



# City of Palo Alto

## Architectural Review Board Staff Report

(ID # 6087)

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**Report Type: Study Session**

**Meeting Date: 9/3/2015**

**Summary Title: Architectural Review Findings**

**Title: Discussion of Revision to Architectural Review Approval Findings**

**From: City Manager**

**Lead Department: Architectural Review Board**

### **Recommendation**

*Staff recommends the Architectural Review Board (ARB) discuss the proposed wording and benefits of a reduction in the number of findings for approval of ARB applications, and recommend any modifications to the draft revised findings.*

### **Background**

The Planning and Community Environment Department (PCE) is embarking on an effort to make annual zoning code amendments to address outmoded regulations, align codes with current policies, correct inaccurate references and typographical errors, and introduce changes to improve department efficiency, the quality of work and enhance transparency to the public.

The first round of amendments is intended to be non-controversial, though some recommendations will require more consideration than others. The Planning and Transportation Commission will be responsible for forwarding a recommendation to the City Council on zoning code amendments. However, one of the proposed changes directly relates to the Architectural Review Board (ARB), which is the reason for this discussion topic. It is anticipated that the ARB will review the proposed change, offer modifications if needed, and forward a recommendation to the City Council reflecting the ARB's position.

### **Discussion**

All projects that go before the ARB are recommended for approval, conditional approval, or denial to the PCE Director. These recommendations and the Director's determination (and City Council on appeal), are based on required findings.

Findings detail how the local agency evaluated the project and documented its conformance to local plans, regulations and other criteria. Review of a project to the findings enables the Board to make recommended conditions of approval or project modifications. If a project is challenged, the appellant body (City Council) will review the project findings to affirm, modify

or reject the Director conclusions. A similar review is conducted by a judge if a project is challenged in court.

For these reasons, project findings are very important when acting on a project. Increasingly, some community members and Councilmembers have asserted a need to improve the analysis provided for project findings. Staff agrees.

Palo Alto has a minimum 16 findings that are reviewed for each project that goes before the ARB. Additional findings are required for any Design Enhancement Exception and several other findings must be made if a project is subject to Context Based Design Criteria (PAMC 18.16.090). It is not uncommon for a project to be subject to 21 findings.

Many of the existing findings are redundant. Some are unnecessary because city has updated the code since the finding was established, or do not need to be evaluated at the conceptual design phase and are checked during plan review for a building permit. The ARB has recognized these shortcomings too. Recently, staff reports to the ARB now group similar findings to facilitate an easier review by the Board and public, and improve the qualitative analysis of those findings.

Now is an opportunity to take this practice one step further. Staff has reviewed the 16 ARB findings and is proposing to formally codify similar findings, eliminate unnecessary findings, and strengthen others to give the ARB the tools it needs to evaluate projects and recommend approval of those that strengthen the urban environment.

The proposed findings have been drafted to retain all the important criteria that exist today. It is requested that the ARB review and offer suggestions ensure this objective.

It is anticipated that updating the ARB findings will achieve the following benefits:

- Improve qualitative responses
- Focus project review on key criteria
- Provide applicants a better understanding of how projects will be evaluated
- Reduce writing and reading fatigue (preparing and reviewing redundant findings)
- Strengthen the legal standing of projects challenged in court
- Help to address some of the criticisms related to the ARB process and more specifically the findings
- Reduce, to some degree, the amount of paper generated to print reports

The proposed modification to the ARB findings will enhance the review process and make it more efficient. Moreover, many projects will remain subject to the Context Based Design Criteria, which imposes significant standards that will be reviewed and evaluated in the staff report and findings.

The proposed and existing findings are provided in Attachment A. The Context Based Design Criteria are there too.

With regard to the annual zoning code effort, at least for the first round, any items that require a sufficient amount of discussion or turn out to be too controversial will be dropped and revisited next year. As it relates to the ARB, staff will also be reexamining in the near term, the ARB application, the staff report template and process to officially document final actions. Staff can schedule a future discussion on these items and welcomes ARB member comments to help improve the quality of the application material the Board receives and staff efficiency.

Prepared by: Amy French, AICP, Chief Planning Official

Reviewed by: Jonathan Lait, AICP, Assistant Director  
Cara Silver, Senior Assistant City Attorney

**Attachments:**

- Attachment A: ARB Findings (Proposed / Existing) (DOCX)

**PROPOSED ARB FINDINGS**

1. The design is compatible with applicable elements of the Palo Alto Comprehensive Plan and any relevant design guides and context-based design criteria. In cases where context-based design criteria do not apply, the transitions and scale of the project are compatible with the neighborhood. [Incorporates Findings 1 and 5.]
2. The project has a unified and coherent design that is compatible with the surrounding environment and integrates natural features and the historic character of the area when appropriate. [Incorporates Finding 2, 4, 6, and 11.]
3. The design uses high quality materials and incorporates textures, colors, and other details that are compatible with, and enhance the surrounding environment. [Incorporates Findings 2, 4, 6 and 12.]
4. The design is functional, providing for elements that support the building's necessary operations (e.g. convenient access to property and utilities, appropriate arrangement and amount of open space, etc.). [Incorporates Findings 3, 7, 8, 9, and 10.]
5. The landscape design is suitable, integrated and compatible with the building and the surrounding area and utilizes drought-resistant plant material that can be appropriately maintained. [Incorporates Findings 12, 13 and 14.]

**Notes:**

1. Finding 15 from the Current ARB Findings (next page) was omitted because it is now incorporated into City's Green Building Code.
2. Finding 16 was omitted because it is duplicative.

## CURRENT ARB FINDINGS

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

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

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

## CONTEXT BASED DESIGN CRITERIA

### 18.16.090 Context-Based Design Criteria

#### (a) Contextual and Compatibility Criteria

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

##### (1) Context

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

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

##### (2) Compatibility

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

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

- (i) the siting, scale, massing, and materials;
- (ii) the rhythmic pattern of the street established by the general width of the buildings and the spacing between them;
- (iii) the pattern of roof lines and projections;
- (iv) the sizes, proportions, and orientations of windows, bays and doorways;
- (v) the location and treatment of entryways;
- (vi) the shadow patterns from massing and decorative features;
- (vii) the siting and treatment of parking; and
- (viii) the treatment of landscaping.

(b) Context-Based Design Considerations and Findings

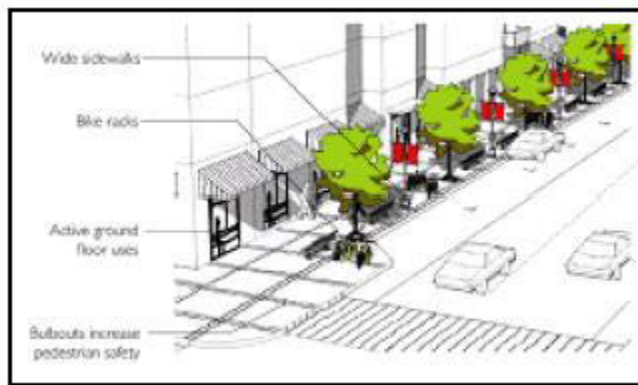
In addition to the findings for Architectural Review contained in Section [18.76.020\(d\)](#) of the Zoning Ordinance, the following additional findings are applicable in the CN, CS, CC and CC(2) districts, as further illustrated on the accompanying diagrams:

(1) Pedestrian and Bicycle Environment

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

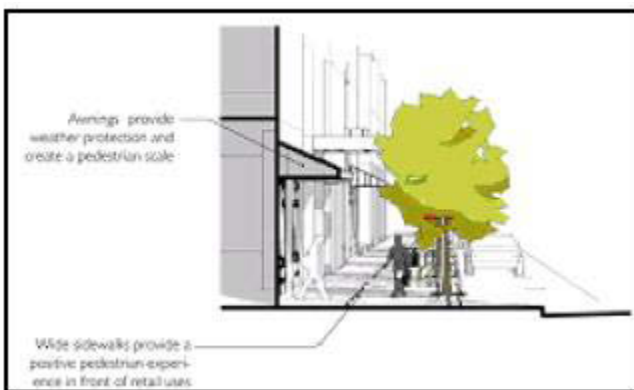
A. Ground floor uses that are appealing to pedestrians through well-designed visibility and access ([Figure 1-1](#));

 **Figure 1-1**



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

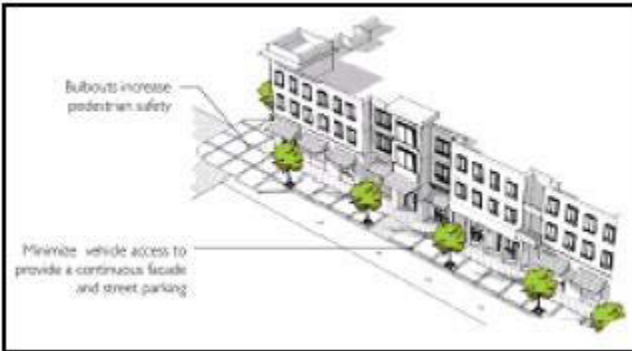
 **Figure 1-2**





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

 **Figure 1-3**



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

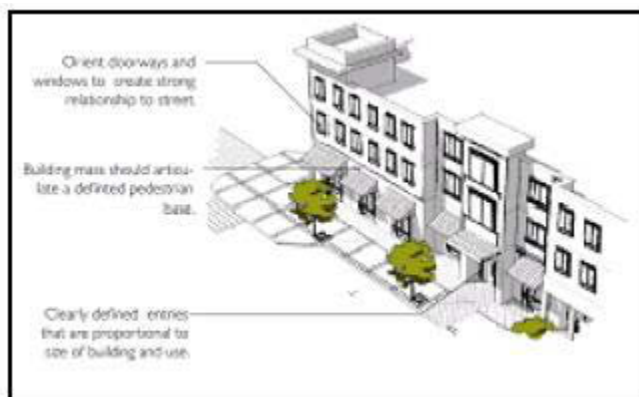
E. Vehicle access from alleys or sidestreets where they exist, with pedestrian access from the public street.

## (2) Street Building Facades

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

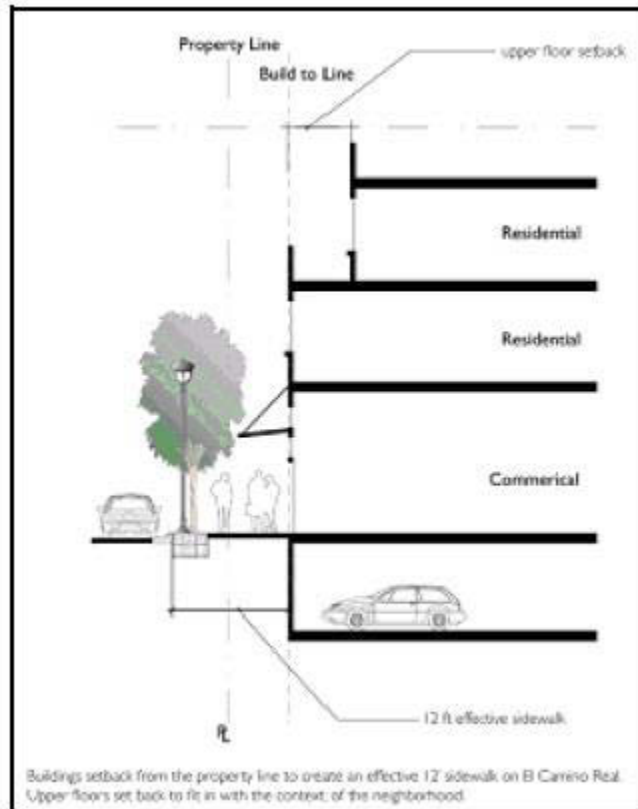
A. Placement and orientation of doorways, windows, and landscape elements to create strong, direct relationships with the street ([Figure 2-1](#));

 **Figure 2-1**



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

 **Figure 2-2**



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

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

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

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

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

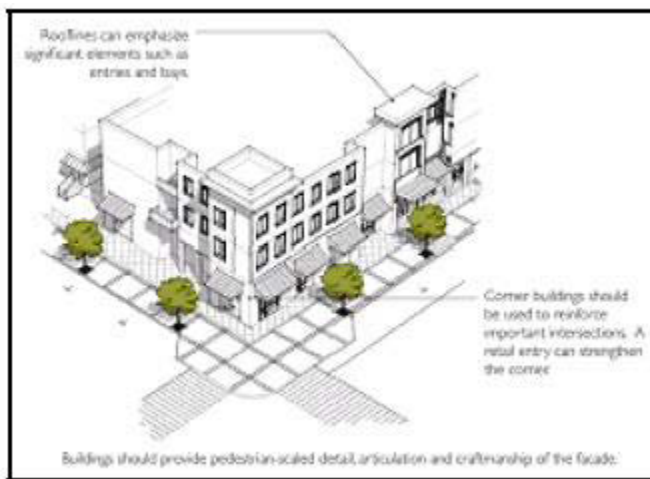
H. Upper floors set back to fit in with the context of the neighborhood.

(3) Massing and Setbacks

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

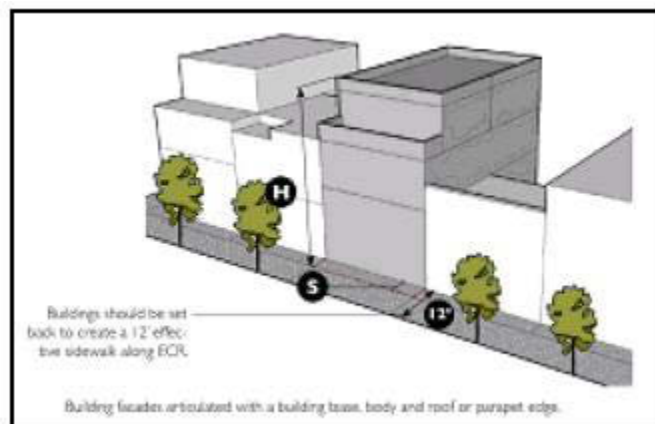
- A. Rooflines that emphasize and accentuate significant elements of the building such as entries, bays, and balconies ([Figure 3-1](#));
- B. Design with articulation, setbacks, and materials that minimize massing, break down the scale of buildings, and provide visual interest ([Figure 3-1](#));
- C. Corner buildings that incorporate special features to reinforce important intersections and create buildings of unique architectural merit and varied styles ([Figure 3-1](#));

 **Figure 3-1**



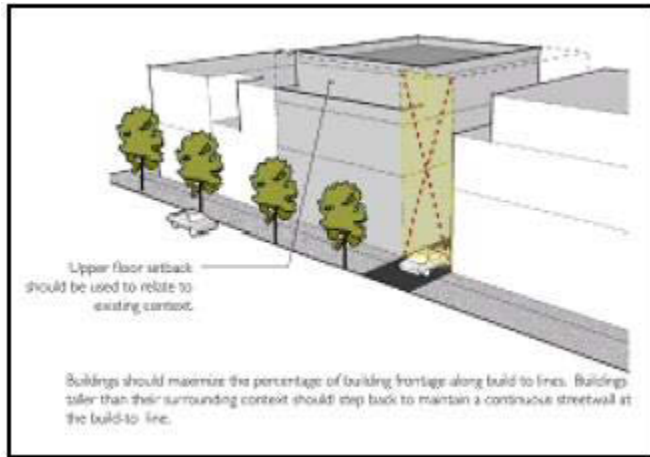
- D. Building facades articulated with a building base, body and roof or parapet edge ([Figure 3-2](#));

 **Figure 3-2**



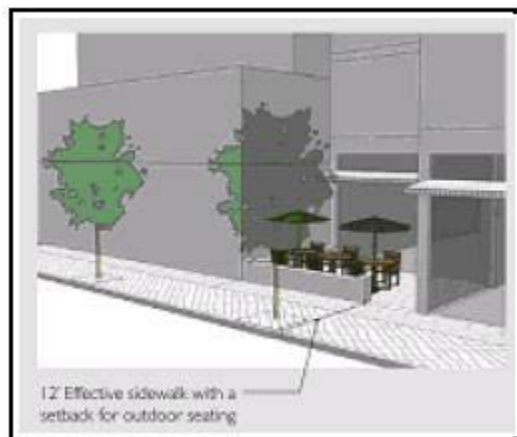
E. Buildings set back from the property line to create an effective 12' sidewalk on El Camino Real, 8' elsewhere ([Figure 3-4](#));

**Figure 3-3**



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

**Figure 3-4**



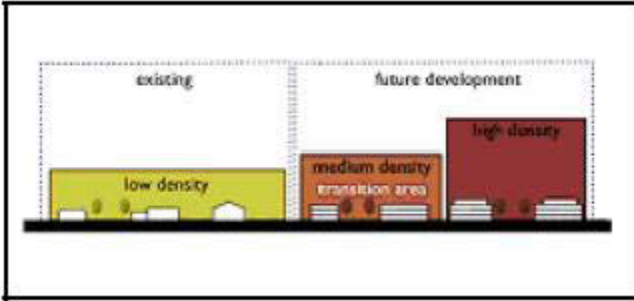
G. No side setback for midblock properties, allowing for a continuous street facade, except when abutting low density residential ([Figure 3-3](#)).

#### (4) Low-Density Residential Transitions

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

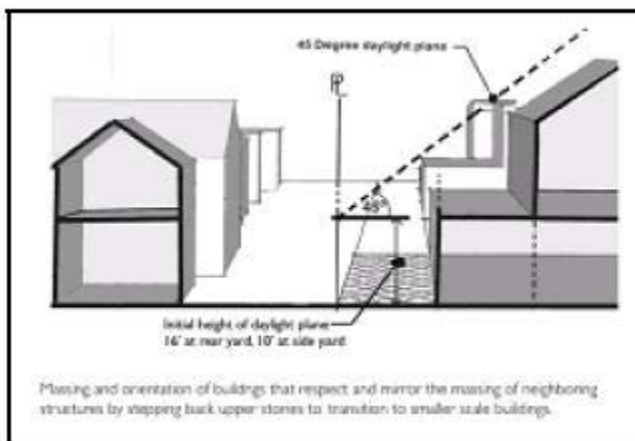
A. Transitions of development intensity from higher density development building types to building types that are compatible with the lower intensity surrounding uses ([Figure 4-1](#));

**Figure 4-1**



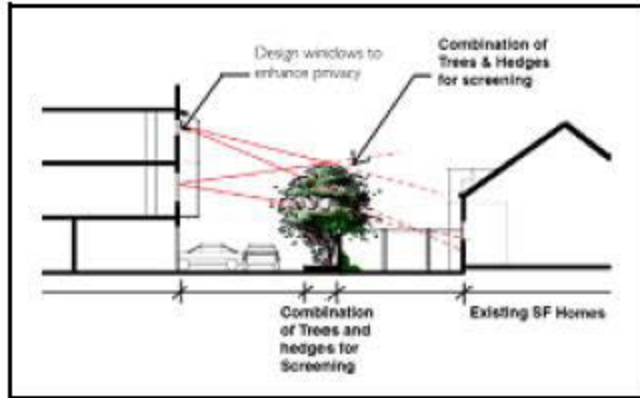
B. Massing and orientation of buildings that respect and mirror the massing of neighboring structures by stepping back upper stories to transition to smaller scale buildings, including setbacks and daylight planes that match abutting R-1 and R-2 zone requirements ([Figure 4-2](#));

**Figure 4-2**



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

**Figure 4-3**



- D. Minimizing sight lines into and from neighboring properties ([Figure 4-3](#));
- E. Limiting sun and shade impacts on abutting properties; and
- F. Providing pedestrian paseos and mews to create separation between uses.

(5) Project Open Space

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

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

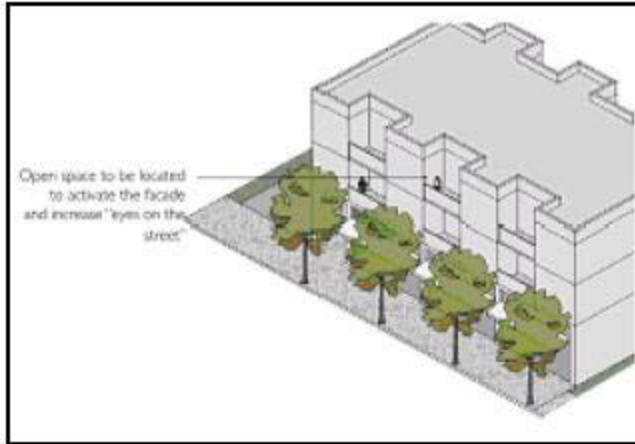
B. Open space should be sited and designed to accommodate different activities, groups, active and passive uses, and should be located convenient to the users (e.g., residents, employees, or public)

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

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

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

 **Figure 5-1**



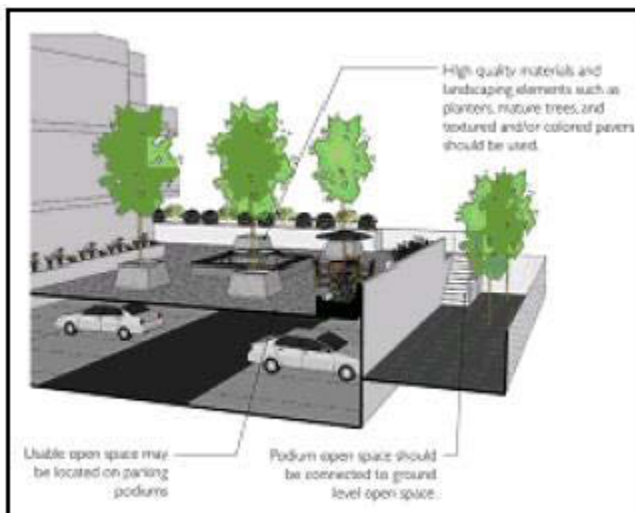
F. Open space should be located to activate the street façade and increase "eyes on the street" when possible ([Figure 5-1](#));

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

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

I. Parking may not be counted as open space.

 **Figure 5-2**

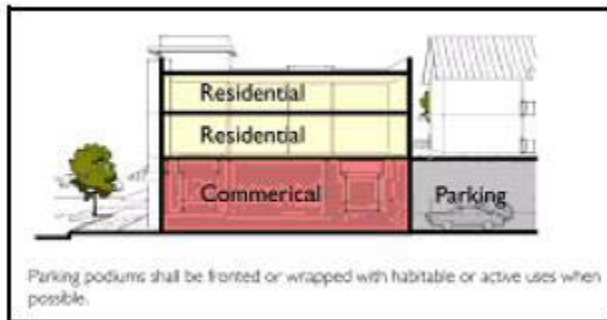


## (6) Parking Design

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

- A. Parking is located behind buildings, below grade or, where those options are not feasible, screened by landscaping, low walls, etc.;
- B. Structured parking is fronted or wrapped with habitable uses when possible ([Figure 6-1](#));

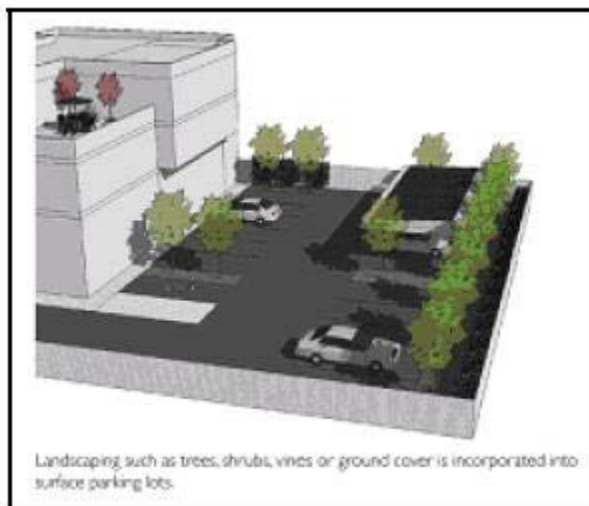
 **Figure 6-1**



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

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

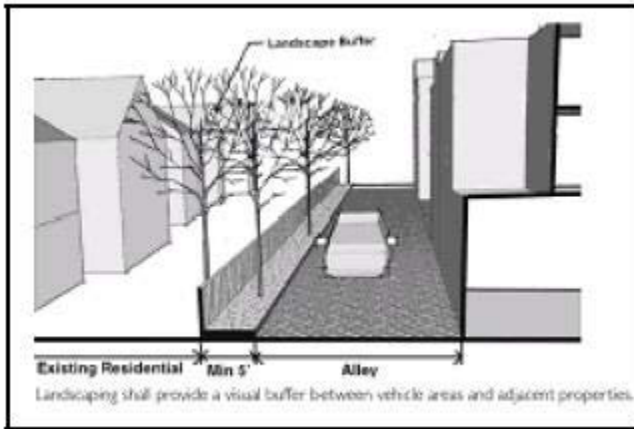
 **Figure 6-2**





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

 **Figure 6-3**



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

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

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

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

 **Figure 6-4**

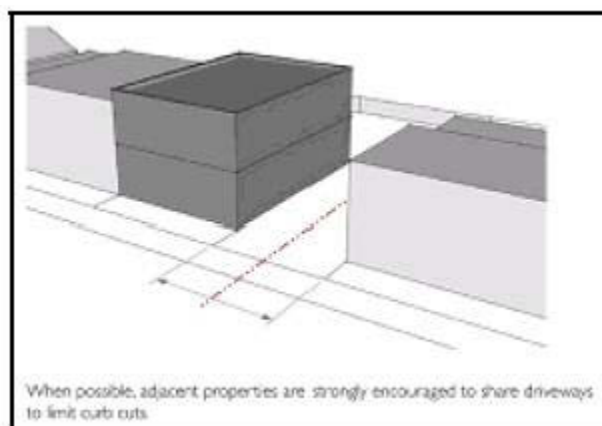


Figure 6-5 -- Mixed-Use with Surface Parking



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

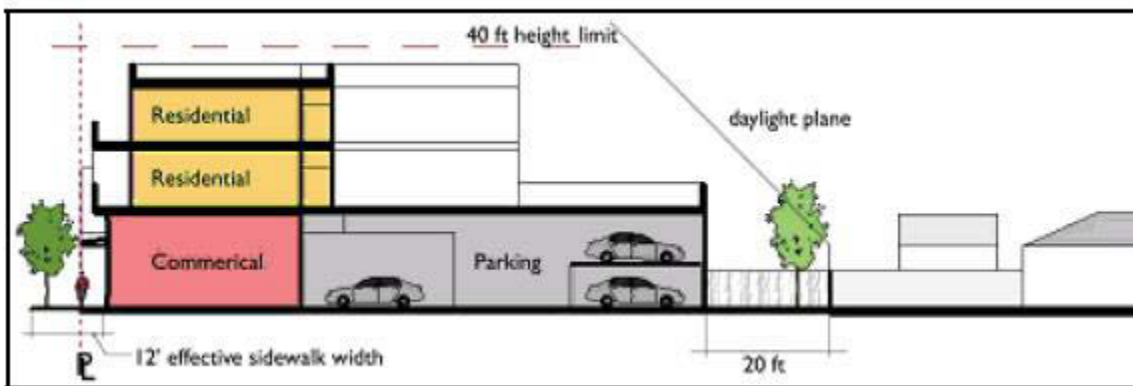
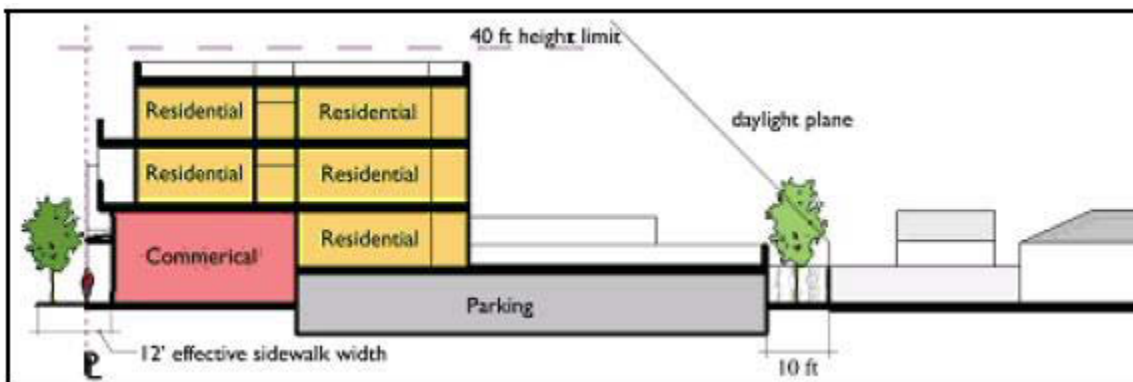
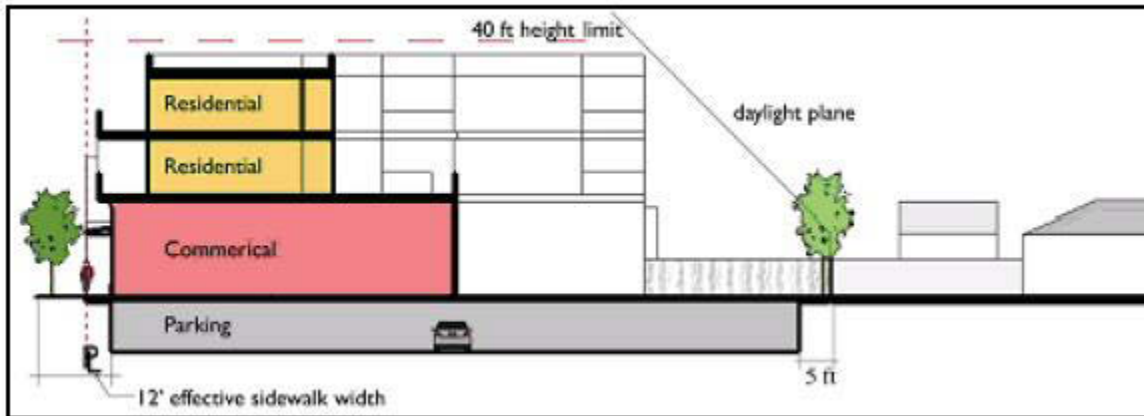


Figure 6-7 -- Mixed-Use with Partial Sub-Grade Parking Podium



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



### (7) Large (Multi-Acre) Sites

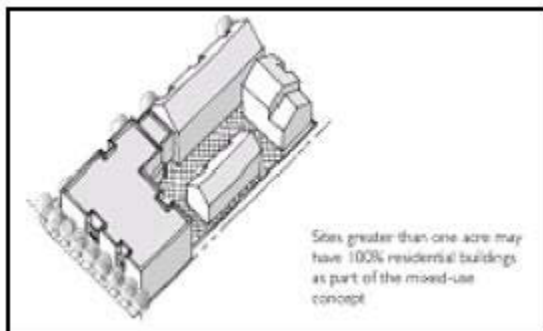
Large (in excess of one acre) sites shall be designed so that street, block, and building patterns are consistent with those of the surrounding neighborhood, and such that:

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

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

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

**Figure 7-1**



**Figure 7-2**

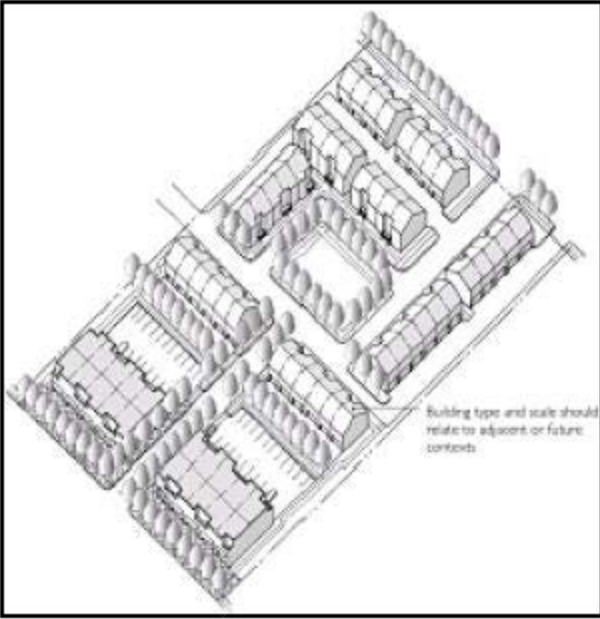
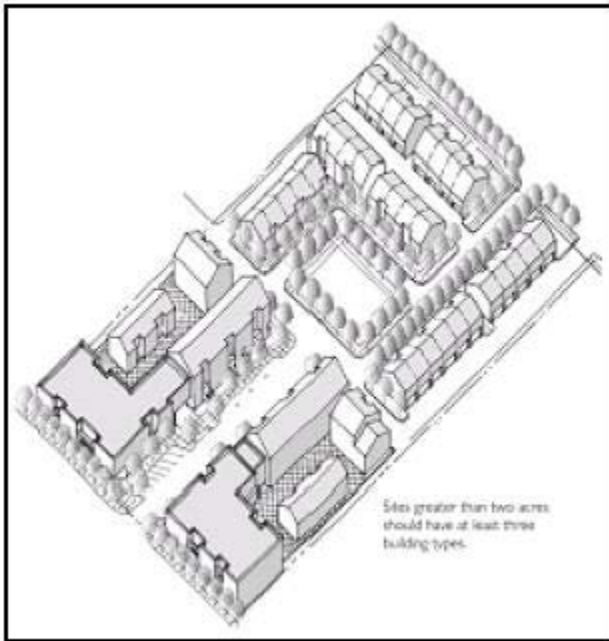


Figure 7-3



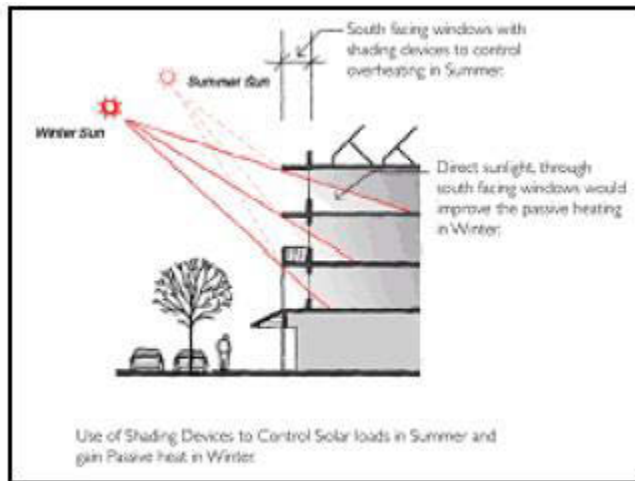
## (8) Sustainability and Green Building Design

Project design and materials to achieve sustainability and green building design should be incorporated into the project. Green building design considers the environment during design and construction. Green building design aims for compatibility with the local environment: to

protect, respect and benefit from it. In general, sustainable buildings are energy efficient, water conserving, durable and nontoxic, with high-quality spaces and high recycled content materials. The following considerations should be included in site and building design:

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

 **Figure 8-1**



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

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

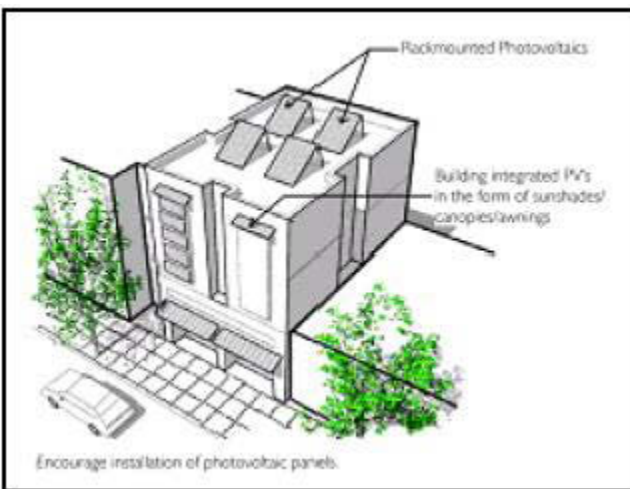
D. Maximize onsite stormwater management through landscaping and permeable pavement ([Figure 8-2](#)).

 **Figure 8-2**



- E. Use sustainable building materials.
- F. Design lighting, plumbing, and equipment for efficient energy and water use.
- G. Create healthy indoor environments.
- H. Use creativity and innovation to build more sustainable environments. One example is establishing gardens with edible fruits, vegetables or other plants to satisfy a portion of project open space requirements.
- I. Provide protection for creeks and riparian vegetation and integrate stormwater management measures and open space to minimize water quality and erosion impacts to the creek environment.
- J. Encourage installation of photovoltaic panels ([Figure 8-3](#)).

 **Figure 8-3**



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

 **18.16.100 Grandfathered Use**