within the setback, consistent with basic creek habitat objectives and significant net improvements in the condition of the creek; Conditions under which single-family property and existing development are exempt from the 150-foot setback; Appropriate setbacks and creek conservation measures for undeveloped parcels.

Program N3.3.2 stakeholder involvement to establish appropriate setback requirements that reflect the varying natural and channelized conditions along creeks east of Foothill Expressway. Ensure that opportunities to provide an enhanced riparian setback along urban creeks as properties are redeveloped or improved are included in this evaluation.

Program N3.3.3 For all creeks, update the Stream Corridor Protection Ordinance to minimize impacts on wildlife by: Limiting the development of recreational trails to one side of natural riparian corridors; Requiring careful design of lighting surrounding natural riparian corridors to maximize the distance between nighttime lighting and riparian corridors and direct lighting away from the riparian corridor.

GENERAL CREEK/STREAM CONDITIONS

San Francisquito Creek

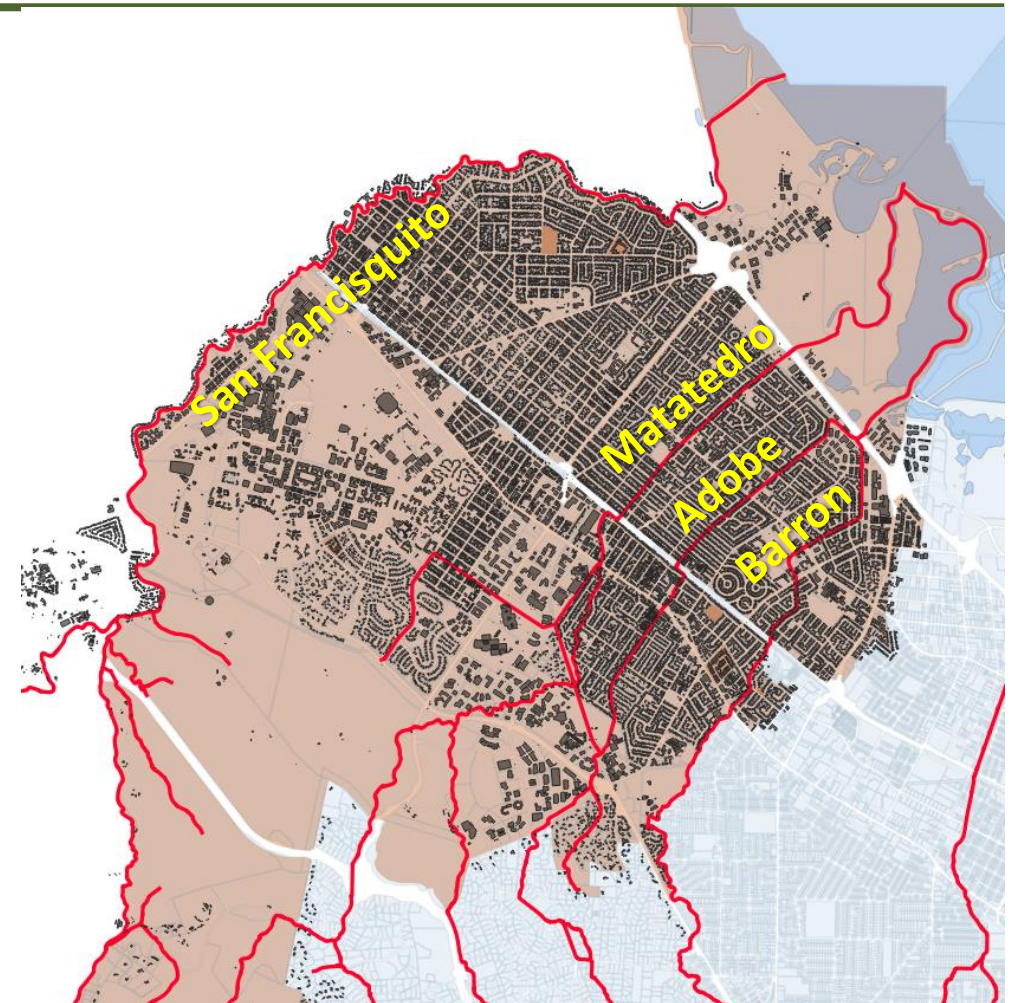
- Natural Channels (upstream of Highway 101)
- Engineered (101 to the Bay)

Matadero Creek

- Natural Channels (upstream of El Camino Real, downstream of Highway 101)
- Concrete-lined engineered (El Camino Real to Highway 101)

Adobe and Barron Creeks

- Natural Channels (upstream of El Camino Real, downstream of Highway 101)
- Engineered channels (El Camino Real to Highway 101)



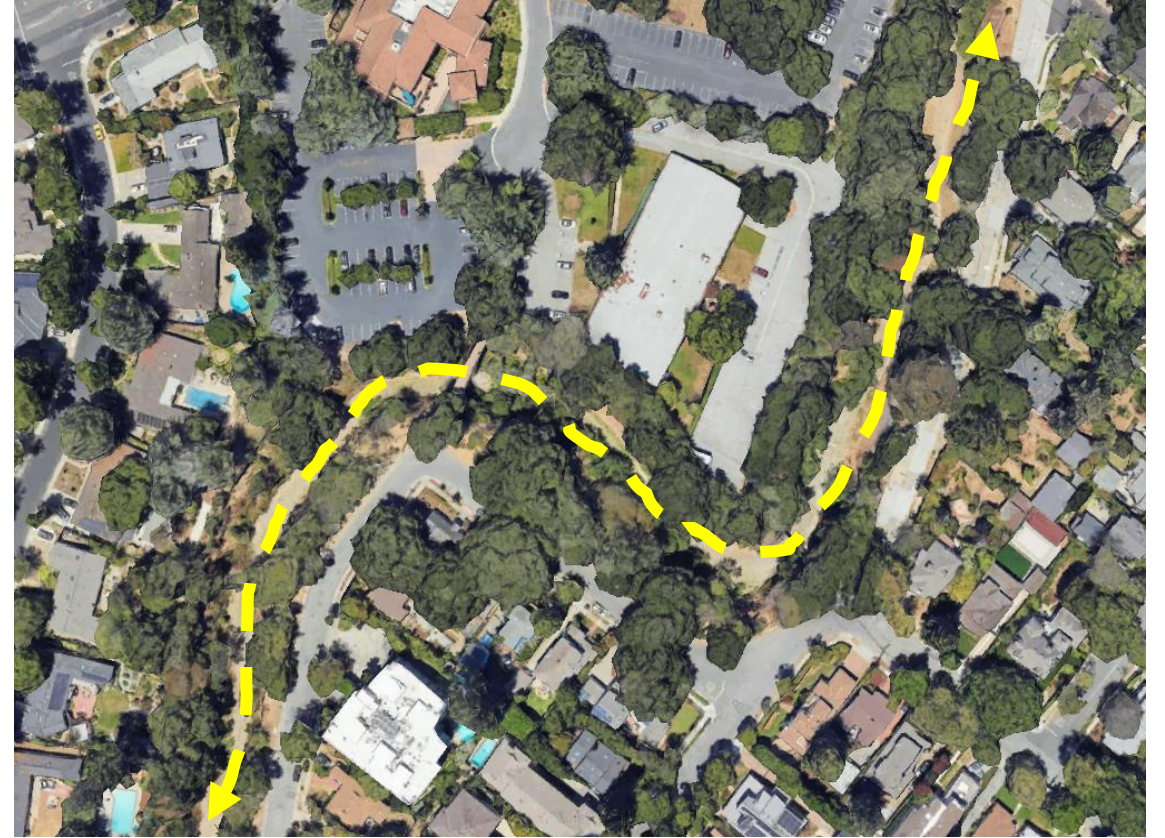
STREAMS IN PALO ALTO

Natural Creek – West of Foothill Expressway



STREAMS IN PALO ALTO

Natural Creek – East of Foothill Expressway, West of Highway 101



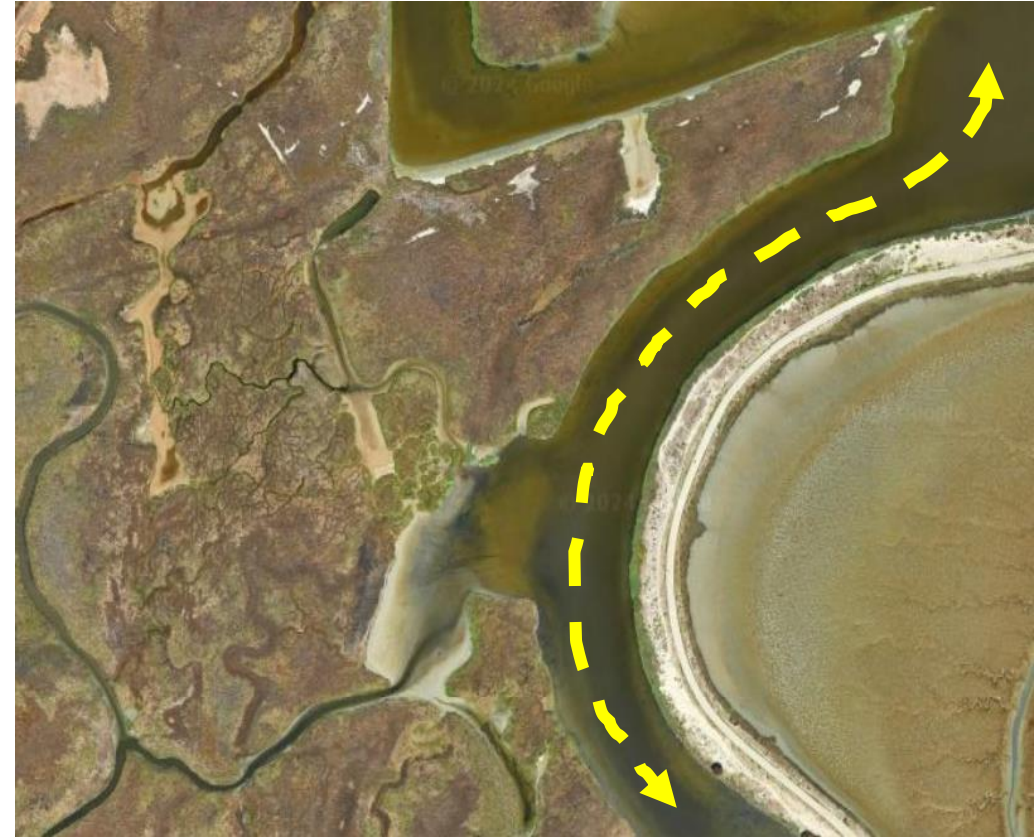
STREAMS IN PALO ALTO

Hardened Channelized Creek



STREAMS IN PALO ALTO

Natural Creek – Baylands Areas (east of Highway 101)



EXISTING ORDINANCE GUIDELINES AND STANDARDS

Existing ordinance requirements

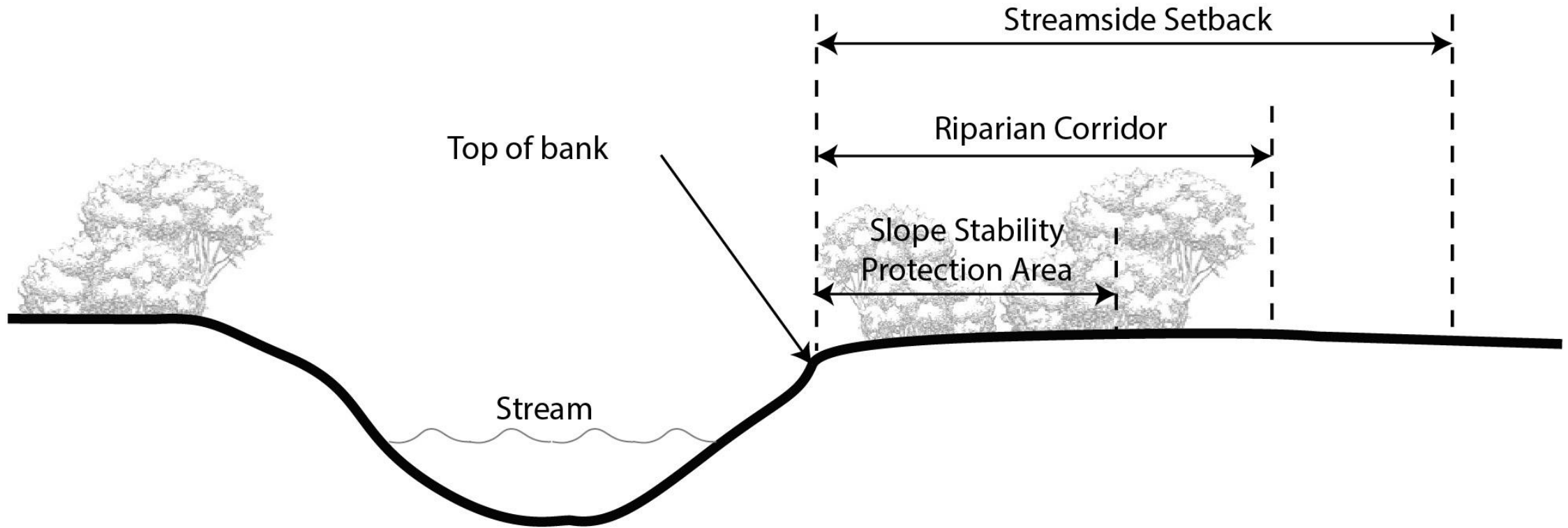
- Streamside review for properties within 50 feet from top of bank
- Requires a “slope stability protection area” 20 feet landward of top of bank (or a 2:1 ratio from toe of bank)

Valley Water Resources Protection Collaborative’s Guidelines and Standards for Land Uses Near Streams

- Developed as streamside review transitioned from Valley Water to local jurisdictions

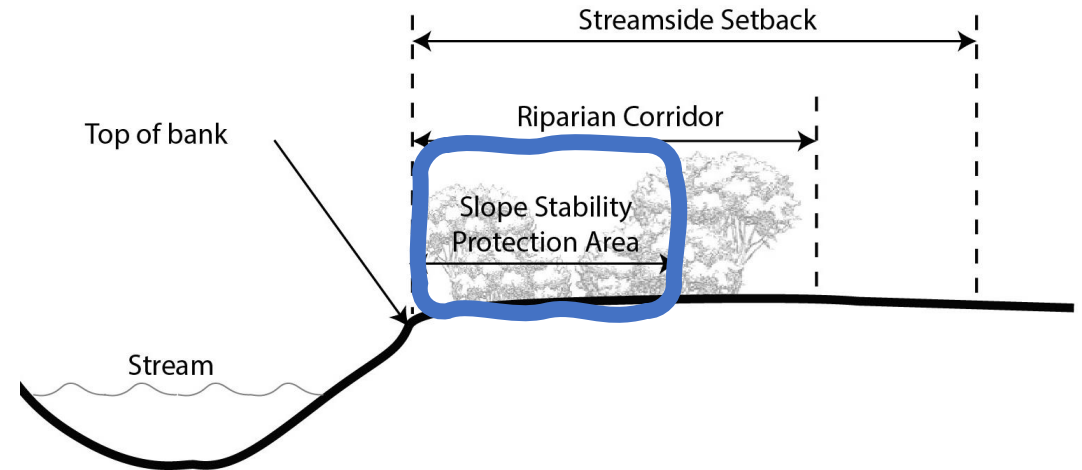


PROPOSED ORDINANCE



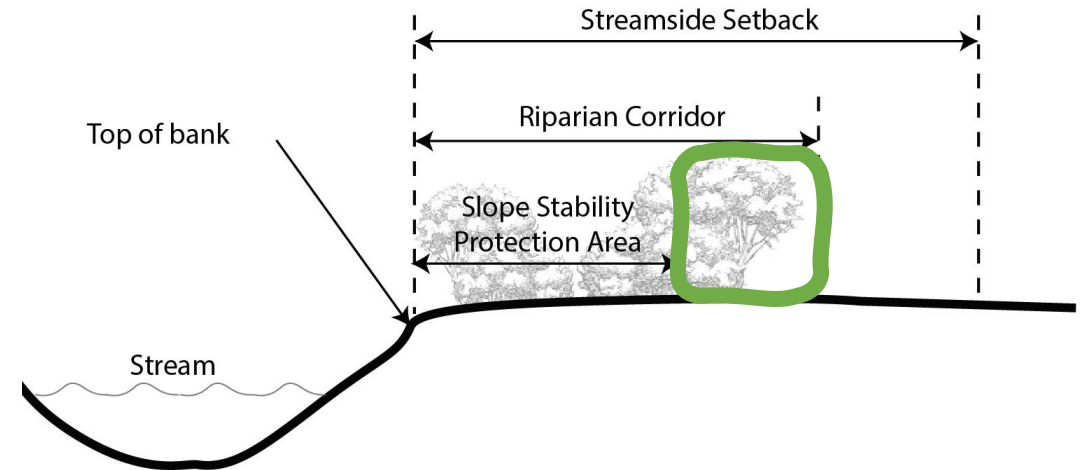
SLOPE STABILITY PROTECTION AREA

- Extends 20 feet landward from the top of bank (or to a point measured at a ratio of 2:1 landward from the toe of bank, whichever is greater).
- Intent is to protect the integrity of the stream bank.
- No structures or development allowed.



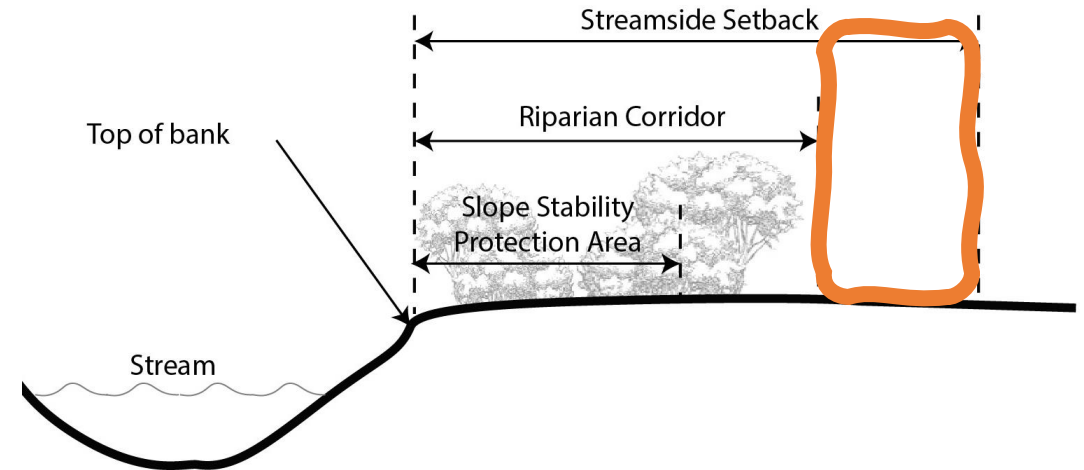
RIPARIAN CORRIDOR

- Vegetated area, usually with trees and shrubs, that serves as habitat and a protective filter for streams.
- Forms a continuous corridor of uniform width.



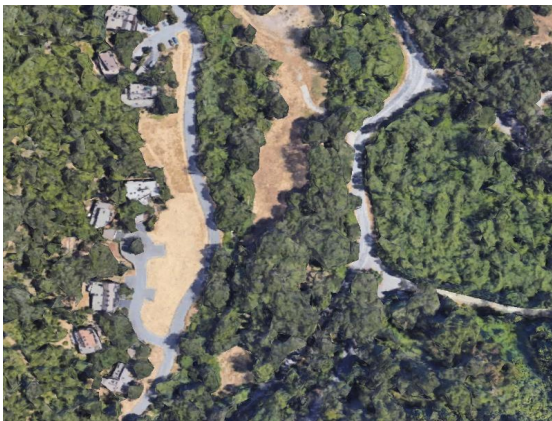
STREAMSIDE SETBACK

- Comparable to a rear yard setback.
- Protected area that allows open spaces uses such as outdoor activity areas and ornamental landscaped areas, but not structures.



PROPOSED ORDINANCE

Open Space and Rural Areas (West of Foothill Expressway)



	Streamside Setback ¹	Riparian Corridor
Natural Stream	150 feet	30 feet
Channelized Stream	150 feet	none

(1) Slope Stability Protection Area required for natural streams: 20 feet landward from the top of bank or to a point measured at a ratio of 2:1 (horizontal: vertical) landward from the toe of bank, whichever is greater.

** Streamside Setback and Riparian Corridor are measured from top of bank.

PROPOSED ORDINANCE

Baylands Areas (east of Highway 101)



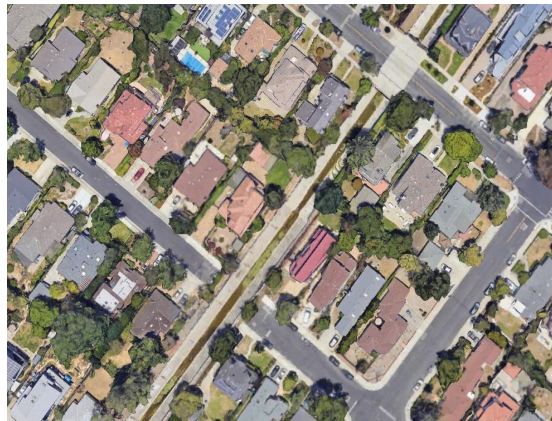
	Streamside Setback ¹	Riparian Corridor
Natural Stream	150 feet	30 feet
Channelized Stream	150 feet	none

(1) Slope Stability Protection Area required for natural streams: 20 feet landward from the top of bank or to a point measured at a ratio of 2:1 (horizontal: vertical) landward from the toe of bank, whichever is greater.

** Streamside Setback and Riparian Corridor are measured from top of bank.

PROPOSED ORDINANCE

Urbanized Areas (east of Foothill Expressway, west of Highway 101)



	Streamside Setback ¹	Riparian Corridor
Natural Stream	40 feet	20 feet
Channelized Stream	25 feet	none

(1) Slope Stability Protection Area required for natural streams: 20 feet landward from the top of bank or to a point measured at a ratio of 2:1 (horizontal: vertical) landward from the toe of bank, whichever is greater.

** Streamside Setback and Riparian Corridor are measured from top of bank.



WHAT TYPES OF DEVELOPMENT DOES THE ORDINANCE APPLY TO?

- Development in all zoning districts except in the R-1, R-2, and RMD districts.
- Development in the R-1, R-2, and RMD zoning districts that:
 - Require discretionary review; or
 - Propose to encroach further into the Streamside Setback than the existing condition.



EXEMPTIONS

- Properties separated from the stream by a public street
- Some earthwork for landscaping or stream bank stability
- Interior construction or alterations
- Utility service lateral replacements where necessary
- Retaining walls
- Building improvements that are not encroaching further into the Stream Review Area
- Expansion of existing development along channelized streams in Urbanized Areas
- Properties behind the existing flood walls established by Santa Clara Valley Water District

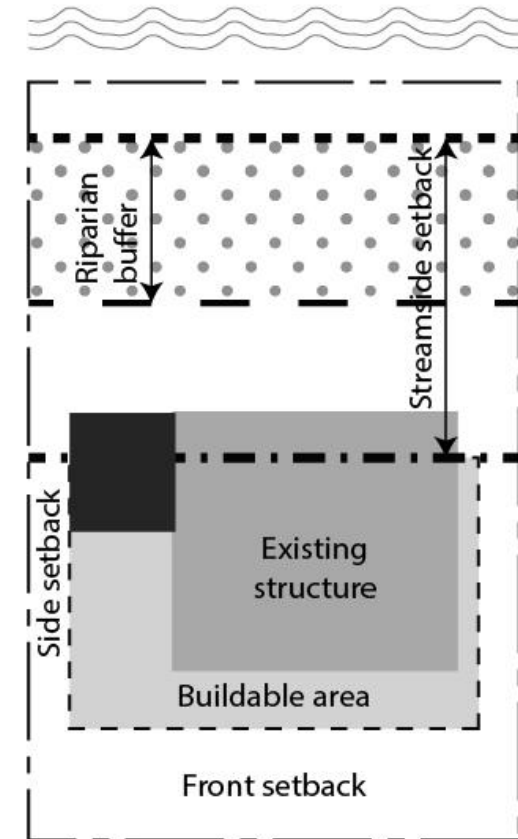
EXCEPTION PROCESS

Minor Exceptions

- Encroachment into the required streamside setback (both above grade and basement).
- Average of the existing setbacks of the adjoining properties.
- Some horizontal and vertical (e.g. height of an existing wall) extensions, such as allowing increased height within the footprint of an existing structure.

Major Exceptions

- Requests not accommodated by the minor exception process
- Specific findings required



SAN FRANCISQUITO CREEK PROVISIONS

- Lot measurement provisions (PAMC 18.40.140(b)(4)(c)) retained.
- Recognizes agreement with Valley Water dating to 2002.
- Fences Adjacent to San Francisquito Creek Flood Control Expansion Area (PAMC 16.24.020(d)) still applicable.



SUMMARY OF COMMUNITY FEEDBACK

- Concerns about safety and security, especially related to fences.
- Reducing developability with the proposed 40-foot streamside setback.
- Exception process burdensome on property owners.



NEXT STEPS

Next steps:

- Planning & Transportation Commission hearing(s), Spring 2025
- City Council hearing, Summer 2025





BIRD-FRIENDLY DESIGN ORDINANCE

New ordinance designed to reduce avian mortality from colliding into buildings with transparent materials like windows.

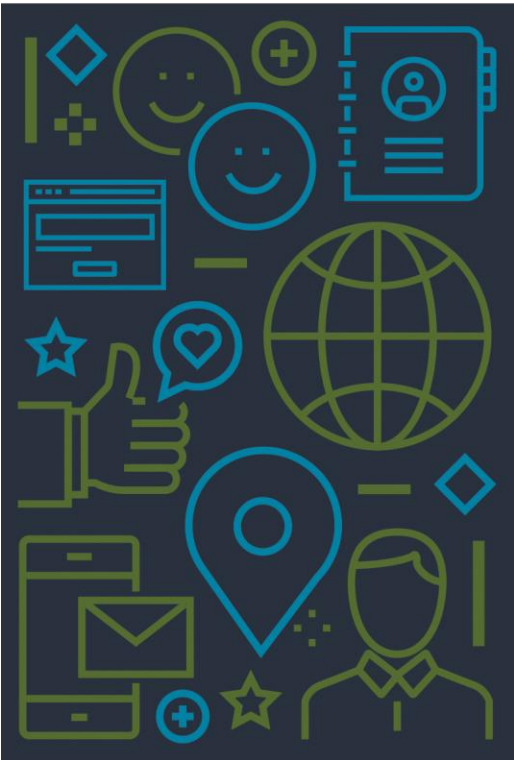
- Different standards applicable to Bird Sensitive Area:
 - Baylands and Rural and Open Space Areas
 - Areas within 300 feet from the centerlines of the natural streams



Project Website:

www.CityofPaloAlto.org/CreekCorridorOrdinance

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