



City of Palo Alto

City Council Staff Report

(ID # 7513)

Report Type: Consent Calendar

Meeting Date: 12/12/2016

Summary Title: Second Reading Architectural Review Findings Ordinance

Title: SECOND READING: Adoption of an Ordinance Approving Revisions to the Architectural Review Findings in Palo Alto Municipal Code Chapter 18.76 and Approval of an Exemption Under Sections 15061 and 15305 of the California Environmental Quality Act (CEQA) Guidelines.

From: City Manager

Lead Department: Planning and Community Environment

Recommendation

Staff recommends that the Council conduct a second reading and adopt the attached ordinance (Attachment A).

Background

On November 14, 2016, the City Council reviewed and adopted (on “first” reading, a draft ordinance revised following Council prior readings on April 11 and September 12, 2016) a draft ordinance modifying the 16 architectural review findings into six findings.

The findings approved by the City Council on November 14, 2016 are:

1. The design is consistent with applicable provisions of the Palo Alto Comprehensive Plan; Zoning Code including context-based design criteria, as applicable), coordinated area plans, and any relevant design guides.
2. The project has a unified and coherent design, that:
 - a. creates an internal sense of order and desirable environment for occupants, visitors, and the general community,
 - b. preserves, respects and integrates existing natural features that contribute positively to the site and the historic character including historic resources of the area when relevant,
 - c. is consistent with the context based design criteria of the applicable zone district,
 - d. provides harmonious transitions in scale, mass, and character to adjacent land uses and land use designations, and

- e. enhances living conditions on the site (if it includes residential uses) and in adjacent residential areas.
3. The design is of high aesthetic quality, using high quality, integrated materials and appropriate construction techniques, and incorporating textures, colors, and other details that are compatible with and enhance the surrounding area.
4. The design is functional, allowing for ease and safety of pedestrian and bicycle traffic and providing for elements that support the building's necessary operations (e.g. convenient vehicle access to property and utilities, appropriate arrangement and amount of open space and integrated signage, if applicable, etc.).
5. The landscape design complements and enhances the building design and its surroundings, is appropriate to the site's functions, and utilizes regional indigenous drought-resistant plant material capable of providing desirable habitat, and that can be appropriately maintained.
6. The project incorporates design principles that achieve sustainability in areas related to energy efficiency, water conservation, building materials, landscaping, and site planning.

Attachments:

- Attachment A: AR findings approved 11 14 16 (PDF)

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Ordinance No. _____

Ordinance of the Council of the City of Palo Alto Amending Palo Alto Municipal Code (PAMC) Title 18 (Zoning Regulations), Section 18.76.020 (Architectural Review)

The Council of the City of Palo Alto does ORDAIN as follows:

SECTION 1. Findings and Declarations. The City Council finds and declares as follows:

A. As part of the City's annual Zoning Code update, the City desires to improve its Architectural Review findings to ensure robust design review, to eliminate repetitive findings and to remove outmoded and unnecessary findings.

B. On September 3 and October 1, 2015, the Architectural Review Board (ARB) reviewed the draft updated architectural review findings and provided input. Subsequently, the Planning and Transportation Commission (PTC) reviewed the AR findings and recommended that Council approve them without any changes.

C. On April 11, 2016, the Council reviewed the draft findings, suggested revisions and directed staff and the ARB to review the updated language and offer approval, feedback or changes.

D. On June 16, 2016, the ARB reviewed the updated findings and provided additional comments.

E. On August 10, 2016, the Planning and Transportation Commission reviewed the updated findings and concurred with the ARB and Staff's comments.

F. On September 12, and November 14, 2016, the City Council conducted a public hearing on the current draft of the updated architectural review findings.

SECTION 2. Subdivision (d) of Section 18.76.020 of the Palo Alto Municipal Code is amended to read as follows:

18.76.020 Architectural Review.

(d) Findings

Neither the director, nor the city council on appeal, shall grant architectural review approval, unless it is found that each of the following applicable findings is met:

- (1) The design is consistent with applicable provisions of the Palo Alto Comprehensive Plan, Zoning Code, coordinated area plans (including compatibility requirements), and any relevant design guides.
- (2) The project has a unified and coherent design, that:

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- (a) creates an internal sense of order and desirable environment for occupants, visitors, and the general community,
 - (b) preserves, respects and integrates existing natural features that contribute positively to the site and the historic character including historic resources of the area when relevant,
 - (c) is consistent with the context-based design criteria of the applicable zone district,
 - (d) provides harmonious transitions in scale, mass and character to adjacent land uses and land use designations,
 - (e) enhances living conditions on the site (if it includes residential uses) and in adjacent residential areas.
- (3) The design is of high aesthetic quality, using high quality, integrated materials and appropriate construction techniques, and incorporating textures, colors, and other details that are compatible with and enhance the surrounding area.
- (4) The design is functional, allowing for ease and safety of pedestrian and bicycle traffic and providing for elements that support the building's necessary operations (e.g. convenient vehicle access to property and utilities, appropriate arrangement and amount of open space and integrated signage, if applicable, etc.).
- (5) The landscape design complements and enhances the building design and its surroundings, is appropriate to the site's functions, and utilizes to the extent practical, regional indigenous drought resistant plant material capable of providing desirable habitat that can be appropriately maintained.
- (6) The project incorporates design principles that achieve sustainability in areas related to energy efficiency, water conservation, building materials, landscaping, and site planning.

~~Neither the director, nor the city council on appeal, shall grant architectural review approval, unless it is found that:~~

- ~~— (1) The design is consistent and compatible with applicable elements of the Palo Alto Comprehensive Plan;~~
- ~~— (2) The design is compatible with the immediate environment of the site;~~
- ~~— (3) The design is appropriate to the function of the project;~~
- ~~— (4) In areas considered by the board as having a unified design character or historical character, the design is compatible with such character;~~
- ~~— (5) The design promotes harmonious transitions in scale and character in areas between different designated land uses;~~
- ~~— (6) The design is compatible with approved improvements both on and off the site;~~
- ~~— (7) The planning and siting of the various functions and buildings on the site create an internal sense of order and provide a desirable environment for occupants, visitors and the general community;~~
- ~~— (8) The amount and arrangement of open space are appropriate to the design and the function of the structures;~~
- ~~— (9) Sufficient ancillary functions are provided to support the main functions of the project and the same are compatible with the project's design concept;~~

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- ~~— (10) Access to the property and circulation thereon are safe and convenient for pedestrians, cyclists and vehicles;~~
- ~~— (11) Natural features are appropriately preserved and integrated with the project;~~
- ~~— (12) The materials, textures, colors and details of construction and plant material are appropriate expression to the design and function and whether the same are compatible with the adjacent and neighboring structures, landscape elements and functions;~~
- ~~— (13) The landscape design concept for the site, as shown by the relationship of plant masses, open space, scale, plant forms and foliage textures and colors create a desirable and functional environment and whether the landscape concept depicts an appropriate unity with the various buildings on the site;~~
- ~~— (14) Plant material is suitable and adaptable to the site, capable of being properly maintained on the site, and is of a variety which would tend to be drought-resistant and to reduce consumption of water in its installation and maintenance;~~
- ~~— (15) The project exhibits green building and sustainable design that is energy efficient, water conserving, durable and nontoxic, with high-quality spaces and high recycled content materials. The following considerations should be utilized in determining sustainable site and building design:
 - ~~— (A) Optimize building orientation for heat gain, shading, daylighting, and natural ventilation;~~
 - ~~— (B) Design of landscaping to create comfortable micro-climates and reduce heat island effects;~~
 - ~~— (C) Design for easy pedestrian, bicycle and transit access;~~
 - ~~— (D) Maximize on site stormwater management through landscaping and permeable paving;~~
 - ~~— (E) Use sustainable building materials;~~
 - ~~— (F) Design lighting, plumbing and equipment for efficient energy and water use;~~
 - ~~— (G) Create healthy indoor environments; and~~
 - ~~— (H) Use creativity and innovation to build more sustainable environments.~~~~
- ~~— (16) The design is consistent and compatible with the purpose of architectural review as set forth in subsection (a).~~

SECTION 3. Adoption of this ordinance is found to be categorically exempt from the California Environmental Quality Act under CEQA Guideline sections 15061(b)(3) (Common Sense Exemption) and 15305 (Minor Alterations in Land Use Limitations) because: (1) the activity (rewording of Architectural Review findings) is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment, and it can be seen with certainty that there is no possibility that the activity in question may have a significantly effect on the environment, and (2) this 'minor alteration in land use limitations' does not result in any changes in land use or density.

SECTION 4. If any section, subsection, sentence, clause or phrase of the ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it should have adopted the ordinance and

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each section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional.

SECTION 5. This ordinance shall be effective upon the thirty-first day after its passage and adoption.

INTRODUCED:

PASSED:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

ATTEST:

City Clerk

Mayor

APPROVED AS TO FORM:

APPROVED:

Senior Asst. City Attorney

City Manager

Director of Planning and Community
Environment