

Ordinance No. 5065

Ordinance of the Council of the City of Palo Alto Amending Sections 18.30(C).040, 18.18.060(F), and 18.08.040 (The Zoning Map) of the Palo Alto Municipal Code Regarding Ground Floor Use Restrictions in the Downtown Area

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

SECTION 1. The City Council finds that:

(a) The Planning and Transportation Commission, after a duly noticed public hearing held September 23, 2009, reviewed, considered, and recommended that Sections 18.08.040 (the Zoning Map), 18.30(C), and 18.18.060(f) of the Palo Alto Municipal Code be amended to delete Sections 18.30(C).040 and 18.18.060(f)(1), and to rezone properties as listed in Exhibit 1 and shown on Exhibit 2.

(b) The Council, held a public hearing on November 9, 2009, and considered the recommendation by staff and the Planning and Transportation Commission.

(c) The proposed ordinance is in the public interest and will promote the public health, safety and welfare, as hereinafter set forth, and is consistent with the City's Comprehensive Plan.

SECTION 2. Section 18.08.040 of the Palo Alto Municipal Code, the "Zoning Map," is hereby amended by adding the Ground Floor (GF) combining district to the properties listed on Exhibit 1 and deleting the Ground Floor (GF) combining district from the properties listed in Exhibit 2.

SECTION 3. Section 18.30(C) (Ground Floor (GF) Combining District Regulations) of the Palo Alto Municipal Code is hereby amended to delete Section 18.30(C).040 (Use Exemptions) and replace it with Section 18.30(C).040 (Annual Monitoring of Ground Floor Retail Use) to read: "A downtown retail vacancy rate survey shall be prepared annually in September of each year, and a report shall be prepared conveying that information to the Planning and Transportation Commission and City Council prior to the end of the year. The purpose of the survey is to assess changes in retail use in the downtown zones. The vacancy rate shall address all areas zoned CD-C or GF in downtown."

SECTION 4. Section 18.189.069(f) (Restrictions on Office Uses) of the Palo Alto Municipal Code is hereby amended to delete Section 18.18.060(f)(1) and replace it with a new Section 18.18.060(f)(1) to read: "New construction and alterations in the CD-C zoning district shall be required to design ground floor space to accommodate retail use and shall comply with the provisions of the Pedestrian (P) combining district."

SECTION 5. This action is categorically exempt (per Section 15305 (Class 5) of the CEQA Guidelines) from the provisions of CEQA as they comprise minor alterations to land use limitations and can be seen to have no significant environmental impacts.

SECTION 6. This ordinance shall be effective on the thirty-first day after the date of its adoption.

INTRODUCED: November 16, 2009

PASSED: December 7, 2009

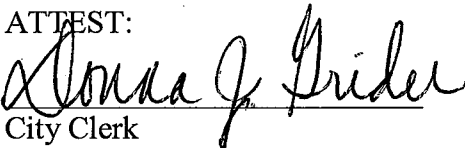
AYES: Barton, Burt, Drekmeier, Espinosa, Kishimoto, Klein, Morton, Schmid, Yeh

NOES:


ABSTENTIONS:

ABSENT:

ATTEST:



City Clerk

APPROVED:


Mayor

APPROVED AS TO FORM:


Assistant City Attorney


City Manager

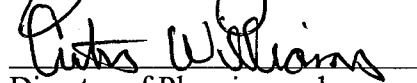

Director of Planning and
Community Environment

EXHIBIT 1

The following properties will be added to the Ground Floor (GF) Combining District:

200-228 Hamilton Avenue – APN 120-27-008

230-238 Hamilton Avenue – APN 120-27-009

240-248 Hamilton Avenue – APN 120-27-010

412 Emerson Street – APN 120-26-106

420 Emerson Street – APN 120-26-025

430 Emerson Street – APN 120-26-026

EXHIBIT 2

The following properties will be removed from the Ground Floor (GF) Combining District:

115-119 University Avenue – APN 120-26-108

102-116 University Avenue – APN 120-26-039

124 University Avenue – APN 120-26-043

125 University Avenue – APN 120-26-038

525 Alma Street – APN 120-26-093

529 Alma Street – APN 120-26-110

535-539 Alma Street, 115 Hamilton Avenue – APN 120-26-091

135 Hamilton Avenue – APN 120-26-111

542 High Street – APN 120-26-089

440 Cowper Street – APN 120-15-014

437 Kipling Street – APN 120-15-020

443 Kipling Street – APN 120-15-019

EXHIBIT 3

