



COUNCIL MEETING

11/08/2021

☒ Received Before Meeting

12



CITY OF
PALO ALTO

OBJECTIVE STANDARDS

Multifamily & Mixed Use Housing

City Council Public Hearing

October 4, 2021

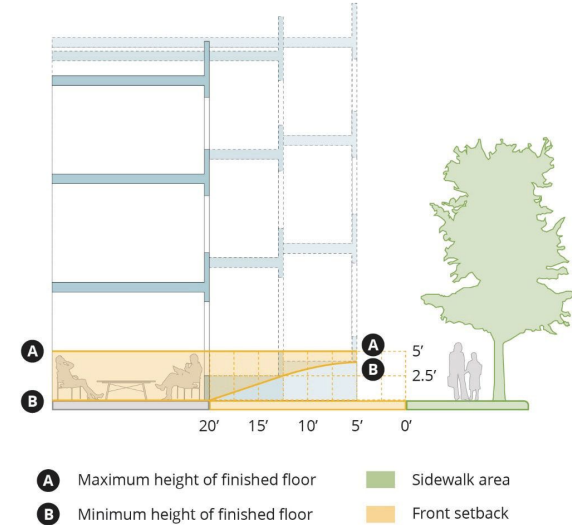
Agenda

10/4

- Project Overview
- Objective Design Standards (Att. A)
- Other Updates to Title 18 (Att. B)
 - Strengthen, Clarify & Modernize
- Staff Recommendation

10/25

- Transform Legislative Actions & Expand Housing Incentive Program (packet pages 116+117 and Att. B)



4. Transform Legislative Actions That Support Housing Production

Title 18 offers flexible standards and higher densities to facilitate multi-family housing

But, rezoning tools require legislative actions which adds time and expense to the development process

<i>Level of Review</i>	<i>Zoning Tool</i>	<i>Purpose</i>
Legislative Action (Rezoning Required)	Workforce Housing (WH)	Above Moderate (120-150% AMI)
	Affordable Housing (AH)	Low and Moderate Income (up to 120% AMI)
	Pedestrian Transit Oriented Development (PTOD)	Encourage housing near Cal Ave. Station
Staff/ARB Action No Rezoning Required	Housing Incentive Program (HIP)	FAR in exchange for architectural review

Affordable Housing (AH) Overlay

Provides flexibility in development standards for projects that provide 100% affordable rental housing (<120% of AMI), located in CD, CN, CS, or CC and are near transit:

- FAR up to 2.4
- Building height up to 50 feet
- Parking ratios as low as 0.75 spaces/unit

Alternative to State Density Bonus Law

Requires ARB, PTC, and Council Review (~9 meetings)

AFFORDABLE HOUSING OVERLAY ORDINANCE

WHAT DOES IT DO?

This new ordinance passed on April 9, 2018 allows property owners and developers within the commercial zones highlighted below to apply for a zoning overlay that eases regulatory barriers to affordable housing.* If approved for a specific parcel, the overlay would:

- ✓ Increase maximum building size to a floor area ratio (FAR) of 2.4
- ✓ Remove maximum dwelling unit densities
- ✓ Allow heights up to 50 feet except within 50 feet of a residential zone
- ✓ Reduce parking ratio to 0.75 spaces per unit except where precluded by state law



HELPING FAMILIES IN NEED.

100% of the units in these overlay zones must be affordable to households making up to 120% of AMI.**



What kinds of projects are eligible?

A project must meet all of the below requirements to apply for an affordable housing overlay.

- ✓ 100% affordable rental housing
- ✓ Commercially zoned (CD, CC, CN or CS only)
- ✓ 1/2 mile from CalTrain or 1/4 mile from bus transit corridor

HOW WILL OVERLAYS BE APPROVED?

- Developer Applies
- Attend PTC, ARB and City Council hearings, when scheduled, visit or at the Development Center at 205 Hamilton Ave. or contact us at (650) 329-2442.
- PTC + ARB Hearings
- City Council Hearing & Decision

How can community members share their ideas about future overlays?

Attend PTC, ARB and City Council hearings, when scheduled, visit or at the Development Center at 205 Hamilton Ave. or contact us at (650) 329-2442.

*Please see Municipal Code Chapter 18.30(J) for full ordinance details.
**Household income limits established and updated annually by HCD

Workforce Housing (WH) Overlay

Provides flexibility in development standards for projects that provide at least 20% moderate income rental housing (120-150% of AMI), in Public Facilities (PF) zoned districts ½ mile from fixed rail:

- FAR up to 2.0
- Building height up to 50 feet
- Parking ratios as low as 1 space/unit or bedroom
- Usable open space: 75 sf/unit
- Maximum unit size: 750 sf

Requires ARB, PTC, and Council Review (~9 meetings)



Housing Incentive Program (HIP)

Provides flexibility in development standards for residential or mixed-use projects, including market rate, in commercial mixed-use districts (Cal Ave., Downtown, El Camino Real and San Antonio Rd.)

- FAR up to 1.5 to 3.0, depending on location/zone
- Additional flexibility in development and parking standards for 100% BMR projects

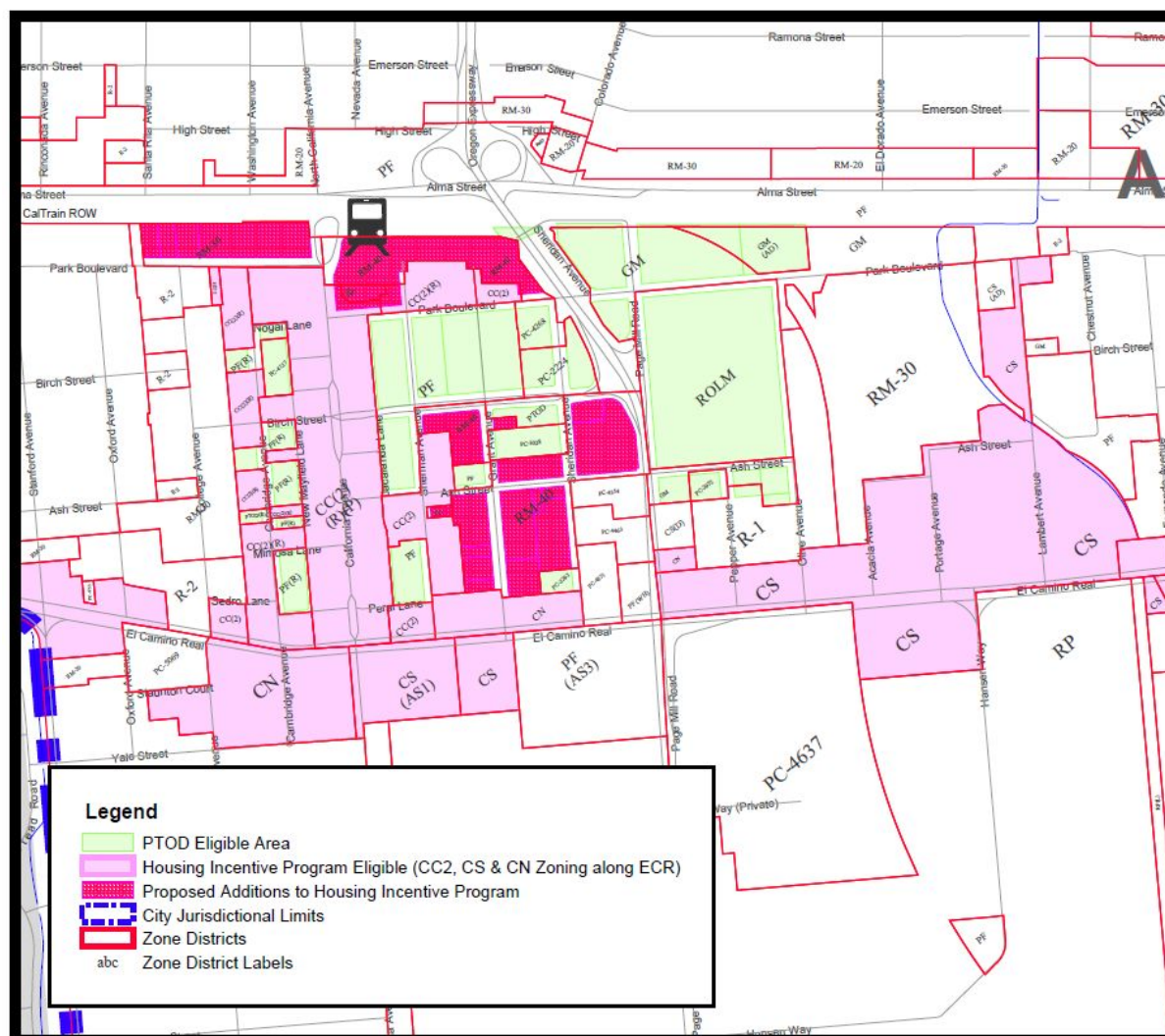
Alternative to State Density Bonus Law

Requires architectural review (~3 ARB meetings)



4. Transform Legislative Actions That Support Housing Production and Expand HIP

<i>Zoning Tool</i>		<i>Proposed Zoning Modifications</i>
Workforce Housing (WH)		<ul style="list-style-type: none">• Allow flexible standards by right• Maintain applicability to PF zone only• Maintain ARB review
Affordable Housing (AH)		<ul style="list-style-type: none">• Allow flexible standards by right• Maintain ARB review
California Avenue Area	Pedestrian Transit Oriented Development (PTOD)	<ul style="list-style-type: none">• Maintain program as is
	Housing Incentive Program (HIP)	<ul style="list-style-type: none">• Expand HIP to PTOD-eligible area north of Page Mill, including RM-30, RM-40, and CC zones, (i.e., exclude NVCAP area, GM, PF)



The City of
Palo Alto



Housing Incentive Program Area Map v20210917

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



Staff Recommendation

Provide comments on proposed modifications to Title 18 (Zoning) of the Palo Alto Municipal Code:

1. New 18.24: Objective design standards (Att. A)
2. Revisions to sections of Title 18 to strengthen objective standards (Att. B)
 - a. Revise subjective regulations to remove redundancies, clarify intent, and modernize code
 - b. Create new streamlined review process for housing development projects
3. **October 25th:** Transform Legislative Actions that Support Housing Production
 - a. Affordable Housing Overlay
 - b. Workforce Housing Overlay
 - c. Expand HIP in Cal Ave./PTOD-Eligible Area



OBJECTIVE STANDARDS

Multifamily & Mixed Use Housing

City Council Public Hearing

October 4, 2021

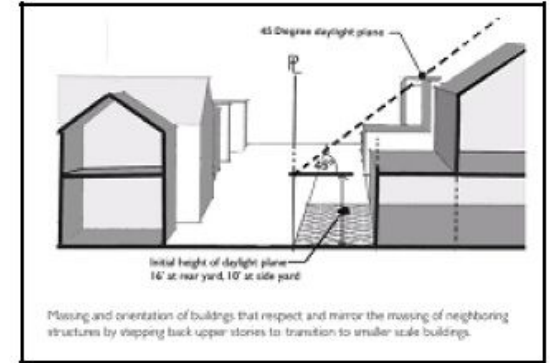
What are Objective Standards?

Narrowly defined by State Law:

“standards that involve **no personal or subjective judgment** by a public official and are **uniformly verifiable** by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official prior to submittal”

Examples:

- Front setback shall be a minimum of 10 feet



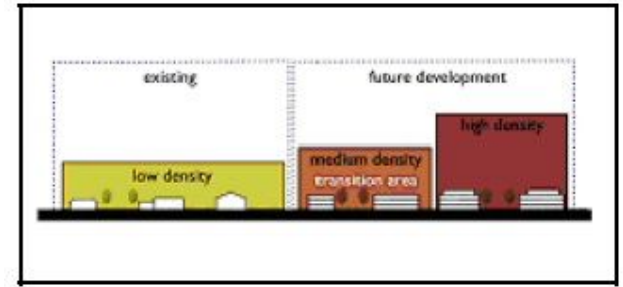
What are Subjective Criteria?

Some performance standards:

- Example: parking should be broken up into smaller groups of spaces to avoid large expanses of parking

Most context-based design criteria:

- Example: scale and massing should be compatible with the existing pattern of buildings



Project Overview

The City's subjective design criteria and development regulations cannot be used for some multifamily and mixed-use projects, given changes in State law

The City does not have design standards

Project transforms Context-Based Design Criteria and makes other changes to Title 18 to streamline review and strengthen objective criteria



SB2 Funding

- Project is funded by SB2
- Provides local governments with grants and technical assistance to:
 - Streamline housing approvals
 - Facilitate housing affordability
 - Accelerate housing production



The screenshot shows the website for the California Department of Housing and Community Development (HCD). The header includes the CA.GOV logo, the HCD seal, and the department name. Navigation links for CONTACT and ABOUT are in the top right. A main menu lists various programs: Grants & Funding, Manufactured & Mobilehomes, Building Standards, Planning & Community Development, and Policy & Research. A breadcrumb trail shows the path: Home > Grants & Funding > Programs: Active > SB 2 Planning Grants. The page title is "SB 2 Planning Grants". The content is divided into two columns: "Contact" with the email sb2planninggrant@hcd.ca.gov, and "Program Details" which lists links for Background, Purpose, Technical Assistance, Application Review and Threshold Requirements, Eligible Activities, Eligible Applicants, Program Timeline, Guidelines, Get Funding, Workshop Dates and Locations, Awards — Coming summer 2019, and Close Out Reports.

CA.GOV

California Department of Housing and Community Development

CONTACT ABOUT

Grants & Funding Manufactured & Mobilehomes Building Standards Planning & Community Development Policy & Research

Home > Grants & Funding > Programs: Active > SB 2 Planning Grants

SB 2 Planning Grants

Contact

sb2planninggrant@hcd.ca.gov

Program Details

- Background
- Purpose
- Technical Assistance
- Application Review and Threshold Requirements
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- Awards — Coming summer 2019
- Close Out Reports

What Other Cities are Doing?

Nearly all cities in the County are preparing objective standards

- Many are preparing *design* standards
- Some are updating *development* standards
- Few cities are pursuing process streamlining

City	Preparing Objective Standards?	Date Adopted or Expected
Campbell	✓	2021
Cupertino	✓	2022
Gilroy	✓	2022
Los Altos	✓	2022
Los Altos Hills		NA
Los Gatos	✓	2022
Milpitas	✓	2022
Monte Sereno	✓	2022
Morgan Hill	✓	2019
Mountain View	✓	2022
San Jose	✓	2021
Santa Clara	✓	2022
Saratoga	✓	2022
Sunnyvale	✓	2022



Housing Accountability Act (HAA) Protections

1. Applies to "housing development projects"
 - 2 or more residential units
 - mixed-use developments (at least $\frac{2}{3}$ residential)
 - transitional or supportive housing
2. City cannot deny a project, reduce its density, or make a project infeasible, when it complies with objective standards, unless the project would have a "specific adverse impact" (*i.e., unrelated to ARB findings*)



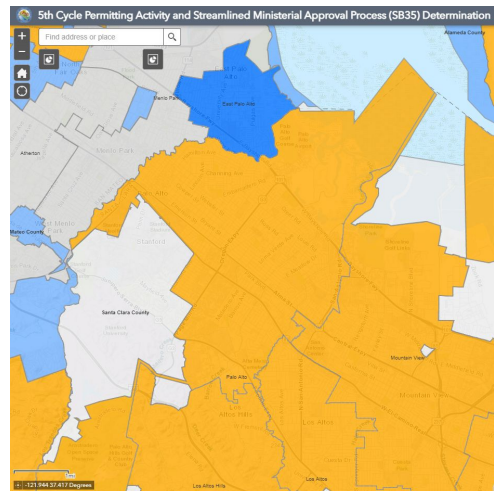
SB35 Project Streamlining

Project eligibility:

- at least 2/3 residential floor area
- not historic, nor has listed environmental constraints
- at least 50% of units allocated for low-income households (as of 7/30/21, current threshold in Palo Alto)
- consistent with objective standards

Process:

- 90 to 180 day staff review, depending on project size
- No discretionary review; therefore, no CEQA review
- Project must be approved if meets eligibility criteria and objective standards



SB35 Examples

- Non-profit housing developer proposal for a 100% affordable housing State Density Bonus Law project in the CD district
- Market rate developer teams with affordable housing provider to propose a 50% affordable and 50% market-rate project with ground floor retail and 3 stories of residential in the CC(2) district



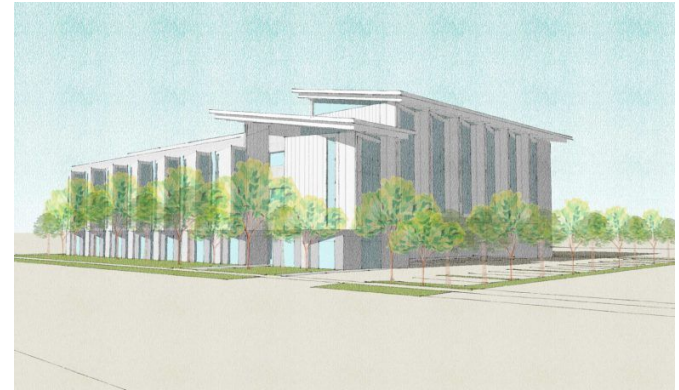
SB330 Streamlining

- Prohibits jurisdictions from imposing subjective design standards established after January 1, 2020
- Identifies demolition and replacement requirements
- Limits downzoning
- Applies a five-meeting limit

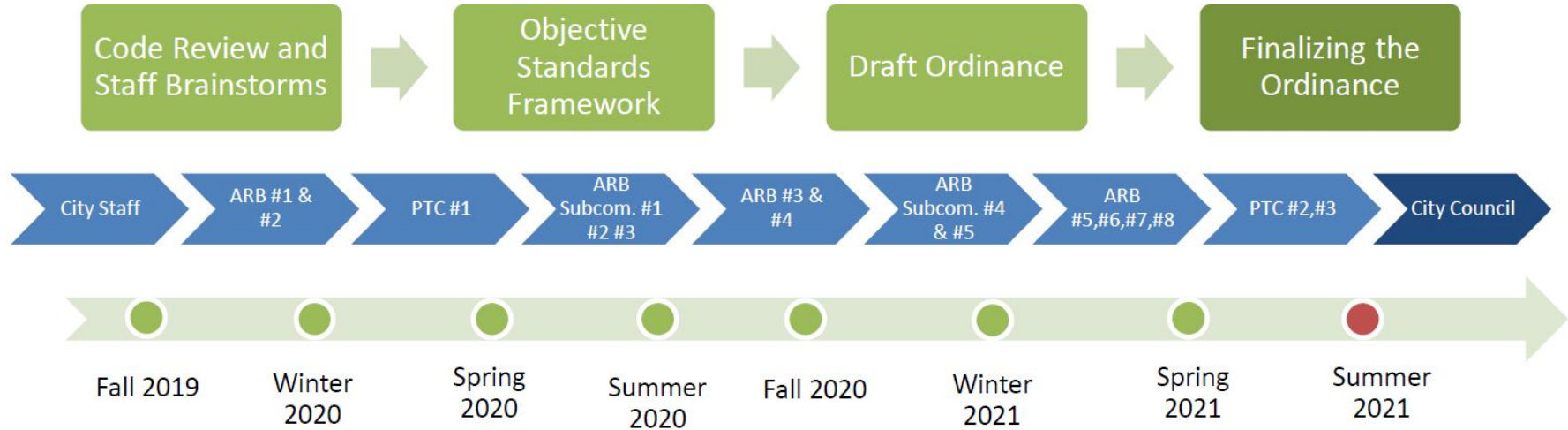


Example Streamlining Projects

- Submitted SB330:
 - 200 Portage
 - 2850 Bayshore
- Potential SB330:
 - 2960 Alma
- Potential SB35:
 - 525 E. Charleston (Eden Housing)



Process and Engagement



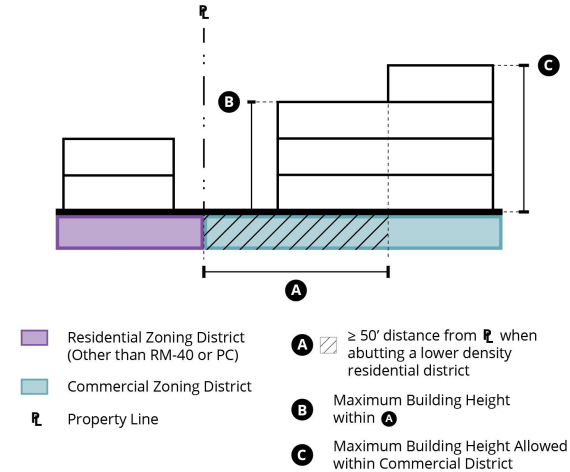
Ordinance Review & Action Timeline

- ARB: Recommended approval of the objective design standards (April 1st)
- PTC: Recommended approval of objective design standards and other updates to Title 18 (June 9th)
- City Council
 - **10/4: Design Standards & Other Regulations**
 - 10/25: Legislative Changes (packet pg. 116+117)
 - Nov./Dec.: Ordinance Approval



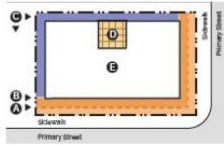
Stakeholder Feedback

- In January, March, and May 2021, City staff contacted 30+ stakeholders (local architects and developers)
 - 5 stakeholders provided written feedback
- Several members of the public commented during recent PTC and ARB hearings
- Community meeting/webinar (July 2021)
 - Focused on height transitions; no longer part of this objective standards project

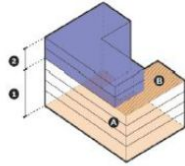


Large Urban
Scale Strategies

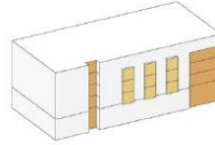
Fine Grained
Architectural Strategies



Site Design



Massing



Modulation



Facade Articulation

Part 1: Objective Design Standards

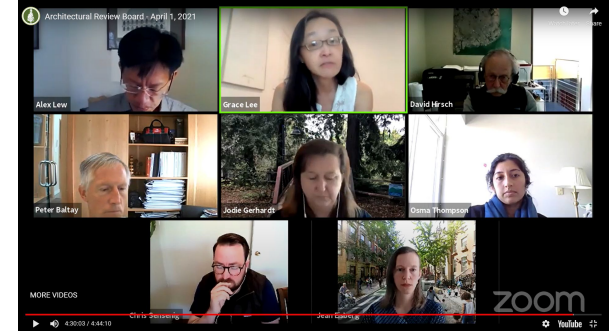
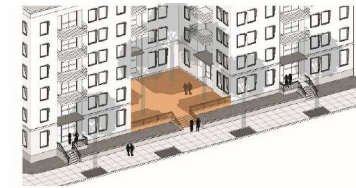
ARB & ARB Ad Hoc Committee Role

- ARB recommended approval of objective standards 4/1/21, following 7 hearings:
 - Support for format, organization, and topics
 - Debate over specific standards, dimensions and intent statements
 - Philosophical concerns about objective design standards
- Ad Hoc Committee reviewed interim drafts and workshopped zoning graphics over 5 meetings

Diagram of Front Porch



Diagram of Frontage Court



Applicability

Zoning Districts that allow multifamily housing:

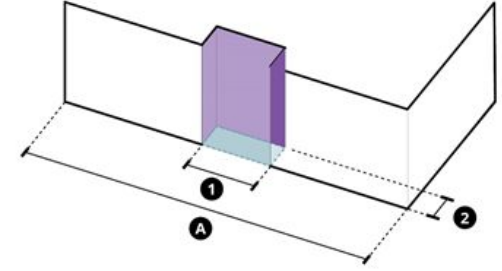
- 18.13: RM-20, RM-30, RM-40
- 18.16: CN, CC, CC(2), CS
- 18.18: CD-C, CD-S, CD-N
- 18.20*: MOR, ROLM, ROLM(E), RP, RP(5), GM
- 18.34: PTOD combining district
- PF*

**Not currently subject to context-based design criteria; would only apply to multifamily housing/mixed use projects covered by the Housing Accountability Act*

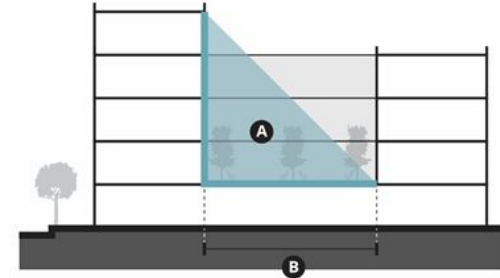


Topics and Sections

Topic	Section
Admin	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 Design



- A** Building facade
- 1** Facade break width
- 2** Facade break depth
- Vertical facade break
- Facade break area



- A** Minimum courtyard width to building height ratio of 1:1.25
- B** 40' minimum dimension

Organization

Applies to Residential
and Non-Residential
Uses

(A) Intent Statement

- Subjective statement to clarify intent
- Drawn from context-based criteria, sometimes verbatim

(B) Standards

Applies to
Residential and
Mixed Use Only

- Objective measurement, ratio, allowance or prohibition
- Often listed as menu of options

18.24.050 Building Massing

(a) Intent Statement

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:

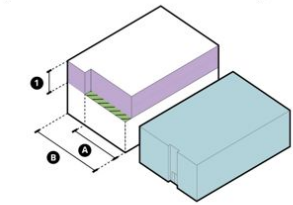
- (1) Break down large building facades and massing to create a human-scaled building that enhances the context of the site
- (2) Are consistent in scale, mass and character to adjacent land uses and land use designations
- (3) Reinforce the definition and importance of the street
- (4) Provide rooflines and massing that emphasize and accentuate significant elements of the building such as entries, bays, and balconies, and shading elements where appropriate.
- (5) Provide harmonious transitions between adjacent properties

(b) Objective Standards

(1) 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.



- 1 Building height > 20' above adjacent building II
A Step back along > 70% length of B
B Step back area along primary facade
B Building frontage



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Subjective ---> Objective “Crosswalk”

LIST OF EXISTING CRITERIA BEING TRANSFORMED INTO OBJECTIVE CRITERIA

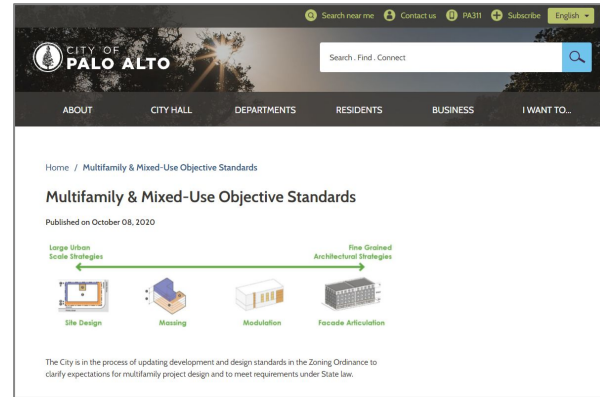
This document identifies existing design criteria that are proposed to be rewritten as objective standards within each new topic area/chapter. The first section cross references existing criteria and code sections (simplifying and generalizing language where there are subtle differences between zoning district criteria) and identifying proposed new location(s) for the standards. The second sections identifies the context-design criteria location and language verbatim.

18.24.020 Public Realm/Sidewalk Character

	Original Language	Original Section	Applicable Zones	Proposed Section
2c.	Wide sidewalks (built as easements beyond the property line if needed, but not to the detriment of existing or future bike lanes) along Park Boulevard to reinforce the street as a primary pedestrian and bicycle linkage to the multimodal station	18.34.050(b)(1)(C)	PTOD	18.24.020
2f.	Streetscape or pedestrian amenities that contribute to the area's streetscape environment such as street trees, bulbouts, benches, landscape elements, and public art	18.16.090(b)(1)(C) 18.18.110(b)(1)(C) 18.34.050(b)(1)(G)	CH CC CS CD PTOD	18.24.020
2g.	Bicycle amenities that contribute to the area's bicycle environment and safety needs, such as bike racks, storage or parking, or dedicated bike lanes or paths	18.16.090(b)(1)(D) 18.18.110(b)(1)(D) 18.34.050(b)(1)(D)	CH CC CS CD PTOD	18.24.020
4j.	Buildings set back from the property line to create an effective 12' sidewalk on El Camino Real, 8' elsewhere	18.16.090(b)(3)(E)	CH CC CS CD	18.24.020

Project Website:

bit.ly/ObjectiveStandards



Subjective → Objective (Menu of Options)

18.24.070 Residential Entries

	Original Language	Original Section	Applicable Zones
3f.	Entries that are clearly defined features of front facades, and that have a scale that is in proportion to the size and type of the building and number of units being accessed; larger buildings should have a more prominent building entrance, while maintaining a pedestrian scale	18.13.060(b)(2)(E) 18.16.090(b)(2)(C) 18.18.110(b)(2)(C) 18.34.050(b)(2)(E)	RM CN CC CS CD PTOD

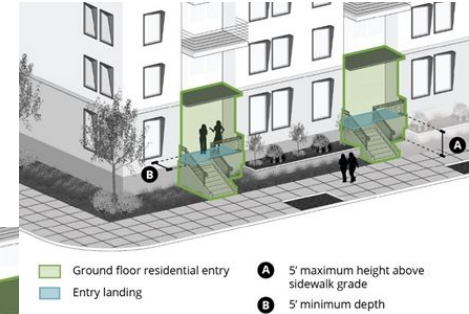
New Standard:

(1) Ground Floor Unit Entries: Where ground floor residential unit entries are required, one or more of the following entry types shall be provided...

Porches



Stoops



Courts



CITY OF
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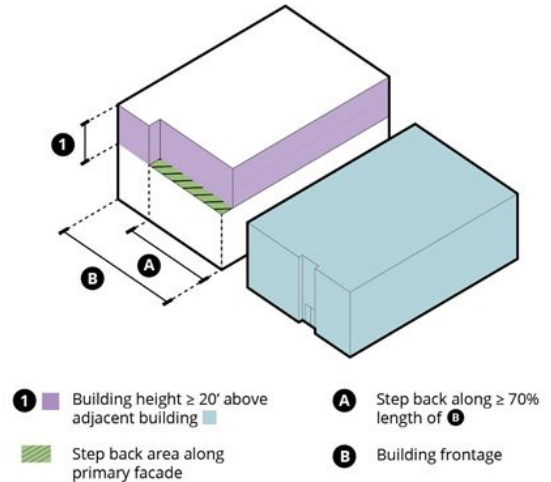
Subjective → Objective (Dimension)

18.24.050 Building Massing

	Original Language	Original Section	Applicable Zones
3j.	Upper floors set back to fit in with the context of the neighborhood	18.16.090(b)(2)(H) 18.18.110(b)(2)(H)	CN CC CS CD

New Standard:

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.





Part 2: Other Updates to Title 18

Summary of Proposed Changes to Title 18

1. Transform subjective Context-Based Design Criteria into **Objective Design Standards** (*preceding section*)
2. Transform other **subjective standards and regulations** (e.g., performance standards, open space, zero waste) to remove redundancies, clarify intent, and modernize environmental and technology standards
3. New **streamlined review process** for HAA projects that meet objective standards
4. Transform **legislative actions** into objective criteria and **expand HIP** to create incentives for affordable and market-rate housing

2. Revise and Reorganize Other Design Regulations

- Revise zoning regulations as objective standards:
 - Water quality
 - Landscape screening
 - Lighting impacts
 - Mechanical lift parking
 - Refuse storage/screening
- Reorganize performance standards and make applicable to all projects regardless of use or location
- Provided cross-references in the code to handouts which may be updated from time to time



18.23 Performance Standards



18.40 General Standards and Exceptions
18.42 Standards for Special Uses
18.54 Parking Facility Design Standards

3. Process Changes: Streamlining

- Chapter 18.75 - New exemption from architectural review:
 - “Housing development projects” in accordance with the Housing Accountability Act
- Chapter 18.76 - New streamlined process for “housing development projects” that comply with objective standards:
 - 1 study session with the ARB

City of Palo Alto Objective Design Standards: Checklist

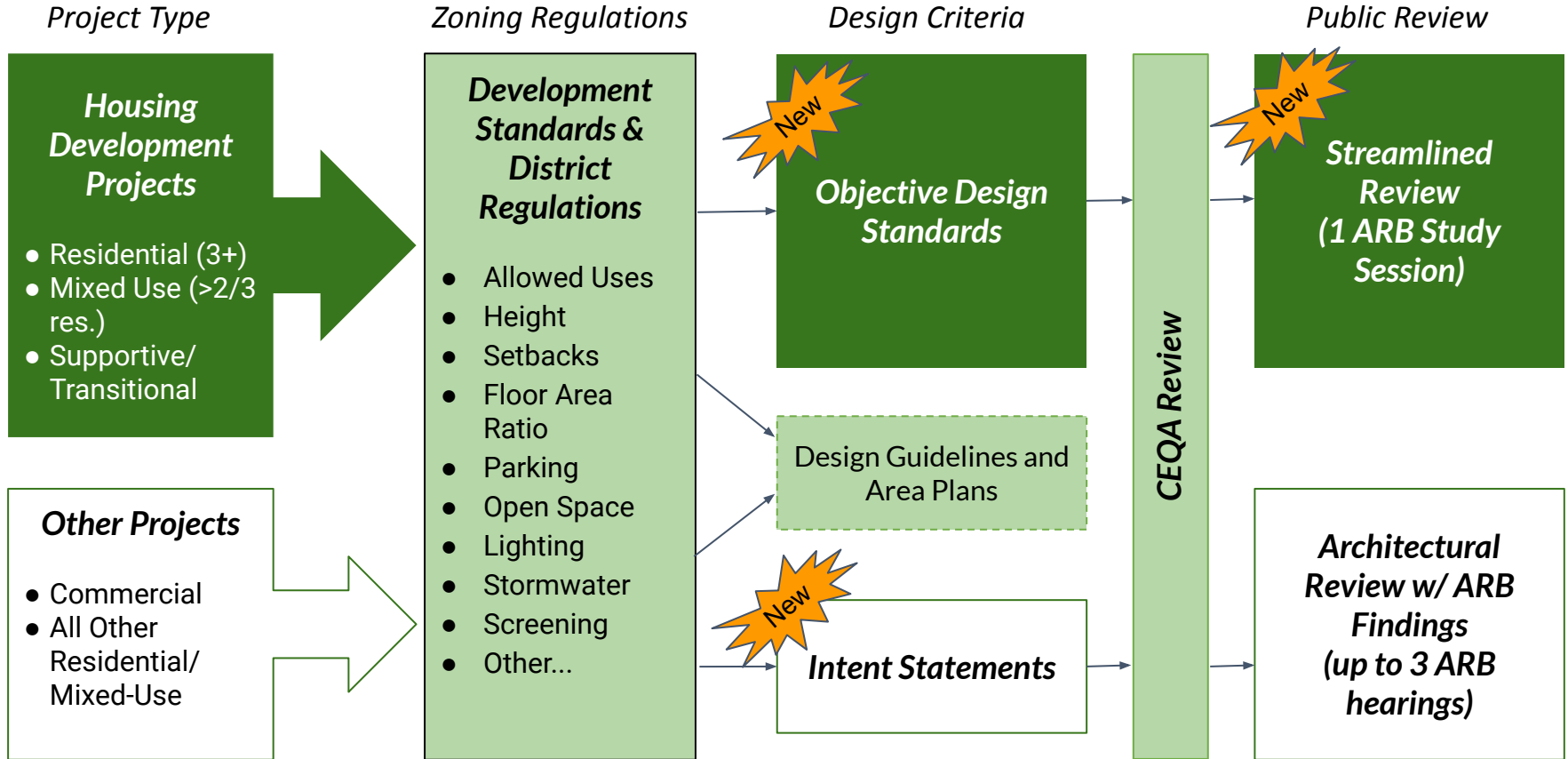
18.24.050 Building Massing

(b)(1) Upper Floor Step Backs			
Pick One	Standard	Sheet #	Applicant's Justification
<input type="checkbox"/>	1. When the height of the subject building is more than 20 feet above the average height 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.		
	i. Proposed building height: ____ feet		
	ii. Average building height of the adjacent building(s): ____ feet		
	iii. Building height where upper floor step back begins: ____ feet		
<input type="checkbox"/>	2. Except, when adjacent to a single-story building, the upper floor step back shall occur between 39 and 37 feet in height.		

(b)(2) (A)(B)&(C) Transition to Lower Density Building Types			
Check All	Standard	Sheet #	Applicant's Justification
<input type="checkbox"/>	1. Buildings that abut 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 breaks down the abutting façade by meeting all of the following: <ul style="list-style-type: none">a. 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.b. A minimum façade break of 4 feet in width, 2 feet in depth, and 32 square feet of area for every 36 to 40 feet of façade length		

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Entitlement Process



Eligibility for New Streamlined Review Process

Eligible Projects

- Multifamily residential in RM district
- Mixed-use project in commercial district, with ground-floor retail and 2 stories of residential (> 2/3 housing)
- Housing Accountability Act projects
- SB35 projects
- SB330 projects

Not Eligible:

- Mixed use project in a commercial district, with ground-floor commercial and 1 story of residential (< 2/3 housing)
- Projects seeking rezoning and concurrent architectural review
- Project seeking additional FAR under the Housing Incentive Program (HIP)
- Non-residential projects

OBJECTIVE STANDARDS

Multifamily & Mixed Use Housing

City Council Public Hearing

October 4, 2021