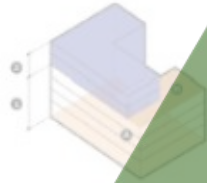




Site Design



Massing



Modulation



Facade Articulation

OBJECTIVE STANDARDS

Multifamily & Mixed Use Housing Height transition & RM-40 Setbacks

January 24, 2022

www.cityofpaloalto.org

AGENDA

1. Recap 10/4 and 11/8 Council Meetings
2. Project Schedule
3. Height Transitions & RM-40 Setback Ordinance



PROJECT OVERVIEW

- Prepare objective design standards to regulate housing development projects undergoing streamlined review
- Clarify ambiguities, remove redundancies, and modernize standards elsewhere in Title 18
 - *Height transitions and setbacks = clarifying ambiguities*



COUNCIL MOTION & NEXT STEPS

C. ii. has several parts:

- (1) Proposed ordinance addresses “RM-40 25’ setback” (*tonight*)
- (2) Remaining issues regarding privacy and sight lines (*March, return*)

Motion #/Topic	Tonight (January 24 th)	Near Future Ordinance	Other
A. Take Council feedback on overlays and then take to housing element working group and return to Council for further discussion;	n/a	n/a	Referred to Housing Element
B. Direct Staff to retain current Context-Based Design Criteria and Chapter 18 laws for development applications that do not fall under the State housing laws requiring objective standards;		✓	
C. Direct Staff to return with proposed objective standards and intent statements and to provide:		✓	
i. A detailed side-by-side comparison of the existing Context-Based Design Criteria and the proposed new laws;		✓	
ii. Adoptable changes to existing and proposed laws that would provide standards for privacy and other protections for all residents, regardless of their zones. Regarding privacy, to come back with stronger protections for elevated floors looking into neighboring lots. Stronger definitions of sight lines and how this applies. Address concerns about allowing 15% windows. In RM-40, retain 25’ front set back;	✓ (RM-40 setback)	✓ (window and privacy standards)	Pending Review with ARB
iii. Refer to the S/CAP Ad Hoc Committee on the evaluation of approximate GHG impacts in construction;	n/a	n/a	Referred to S/CAP Ad Hoc



COUNCIL MOTION & NEXT STEPS

Item G has 2 parts:

- **(1)** Height backstop to clarify height transition zone (*tonight*)
- **(2)** Context-based, objective height transition (*March, return*)

Motion #/Topic	Tonight (January 24 th)	Near Future Ordinance	Other
D. Prior to any rezoning of PF to workforce housing, the City Council would re-examine the affordability threshold of workforce housing;	n/a	n/a	Defer to Housing Element
E. Hold at least two meetings on the proposed changes before the next Council session for free-form discussion by the general public;	n/a	n/a	February and March
F. In Building Massing / Facades sections where there is a menu of choices, increase the number of required choices per category;		✓	Pending Review with ARB
G. Put in place a temporary height transition backstop. Initial ordinance should include objective height transition language, for example "No part of the building can be more than X' higher than the lowest adjacent building, up to the applicable height limit". Come back with a specific proposal along these lines for adoption this year and Staff can then propose additional amendments in the future; and	✓ (height transition development standards)	✓ (other height transitions standards)	Pending Review with ARB
H. Evaluate and return with strengthened language to use "design standards" instead of "design intents";		✓	
I. Evaluate whether "decision by director" option throughout objective standards puts those at risk and should be changed /remove; and		✓	
J. On appeal, consider sending directly to Council if required to meet streamlining requirements.		✓	

PROCESS AND ENGAGEMENT



UPCOMING COMMUNITY MEETINGS

1. **February 1, 2022** via Zoom

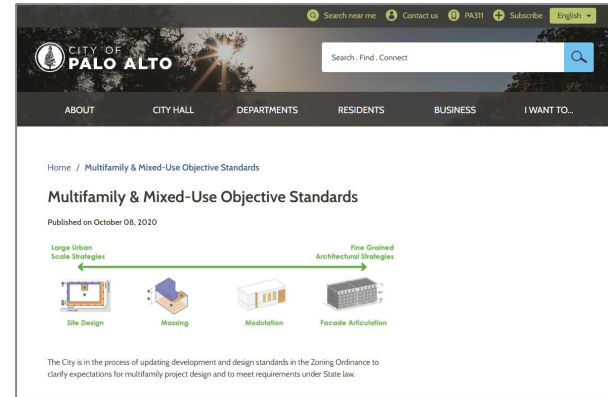
- Project overview
- Listening session

2. **March 2022 (prior to Council)**

- Feedback on what we heard
- Proposed design standards ordinance

Project Website:

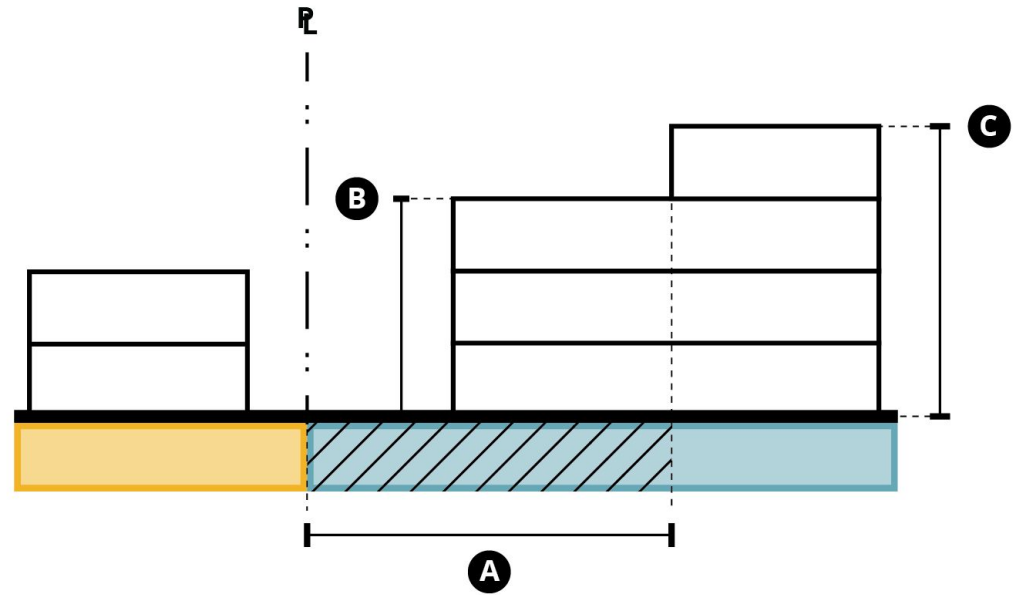
bit.ly/ObjectiveStandards











HEIGHT STANDARD

Most zoning districts establish two height limits:

1. General standard
2. Reduced height limit when adjacent to an abutting lower density residential zone (except RM-40 and PC zones, typically)



-  Residential Zoning District (Other than RM-40 or PC)
-  Commercial Zoning District
-  Property Line

-   $\geq 50'$ distance from PL when abutting a lower density residential district
-  Maximum Building Height within 
-  Maximum Building Height Allowed within Commercial District

HEIGHT STANDARDS

Zoning District (Use)		General <u>Vertical</u> Height Standard ^C	Reduced Height Limit	
			Height Within ^B <u>Horizontal</u> Feet of Residential Zone	^A <u>Horizontal</u> Feet Distance Threshold
Multifamily Residential Districts				
CC/CS	Non-Residential Only	50	35, Except RM-40 or PC	50 or 150 (Ambiguous)
	Residential/Mixed Use	50	35 50, abutting RM-40/PC	
CC(2)	Non-Residential Only	37	35, Except RM-40 or PC	
	Residential/Mixed Use	37	35 50, abutting RM-40/PC	

18.16 (CN, CC,CC(2),CS)

Existing: “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.”

CURRENT POLICY: VARIATION BY DISTRICT

- **Variation** - Horizontal depth varies from 40 or 50 feet to 150 feet, or is sometimes not clear
- **Ambiguous ≠ objective**
 - Problematic for City staff, decision-makers and property owners

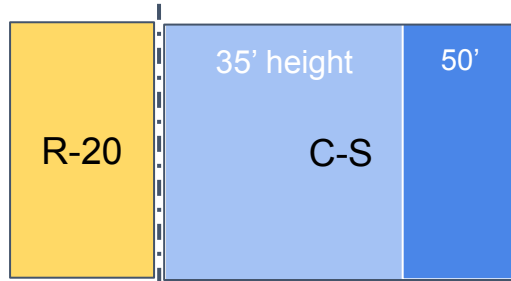
Table on packet page 398 - 399

Zoning District (Use)		General Vertical Height Standard ^C	Reduced Height Limit	
			Height Within ^B Horizontal Feet of Residential Zone	^A Horizontal Feet Distance Threshold
CD-N	Non-Residential Only	25	Max. height of abutting residential district	
	Residential/Mixed Use	35	40 50, abutting RM-40/PC	
	Non-Residential Only	25	N/A	N/A
CN	Residential/Mixed Use	35 (40 on ECR)	35, Except RM-40 or PC	50 or 150 (Ambiguous)
CC/CS	Non-Residential Only	50	35, Except RM-40 or PC	
	Residential/Mixed Use	50	35 50, abutting RM-40/PC	
CC(2)	Non-Residential Only	37	35, Except RM-40 or PC	
	Residential/Mixed Use	37	35 50, abutting RM-40/PC	
Office/Research/Manufacturing Districts				
MOR	Non-Residential Only	50	35	40
	Residential/Mixed Use	35	35 N/A	150 N/A
ROLM	Non-Residential Only	35	25 35	40 150
	Residential/Mixed Use	35	N/A	N/A
ROLM(E)	Non-Residential Only	35	25 35	40 150
	Residential/Mixed Use	30	N/A	N/A
RP	Non-Residential Only	35-40	25 35	40 150
	Residential/Mixed Use	35	30, Except all RMs and similar density PCs	150
Overlay/Other Districts				
PF		50	35, Except PC	150
WH		50	35, Except RM-40 or PC	50 or 150 (Ambiguous)
AH		50	35, Except RM-40 or PC	50, Director may waive
PTOD		40	N/A	N/A

CURRENT POLICY: VARIATION BY DISTRICT

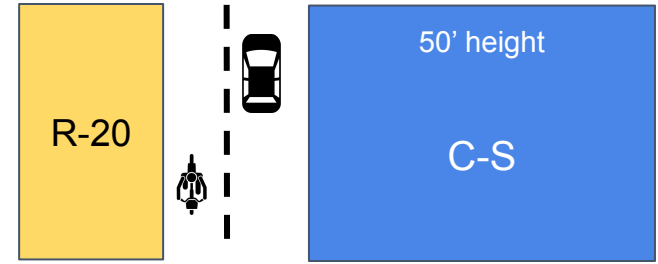
- Most districts specify “abutting”, but not all districts specify “abutting” (RM-40, ROLM, AH, PC)

Abutting



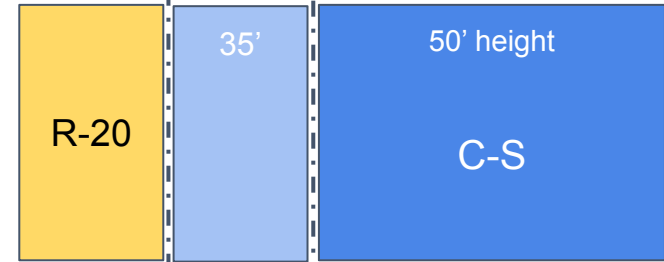
Reduced height limit only applies to area with w/in 150 feet

Separated by Street



Reduced height limit does not apply despite parcel w/in 150 feet

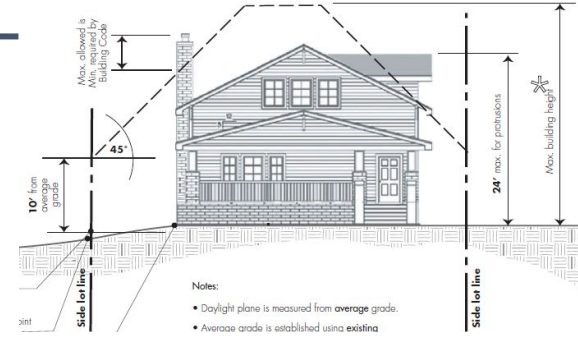
Separated by Lot



Reduced height limit does not apply despite parcel w/in 150 feet

RM-40 ZONE TREATED DIFFERENTLY

- Reduced heights are typically not required when abutting RM-40
- Likely because RM-40 is a higher density district with a 40-foot height limit
- Many other existing standards help modulate massing, protect privacy and light access, including daylight plane, setbacks, screening, landscaping, and fencing

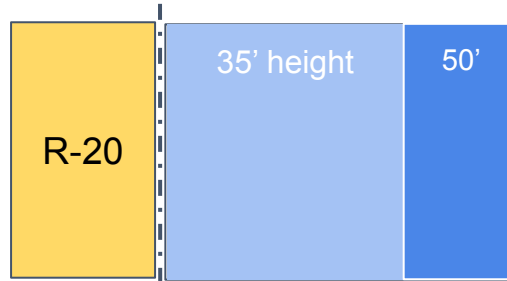


DRAFT ORDINANCE: HEIGHT TRANSITION PROPOSAL

- Where ambiguous, revise to higher threshold:
 - 50 or 150 feet? → 150 feet
 - Changes CN/CC/CC(2)/CS and WH Overlay
- Allow reduction by Director, upon ARB recommendation (from 150 ft. to as a low as 50 ft.):
 - This allows context-based transitions at election of applicant. Decisions are appealable to City Council.
- Clarify that transition is only required for abutting conditions:
 - Changes RM-40, ROLM, AH overlay, and PC

DRAFT ORDINANCE: DIAGRAM

Abutting



*Reduced height limit only
applies to abutting lot
with w/in 150 feet*



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DRAFT ORDINANCE: HEIGHT TRANSITION ANALYSIS

- Avoids creating non-conforming conditions for previously approved projects
- Provides opportunity for ARB to consider reducing the transitional zone (from 150 ft to as low as 50 ft)*
- When applied to housing/mixed use projects, this discretionary ARB path may help further the development of housing, and thus achievement of the Council-adopted Comprehensive Plan and Housing Work Plan



**moves the project from objective process to discretionary process; unless State Density Law applies*

HEIGHTS ABUTTING RM-40

- No proposed changes to height limits abutting RM-40
- This would be a substantive policy change to Title 18, beyond the scope of objective standards
- For residential uses, such a change would need to be evaluated under the “no net loss” provision of the City’s Housing Element and State law
- Council could consider reducing heights adjacent to RM-40 for nonresidential uses only, which are not regulated by State law

DRAFT ORDINANCE: RM-40 SETBACKS PROPOSAL

- Eliminate range
- Continue to allow modifications with recommendation by the ARB
- Make consistent with RM-20 and RM-30: 20 feet (front) and 16 feet (side)
- Avoids creating non-conforming conditions for existing projects and if Housing Element rezones RM-20 to RM-40

Table 2

Multiple Family Residential Development Table

	RM-20	RM-30	RM-40
[...]	[...]	[...]	[...]
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 20 (1)
Street Side and Street Rear Yards (ft)	16	16	0-16 (2)

(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, do not include residential arterials. In the RM-40 district, lesser setbacks may be allowed 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 ~~20-25 ft.~~ may not be reduced except upon approval of a design enhancement exception or variance.



SUMMARY OF SCHEDULE

Timing	Meeting Body	Topic
January 20, 2022	ARB Study Session	Design topics from 11/18 City Council motion
January 24, 2022	City Council Hearing	Height Transitions & RM-40 Setbacks Ordinance
February 1, 2022	Community Meeting	Project overview, status, listening session
March 2022	Community Meeting	Feedback on what we heard, zoning changes
March/April 2022	City Council Hearing	Objective Design Standards Ordinance

STAFF RECOMMENDATION

Staff recommends that Council consider proposed changes to height transitions and other development standards (Attachment A), take public comment, and adopt the ordinance.

Staff will return to Council at a future hearing with changes to objective design standards (e.g., contextual height transitions, privacy) and other zoning regulations based on feedback from the Council at previous meetings.

