Presentations for the

January 13, 2020

City Council Meeting
Interim Urgency Ordinance

Council Meeting

January 13, 2020
Background

- Fall 2019 ADU/JADU laws effective 1/1/20
- These laws invalidate local ordinances that do not comply with the new standards
- Palo Alto’s ADU regulations require an amendment to comply with state law
- To minimize the time local regulations are out of compliance, staff is recommending the City Council adopt an urgency ordinance
Interim Urgency Ordinance

- Updates local code to the minimum extent necessary to comply with new ADU/JADU laws
- 4/5 of Councilmembers present to approve
- Becomes effective immediately
- Will be valid for one year – to 1/31/2021 – or until a more comprehensive update is adopted, whichever is sooner
Changes in State ADU Law

- Limits local discretion in adopting an ADU ordinance
  - Cannot adopt a minimum lot size
  - Cannot require more than 4 foot setback; no setback needed for conversion or reconstruction of an existing structure in place
  - Cannot require replacement of off-street parking lost as a result of conversion to ADU
  - Cannot adopt maximum unit sizes below 850sf for one bedroom and 1,000sf for two+ bedroom detached ADUs
  - Cannot apply any other zoning regulations (e.g. lot coverage, FAR) in a manner that would prohibit an ADU of at least 800sf, 16 feet in height, with 4 foot setbacks
  - Regulations must be ministerially applied
  - Cannot require owner-occupancy
Changes in State ADU Law

- Expands the type of ADUs that “shall be ministerially approved,” regardless of compliance with other requirements:
  - Formerly, only ADUs proposed in an existing structure were entitled to this treatment
  - Now, up to one JADU in existing structure + one new detached ADU
    - ADU/JADUs in existing structures can have up to 150sf added on for ingress/egress
    - Detached ADUs can be limited to 800sf, 4 foot setbacks, and 16 feet in height
  - Now, non-livable space in multifamily buildings and detached ADUs on multifamily lots
- Requires review of permits within 60 days, unless ADU is proposed with a new single family residence or applicant agrees to extension
Interim Urgency Ordinance

- Updates specific regulations for both Attached and Detached ADUs conform to state law requirements for minimum and maximum sizes, height, and setback regulations, etc.
- Adds new categories of ADUs that shall be ministerially approved
- Removes owner-occupancy requirements
- Removes discretionary standards and processes from street access and privacy regulations
- Removes the requirement to replace parking eliminated by conversion of a garage
At Places Memo

Further updates to ordinance required

- Remove restriction that limits certain development standards apply to existing structures established before January 1, 2017.
- Remove 16 foot street yard setback (superseded by State’s 4 foot standard)
- Allows reconstructed structures to re-established with an ADU in the same place – no further setbacks (Min. 3’ previously required)
At Places Memo

- Removes restrictions related to JADUs that conflict with state law (restrictions imposed by CAPs; existing versus proposed dwellings; and requirement for interior access)
- Removes ambiguous language regarding parking for JADUs
Next Steps

- Staff prepares another ordinance to further refine the City’s ADU regulations in the context of these new state mandates and other staff recommended changes.
- The permanent ordinance will incorporate public outreach and hearings before the Planning and Transportation Commission (PTC).
ADU Urgency Ordinance

Council Meeting

January 13, 2020
Proposed Priority Development Area and Priority Conservation Areas in Palo Alto

City Council

January 13, 2020
Presentation Overview

- What is Plan Bay Area?
- What is a Priority Development Area (PDA) and Priority Conservation Area (PCA)?
- Proposed Locations for New PDA and New PCAs
- Purpose and Parameters of the Designations
- Staff Recommendation
What is Plan Bay Area?

- SB 375 requires regional Sustainable Communities Strategy
- Long range transportation and land use
- Regional agency is MTC/ABAG
- Next update in 2021
- PDA and PCA focus growth and conservation in regional plan
What is a Priority Development Area?

- Located within an existing community
- Planned areas for future housing and job growth
- Reduce greenhouse gas emissions by offering various transportation options
- Promote greater opportunities for all
- Within in a ½ mile of frequent transit
What is a Priority Conservation Area?

- Locations designated for the protection of natural habitats and the preservation of open space for long-term protection
- Categorized as natural landscapes, agricultural lands, urban green, or regional recreation

Foothills Park
Purpose for Designating a PDA & PCA?

- Align local priorities and regional strategies
- Inform Regional Housing Needs Allocation where housing sites are placed
- Eligibility to receive competitive grants for planning and capital projects
Parameters for Designating a PDA & PCA?

- Plan Bay Area does not supersede or replace local land use authority
  - Government Code 65080 (b)(2)(j)
- No need to amend Comprehensive Plan or code to adopt Plan Bay Area
- Incentive-based and Voluntary
  - City can undesignated PDA and PCAs
Existing PDA – California Avenue Area

- Within half mile of California Avenue Multi Modal Caltrain station
- Approximately 118 acres
- Cal Ave being a PDA, eligible and awarded funding for projects, @$750k including matching funds
Designation Benefits

- **PDA Designation allows access to:**
  - PDA Planning Grant Program (awards up to @$800k)
  - PDA Technical Assistance (awards up to @$65k)
  - PDA Staffing Assistance (awards up to @$200k)

- **Example PDA Topics:**
  - Specific Plans and EIRs
  - Transit station access and circulation planning
  - Bicycle and pedestrian planning
  - Parking policy and demand management planning
  - Affordable housing and anti-displacement policy planning
  - Establishment of financing mechanisms for infrastructure and transit-oriented housing
  - Green infrastructure planning and design
Designation Benefits

- PCA Designation allows access to:
  - State and regional funding (funding amount varies)

- Example PCA Topics:
  - Pedestrian and bicycle facilities
  - Urban greening
  - Visual enhancements
  - Planning activities for
    - resource protection
    - public access
    - enhancements for green spaces
Proposed PDA – University Avenue/Downtown
Proposed PCA - Foothills
Staff Recommendation

- Adopt the attached Resolutions designating:
  - A new Priority Development Area (PDA) in Downtown/University Avenue
  - New Priority Conservation Areas (PCAs) in the Foothills and the Baylands

- Consider the PTC recommendation to expand the Downtown PDA to all parcels adjacent to El Camino Real.
Safe Parking

City Council

Proposed Tier 1 Safe Parking Pilot Program at Religious Congregations and Institutions

January 13, 2020
Presentation Overview

- Overview of Safe Parking
- City Council & Committee Actions
- Proposed Tier 1 Program
  - Permitting Process
  - Standards of Operation
- Recommendation
Safe Parking programs provide safe, secure locations where households using a vehicle as their primary residence can park the vehicle overnight and sleep in their vehicle.
Safe Parking Impact

- Impact of Safe Parking Programs
  - Safe parking programs alone cannot resolve the issues related to homelessness and vehicle dwelling.
  - Addressing homelessness, including, vehicle dwelling, requires a multi-pronged approach.
  - Even with an effective and successful safe parking program, persons will remain homeless and/or dwelling in their vehicles in Palo Alto.
Safe Parking Overview

- **Who is Served**
  - Families w/minors, single adults, couples
  - Recreational Vehicles, Passenger Cars, Vans, Trucks
  - *vehicles must be or become registered, insured, and drivers w/valid driver’s license

- **Where**
  - Religious Institutions
City Council & Committee Actions

June 10, 2019  Colleagues’ Memorandum referred (5-1) to Policy & Services Committee to craft program details.

Sept. 10, 2019  Policy & Services directed staff to return with a program for up to 4 vehicles.

Nov. 12, 2019  Policy & Services recommended staff to draft regulations and code changes for “tier 1 program and bring to City Council.
City Council & Committee Actions

- **Tier 1**
  - Private parking lots of religious congregations or institutions, 4 vehicles or fewer

- **Tier 2**
  - Private parking lots, more than 4 vehicles

- **Tier 3**
  - Public parking lots, more than 4 vehicles
Tier 1 Safe Parking Program Overview

- Limited to four or fewer vehicles.
- Parking lots of legal churches or religious institutions.
- Programs operate during pilot period; ordinance expires in March 2022.
- Approved application is valid for 90 days; permits are eligible for automatic 9-month renewal if operating within standards.
- All operations are subject to application and approval.
Tier 1 Safe Parking Program Application Process

- Application is filed by congregation or religious institution.
- The application will include the contact information for the congregation, a signed contract with a safe parking program provider, evidence of case management services, a site plan which indicates the designated safe parking area, restroom and handwashing facilities, and adherence to all standards of operation.
Tier 1 Safe Parking Program
Application Process

- Director’s Decision – Once an application has been complete, it will be reviewed. The Director may approve the permit only after finding that:
  - The proposed Safe Parking use complies with the standards of operation listed in Section 18.38.160(f);
  - The proposed Safe Parking use at the location requested will not adversely affect the health, safety, or welfare of persons residing or working in the surrounding area; and
  - The proposed site is adequate in size and shape to accommodate the Safe Parking use.
Tier 1 Safe Parking Program
Application Process

- Once the Director’s decision has been made, public notice will be mailed to all residents and property owners within 600 feet of the proposed safe parking location.

- Those within 600-foot radius can file an appeal, within fourteen (14) calendar days after the notice is mailed.
Tier 1 Safe Parking Program
Application Process

- Appeals of the Director’s decision shall be made directly to City Council and shall be placed on the consent agenda within 45 calendar days.

- The City Council may:
  - Adopt the findings and recommendation of the Director; or
  - Remove the recommendation from the consent calendar, which shall require three votes, following which the City Council shall adopt findings and act on the application.
Proposed Standards of Operation

- **Hours of Operation** - 6:00 pm – 8:00 am.
- **Noise** - No audio, video, or other amplified or mechanical sound may be played or generated that is audible outside participants’ vehicles
- **Required Facilities** - Toilet and handwashing sink; shower recommended but not required.
Proposed Standards of Operation

- **Verified Partnership with the Santa Clara County Homeless Management Information System and Coordinated Entry System** – Affirmative proof of affiliation with program to provide case management so participants.

- **Contact Information** - Post emergency, non-emergency, and staff contact on site.

- **Safe, Cleanly, and Orderly Premises**

- **Revocation** – Permit may be revoked if the program is found to be detrimental to public health, safety, or general welfare.
Next Steps

- Consider ordinance and recommend modifications.
- If passed, Planning & Development Services prepare to receive applications in March 2020.
Safe Parking

Policy & Services Committee
of the Palo Alto City Council

Proposed Tier 1 Safe Parking Pilot Program at Religious Congregations and Institutions

November 12, 2019