



Planning & Transportation Commission

Staff Report (ID # 12252)

Report Type: Action Items **Meeting Date:** 6/9/2021

Summary Title: PTC Review of Objective Standards

Title: Public Hearing: Request for Recommendation on Objective Standards Project Including the Following Modifications to Title 18: 1) New Chapter 18.24, Objective Design Standards, That Would Replace Existing Context-Based Design Criteria Contained in Multiple Chapters of Title 18; 2) Modifications to Chapters 18.30(J) and 18.30(K): Affordable Housing (AH) and Workforce Housing (WH) Overlay Districts to Eliminate the Legislative Process Requirement; 3) Expansion of Affordable Housing (AH) and Housing Incentive Program (HIP) to PTOD-Eligible Properties; 4) Changes to Remove Inconsistencies and Redundancies, and Streamline Project Review in various Title 18 Chapters

From: Jonathan Lait

Recommendation

Staff recommends that the Planning & Transportation Commission (PTC) recommend to the City Council adoption of one or more ordinances that would codify:

- (1) the objective design standards (Attachment A) and
- (2) other changes to development standards, district regulations, performance standards, and legislative actions and/or overlays (Attachment B)

These documents would modify Title 18 (Zoning) of the Palo Alto Municipal Code (PAMC).

Report Summary

The State legislature has made several changes to State housing laws in recent years to streamline housing approvals. These steps include reducing 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 solely 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 subjective context-based design criteria into objective design standards and streamline other Sections of Title 18 to encourage housing production.

The report contains two main discussion items:

1. Objective Design Standards: Objective design standards in Attachment A represent the transformation of the existing subjective, context-based design criteria into new Chapter 18.24 in Title 18. The standards encompass site design and building design topics, and include graphics to illustrate key standards. The standards were reviewed and refined over a series of 11 meetings with the Architectural Review Board (ARB) and an ARB Ad Hoc Committee. The process culminated in a recommendation for adoption at the ARB's April 1, 2021 meeting. As part of the ARB's recommendation, the Ad Hoc Committee is continuing to work with staff and consultants to further refine the associated graphics.

The objective design standards represent a new way that some projects would be reviewed by Planning staff and the ARB in particular. This portion of the project has less of a direct impact on the PTC and City Council's review of development projects but has the potential to greatly reduce the processing time of housing development projects.

2. Other Code Updates to Support Objective Standards: Additionally, City staff recommend changes to other sections of Title 18. These changes would strengthen objective standards, remove inconsistencies and redundancies, and streamline project review. Annotations (tracked changes) to the Code are shown as underlined in Attachment B and include both minor and substantive edits to the following code sections:

- 18.04: Definitions
- 18.08: Designation and Establishment of Districts
- 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
- 18.40: General Standards and Exceptions
- 18.42: Standards for Special Uses
- 18.52: Parking and Loading Requirements
- 18.54: Parking Facility Design Standards
- 18.76: Permits and Approvals
- 18.77: Processing of Permits and Approvals

The PTC and City Council typically review projects that include legislative changes (e.g., zoning text or map amendments) and subdivision maps. As such, proposed changes to the AH and WH Overlay Districts, and the expansion of the Housing Incentive Program as an alternative to the PTOD overlay, would reduce PTC and City Council's involvement in these projects.

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 Title 18 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. The following paragraphs summarize the laws, which, when layered together, create the policy context within which Palo Alto must develop its objective standards.

Housing Accountability Act

Originally passed in 1982, the Housing Accountability Act (HAA) (Government Code Section 65589.5) acknowledges the lack of housing as a critical problem in California. The HAA applies to "housing development projects" that meet objective standards. Housing development projects are defined as one or more of the following:

- multifamily housing projects
- mixed-use developments (with at least two-thirds residential square footage), or
- transitional or supportive housing

The HAA applies to projects with two or more residential units.

The HAA states that a city cannot deny a project, reduce its density, or otherwise make a project infeasible, when the project complies with objective standards. The exception is when the City makes findings—based on a preponderance of evidence—that specific adverse health or safety impacts exist and there is no feasible method to mitigate or avoid impacts. While the City may make suggestions using subjective criteria, it must approve the project even if the applicant refuses to make any changes. 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 the project.

SB35 Project Streamlining

Under SB35 (Government Code Section 65913.4), projects meeting all of the following requirements are eligible for a streamlined review process:

- The development is on a legal parcel or parcels zoned for residential uses or have a Comprehensive Plan designation that allows residential or mixed-uses;
- A site in which at least 75 percent of the perimeter of the site adjoins parcels that are developed with urban uses;
- The development contains two or more residential units;
- Projects with at least two-thirds of the square footage designated for residential use;
- The project does not demolish a historic structure that is on a national, state, or local historic register;
- The project does not demolish any housing units that have been occupied by tenants in the last 10 years;
- The site is not within certain high-risk areas such as a very high fire hazard severity zone, a hazardous waste site, or a floodway;
- Projects which meet certain affordability requirements, such as, at present at least 50% of the proposed residential units must be dedicated as affordable to households at 80% of Area Median Income (AMI);
- All construction workers employed in the execution of the development must be paid at least the general prevailing rate; and
- The project must meet all objective planning standards at the time of application submittal.

Under SB35, the review process would be limited to 90 days for projects containing 150 or fewer housing units and 180 days for larger projects. An SB35 project is not subject to discretionary review (e.g., Architectural Review, Site and Design Review, requiring review by the ARB, PTC, or Council), and therefore, is not subject to review under the California Environmental Quality Act (CEQA). The creation and changes to objective standards would ensure the City has standards that can be applied to these types of ministerial projects.

Currently in Palo Alto—based on the City’s progress toward meeting the Regional Housing Needs Assessment (RHNA)—an SB35 project must include at least 50% of the units as

affordable to low-income households. Therefore, SB35 applies to a limited number of projects and to date, no applicants have applied for review under this program.

SB330 Permit Review

Effective January 1, 2020, SB330 made several changes to existing State housing law, including the HAA and Permit Streamlining Act. For the purposes of the work described herein, the important elements are as follows:

- Provides a streamlined path for “housing development project” (see definition under HAA);
- Creates a preliminary application process that freezes many development standards, by requiring that jurisdictions only subject a housing development project to review pursuant to the ordinances, policies, and standards adopted and in effect when a preliminary application is submitted (vs. when a full application is deemed complete);
- Provides applicant 180 days from the submittal of the preliminary application to submit a formal development application;
- Limits jurisdictions to five public hearings, including appeals;
- Reduces the Permit Streamlining Act timeline for action following completion of any applicable CEQA review;
- Prohibits jurisdictions from imposing subjective design standards established after January 1, 2020;
- Prohibits jurisdictions from enacting development policies, standards or conditions that would change current zoning and land use designations where housing is an allowable use. In such cases, jurisdictions cannot lessen the intensity of housing—such as reducing height, density, or floor area ratio, requiring new or increased open space, lot size, setbacks, or frontage, or limiting maximum lot coverage; (effectively, this clause prohibits downzoning, though the City may rebalance density between districts); and
- Requires the replacement of existing/demolished residential units.

In Palo Alto, to date, an SB330 preliminary application has been submitted for two projects: 200 Portage and 2850 West Bayshore.

Summary

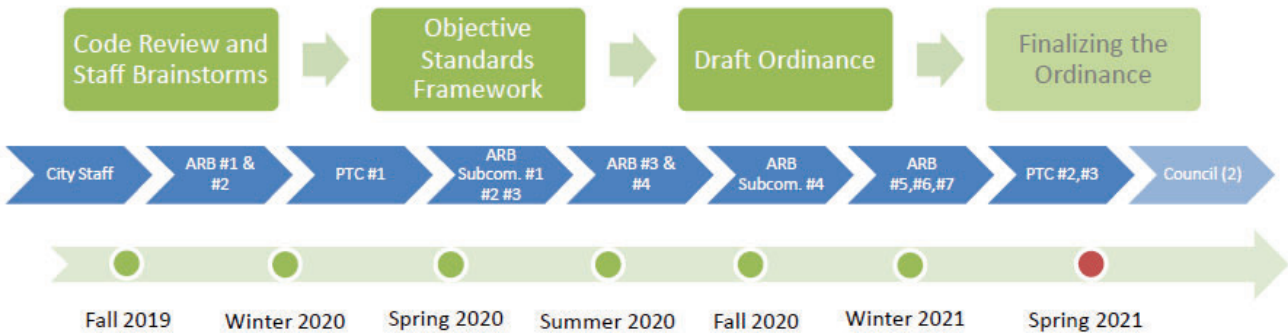
State law relies more and more on projects’ compliance with objective standards to streamline housing projects. Currently, the City has objective standards in the form of development standards (e.g., height, setback, floor area ratio), but few objective design standards. This project aims to strengthen the City’s objective standards to identify the City’s design and development priorities and ensure applicants’ compliance with these priorities on housing development projects. Furthermore, this project helps the City to comply with State legislation that allows projects meeting objective standards to undergo a streamlined approval process.

The City’s proposed new review process will only apply to multi-family projects with three or more units (not including ADUs). The review process for single-family homes (with/without ADUs) and two-family (duplexes) uses would remain the same.

Summary of Public Meetings

This section summarizes meetings with decision-makers. Chart 1 illustrates the project timeline. Additionally, records from previous meetings described below can be found on the project webpage: bit.ly/ObjectiveStandards

Chart 1: Project Timeline



ARB Study Sessions & Hearings (7 Meetings), ARB Ad Hoc Committee (4 Meetings)

In December 2019 and February 2020, staff and consultants provided an overview of the project to the ARB. Staff presented a description of key issues and discussed options and recommendations for how to implement the project goals and requirements of State law with respect to objective standards.

The ARB formed an Ad Hoc Committee to workshop the draft standards, reviewing and providing written comments on preliminary versions of the standards. The committee 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.

The full ARB met in October and November 2020, and February 18 and March 18, 2021 to review and refine the draft objective design standards. The Board contributed general and specific feedback to the format and structure of the ordinance; refined the applicability to different types of residential versus commercial projects; debated design details, menu of options' ideas, and specific measurements for individual design topics; and weighed in on graphics. Several board members expressed concerns about the implications that State law is having on the City's architectural review process, standards, and guidelines, including space for creativity and discretion by architects and reviewers.

At its April 1, 2021 meeting, the ARB voted to recommend to City Council approval of the objective design standards in Attachment A in a 4-1 vote. The ARB also voted to have the Ad Hoc Committee continue to work with City staff and consultants on revisions to the graphics in Attachment A. The revisions to graphics are still in progress.

Additionally, the ARB discussed changes to the required height transitions between lower and higher density zoning districts at its meeting on April 15th. The majority of ARB members

agreed with staff's recommendations as to how to streamline this Code language for ease of interpretation. Board members also suggested that daylight plane requirements would be a better way to regulate this transition area and would further streamline the City's development standards while achieving a similar result.

PTC Study Sessions – May 13, 2020 and March 10, 2021

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. The PTC held another study session on March 10, 2021 to review the draft objective design standards, including the ARB's recommendations, and proposed changes to other sections of Title 18. The PTC expressed the following perspectives with respect to the objective design standard:

1. Commissioners generally agreed with how the subjective criteria had been translated into objective standards and appreciated the ARB's contributions.
2. Commissioners generally agreed that the standards should apply to housing development projects as defined by the Housing Accountability Act and that such projects should only be subject to one ARB study session. Some Commissioners expressed a desire to have the standards apply to projects more widely in the interest of streamlining.
3. Some Commissioners shared the ARB's concerns about not wanting to be too prescriptive in design.

Discussion & Analysis

This section is divided into two parts:

1. Objective Design Standards: The transformation of existing context-based design criteria into objective standards.
2. Other Updates to Title 18 to Strengthen Objective Standards: Changes to development standards, performance standards, application processing, and legislative actions/overlays to strengthen objective standards, remove redundancies, clarify intent, and streamline review.

1. Objective Design Standards: Transformation of Existing Context-Based Design Criteria into a New Chapter, 18.24: Objective Design Standards

Attachment A contains the draft objective design standards the ARB has recommended, and related graphics. It represents the transformation of Context-Based Design Criteria into a stand-alone set of objective standards which would be codified as Chapter 18.24. With approval of these standards, the Context-Based Design Criteria would be eliminated from the four chapters of the Code where they are repeated (Chapters 18.13, 18.16, 18.18, and 18.34). The Architectural Review (AR) approval findings would remain in Title 18.76. The ARB would continue to use these AR 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

As with the previous Context-Based Design Criteria, the objective design standards would apply to projects in certain zoning districts that meet the definition of a “housing development project” as defined in the Housing Accountability Act discussion in this report’s Background section. These zoning districts include all RM districts, all C commercial districts including Downtown districts, all office/industrial districts (ROLM, RP, GM), the AH and WH combining districts and PTOD. Lower density residential districts, the PF zone, and commercial projects in the office/industrial zones are currently not included. The PTC may wish to apply the new objective design standards to the PF zone, where the Comprehensive Plan encourages high density housing. Staff would appreciate the PTC discussion on this topic.

As a result, 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 and other commercial uses are required as part of a mixed-use residential project.

Design Standards Ordinance Structure & Contents

Table 1 identifies the topics included in 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 the chapter.
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 1: 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. **Intent statements** represent overarching guidelines for each topic, are subjective, and include verbatim language from the Context-Based Design Criteria and ARB findings.
2. **Objective design 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 multi-family, townhouse, modular, 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.

The design standards aim to strike a balance between prescriptiveness and flexibility. They are intended to lead to buildings that implement good design principles and that exhibit 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 that a developer may want to achieve. Therefore, the draft ordinances include an alternate path for compliance, as described below.

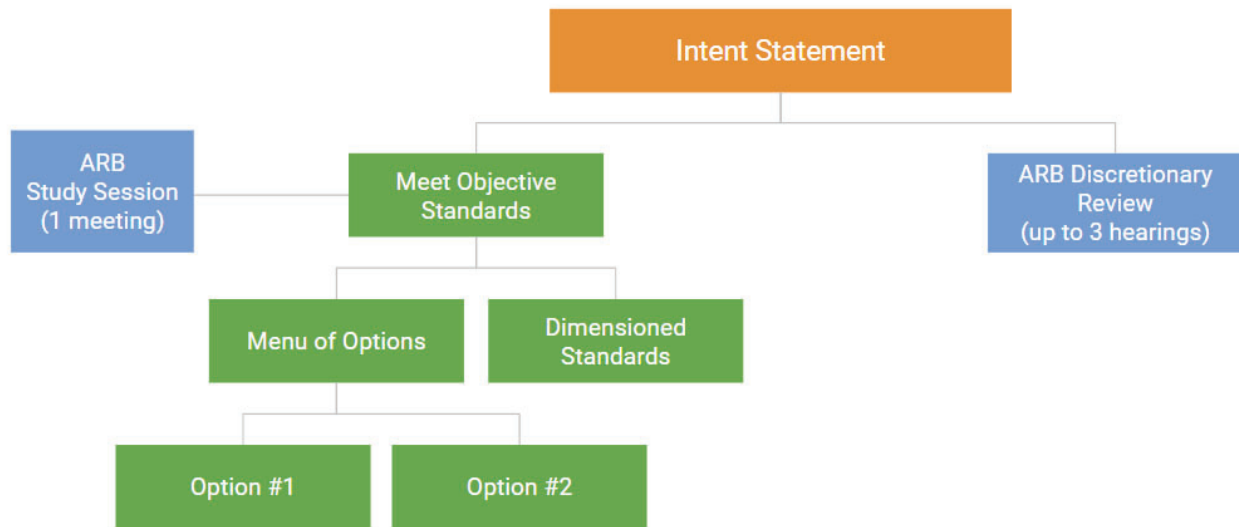
Review Process

The new Chapter 18.24 and Revisions to Chapters 18.76 and 18.77 identify two paths: (1) a new review process for housing development projects that are required to meet the new objective standards, and (2) an alternative compliance path for projects that want or need to pursue discretionary review. These two paths toward compliance are illustrated in Chart 2 and detailed below.

In the new objective standards process, City staff would review housing development projects for compliance with objective standards (e.g., development standards, objective design standards, parking requirements, etc.), just as they do today for all projects. The ARB would review such projects during one study session to provide advisory design comments. Members of the public would also have an opportunity to review and provide comments on the project during this study session. AR approval findings would not be used. Rather, this proposed review path acknowledges that State Law applies a different 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, as described in the Background section above).

If a proposed project does not meet one or more objective standards—for whatever reason—it may instead choose to meet the “intent statement.” In choosing this path, the applicant would be choosing to undergo discretionary review. This process will be the same as ARB's role in architectural review today, but with the AR findings and intent statements, along with other Code Sections, serving as the basis for review rather than the Context-Based Design Criteria.

Chart 2: Two Paths of Compliance: Objective and Discretionary



Notably, if an applicant chooses the discretionary path, the project 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.

2. Other Code Updates to Support Objective Standards

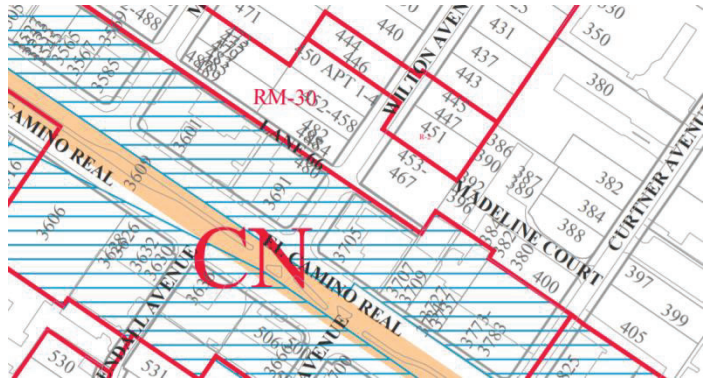
In addition to design standards, City staff propose other updates to Title 18 to strengthen objective standards and streamline housing approvals, consistent with the goals of SB2 funding. Key changes are categorized and summarized below and detailed in Attachment B, which represents a redlined and annotated version of selected chapters of Title 18. Table 4 further summarizes 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 topic for discussion is the lower maximum height development standards that apply when located near lower density residential districts; the height standards vary depending on the Zoning Code chapter. The City's zoning map provides an illustrative 'bubble' showing the area in hatched pattern of commercially zoned properties that lie within 150 feet of residentially zoned properties (as shown in map excerpt for CN zoned properties next to RM-30 zoned properties). This 'bubble' is used by staff as the first step in project analysis in comparison to several Zoning Code Sections, including Performance Criteria (see below).

While staff implements these height standards on a regular basis, the concern is that each section of the Code expresses this requirement in a slightly different manner. This makes the regulations difficult to implement consistently, as illustrated by several recent projects on El Camino Real. Additionally, these standards can be confusing to developers that are considering whether to make significant investments in Palo Alto.



Therefore, staff recommend retaining the spirit of these regulations while creating consistency in the language for ease of use by the public, applicants, reviewing bodies, and staff. The proposed text changes are identified in Attachment B, for each relevant zoning district.

The most confusing section and where staff believes the most significant change is needed is the CN, CC, CC (2), and CS development standards. Section 18.16.060 development standards for mixed use (including residential) projects specify special lower height limits with the following parameter:

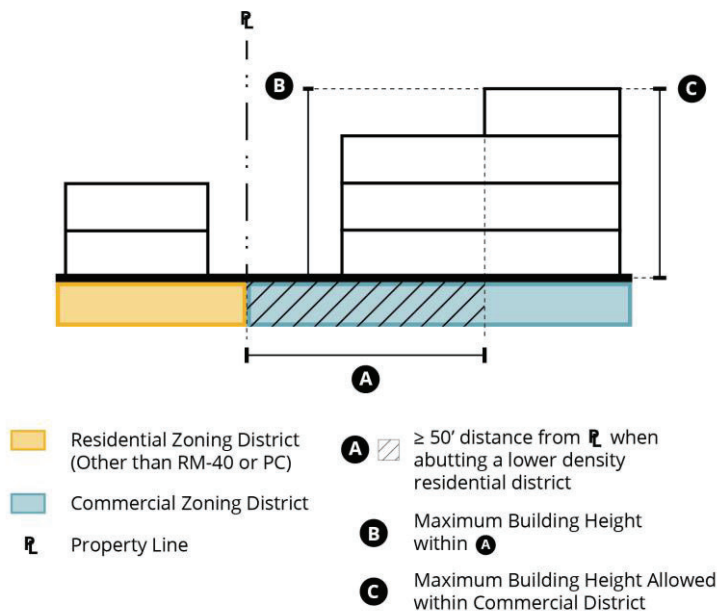
“Within 150 ft. of a residential zone district (other than an RM-40 or PC zone) abutting or located within 50 feet of the side.”

This has long been interpreted to require the portion of a proposed building’s height must be lower when it is within 50 feet of the side of the parcel that abuts residential property (R-zoned property other than RM-40 or a residential PC). If the proposed building is to be placed at least 50 feet from the abutting residential property line, the new building does not need to meet a lower height limit in the CN, CC, CC (2) or CS zones.

Staff would like to clarify the code language for this interpretation because (1) a 50-foot transition zone provides protection to lower density development while accommodating the City’s need to provide additional housing, (2) this transition zone aligns with the most recent Code interpretations and project approvals, and (3) this solution is supported by a majority of the ARB. This proposed interpretation is illustrated in Chart 3 and is further described in staff’s March 18, 2021 memo¹ to the ARB. The ARB noted that a simple daylight plane requirement would best respect adjacent lower density properties, while allowing creative freedom for the subject property.

¹ bit.ly/HeightTransitionMemo

Chart 3: Clarification of Height Transition



Performance Standards

Performance criteria in Chapter 18.23 were originally conceived to address potential colocation impacts when non-residential uses were located within 150 feet of residential districts. 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, City 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 2.

Additionally, City staff propose to bring these up to date with current zero waste and stormwater management practices, and propose revisions to strengthen objective standards for lighting and screening.

Table 2: Dispersing Performance Standards into Relevant Chapters		
Topic	Existing Location	Proposed Location
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)

Table 2: Dispersing Performance Standards into Relevant Chapters		
<i>Topic</i>	<i>Existing Location</i>	<i>Proposed Location</i>
Vehicular, Pedestrian, and Bicycle Site Access	18.23.080 Vehicular, Pedestrian, and Bicycle Site Access	18.54 (Parking Facility Design Standards)
Air Quality	18.23.090 Air Quality	18.42 (Standards for Special Uses)
Hazardous Materials	18.23.100 Hazardous Materials	18.42 (Standards for Special Uses)

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. These overlays have had limited use:

- The AH overlay has been used once since its inception in 2018.²
- The WH overlay has been used once since its inception in 2018.³
- The PTOD overlay has been used twice since its inception in 2006, resulting in 12 units and has not been used since 2012.⁴

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. The HIP has been requested twice since its inception in 2018 and resulted in over 100 units.⁵

At its March 10th meeting, the PTC expressed interest in streamlining these efforts, consistent with the goals of the SB2 grant funding for this objective standards project. The draft ordinance in Attachment B would modify the overlay districts from legislative actions to objective criteria. This would result in the following changes to each of the relevant combining districts:

- AH Overlay: Allow projects that meet existing affordability thresholds to qualify for flexible development standards (see existing standards in Table 3). Architectural Review by the ARB would continue to be required (up to 3 meetings).
- WH Overlay: Allow projects that meet existing affordability thresholds to automatically qualify for flexible development standards (see existing standards in Table 3). Architectural Review by the ARB would continue to be required (up to 3 meetings). Use

²3703-3709 El Camino Real (Wilton Ct.): 65 low-income units.

³ 2755 El Camino Real (Windy Hill): 57 moderate income units.

⁴ 420 Cambridge Avenue: 4 units; 2650 Birch Avenue: 8 units, including 1 BMR unit.

⁵ 788 San Antonio Road (102 units, including 16 BMR) and 3585 El Camino Real (3 units, including 0.45 BMR in-lieu fee)

of the WH overlay may be rare since its applicability is limited to combine with sites in the Public Facilities (PF) district that are located within 1/2-mile of fixed rail transit.

- **PTOD Overlay and HIP**

- (1) Retain the PTOD overlay district in Title 18, as written (in the event there are property owners who may be considering taking advantage of it) until such time as the City is ready to consider its revision or removal.
- (2) Expand the HIP to apply to the remaining sites within the PTOD overlay area (namely CC, RM-30, and RM-40 zoned sites shown in Attachment C) to allow for a more streamlined review path for housing projects within this transit-oriented district. Apply the HIP only to sites north of Page Mill Road (i.e., exclude sites within the North Ventura Coordinated Plan Area, to allow that in-progress plan to determine the relevant standards). Allow projects that meet existing affordability thresholds to automatically qualify for flexible development standards by right (see existing HIP standards for the CC (2) district in Table 3).

Table 3: Existing Standards for Overlay Districts				
Standard	Affordable Housing (AH)	Workforce Housing (WH)	Cal Ave. CC (2) HIP Standards	
Affordability Threshold	Rental project, with 100% of units for households with incomes up to 120% of AMI	Rental project, with at least 20% of units for households earning 120-150% of AMI	Typical 15% Inclusionary requirement	100% affordable units up to 120% of AMI, with average income up to 60% of AMI
Maximum FAR	2.4	2.0	2.0	Up to 2.4
Residential	2.0	2.0	2.0	2.0
Non-Residential	0.4	n/a	0.35	0.4
Maximum Height	50	50	37	Up to 50
Usable Open Space	50 sf/unit	75 sf/unit	150 sf/unit	Min of 50 sf/unit
Parking	0.75 space/unit	Greater of 1 space/unit or bed	1 sp/1 bd unit 2 sp/2 bd unit	Min of 0.75 space/unit with waiver approved by Director
Applicable Zones/Locations	CD, CN, CS, and CC	PF within ½-mile of fixed rail transit	PF, RM-30, and RM-40	

Notably, based on the affordability criteria in the existing Zoning Ordinance, streamlining the overlay districts may generate more moderate-income units. Deeper levels of affordability would continue to be generated through the City's 15% inclusionary housing requirement (either on-site or with a payment in-lieu). The City Council has expressed a desire for deeper levels of affordability in the Housing Work Plan. The issue of affordability levels, including the use of these overlays, will be further analyzed during the Housing Element update process.

Summary

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

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 • Expand the Housing Incentive Program to RM-30 and RM-40 sites in the PTOD area
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 • Expand the Housing Incentive Program to CC sites in the PTOD area
18.18	Downtown Commercial (CD) District	<ul style="list-style-type: none"> • 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
18.20	Office, Research, and Manufacturing (MOR, ROLM, RP and GM) Districts	<ul style="list-style-type: none"> • 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 3
18.30(J)	Affordable Housing (AH) Overlay District	<ul style="list-style-type: none"> • Revise combining district into by-right overlay for projects consistent with objective standards • Architectural review by the ARB, but no legislative approval by the PTC or Council

Table 4: Summary of Proposed Zoning Changes, by Chapter		
Ch. #	Chapter Title	Summary of Proposed Changes
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 • Architectural review by the ARB (typical process), but not legislative approval by the PTC or Council
18.34	Pedestrian and Transit Oriented Development (PTOD) Combining District	<ul style="list-style-type: none"> • Allow remaining sites north of Page Mill to be eligible for the HIP • Replace Context-Based Design Criteria with new 18.24 Design Standards; include cross-reference
18.40	General Standards and Exceptions	<ul style="list-style-type: none"> • Relocate 18.23 performance standards to this chapter
18.52	Parking and Loading Requirements	<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 housing development projects are exempt from the architectural review process
18.77	Processing of Permits and Approvals	<ul style="list-style-type: none"> • Create a new process for housing development projects: one study session with the ARB (and any other required board/commission, such as Public Art Commission or Historic Resources Board)

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

This item was published in a local paper, *Daily Post*, on May 28, 2021 which is 12 days in advance of the meeting.

Public Comments

On January 22nd, March 23rd and May 10, 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, six 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.

Chris Wuthmann (from Stanford University Real Estate) addressed the ARB on February 18th the PTC on March 10th regarding the objective standards, with the following comments:

- (1) the relationship of the standards to subdivisions (to enable the creation of new contextual references),
- (2) recognizing the differences in costs and needs between rental and for-sale products,
- (3) a need to create an option within alternative compliance for demonstrable cost saving elements, including prefabricated and modular construction, as a legitimate consideration where the affordability of a project exceeds inclusionary requirements, and
- (4) recognition that new ways of living (post Covid) create a need for adapting building and site plan standards to create necessary areas for safe workspaces in outdoor environments and drop offs located outside of the public rights of way.

Next Steps

City staff will forward the PTC's recommendation to the City Council for its consideration. The hearing is tentatively set for August 9, 2021.

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Attachments:

- Attachment A: New Title 18.24 Objective Design Standards (PDF)
- Attachment B: Ordinance Amending Title 18 to Implement Objective Standards, Streamline Processing of Housing Development Applications and Otherwise Clarify Zoning Code (PDF)
- Attachment C: Map of PTOD and HIP Eligible Area (PDF)

⁶ Emails may be sent directly to the PTC using the following address: planning.commission@cityofpaloalto.org

Chapter 18.24 Objective Design Standards

DRAFT FOR PTC REVIEW

June 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.

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
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18.24.010 Purpose and Applicability

(A) Purpose

- (i) The purpose of the 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 Housing Development Projects under the Housing Accountability Act. Diagrams are provided for illustrative purposes only and are not intended to convey required architectural style. Rather, the objective design standards aim to accommodate a variety of styles, construction types (e.g., wood frame, modular) and housing types including townhomes, apartments, condos, and mixed-use buildings.

(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 in the zoning districts identified below. Additionally, objective design standards apply to new multifamily housing with three or more units (see definition in 18.04.030), supportive and transitional housing, and residential mixed-use projects with at least two-thirds residential square footage:
 - (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 - residential and residential mixed-use only; regulations do not apply to non-residential projects
 - (e) 18.30: AH or WH combining district
 - (f) 18.34: PTOD combining district

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.

Housing development projects are 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-Housing development projects and non-residential projects shall meet ARB Findings and adhere to the spirit of 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 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 the 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, 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) Objective Standards

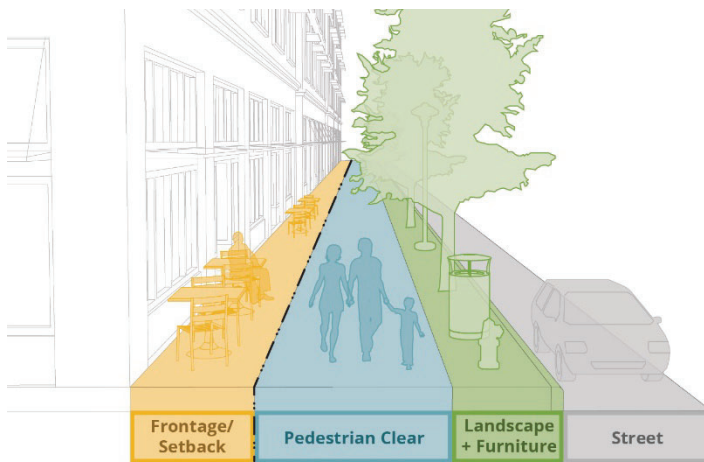
Streetscape

(i) Sidewalk Widths

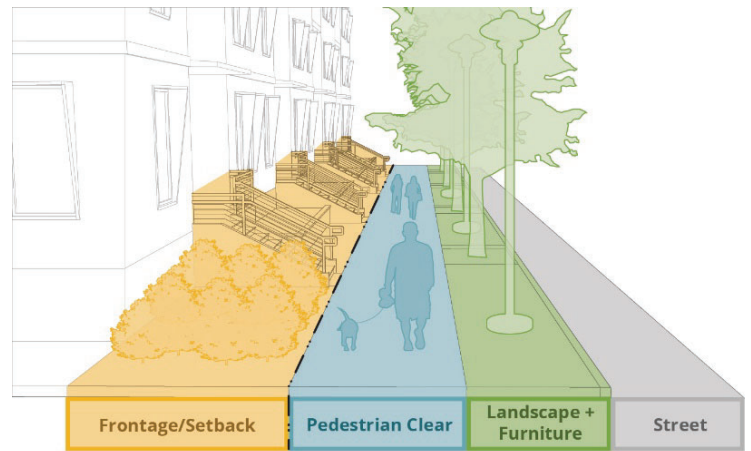
- (a) Public sidewalks abutting a development parcel in any commercial mixed-use district (CN, CS, CC, CC(2), CD-C, CD-S, CD-N, PTOD) shall have a minimum sidewalk width (curb to back of walk) of at least 10 feet. This standard may be met with a combination of pedestrian clear path and landscape and 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: 12 ft
 - c. San Antonio Road, from Middlefield Road to East Charleston Road: 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.

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				

(i) Street Trees

- (d) 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.

(ii) Accent Paving

1. On University and California Avenues, new construction projects shall install accent paving along the project frontage(s) (e.g., at intersections, sidewalks and/or other publicly-accessible areas), as indicated in the table below.

<i>Street Segment</i>	<i>Paving Material</i>
University Avenue from Alma Street to Webster Street	Brick at corners Brick trim at mid-block
California Avenue from El Camino Real to Park Boulevard	Decorative Glass

(iii) Mobility Infrastructure

- (e) 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.
- (f) 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) Objective Standards

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.

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.

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.

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 street frontage 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) Objective Standards

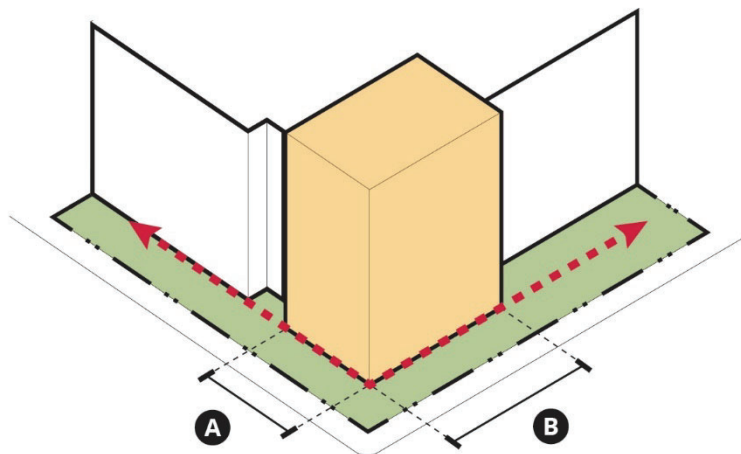
Building Orientation

(i) Treatment of Corner Buildings (less than 40 feet)

- (a) Corner buildings less than 40 feet in height and end units of townhouses or other attached housing products that face the street shall include the following features on their secondary building frontage:
1. A height to width ratio greater than 1.2:1
 2. A minimum of 15 percent fenestration area.
 3. At least one facade modulation with a minimum depth of 18 inches and a minimum width of two feet. Examples: Wrap around front porch, bay window.

(ii) Treatment of Corner Buildings (40 feet and higher)

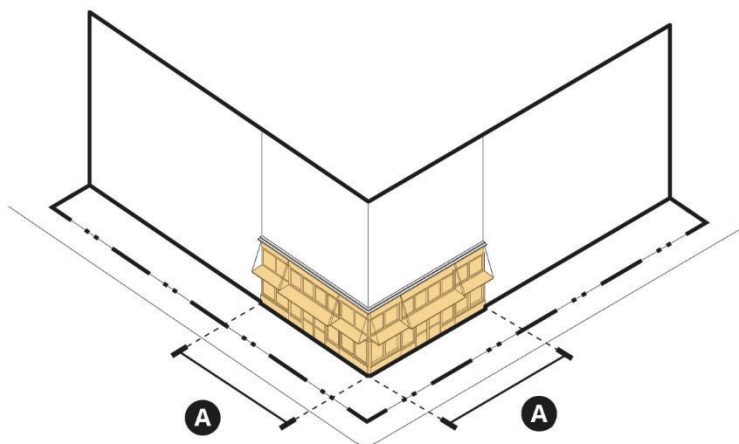
- (a) Corner buildings 40 feet or taller in height shall include at least one of the following special features:
1. Street wall shall be located at the minimum front yard setback or build-to line for a minimum aggregated length of 40 feet in length on both facades meeting at the corner and shall include 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

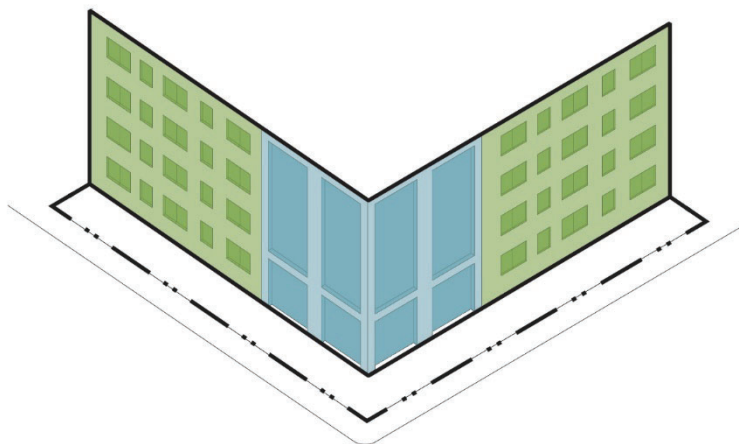
where: **A** + **B** = aggregate length

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



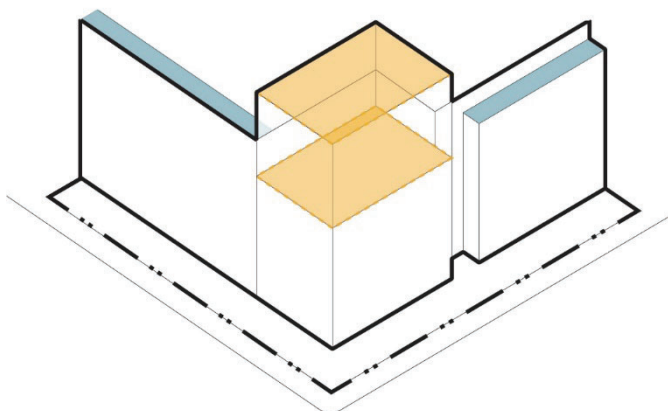
- Corner entry to ground floor retail or primary building entrance
A 25' maximum distance from corner

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



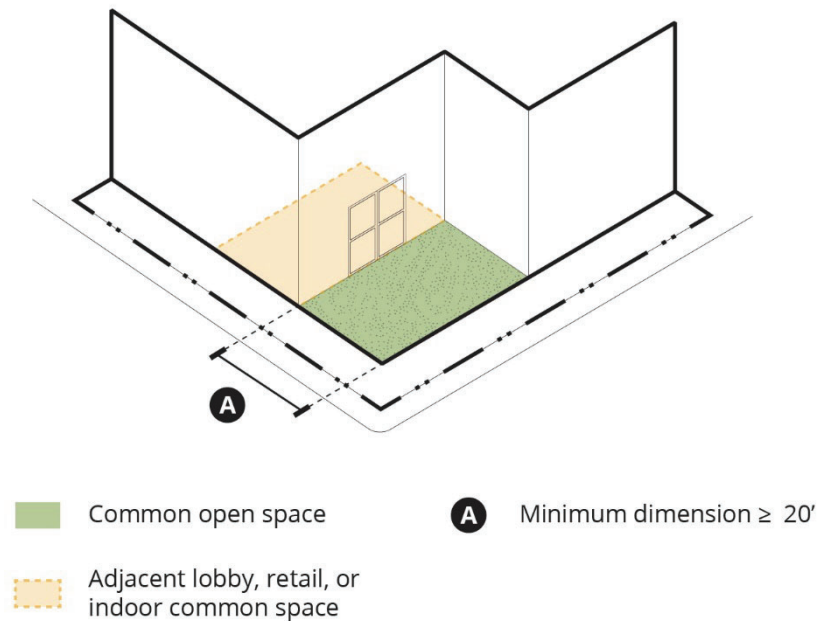
- Corner element material or fenestration pattern
- Remaining facade building material or fenestration pattern

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



- Corner element height $\leq 4'$ or $\geq 4'$ than abutting height
- Building height of abutting facade

2. An open space with a minimum dimension of 20 feet and minimum area of 450 square feet. The open space shall be at least 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.



(iii) Primary Building Entry

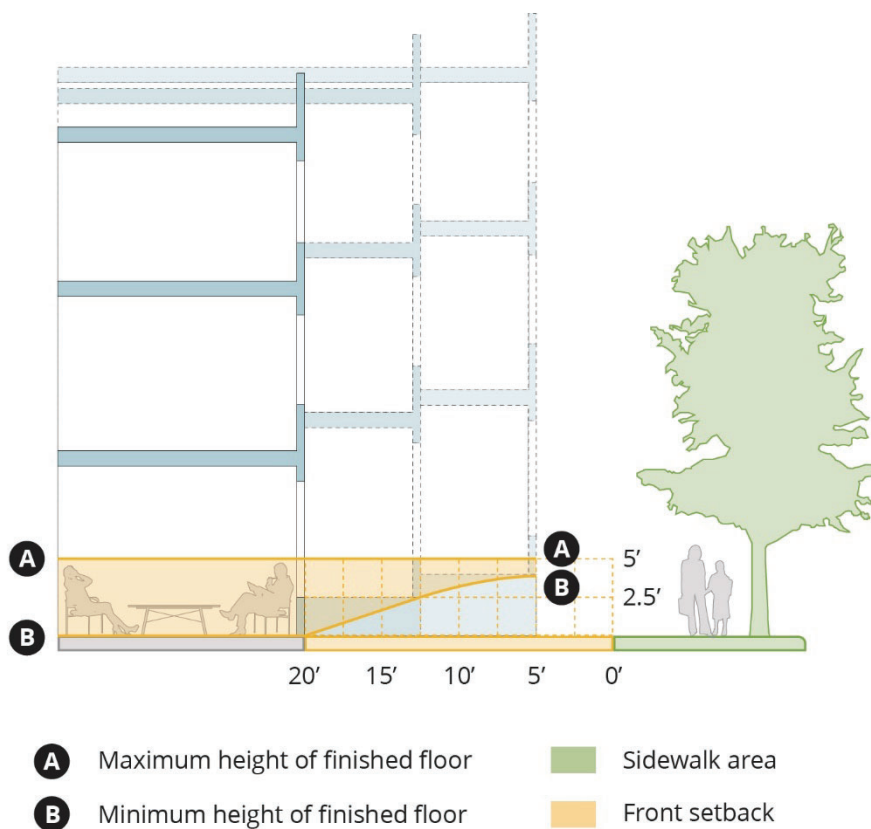
- (a) The primary building entry shall meet at least one of the following standards:
 1. Face a public right-of-way.
 2. Face a publicly accessible pedestrian walkway.
 3. Be visible from a public right-of-way through a forecourt or front porch that meets the following standards:
 - a. For residential 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.

(iv) Ground Floor Residential Units

- (a) The finished floor of ground floor residential units, when adjacent to a public right-of-way, 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. In flood zones, the minimum floor height shall be defined by the Federal Emergency Management Agency (FEMA) flood zone elevation.
- (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 setback 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.

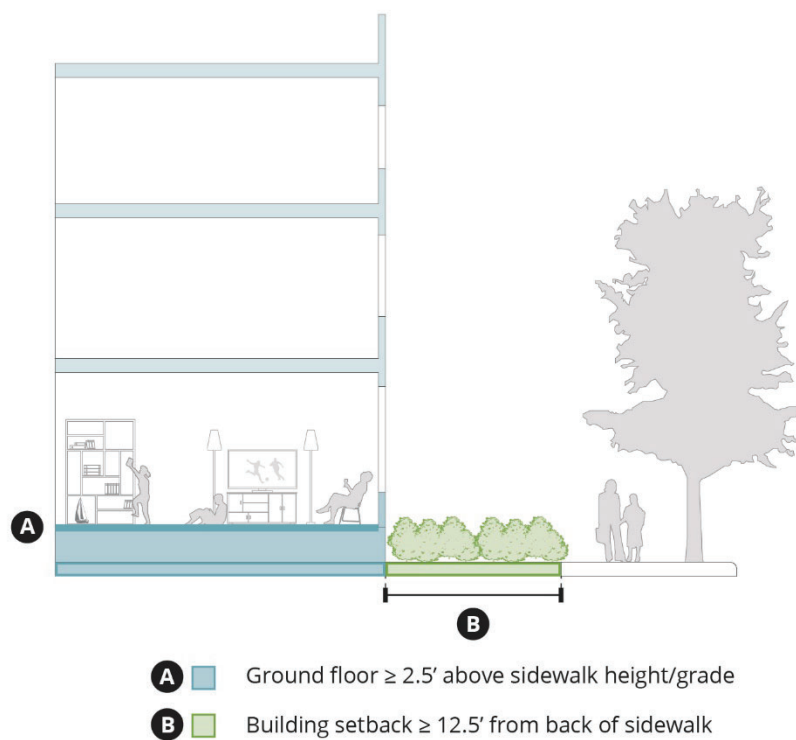


Example 1: Finished floor height greater than 4 feet above sidewalk grade with minimum 5 feet setback.

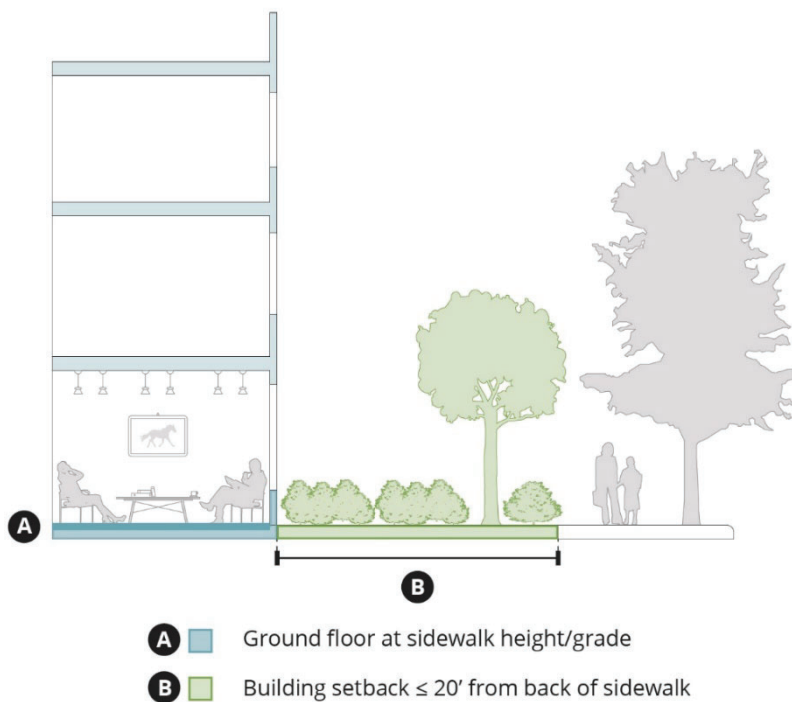


- A** Ground floor $\geq 4'$ above sidewalk height/grade
- B** Building setback $\geq 5'$ from back of sidewalk

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



Example 3: Finished floor height at sidewalk grade.



Front Yard Setback Character

- (v) 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:

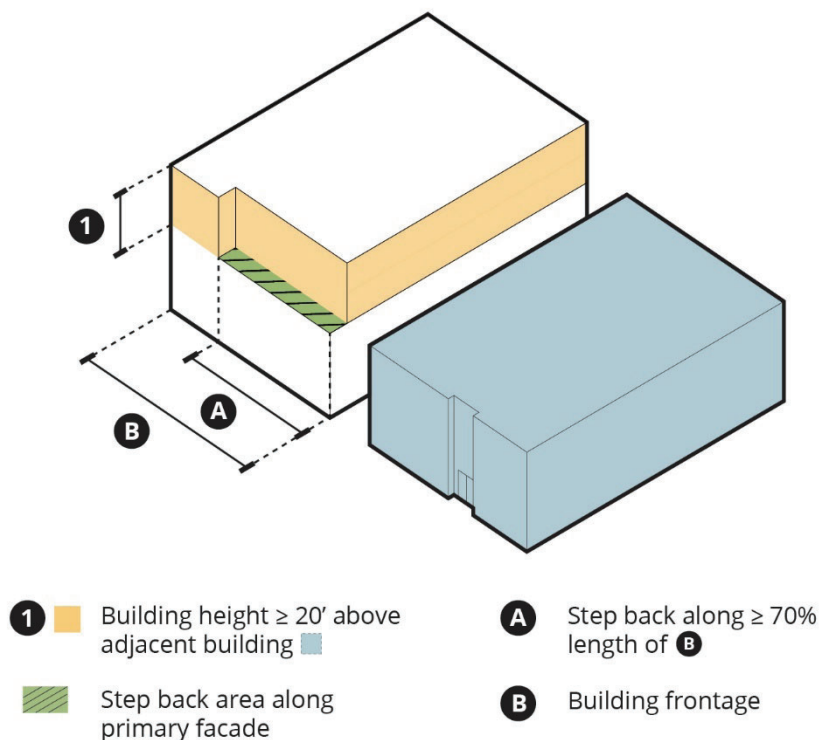
- Break down large building facades and massing to create a human-scaled building that enhances the context of the site
- Are consistent in scale, mass and character to adjacent land uses and land use designations
- Reinforce the definition and importance of the street
- Provide rooflines and massing 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) Objective Standards

Contextual Massing

(i) Upper Floor Step Backs

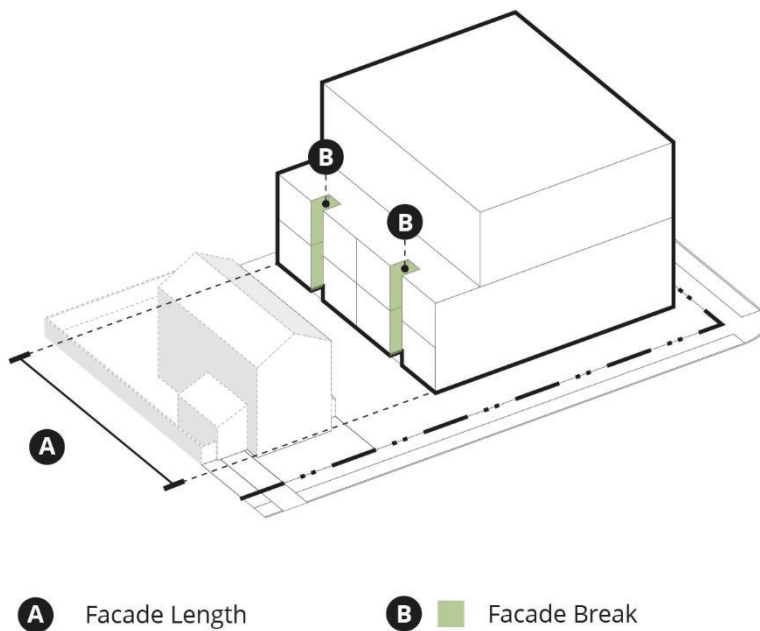
- (a) When the height of the subject building is more than 20 feet above the average height (i.e., average of low and high roof elevations) of an adjacent building, an upper floor step back shall start within 2 vertical feet of the height of the adjacent building. The step back shall be a minimum depth of 6 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 25 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.

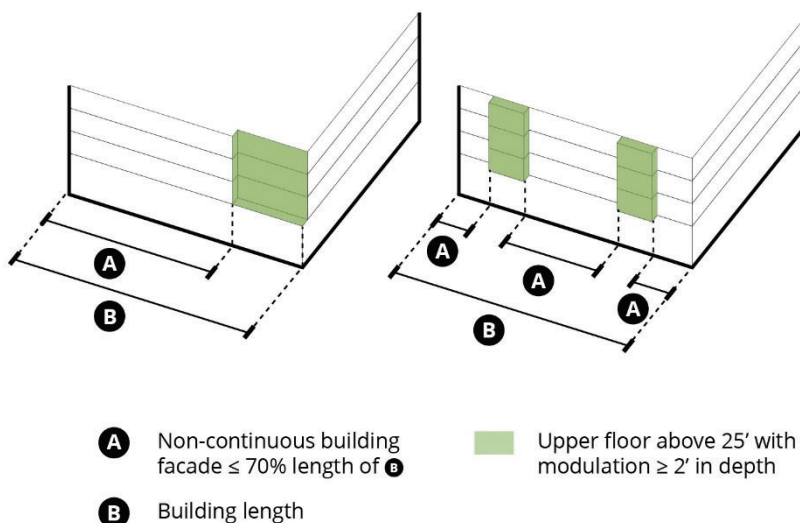
2. A minimum façade break of four feet in width, two feet in depth, and 32 square feet of area for every 36 to 40 feet of façade length.



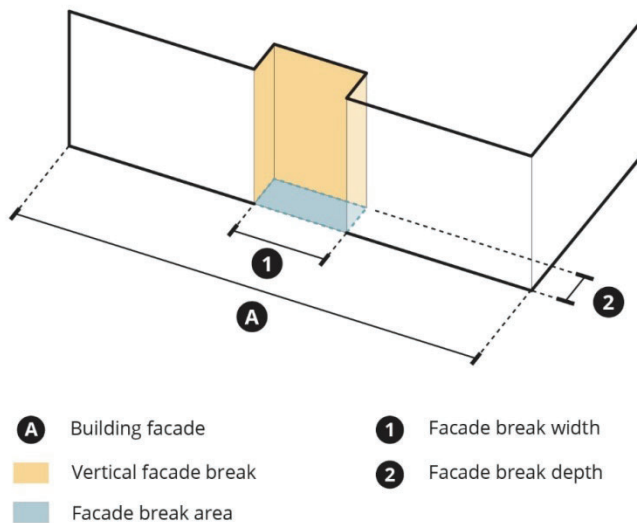
3. Within 40 feet of an abutting structure, no more than 15% of the confronting façade area shall be windows or other glazing. Additional windows are allowed in order to maintain light, if they are fixed and fully obscured.

Maximum Façade Length

- (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 2 feet in depth, which can be a recess or a projection.



- (b) Buildings 250 feet in length or greater, 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.
- (c) Buildings 150 to 250 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 64 square feet and a minimum width of 8 feet and minimum depth of 4 feet.



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 facade length.
 2. For portion of a building 20 feet or greater in height, a maximum continuous facade 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

- (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) Objective Standards

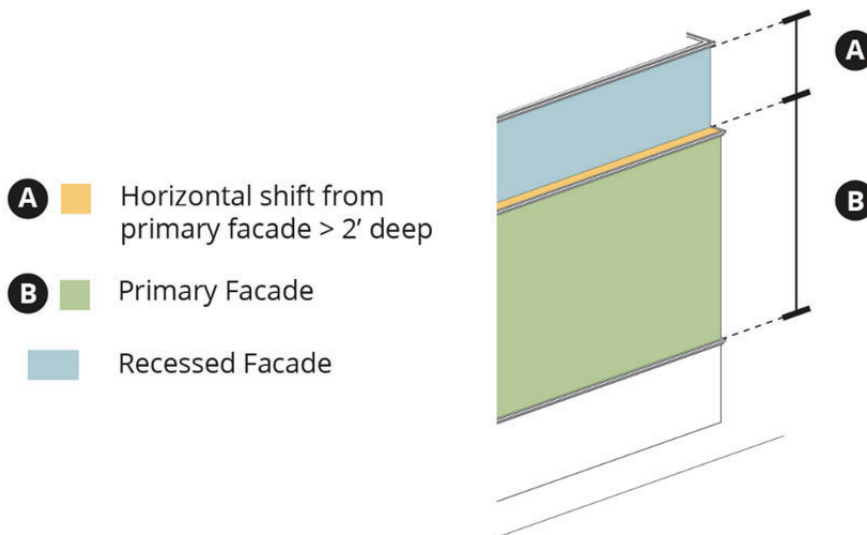
Human Scaled Architecture

(i) Base/Middle/Top

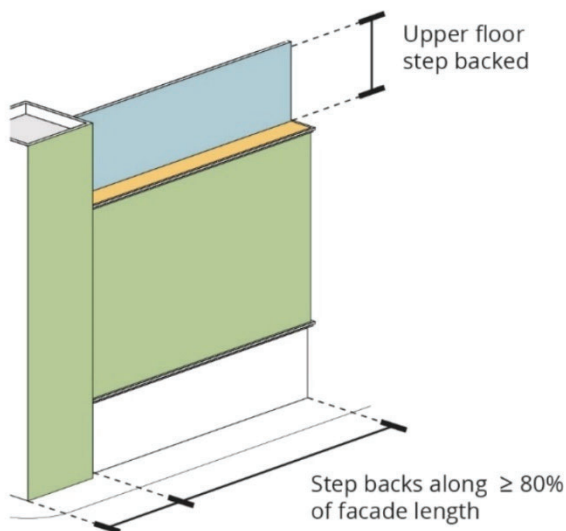
- (a) Buildings three stories or taller and on lots wider than 50 feet shall be designed to differentiate a defined base or ground floor, a middle or body, and a top, cornice, or parapet cap. Each of these elements shall be distinguished from one another for a minimum of 80% of the façade length through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

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

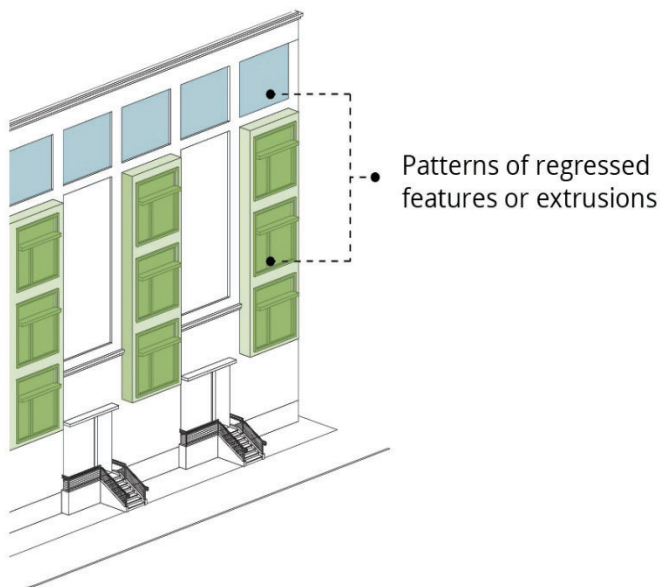
- a. Horizontal shifts. Changes in floor plates that protrude and/or recess with a minimum dimension of two feet from the primary facade.



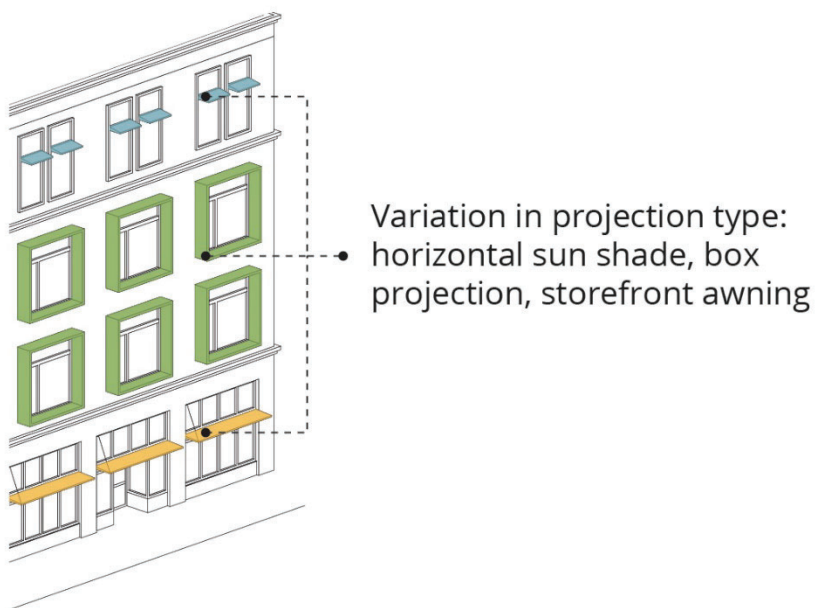
- b. Upper floor step backs. A horizontal step back of upper-floor façades with a minimum five-foot step back from the primary façade for a minimum of 80% of the length of the façade.
- c. Ground floor step back. A horizontal shift of the ground floor facade with a minimum depth of two feet for a minimum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



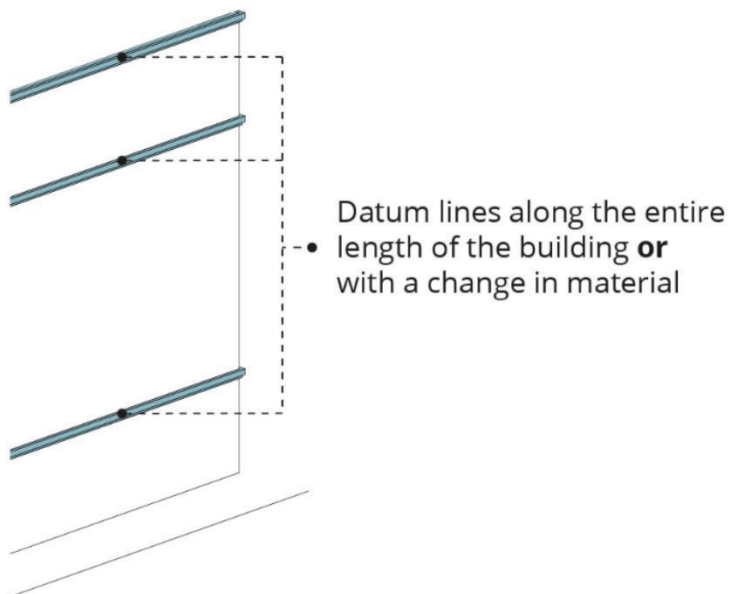
2. *Variation in facade articulation (minimum of one, if option selected)*
- a. *Variation in horizontal and/or vertical recesses or projections such as a pattern of recessed grouping of windows, recessed panels, bay windows or similar strategies as approved by the Director of Planning and Development Services. The recess or projection shall be a minimum four inches in depth.*



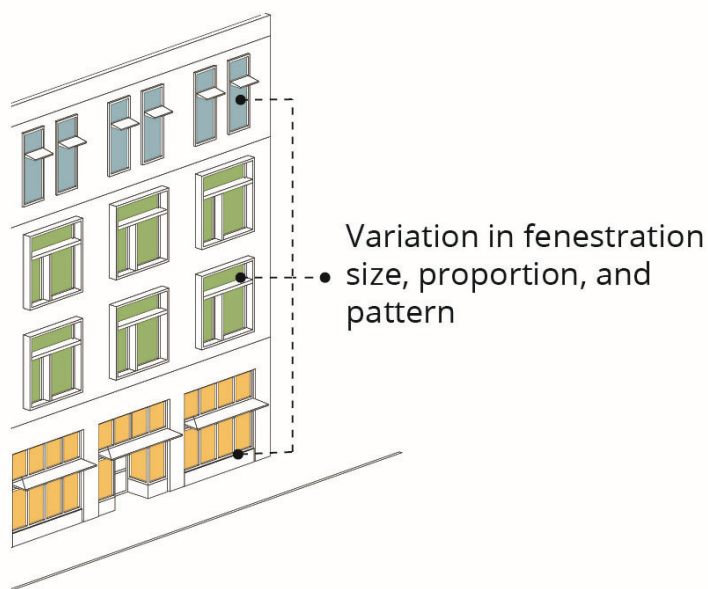
- b. *Variation in horizontal and/or vertical projections such as shading and weather protection devices, decorative architectural details, or similar*



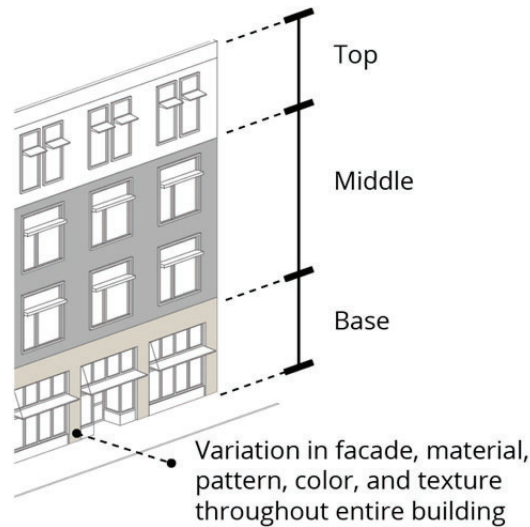
- c. Datum lines that continue the length of the building, such as parapets or cornices, with a minimum four inches in height or a minimum two inches in depth and include a change in material;



3. *Variation in at least two of the following: fenestration size, proportions, pattern, and depth or projection.*



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



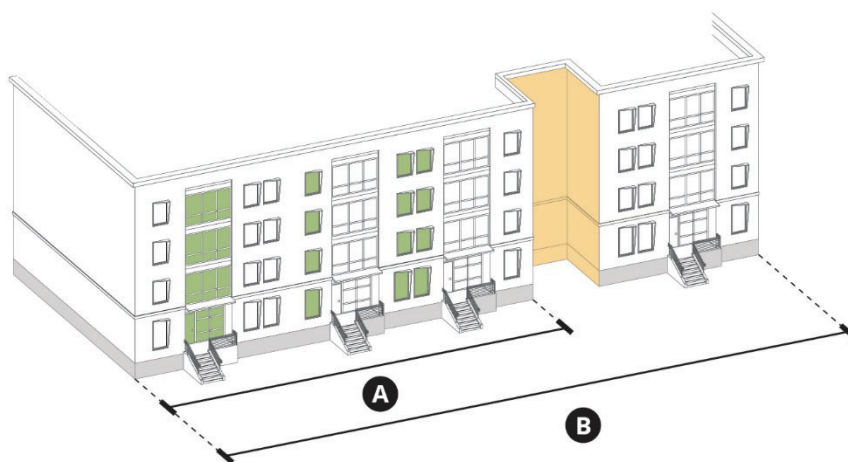
(ii) Façade Composition

- (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) 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. Depending on the length of the façade, the following standards apply:

1. For continuous facades less than 100 feet in length, the façade shall have vertically oriented patterns of vertical recesses or projects, façade articulation, and/or fenestration.



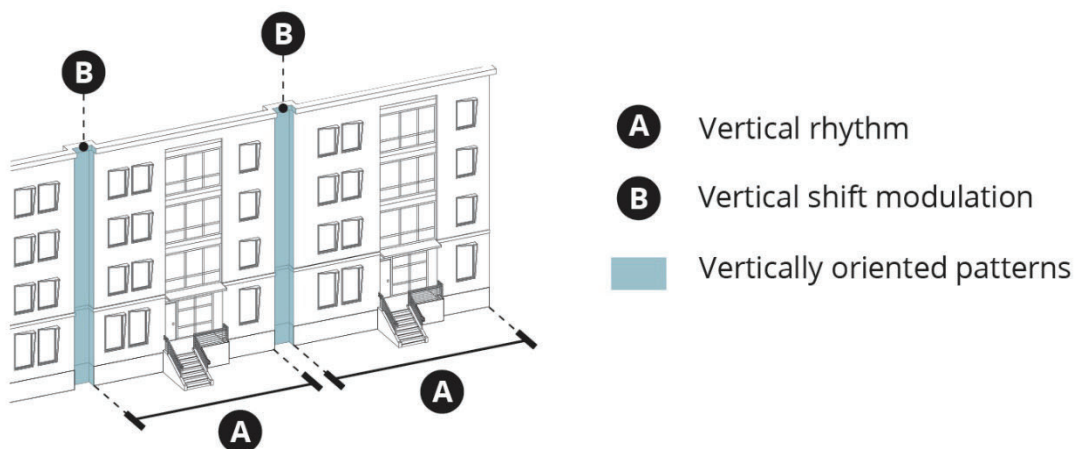
A Facade length $\leq 100'$

B Building length $\geq 100'$

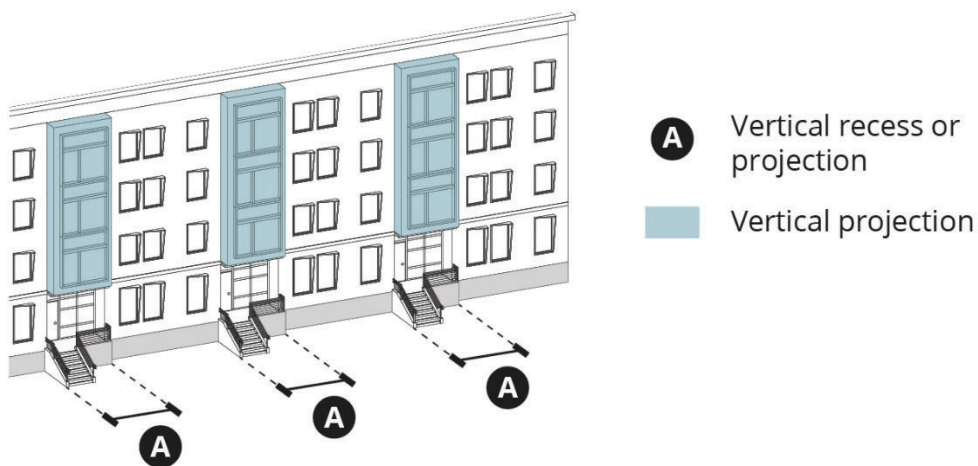
Vertically oriented patterns

Major break for buildings $\geq 100'$ long

2. For continuous facades greater than 100 feet in length, the façade shall include either:
- A vertical recess or change in façade plane with a minimum 2 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 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.



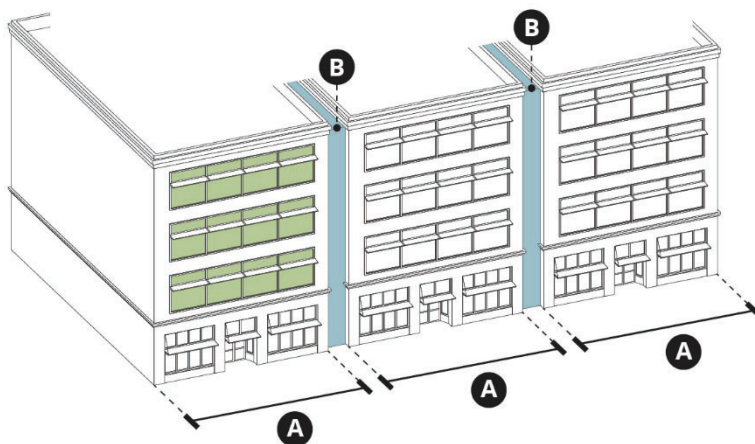
- (b) Residential mixed-use buildings shall express a vertical rhythm and pattern by meeting at least one of the following standards:

1. Vertical Patterns and Modulation: Facades shall use vertical patterns of building modulation, façade articulation, and fenestration.



Vertical patterns along building facade

2. Horizontal Patterns and Modulation: 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.



A Facade with horizontal articulation and fenestration pattern

Horizontal articulation and fenestration pattern

B Vertical shift in modulation

- (c) Storefront uses shall express a vertical rhythm not to exceed 30 to 50 feet in width.

(iv) Emphasize Building Elements and Massing

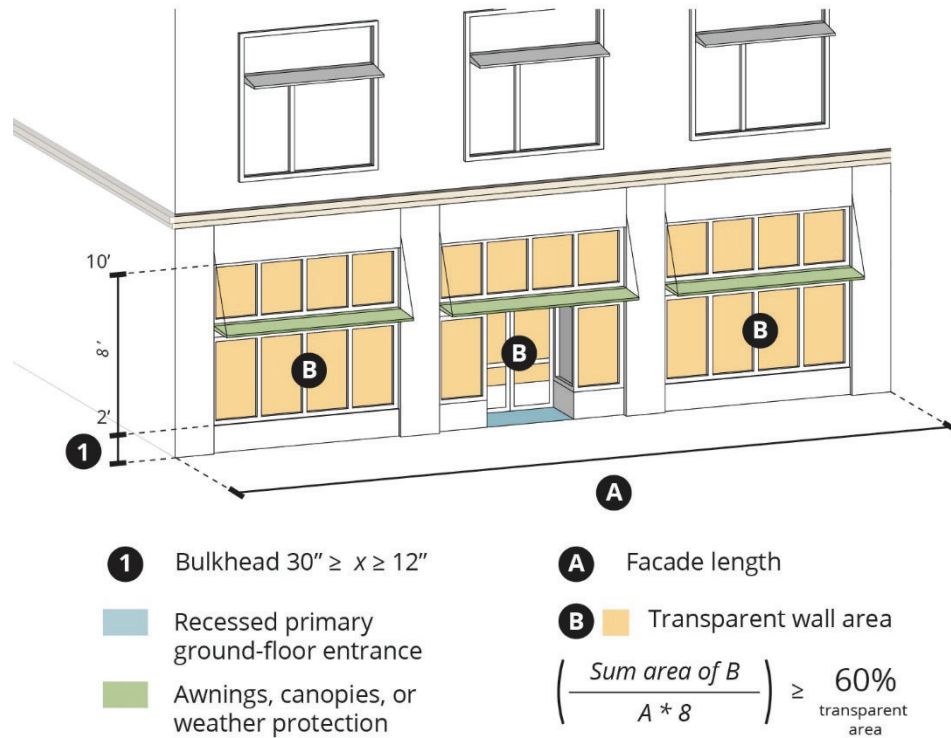
(a) Building Entries Within Façade Design

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.

Ground Floor Character

(v) 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.

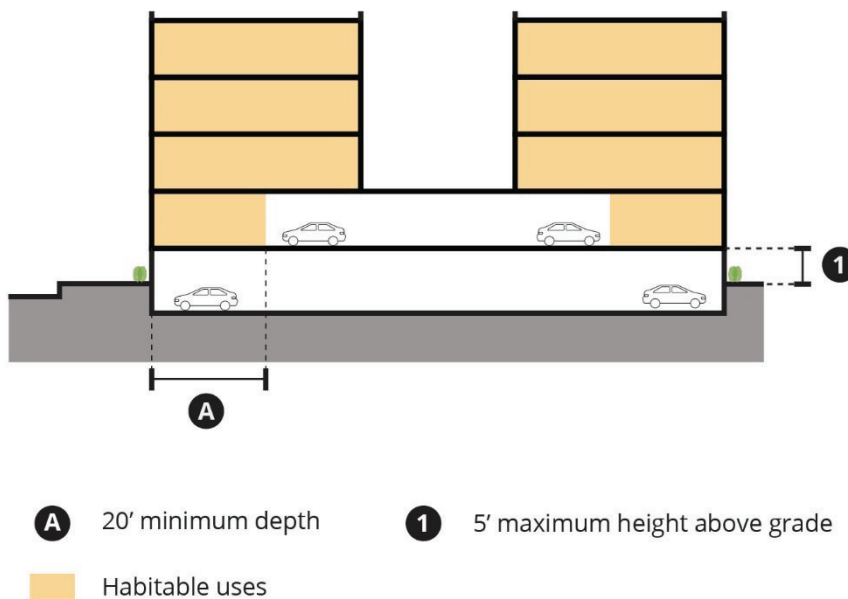


(vi) Other Non-residential Ground Floors

- (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 6 feet wide and 4 feet deep by recessing the entry, providing an awning or using a combination of these methods.

(D) 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, with the exception of vehicular alleys, 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) Objective Standards

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. 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
 - b. A fence not to exceed 36 inches in height located between the sidewalk and the patio that assists with defining the edge between public and private

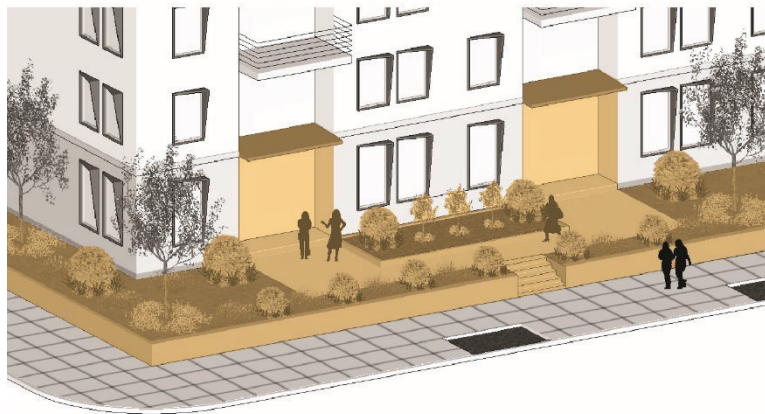
space, with a gate or fence opening to provide access to the pedestrian route between the pedestrian way and the front door; or

- c. A metal, wood or stone wall not to exceed 36 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.



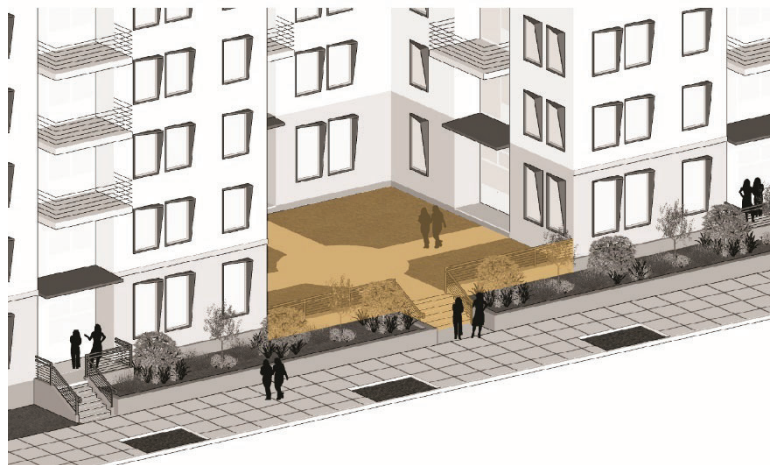
(d) Terrace:

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, protected from the activities of commercial 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

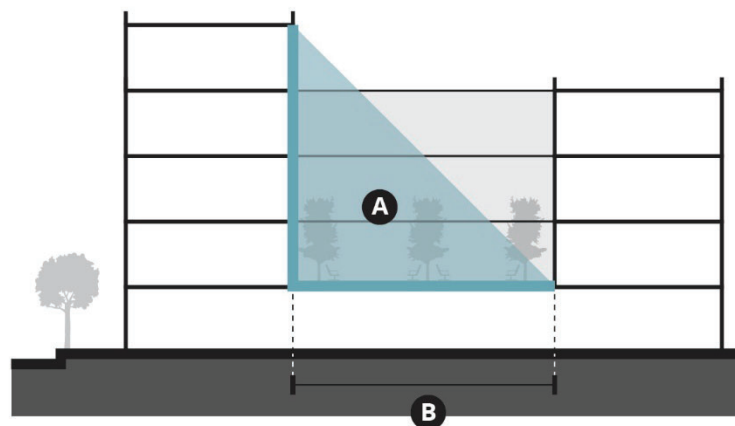
(B) Objective Standards

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)

Common Open Space

- (i) If Common Open Space is provided, it shall meet the following standards:
 - 1. Minimum size of 200 square feet
 - 2. 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:
 - i. In order to qualify as usable open space, a rooftop garden shall meet the requirements set forth in Section 18.40.230.
 - ii. Rooftop open spaces may fulfill usable open space requirements in the following districts:
 - a. 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.
 - a. 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) Objective Standards

Façade Materials

- (i) Primary, Secondary and Accent materials are allowed or prohibited as in the Residential and Residential Mixed-use Material List, which may be updated from time to time by the Director of Planning with a recommendation by the ARB.

List on following page provided for informational purposes; will be posted to City's website and not codified by ordinance.

Residential and Residential Mixed-use Material List

<i>Material</i>	<i>Maximum Usage % of façade area</i>
Brick (full dimensional)	100%
Stone/masonry	100%
Stucco/Cement Plaster	100%
Glass (transparent, spandrel)	100%
Finished wood, wood veneer, engineered wood, and wood siding	100%
Factory or naturally finished flat, profiled, fluted, or ribbed metal panels	100%
Fiber reinforced cement siding and panels	100%
Terracotta	100%
Concrete (poured in place or precast)	35%
Concrete blocks with integral color (ground, polished, or glazed finishes)	35%
Concrete blocks with integral color (split face finish)	35%
Ceramic tile	35%
Standing seam metal	35%
Three Dimensional Glass	5%
Corrugated metal	5%
Vegetated wall panels or trellises	5%
Vinyl siding	Not Permitted
T-111 Plywood	Not Permitted
Exterior Insulation Finishing System (EIFS)	Not Permitted
Plastic or vinyl fencing	Not Permitted
Chain link fencing	Not Permitted

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
- Design landscaping with native species
- 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) Objective 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 Amending Various Chapters of Title 18 (Zoning) to Implement Objective Standards, Streamline Processing of Housing Development Applications, and Otherwise Clarify the Zoning Code.

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. Subdivisions (a)(102) and (a)(142) of Section 18.04.030 (Definitions) of Chapter 18.04 (Definitions) of Title 18 (Zoning) are amended and a new Subdivision (a)(75.5) is added as follows:

18.04.030 Definitions

(a) Throughout this title the following words and phrases shall have the meanings ascribed in this section.

[. . .]

(102) “Multiple-family (residential) use” means the use of a site for three or more dwelling units, which may be in the same building or in separate buildings on the same site. A single-family or two-family use with one or more Accessory Dwelling Units shall not be considered a multiple-family use.

[. . .]

(75.5) “Landscape/Open Space Coverage” means permanently maintained open space that includes all Usable Open Space (see subsection 142), landscape, and other uncovered areas, but excluding parking facilities, driveways, utility or service areas, or areas with mechanical equipment.

[. . .]

(142) “Usable open space” means outdoor or unenclosed area on the ground, or on a roof, balcony, deck, porch, patio or terrace, designed and accessible for outdoor living, recreation, or pedestrian access, or landscaping, but excluding parking facilities, driveways, utility or service areas, or areas with mechanical equipment. Usable open space includes common open spaces, such as courtyards and park spaces, and/or private open spaces, such as balconies and patios, depending on the requirements of the zoning district.

NOT YET ADOPTED

Usable open space may be covered if at least 50% open on the sides. Usable open space shall be sited and designed to accommodate all groups including children, seniors, and other adults, different activities including active and passive recreation and uses, and should be located convenient to the intended users (e.g., residents, employees, or public). Any usable open space that is not landscaped shall be developed to encourage outdoor recreational use and shall include elements such as decks, seating, decorative paved areas and walkways which do not serve as an entrance walkway. Usable open space shall be screened from utility or service areas, and areas with mechanical equipment. Parking, driveways and required parking lot landscaping shall not be counted as usable open space.

SECTION 3. Section 18.08.030 (References to Districts) of Chapter 18.08 (Designation and Establishment of Districts) of Title 18 (Zoning) is amended as follows:

18.08.030 References to Districts

Reference within this title to residential districts generally and as a grouping, includes all districts identified in this section. Where references are made to more restrictive or less restrictive residential districts, such references shall apply sequentially between the most restrictive and the least restrictive.

Residential District	Restrictive Reference
RE	<div>Most Restrictive</div>  <div>Least Restrictive</div>
R-1 (20,000)	
R-1 10,000)	
R-1 (8,000)	
R-1 (7,000)	
R-1	
R-2	
<u>RMD</u>	
RM-20	
RM-30	
RM-40	

SECTION 4. Subsections (a), (b), (e), (f), (g), and (h) of 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) are amended as follows:

18.13.040 Development Standards

NOT YET ADOPTED

(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 objective 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 and/or			
Site Width (ft)	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, expressways, and freeways(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	
For lots with width of less than 70 feet	6 feet			
Interior Rear Yards (ft) ³	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 w			35	18.08.030
Within 50 feet of a more restrictive residential district or a site containing a residential use in a nonresidential district				
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-				

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

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

NOT YET ADOPTED

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	
Minimum Site Landscape/Open Space Coverage(5) (percent)	35	30	20	18.13.040(e)
Minimum Usable Open Space (sf per unit)(5)	150	150	150	<u>18.24.040</u>
Minimum common open space (sf per unit)	75	75	75	18.13.040(e) <u>18.24.040</u>
Minimum private open space (sf per unit)	50	50	50	<u>18.24.040</u>
Performance Criteria	See provisions of Chapter 18.23			<u>Ch. 18.23</u>
Landscape Requirements				18.40.130
Parking(6)	See provisions of Chapters 18.52 and 18.54			<u>Ch. 18.52</u>
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, expressways, and freeways are identified in Map T-5 of the Comprehensive Plan and do not include residential arterials. Lesser setbacks may be allowed by the Planning Director, upon recommendation by the				

NOT YET ADOPTED

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~~ landscape/open space coverage; 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~~ landscape/open space coverage 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.~~

(6) Each daylight plane applies specifically and separately to each property line according to the adjacent use.

(7) 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

~~(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) 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) 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;

NOT YET ADOPTED

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.

[...]

(e) Usable Open Space

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 18.24.080 design standards section and 18.04 definitions.

(e) Housing Incentive Program

(1) For a project on a site north of Page Mill Road and eligible for the PTOD overlay, the Director may waive the 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.

NOT YET ADOPTED

In no event shall the Director approve a non-residential FAR that exceeds the base standard in Table 2 or a total FAR (including both residential and non-residential FAR) in excess of 2.0.

(2) For a 100% affordable housing project on a site north of Page Mill Road and eligible for the PTOD overlay, 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) Incentive Program in Chapter 18.32. 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).

(f) 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, 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

NOT YET ADOPTED

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) 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;
- (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 (Residential 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) General Standards, Exceptions, and Performance Criteria

NOT YET ADOPTED

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 5. Subsection (c) of Section 18.13.050 (Village Residential Development) of Chapter 18.13 (Multiple Family Residential (RM-20, RM-30 and RM-40) Districts) of Title 18 (Zoning) is amended and Subsection (f) is added as follows:

18.13.050 Village Residential Development

[. . .]

(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 ~~objective design standards in Chapter 18.24~~ 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:

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	

NOT YET ADOPTED

Distance between detached units (ft)	3	
Maximum House Size (ft ²)	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-Landscape/ Open Space Coverage (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>
Minimum Common Open Space (per unit)	No requirement	18.13.040(e) <u>18.24.040</u>
Minimum Private Open Space (per unit)	100 sq. ft.	<u>18.24.040</u>
Performance Criteria		Ch. 18.23
Landscape Requirements		18.40.130
Parking (5)	See provisions of Chapter 18.52	Ch. 18.52

Footnotes:

(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.

(2) Covered parking that is attached to the residence shall be included in the maximum house size.

(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.

(4) Subject to the limitations of Section 18.13.040(e). Usable open space is included as part of the minimum ~~site landscape/open space coverage~~; 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 landscape/open space coverage~~ after usable open space requirements are met.

(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.

NOT YET ADOPTED

[. . .]

(f) 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 18.40 General Standards and Exceptions).

SECTION 6. 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~~ Objective Design-Criteria Standards

Commented [YA7]: Replaced with new 18.24 Design 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.

SECTION 7. Subsections (a), (b), (f), (i) and (k) of Section 18.16.060 (Development Standards) of Chapter 18.16 (Neighborhood, Community, And Service Commercial (CN, CC And CS) Districts) of Title 18 (Zoning) are 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 objective design standards in Chapter 18.24 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 to regulations in Section
Minimum Site Specifications	None Required				
Site Area (ft ²)					
Site Width (ft)					
Site Depth (ft)					
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)					
Standard	25' and 2 stories	50'	37' (4)	50'	
Any portion of structure within 50 feet of a residential zone district (other than an RM-40 or PC zone) Within 150 ft. of		35'	35'	35'	18.08.030

Commented [YA8]: This has been identified as a confusing standard for City staff and applicants. Revised language in all dev std tables to provide a clear and consistent requirement to reduce the height of any portion of the structure that is within 50 feet of a lower-density 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

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:					
<p>(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.</p> <p>(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.</p> <p>(3) No setback from an alley is required for a public parking garage.</p> <p>(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.</p> <p>(5) See additional regulations in subsection (e) of this Section 18.16.050.</p> <p>(6) The initial height and slope shall be identical to those of the most restrictive residential zone abutting the site line in question.</p> <p>(7) Twenty-five-foot driveway access permitted regardless of frontage; build-to requirement does not apply to CC district.</p> <p>(8) A 12-foot sidewalk width is required along El Camino Real frontage.</p>					

(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 objective 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 approved by the director of planning and community environment, pursuant to Section 18.76.020.~~

Table 4

NOT YET ADOPTED

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 setbacks				
Maximum Site Coverage	50%	50%	100%	50%	
Minimum Landscape/Open Space Coverage	35%	30%	20%	30%	

NOT YET ADOPTED

Usable Open Space (Private and/or Common)	150 sq ft per unit (2)				18.24.040
Maximum Height (ft)					
Standard	35'(4)	50'	37'	50'	
Within 50 feet of a residential district (other than an RM-40 or PC zone)	35'	35'(5)	35'(5)	35'(5)	18.08.030
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					
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 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					

Commented [YA9]: This has been identified as a confusing standard for City staff and applicants. Revised language in all dev std tables to provide a clear and consistent requirement to reduce the height of any portion of the structure that is within 50 feet of a lower-density 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 [JE10]: Integrated into the new design standards section.

NOT YET ADOPTED

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.

[. . .]

(f) Size of Establishments in the CN District

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 (ft ²)
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

[. . .]

(i) ~~Reserved 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~~

NOT YET ADOPTED

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 [YA11]: This section moved to 18.40.

[. . .]

(k) Housing Incentive Program

a. For an exclusively residential or residential mixed-use project in the CC(2) zone, on a CC zoned site north of Page Mill Road and eligible for the PTOD overlay, 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.

b. For a 100% affordable housing project in the CC(2) zone, on a CC zoned site north of Page Mill Road and eligible for the PTOD overlay, 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 18.32.30(4). 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.

c. 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).

[. . .]

SECTION 8. Section 18.16.080 (Performance Standards) of Chapter 18.16 (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

NOT YET ADOPTED

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.

SECTION 9. Section 18.16.090 (Context-Based Design Criteria) of Chapter 18.16 (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 Objective Design Standards-Criteria

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.

SECTION 10. Subsections (a), (b), and (k) of Section 18.18.060 (Development Standards) of Chapter 18.18 (Downtown Commercial (CD) District) of Title 18 (Zoning) are amended as follows:

18.18.060 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 objective design standards in Chapter 18.24 ~~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			

Commented [YA12]: Replaced with new 18.24 Design Standards

NOT YET ADOPTED

Street Side Yard (ft)	None required		20 (1)	
Minimum street setback for sites sharing a common block face with any abutting residential zone district	- (4)	- (4)	- (4)	
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	– (3)	– (3)	– (3)	<u>18.08.030</u>
Maximum Floor Area Ratio (FAR)	1.0:1 (5)	0.4:1 (5)	0.4:1 (5)	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 within 150 feet of any abutting residential zone district shall not exceed the height limit of the abutting residential district.				
(4) The minimum street setback shall be equal to the residentially zoned setback for 150 feet from the abutting single-family or multiple family development.				
(5) 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

NOT YET ADOPTED

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 objective design standards in Chapter 18.24~~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 (Private and/or Common)	150 sq ft per unit (1)			<u>18.24.040</u>
	CD-C	CD-S	CD-N	Subject to regulations in Section:

NOT YET ADOPTED

Maximum Height (ft)				
Standard or if adjacent to RM-40 zone or residential PC district	50'	50'	35' or 50' if next to RM-40 or residential PC	18.08.030
Within 150 ft. of an abutting residential zone	40'(4)	40'(4)	35'(4)	18.08.030
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
Parking Requirement	See Chapters 18.52 and 18.54			Chs. 18.52, 18.54
<p>Footnotes:</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>(2)(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>				

Commented [JE13]: Proposed to be integrated into the new design standards section.

NOT YET ADOPTED

~~(2)~~(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.

~~(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.

~~(5)~~(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.

Commented [EJ14]: 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.

[...]

(k) Reserved 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 [JE15]: Moved to 18.40, in coordination with Public Works.

[...]

SECTION 11. 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.

NOT YET ADOPTED

(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.

[. . .]

SECTION 12. 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:

18.18.080 Transfer of Development Rights

[. . .]

(d) 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

NOT YET ADOPTED

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 13. Section 18.18.100 (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 14. Section 18.18.110 (Context-Based Design Criteria) 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 Objective Design Standards Criteria

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 15. Subsections (a), (i), and (j) of 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) are 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**

Commented [YA16]: Replaced with new 18.24 Design Standards

NOT YET ADOPTED

	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, 18.54
Landscaping	See Section 18.20.050 (Performance Criteria)						18.20.050
Maximum Height (ft)							
Standard	50	35(4)		35(4)		50	
Within 150 ft. of a residential zone or residential PC (5)	35	35		35		35	<u>18.08.030</u>
Within 40 ft. of a residential zone (5)	35	25		25		35	<u>18.08.030</u>
Daylight Plane for site lines having any part abutting one or more residential districts.							
Initial Height	<u> </u> (2)					10	
Slope	<u> </u> (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.							

NOT YET ADOPTED

(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.

Residential zones include R-1, R-2, RE, RMD, RM-20, RM-30, RM-40 and residential Planned Community (PC) zones.

[. . .]

(i) Reserved 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 [JE17]: Moved to 18.40; 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 16. Section 18.20.050 (Performance Criteria) 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 Criteria

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 17. 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 18. 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

NOT YET ADOPTED

(Zoning) is deleted in its entirety and a new Section 18.40.240 (Refuse Disposal Areas) of Chapter 18.40 (General Standards and Exceptions) of Title 18 (Zoning) is added as follows:

18.40.240 Refuse Disposal Areas

Commented [YA18]: Edits compared to 18.23.020 shown here for illustration

(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 shall meet or exceed standards pursuant to Chapter 5.20: Collection, Removal, and Disposal of Refuse and current refuse enclosure regulations identified in the "City of Palo Alto Trash Enclosure Area Guidelines for New Construction and Redevelopment Projects" and the "Trash Enclosure Design Guide" maintained by the Public Works Department.

(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.

(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

(i) Enclosures shall be design pursuant to the current refuse enclosure regulations found in the "City of Trash Enclosure Area Guidelines for New Construction and Redevelopment Projects" and "Trash Enclosure Design Guide" standards maintained by the Public Works Department.

(ii) ~~(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.

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

NOT YET ADOPTED

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

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

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

(vii) Notwithstanding, subsections ii and iii 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.

(viii) ~~(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 19. 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 deleted in its entirety and a new Section 18.40.250 (Lighting) of Chapter 18.40 (General Standards and Exceptions) of Title 18 (Zoning) is added as follows:

18.40.250 Lighting

Commented [YA19]: Edits compared to 18.23.030 shown here for illustration

(A) Purpose/Intent:

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 ~~properties~~ residential sites 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 lowest intensity and energy use adequate for its purpose, and be designed to focus illumination downward to avoid excessive illumination above the light fixture.
- Interior lighting shall be designed to minimize nighttime glow visible from and/or intruding into nearby properties.
- 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.

NOT YET ADOPTED

(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.~~

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

(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.

~~(iii)(iv)~~ (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.

~~(iv)(v)~~ (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.

~~(v)(vi)~~ (vi) Light fixtures shall ~~not be located at least 3 feet from curbs and 10 feet from next to driveways or intersections, which to avoid obstructing clear sight distance triangles.~~

~~(vi)(vii)~~ (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.

~~(vii)~~ (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.~~

~~(vii)(viii)~~ (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

~~(vii)~~ (vii) 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)~~ (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.

NOT YET ADOPTED

SECTION 20. 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 deleted in its entirety and a new Section 18.42.040 (Lighting) of Chapter 18.42 (Standards for Special Uses) of Title 18 (Zoning) is added as follows:

18.42.040 Late Night Uses and Activities

Commented [YA20]: Edits compared to 18.23.040 shown here for illustration

(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)~~ (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.

SECTION 21. 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 deleted in its entirety and a new Section 18.40.260 (Visual Screening and Landscaping) of Chapter 18.40 (General Standards and Exceptions) of Title 18 (Zoning) is added as follows:

18.40.260 Visual Screening and Landscaping

Commented [YA21]: Edits compared to 18.23.050 shown here for illustration

(A) Purpose

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

NOT YET ADOPTED

- 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 ground-level public view (when viewed from the sidewalk on the opposite side of a street), by a roof screen or proper placement. See Section 18.40.090 (height limit exceptions) 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

NOT YET ADOPTED

~~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

~~(ii)(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 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 22. Section 18.23.060 (Noise and Vibration) of Chapter 18.23 (Performance Criteria for Multiple Family, Commercial, Manufacturing and Planned Community Districts) of Title 18

NOT YET ADOPTED

(Zoning) is renumbered without changes to a new Section 18.42.190 (Noise and Vibration) of Chapter 18.42 (Standards for Special Uses) of Title 18 (Zoning).

SECTION 23. Sections 18.23.070 (Parking) and 18.23.080 (Vehicular, Pedestrian, and Bicycle Site) 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 [YA22]: These sections are consolidated into Chapter 18.54 (Parking Facility Design Standards)

SECTION 24. Section 18.23.090 (Air Quality) of Chapter 18.23 (Performance Criteria for Multiple Family, Commercial, Manufacturing and Planned Community Districts) of Title 18 (Zoning) is renumbered without changes to a new Section 18.40.270 (Air Quality) of Chapter 18.42 (Standards for Special Uses) of Title 18 (Zoning).

SECTION 25. Section 18.23.100 (Hazardous Materials) of Chapter 18.23 (Performance Criteria for Multiple Family, Commercial, Manufacturing and Planned Community Districts) of Title 18 (Zoning) is renumbered without changes to a new Section 18.42.200 (Hazardous Materials) of Chapter 18.42 (Standards for Special Uses) of Title 18 (Zoning).

SECTION 26. 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 Section 18.32 (Affordable Housing ~~Bonus Incentive~~ Program) is created to read as follows:

Sections:

18.32.010 Specific Purpose

18.32.020 Applicability of Regulations and Affordable Housing Requirement

18.32.030 Definitions

18.32.040 ~~Zoning Map Designation Reserved~~

18.32.050 ~~Site Development Review Process~~

18.32.060 Conformance to Other Combining Districts and Retail Preservation

18.32.070 Permitted Uses

18.32.080 Conditional Uses

18.32.090 Development Standards

18.32.010 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.

18.32.020 Applicability of Regulations and Affordable Housing Requirement

(a) The affordable housing incentive program ~~combining district may be combined with~~

NOT YET ADOPTED

~~the 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 Shopping Center. The affordable housing incentive program shall also apply to all sites eligible for the PTOD overlay and located north of Page Mill Road. 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. 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 (~~Residential~~ 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.

18.32.030 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.

18.32.040 ~~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.~~

18.32.050 ~~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 Chapter 18.80 or other modifications or variances that trigger review by the Planning & Transportation Commission and/or City Council.~~

NOT YET ADOPTED

18.32.060 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.

18.32.070 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.

18.32.080 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.

18.32.090 Development Standards

NOT YET ADOPTED

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)	<u>18.24.040</u>
Maximum Height (ft)	50'	
Within 50 ft of a R1, R-2, RMD, RM-20, or RM-30 zoned property residential zone other than RM-40 or residential PC	35'(3)	<u>18.08.030</u>

NOT YET ADOPTED

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	<p>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.</p> <p>For Commercial Uses, See Chapters 18.52 and 18.54 (Parking).</p>	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 objective 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 18.32.30(4), areas provided for usable open space may be counted towards the landscape site coverage requirement. Landscape and open space areas may be located on or above the ground level, and may include balconies, terraces, and rooftop gardens.</p> <p>(3)The Planning Director may recommend a waiver from the transitional height standard.</p>		

NOT YET ADOPTED

SECTION 27. 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 18.33 (Workforce Housing Incentive Program) is created to read as follows:

Sections:

- 18.33.010 Specific purpose**
- 18.33.020 Applicability of Regulations and Affordable Housing Requirement**
- 18.33.030 Definitions**
- 18.33.040 Reserved**
- 18.33.050 Review Process**
- 18.33.060 Permitted Uses**
- 18.33.070 Development Standards**
- 18.33.080 Additional WH Combining District Regulations**

18.33.010 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.

18.33.020 Applicability of Regulations and Affordable Housing Requirement

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.

18.33.030 Definitions

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.

NOT YET ADOPTED

18.33.040 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.~~

18.33.050 ~~Site Development~~ Review Process

All projects shall be subject to architectural review as provided in Section 18.76.020. ~~except that p~~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 or other modifications or variances that trigger review by the Planning & Transportation Commission and/or City Council.

18.33.060 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).

18.33.070 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:
Site Area (ft)	None required	
Site Width (ft)		
Site Depth (ft)		

NOT YET ADOPTED

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	<u>18.24.040</u>
Maximum Height (ft)		
Standard	50'	
<u>Within 50 feet of a residential zone other than RM-40 or residential PC. 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	<u>18.08.030</u>
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-Only or Mixed Use Projects	2.0:1	
Maximum Unit Size	750 sf	

NOT YET ADOPTED

Vehicle Parking	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.	
Bicycle Parking	Bicycle parking requirements shall be in accordance with Section 18.52.040.	
TDM Plan	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>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 <u>objective 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</u> more restrictive regulations may be recommended by the architectural review board and approved by the director, pursuant to Section 18.76.020.</p>		

18.33.080 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 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

NOT YET ADOPTED

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 28. 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 feet2	
Open Space:		
Minimum area required	5 or fewer units: 200 s.f. per unit 6 or more units: 100 s.f. per unit	<u>18.24.040</u>
Minimum dimensions	Private open space: 6 feet Common open space: 12 feet	

NOT YET ADOPTED

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.
- (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

NOT YET ADOPTED

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.~~

~~(8) (9)~~ 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 objective design standards in Chapter 18.24~~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

(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%.

Commented [JE23]: Eliminated in 2019

NOT YET ADOPTED

(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 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

NOT YET ADOPTED

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 29. 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 Objective Design Standards Criteria

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 [YA24]: Replaced with new 18.24 Design Standards

SECTION 30. 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.

(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).

NOT YET ADOPTED

(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.
- (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

NOT YET ADOPTED

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.

(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.

~~(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 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

Commented [YA25]: Not objective. Full landscaping may be difficult to achieve for some projects

NOT YET ADOPTED

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.

SECTION 31. Subdivision (d) of Section 18.52.040 (Off-Street Parking, Loading and Bicycle Facility Requirements) of Chapter 18.52 (Parking and Loading Requirements) of Title 18 (Zoning) is amended as follows:

18.52.040 Off-Street Parking, Loading and Bicycle Facility Requirements

[. . .]

(d) Residential and mixed use structures with fifty (50) or more dwelling units shall provide at least one (1) on-site, short-term loading space for passenger vehicles, to be used by taxicabs and similar transportation and delivery services.

SECTION 32. Section 18.54.015 (Definitions) of Chapter 18.54 (Parking Facility Design Standards) of Title 18 (Zoning) is added as follows:

18.54.015 Definitions

The definitions provided in Section 18.52.020 shall apply to this Chapter 18.54.

SECTION 33. Subsection (c) of Section 18.54.070 (Parking Tables and Figures) of Chapter 18.54 (Parking Facility Design Standards) of Title 18 (Zoning) is amended as follows:

[. . .]

(c) Off-Site Parking

Parking required by this chapter may be provided by off-site parking, provided that such off-site parking is within 500 feet a reasonable distance of the site using it ~~or, if the site is within an assessment district, within a reasonable distance of the assessment district boundary~~ and approved in writing by the director of planning and community environment. The director shall assure that sufficient covenants and guarantees are provided to ensure use and maintenance of

NOT YET ADOPTED

such parking facilities, including an enforceable agreement that any development occurring on the site where parking is provided shall not result in a net reduction of parking spaces provided, considering both the parking previously provided and the parking required by the proposed use.

[. . .]

SECTION 34. 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 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.

Commented [EJ26]: Exception added for SFR

NOT YET ADOPTED

(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.

Commented [EJ27]: Relocated from 18.23.070: Parking; no changes proposed to existing subjective standards

(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 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

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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 35. 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

(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.

NOT YET ADOPTED

(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 36. 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 comply with all objective standards in this code and thereby qualify for streamlining under Government Code sections 65589.5, 65913.4, or 65905.5. Such projects shall be subject to the process set forth in Section 18.77.073.

(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;

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(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;

(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 uncoded ordinance;

(v) Existing structures requiring council site and design approval or approval pursuant to a contractual agreement, resolution, motion, action, or uncoded 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

NOT YET ADOPTED

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 37. 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 residential mixed-use and multifamily 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) Public Study Session

(1) Prior to preparing a written decision, the Director may, in his or her sole discretion, refer the application to the Architectural Review Board or to other advisory boards or committees for non-binding consideration. An application should normally not be considered at more than one meeting of the Architectural Review Board.

(2) Notice of a public meeting to consider the application shall be given at least 7 days prior to the meeting by mailing to the applicant and all residents and owners of property within 600 feet of the project. Notice shall include the address of the property, a brief description of the proposed project, and the date and time of the hearing.

(c) Decision by the Director

(1) The Director shall prepare a written decision to approve the application, approve it with conditions, or deny it.

(2) 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.

(3) The Director's decision shall become final 10 days after the date notice is mailed unless an appeal is filed.

(d) 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:

NOT YET ADOPTED

(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.

(e) Decision by the City Council

At the Director's discretion, an appeal may be set for hearing before the City Council or may be placed on the Council's consent calendar, within 45 days. The city council may:

(1) Adopt the findings and decision of the director; or

(2) If the item is on the consent calendar, city council may remove the appeal from the consent calendar, which shall require three votes, and direct that the appeal be set for a new noticed hearing before the city council, following which the city council shall adopt findings and take action on the application.

(f) Final Decision by the Council

The decision of the council on the appeal is final.

SECTION 38. 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 39. 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 40. The Council finds that the Ordinance is within the scope of and in furtherance of the Comprehensive Plan 2030 which was evaluated in that certain Final Environmental Impact Report certified and for which findings were adopted by Council Resolution Nos. 9720 and 9721 on November 13, 2017, all in accordance with the California Environmental Quality Act. The Ordinance does not propose to increase development beyond what was analyzed in the

NOT YET ADOPTED

Comprehensive Plan. Pursuant to Section 15168 of the State CEQA Guidelines, the City has determined that no new effects would occur from and no new mitigation measures would be required for the adoption of this Ordinance.

SECTION 41. 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

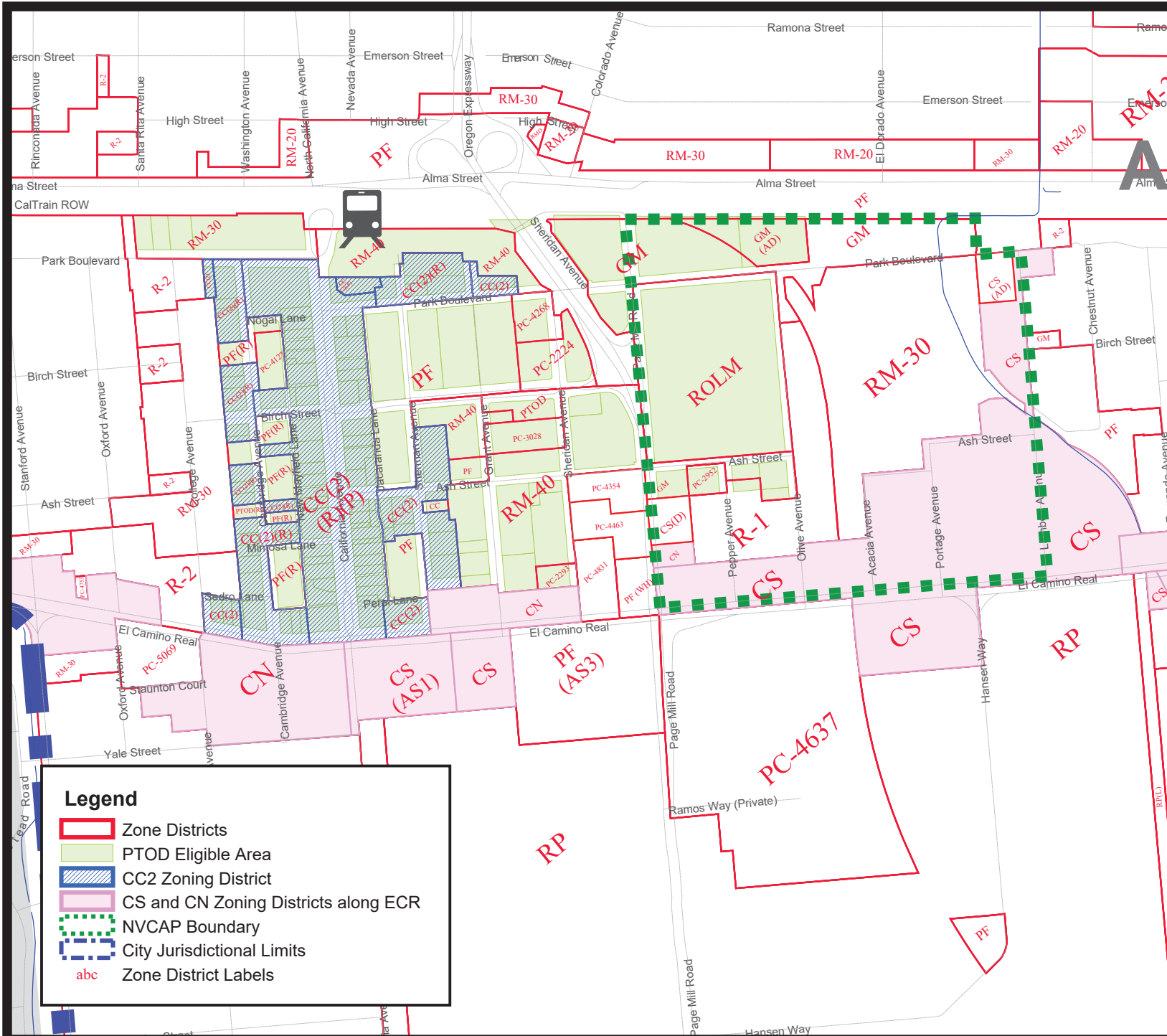
APPROVED AS TO FORM:

APPROVED:

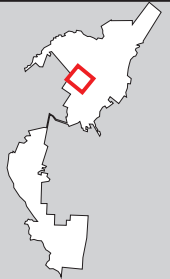
Assistant City Attorney

City Manager

Director of Planning & Development
Services



The City of
Palo Alto



NVCAP, Zoning Districts and PTOD Eligible Area Map

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

