



## Architectural Review Board Staff Report

**From: Planning and Development Services Director**  
**Lead Department: Planning and Development Services**

**Meeting Date: April 18, 2024**  
**Report #: 2402-2607**

### TITLE

Study Session to Review the Proposed Ordinance Implementing the Draft North Ventura Coordinated Area Plan (NVCAP) and to Receive Stakeholder Comments on the Draft Supplemental Environmental Impact Report for the Proposed Project.

### RECOMMENDATION

Staff recommends that the Architectural Review Board (ARB) conduct a study session to:

1. Review the proposed ordinance, which includes the draft development standards that would apply to projects in the North Ventura Coordinated Area Plan (NVCAP) Area; and
2. Allow for stakeholder comments on the project's Draft Supplemental Environmental Impact Report (Draft SEIR).

### EXECUTIVE SUMMARY

The focus of this meeting is to discuss and provide informal feedback on the proposed ordinance implementing the NVCAP, which includes development standards that would apply to future projects within the NVCAP area. This meeting also provides an opportunity for the City to receive public comments on the Draft SEIR for the overall project during the public comment period.

Following the ARB Study Session, the draft plan and zoning ordinance will be reviewed by the Planning and Transportation Commission (PTC) for recommendation to Council. Following the PTC's recommendation and publication of a Final SEIR, the project will be reviewed by Council for a final decision.

The current draft of the NVCAP is available here for review: [www.paloalto.org/nvcap](http://www.paloalto.org/nvcap). Attachment A includes the proposed ordinance and Attachment C includes a link to the Draft SEIR.

### BACKGROUND

On June 1, 2023<sup>1</sup>, the ARB conducted a Study Session review of the May 2023 draft NVCAP. The ARB provided feedback regarding the Draft NVCAP on the aesthetic and design principles that substantially support the Council's endorsed plan; Council goals and objectives for the plan; and urban design principles. In addition, the ARB formed an Ad Hoc Committee to consider recommendations on bird-safe glass design, daylighting and natural ventilation, and roof design. Comments from the ARB and Ad Hoc have been considered and edits were made to the Draft NVCAP where appropriate. The Draft NVCAP has been revised since the ARB Study Session to streamline and strengthen the content. The March 2024 Draft NVCAP is available here for review: [www.paloalto.org/nvcap](http://www.paloalto.org/nvcap). A summary of the ARB's comments and how those were incorporated into the Revised Draft NVCAP is included in Attachment B.

The NVCAP, in accordance with PAMC Chapter 19.10, and Comprehensive Plan Policy L-1.7 and Program L-4.10, provides the framework to create a walkable neighborhood with multi-family housing, ground-floor retail, a public park, creek improvements, and an interconnected street grid. The NVCAP is anticipated to be built out over an approximate 20-year period. The NVCAP includes land use policies and programs that would allow up to an additional 530 residential units and approximately two acres of new public open space within the plan area. To accommodate the new residential units and NVCAP programs, the NVCAP anticipates a net decrease of up to 278,000 square feet (sf) of office and up to 7,500 sf of retail through implementation of the plan. Residential densities would range from low to high, allowing for a wide range of multi-family housing typologies and mixed-use typologies. New buildings in the plan area would be, at a maximum, 55 feet in height.

The NVCAP would create and enhance well-defined connections to transit, pedestrian, and bicycle facilities, including improved connections to the Caltrain Station, Park Boulevard, and El Camino Real. The NVCAP would maintain the existing vehicular flow on Park Boulevard, Olive Avenue, Acacia Avenue, Pepper Avenue, and Portage Avenue. On Ash Street, implementation of the plan would change this two-way street to a one-way street from Oregon Expressway to Olive Avenue. On Lambert Avenue, the plan proposes to downsize the vehicle travel lane on the north side to create a wider pedestrian thoroughfare. The NVCAP would eliminate portions of on-street parking to create opportunities for new bike lanes on Park Boulevard, Ash Street, Acacia Avenue, Pepper Avenue, and Portage Avenue. Implementation of the NVCAP could create an opportunity for a new bridge spanning approximately 100 feet across Matadero Creek and connecting Portage Avenue to Lambert Avenue. In addition, implementation of the NVCAP could create a fully naturalized Matadero Creek through the establishment of a 100-foot riparian corridor buffer, at maximum, as measured from the centerline of the creek. The plan also includes approximately two acres of public open space within the plan area.

### Planning Area

---

<sup>1</sup> Link to June 1, 2023 ARB meeting minutes: <https://www.cityofpaloalto.org/files/assets/public/v/1/agendas-minutes-reports/agendas-minutes/architectural-review-board/2023/arb-approved-minutes-6-1-23.pdf>

The NVCAP project area lies within the Ventura neighborhood of Palo Alto. It is comprised of approximately 60 acres, roughly bounded by Page Mill Road, El Camino Real, Lambert Avenue, and the Caltrain tracks. The plan area is near key community destinations such as the California Avenue Caltrain Station, California Avenue Business District, and Stanford Research Park. The plan area represents a rare opportunity within the City to plan proactively for a transit-oriented, mixed-use neighborhood.

**ANALYSIS**

The following discussion includes the methodology for the proposed zoning, summary of proposed development standards, and consistency with the Comprehensive Plan.

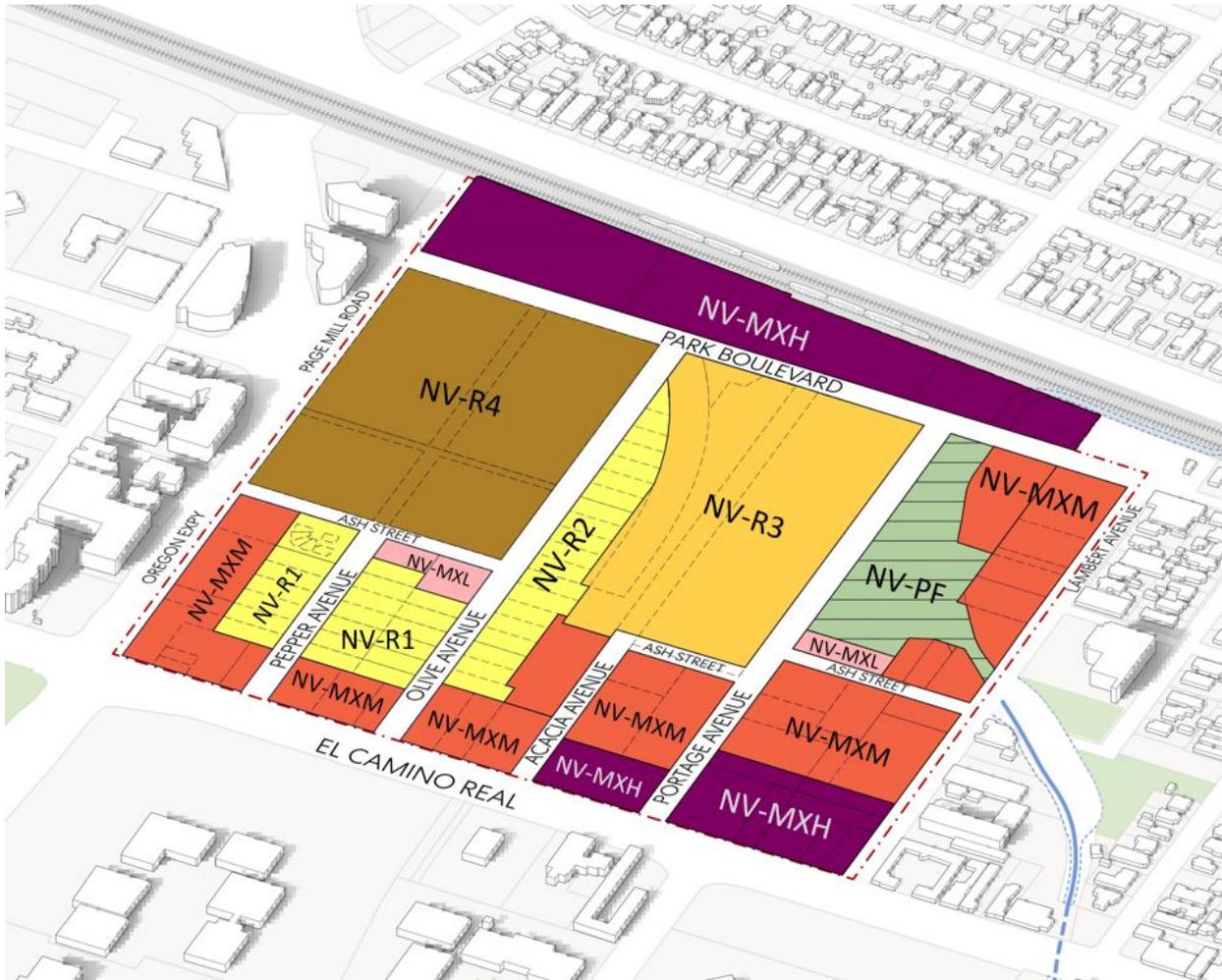
Methodology for Zoning

Staff reviewed the endorsed plan and draft NVCAP document to prepare an ordinance to rezone the parcels within the NVCAP and set forth the development standards to guide development within the plan area. Each zoning district within the plan area is identified with the prefix, North Ventura (NV), to clearly identify the NVCAP zoning designations. The new zoning districts acknowledge the unique aspects of the area and reflect the varying residential and mixed-use densities anticipated within the plan area. Table 1 below summarizes the relationship between the NVCAP land use designations and the PAMC zoning district designations. Figure 1 depicts the location and relationship between the proposed zoning districts.

**Table 1: NVCAP Land Use Designation & PAMC Zoning Designation Crosswalk**

NVCAP Land Use Classification	Anticipated Density (DU/AC)	Maximum Height (FT)	Maximum Floor Area Ratio (FAR)	Allowed Zoning Districts
High-Density Mixed-Use	61-100	55	3.0:1	NV-MXH
Medium-Density Mixed-Use	31-70	45	2.0:1	NV-MXM
Low-Density Mixed-Use	3-17	35	0.5:1	NV-MXL
High Density Residential	61-100	55	3.0:1	NV-R4
	61-100	55	3.0:1	NV-PF
Medium Density Residential	16-30	35	1.5:1	NV-R3
Low Density Residential	1 or 2 units/lot	30	0.45:1	NV-R2
				NV-R1

NVCAP Land Use Classification	Anticipated Density (DU/AC)	Maximum Height (FT)	Maximum Floor Area Ratio (FAR)	Allowed Zoning Districts
Parks				NV-PF



**Figure 1: NVCAP Proposed PAMC Zoning Designation Map**

Staff notes that the figures above reflect the future vision for the entire NVCAP area. However, in accordance with the Development Agreement, areas that were rezoned to Planned Community in accordance with the Sobrato Development Agreement will not be rezoned as part of the adoption of this ordinance. Council may consider rezoning and redesignating these parcels once the Development Agreement has expired.

Zoning Districts and Development Standards

To create the development standards for each of the new zoning districts, staff reviewed comparable existing zoning districts. Development standards and permitted uses within each of the zone districts were adjusted to align with NVCAP's goals, including the addition of 530 net new dwelling units. These adjustments primarily focused on density, FAR, height limits, and

setback requirements. To eliminate duplicate information, staff incorporated existing regulations by reference for any development standards identical to other Code sections. Only unique standards specific to the new NV zoning districts are included. Table 2 compares NV zoning districts with existing comparable zoning districts.

**Table 2: Comparable Zoning Districts**

Proposed NVCAP Zoning District	Existing Comparable Zoning District
NV-R1	R-1, R-2
NV-R2	
NV-R3	RM-30
NV-R4	RM-40
NV-MXL	RM-30, RM-40 for residential; Primarily CS and CN for non-residential
NV-MXM	
NV-MXH	

Density

To establish appropriate density for the NVCAP plan, staff used a one-acre lot as the base to calculate density for each land use designation. Several factors were considered in the density calculation, including building height directed by City Council, NVCAP land use designations, and an average unit size of 1,250 square feet to promote diversity in unit sizes within the plan area. Staff employed different FAR levels to determine the maximum building size on a one-acre site. Staff then used the average unit size to arrive at a density appropriate for each zoning district. The goal was to utilize typical building typologies to achieve the designated densities within each land use. For the NV-MXL zone, which applies only to three properties in the plan area, the focus was on maintaining existing building sizes and ensuring smooth transitions to neighboring properties.

**Summary of Proposed NVCAP Zoning Chapter**

Staff proposes creating a new chapter in PAMC to house NVCAP-specific development standards and requirements. The chapter mirrors other zoning designation chapters, with dedicated sections for applicability, zoning districts, definitions, permitted uses, development standards, parking and loading, and special requirements.

In addition to typical development standards, the NVCAP ordinance includes special requirements specific to the plan area, including office use restrictions, storefront guidelines, ground floor commercial use, and the NV district's housing incentive program.

The NVCAP housing incentive program applies to housing projects where all units are affordable. These projects are defined as “a multiple-family housing or mixed-use project in which all residential units are affordable, as defined in Section 16.65.020. The units must be available only to households with income levels at or below 120% of the area median income (as defined in Section 16.65.020), and the average household income cannot exceed 60% of the area median income level, except for a building manager's unit.” Height increases greater than the maximum

allowed per zoning district would be permitted for housing incentive program projects within the plan area.

The draft ordinance also references the NVCAP document for several items, including the designated location of required and encouraged ground floor uses, requirements for active ground floor uses, specific site and building design requirements in Chapter 6, and public realm improvements. Both the NVCAP and the NVCAP zoning ordinance are intended to be used together when designing or reviewing development proposals in the plan area.

**Relationship to the Housing Element**

The Housing Element is one of seven mandatory elements within the Palo Alto Comprehensive Plan, which assesses the condition of the City's current housing and future needs of its residents through citywide housing goals, objectives, and policies. The City is required to update the Housing Element every eight years.

The City adopted the 2023-2031 Housing Element in May 2023. A revised Housing Element was considered by Planning and Transportation Commission and City Council at a joint meeting on April 15, 2024. The Housing Element includes the housing needs assessment, resources and inventory of potential housing sites, housing constraints, and housing element programs or implementation actions. The Housing Element identifies a total of 300 potential housing opportunity sites. Of the total, 17 housing opportunity sites are located within the NVCAP. The Housing Element estimated that the development capacity for these 17 sites would yield over 300 dwelling units.

In January 2024, an ordinance implementing Housing Element Program 1.1A and 1.1B became effective, rezoning housing opportunity sites for consistency with the Housing Element. The zoning changes apply to multi-family, commercial, and industrial zoning to accommodate greater housing production, including within the NVCAP. This includes modification of development standards to increase density and height. For housing opportunity sites, the proposed NVCAP development standards generally have more permissive standards compared to development standards from the January 2024 rezoning. Therefore, applying NVCAP development standards to housing opportunity sites within the plan area would not hinder achieving the densities projected in the Housing Element. In addition, the proposed ordinance updates Chapter 18.14 (Housing Incentives) to include the new NV districts and incorporate the few areas where the January 2024 rezoning was more permissive.

**Compliance with Comprehensive Plan, Area Plans and Guidelines**

The draft plan implements Comprehensive Plan Program L.4.10.1, which directs staff to prepare a coordinated area plan for the North Ventura area and surrounding California Avenue area. Program L.4.10.1 outlines that the plan should describe a vision for the future of the North Ventura area as a walkable neighborhood with multi-family housing, ground floor retail, a public park, creek improvements and an interconnected street grid.

Pipeline Projects

Since the onset of the NVCAP project, property owners have been allowed to submit development applications consistent with the existing zoning code. Notable projects submitted and entitled since the NVCAP initiation include 3001 El Camino Real<sup>2</sup>, 3200 Park Boulevard<sup>3</sup>, and 3241 Park Blvd<sup>4</sup>. These projects are considered “pipeline projects” or projects that do not have to be consistent with the NVCAP due to the submittal of a complete planning entitlement application prior to the adoption of the NVCAP and its associated implementing zoning code amendments.

### Next Steps

Staff will consider and include ARB comments on the draft NVCAP zoning ordinance and on the draft NVCAP, where feasible. The draft NVCAP and associated zoning ordinance will be forwarded to the PTC for consideration in May. The City Council hearing to take action on the plan and the SEIR is tentatively scheduled for June 2024.

### STAKEHOLDER ENGAGEMENT

Consistent with PAMC Chapter 19.10, the City Council appointed a 14-member working group. The working group met 17 times over the course of two years and concluded their effort once alternatives were forwarded to the PTC and City Council for consideration. Notifications throughout the process have been sent to the working group, stakeholders and property owners. The City maintains a project website with archives of working group, workshops and public hearing materials related to the NVCAP.

### ENVIRONMENTAL REVIEW

In accordance with the California Environmental Quality Act, the City of Palo Alto, acting as the lead agency, released a Notice of Availability (NOA) of a Draft Supplemental Environmental Impact Report (Draft SEIR) for the proposed project on March 8, 2024 for a 45-day public comment period that ends on Monday April 22, 2024.

This hearing provides an opportunity for public comment during the Draft SEIR comment period. However, comments may also be provided in writing at any point during the comment period. Responses to comments on the Draft SEIR will be integrated into the Final Supplemental EIR (Final SEIR) for Council’s consideration prior to taking action on the environmental analysis and the proposed project.

The Draft SEIR found that the impacts related to biological resources, archaeological resources, noise, and tribal cultural resources could be significant but mitigatable to less than significant. Impacts to historical resources would be significant and unavoidable because the project would involve modifications to an historic resource eligible for the California Register of Historic

---

<sup>2</sup> 3001 El Camino Real: a 100% affordable housing project with 129 units. <https://www.cityofpaloalto.org/News-Articles/Planning-and-Development-Services/30013017-El-Camino-Real>

<sup>3</sup> 200 Portage: a project including partial demolition of cannery, construction of 74 dwelling units and renovation of cannery into research & development space with associated Development Agreement. <https://www.cityofpaloalto.org/News-Articles/Planning-and-Development-Services/200-Portage-Avenue>

<sup>4</sup> 3241 Park Blvd: a new 7,861 square foot office building. <https://www.cityofpaloalto.org/Departments/Planning-Development-Services/Current-Planning/Projects/3241-Park-Boulevard>

Resources in a manner that would not be consistent with the Secretary of the Interiors Standards. Buildout of the NVCAP, on a plan level, would have a significant and unavoidable criteria air pollutant emissions impact because the increase in population would be exceeded by the increase in VMT and daily trips.

**ALTERNATIVE ACTIONS**

No action is required.

**ATTACHMENTS**

Attachment A: Draft NV Zoning District Regulations

Attachment B: NVCAP Comments from ARB and Staff Response

Attachment C: link to the Draft SEIR

**AUTHOR/TITLE:**

Kelly Cha, Senior Planner

**SECTION 1.** Chapter 18.29 (North Ventura (NV) District Regulations) of Title 18 (Zoning) of the Palo Alto Municipal Code is added to read as follows:

**CHAPTER 18.29  
NORTH VENTURA (NV) DISTRICT REGULATIONS**

**18.29.010 Purpose**

**18.29.020 Applicability of Regulations**

**18.29.030 Zoning Districts**

**18.29.040 Definitions**

**18.29.050 Permitted Uses**

**18.29.060 Development Standards**

**18.29.070 Parking and Loading**

**18.29.080 Context-Based Design Criteria and Objective Design Standards**

**18.29.090 Housing Incentive Programs for NV District**

**18.29.010 Purpose**

The purpose of the North Ventura district is to implement the vision and framework of the North Ventura Coordinated Area Plan (NVCAP) through use regulations and development standards.

**18.29.020 Applicability of Regulations**

(a) The North Ventura districts shall apply to properties within the NVCAP and designated as North Ventura Coordinated Area Plan within the Palo Alto Comprehensive Plan. Where designated, the regulations set forth in this chapter shall apply in lieu of the comparable provisions established by the underlying zoning district regulations.

(b) Refer to the NVCAP for design guidelines related to streets and buildings in conjunction with the regulations contained within this chapter.

**18.29.030 Zoning Districts**

The North Ventura districts shall apply to properties designated on the zoning map by the symbol “NV” in front of the zoning district designation.

The following zoning districts are intended to create and maintain sites for residential, commercial and mixed-use sites:

**(a) Single Family Residential District (NV-R1)**

The NV-R1 single family residential district is intended to create, preserve, and enhance areas suitable for detached dwellings with a strong presence of nature and with open area affording maximum privacy and opportunities for outdoor living and children’s play. Minimum site area requirements are established to create and preserve variety among neighborhoods, to provide adequate open area, and to encourage quality design. Accessory dwelling units, junior accessory dwelling units and accessory structures or

buildings are appropriate. Community uses and facilities are allowed to the extent no net loss of housing would result.

**(b) Two Family Residential District (NV-R2)**

The NV-R2 two-family residential district is intended to allow a second dwelling unit, under the same ownership as the initial dwelling unit, in areas designated for single-family use or NVCAP by the Palo Alto Comprehensive Plan, under regulations that preserve the essential character of single-family use. Community uses and facilities are allowed to the extent no net loss of housing would result.

**(c) Medium Density Multiple-Family Residential District (NV-R3)**

The NV-R3 medium density multiple-family residential district is intended to create, preserve and enhance neighborhoods for multiple-family housing with better transition to lower density residential districts. Projects at this density are intended for larger parcels that will enable developments to provide their own parking spaces and to meet their open space needs in the form of garden apartments or cluster developments. While there is no maximum density in the NV-R3 residential district, the NVCAP anticipates realistic development yields ranging from 16 to 30 dwelling units per acre based on the applicable development standards.

**(d) High Density Multiple-Family Residential District (NV-R4)**

The NV-R4 high density multiple-family residential district is intended to create, preserve and enhance locations for apartment living at the highest density deemed appropriate for Palo Alto. The most suitable locations for this district are along major transportation corridors which are close to mass transportation facilities and major employment and service centers. While there is no maximum density in the NV-R4 residential district, the NVCAP anticipates realistic development yields ranging from 61 to 100 dwelling units per acre based on the applicable development standards.

**(e) Low Density Mixed-Use District (NV-MXL)**

The purpose of the NV-MXL district is to allow for small-scale commercial and services with limited amount of residential that is compatible with the surrounding development. While there is no maximum density in the NV-MXL district, the NVCAP anticipates realistic development yields ranging from three to 17 dwelling units per acre.

**(f) Medium Density Mixed-Use District (NV-MXM)**

The purpose of the NV-MXM district is to allow for a compatible mix of residential and limited commercial. While there is no maximum density in the NV-MXM district, the NVCAP anticipates realistic development yields ranging from 31 to 70 dwelling units per acre

**(g) High Density Mixed-Use District (NV-MXH)**

The purpose of the NV-MXH district is to allow for a mix of retail, restaurant, entertainment and commercial uses on the ground floor with residential on the upper floors, while maintaining a pedestrian-oriented streetscape. It is intended that the active ground floor retail space required will ensure neighborhood-oriented retail and services are provided within walking distance of high density residential. Ground floor active uses are required along El Camino Real. While no maximum density in the

NV-MXH district, the NVCAP anticipates realistic development yields ranging from 61 to 100 dwelling units per acre.

**(h) Public Facilities District (NV-PF)**

The NV-PF public facilities district is designed to accommodate governmental, public utility, educational, and community service or recreational facilities. Within the North Ventura area, an approximate one-acre portion of the NV-PF district may permit a 100% affordable housing project.

**18.29.040 Definitions**

For the purposes of this chapter, the following definitions shall apply:

(a) "100% affordable housing project" means a multiple-family housing or mixed-use project in which the residential component consists entirely of affordable units offered at affordable rents or affordable sales prices, as defined in Section [16.65.020](#), and, for rental projects, where the average household income does not exceed 60% of the area median income level, except for a building manager's unit.

(b) "Street yard" means a yard adjoining a street lot line and may also be a front lot line.

**18.29.050 Permitted Uses**

(a) The uses of land allowed by this chapter in each zoning district are identified in the following tables. Land uses that are not listed in the tables are not allowed, except where otherwise noted. Where the last column on the following tables ("Subject to Regulations in") includes a section number, specific regulations in the referenced section also apply to the use; however, provisions in other sections not specifically referenced may apply as well.

**TABLE 1: PERMITTED AND CONDITIONALLY PERMITTED USES**

- P = Permitted Use**
- CUP = Conditional Use Permit Required**
- TUP = Temporary Use Permit Required**
- = Not Permitted**

<b>LAND USE</b>	<b>NV-R1</b>	<b>NV-R2</b>	<b>NV-R3</b>	<b>NV-R4</b>	<b>NV-MXL (1)(5)</b>	<b>NV-MXM (5)</b>	<b>NV-MXH</b>	<b>NV-PF</b>	<b>Subject to Regulations In:</b>
<b>ACCESSORY AND SUPPORT USES</b>									
Accessory facilities and activities customarily associated with or essential to permitted uses, and operated incidental to the principal use.	P	P	P	P	P	P	P	—	18.40
Accessory facilities and uses customarily incidental to permitted uses with more than two plumbing fixtures (but with no kitchen), and more than 200 square feet in size, but excluding second dwelling units	CUP	—	—	—	—	—	—	—	18.12.080
Accessory facilities and uses customarily incidental to permitted uses (no limit on number of plumbing fixtures)	—	P	—	—	—	—	—	—	18.10.080
Accessory Dwelling Unit & Junior Accessory Dwelling Unit when accessory to primary and permitted residential use	P	P	P	P	P	P	P	—	18.09
Home Occupations, when accessory to permitted residential use	P	P	P	P	P	P	P	P	18.42
Horticulture, Gardening, and	P	P	P	P	P	P	P	—	

<b>LAND USE</b>	<b>NV-R1</b>	<b>NV-R2</b>	<b>NV-R3</b>	<b>NV-R4</b>	<b>NV-MXL (1)(5)</b>	<b>NV-MXM (5)</b>	<b>NV-MXH</b>	<b>NV-PF</b>	<b>Subject to Regulations In:</b>
Growing of food products for consumption by occupants of a site									
<b>EDUCATIONAL, RELIGIOUS, AND ASSEMBLY USES</b>									
Private Clubs, Lodges, or Fraternal Organizations, excluding any such facility operated as a business for profit	—	—	—	CUP	CUP	—	—	—	
Private Educational Facilities	CUP	CUP	CUP	CUP	CUP	P	P	—	
Religious Institutions	CUP	CUP	CUP	CUP	P	P	P	—	
<b>OFFICE USES<sup>(2)</sup></b>									
Administrative Office Services	—	—	—	—	P	P	P	—	18.29.050(a)
Medical Offices	—	—	—	—	P	P	P	—	18.29.050(a)
Professional and General Business Offices	—	—	—	—	P	P	P	—	18.29.050(a)
<b>PUBLIC/QUASI-PUBLIC USES</b>									
Community Centers	CUP	CUP	CUP	CUP	—	—	—	—	
Utility Facilities essential to provision of utility services but excluding construction or storage yards, maintenance facilities, or corporation yards.	CUP	CUP	CUP	CUP	CUP	CUP	CUP	—	
<b>RECREATION USES</b>									
Neighborhood Recreational Centers	—	—	CUP	CUP	—	—	—	CUP <sup>(3)</sup>	
Commercial Recreation	—	—	—	—	CUP	CUP	CUP	CUP <sup>(3)</sup>	

<b>LAND USE</b>	<b>NV-R1</b>	<b>NV-R2</b>	<b>NV-R3</b>	<b>NV-R4</b>	<b>NV-MXL (1)(5)</b>	<b>NV-MXM (5)</b>	<b>NV-MXH</b>	<b>NV-PF</b>	<b>Subject to Regulations In:</b>
Outdoor Recreation Services	CUP	CUP	CUP	CUP	—	CUP	CUP	CUP <sup>(3)</sup>	
Youth Clubs	—	—	—	—	—	—	—	CUP <sup>(3)</sup>	
<b>RESIDENTIAL USES</b>									
Single-Family	P	P	—	—	—	—	—	—	
Two-Family	P	P	—	—	—	—	—	—	18.42.180
Multiple-Family	—	—	P	P	P	P	P	P <sup>(4)</sup>	
Residential Care Homes	P	P	P	P	P	P	P	—	
<b>RETAIL USES</b>									
Eating and Drinking Services, except drive-in and take-out services	—	—	P	P	P	P	P	CUP <sup>(3)</sup>	18.40.160, 18.29.050(c)
Personal Services and Retail Services of a neighborhood-serving nature	—	—	P	P	P	P	P	CUP <sup>(3)</sup>	18.40.160, 18.29.050(c)
Liquor stores	—	—	—	—	—	P	P	—	18.40.160, 18.29.050(c)
<b>SERVICE USES</b>									
Animal Care, excluding boarding and kennels	—	—	—	—	P	P	P	—	18.29.050(c)
Convalescent Facilities	—	—	—	CUP	P	P	P	—	
Day Care Centers	CUP	CUP	CUP	P	P	P	P	—	18.40.160
Large Family Day Care Homes	P	P	P	P	P	P	P	P <sup>(3)</sup>	
Small Family Day Care Homes	P	P	P	P	P	P	P	P <sup>(3)</sup>	
Large Adult Day Care Homes	CUP	CUP	P	P	P	P	P	P <sup>(3)</sup>	
Small Adult Day Care Homes	P	P	P	P	P	P	P	P <sup>(3)</sup>	
Financial Services	—	—	—	—	P	P	P	—	18.29.050(a) 18.29.060(b)
General Business Services	—	—	—	—	P	P	P	—	18.29.050(a) 18.29.060(b)
Hotels	—	—	—	—	—	P	P	—	18.40.160, 18.16.060(d)
Personal Services	—	—	—	—	P	P	P	—	18.40.160, 18.29.050(c)

LAND USE	NV-R1	NV-R2	NV-R3	NV-R4	NV-MXL (1)(5)	NV-MXM (5)	NV-MXH	NV-PF	Subject to Regulations In:
									18.29.060(b)
<b>AGRICULTURAL AND OPEN SPACE USES</b>									
Park uses and uses incidental to park operation	—	—	—	—	—	—	—	P	
All facilities owned or leased, and operated or used, by the City of Palo Alto, the County of Santa Clara, the State of California, the government of the United States, the Palo Alto Unified School District, or any other governmental agency, or leased by any such agency to another party	—	—	—	—	—	—	—	P	
Community Centers	—	—	—	—	—	—	—	CUP <sup>(3)</sup>	
Utility Facilities	—	—	—	—	—	—	—	CUP	
<b>TEMPORARY USES</b>									
Temporary Uses	—	—	TUP	TUP				—	18.42.050
Farmer’s Markets	—	—	—	—	—	CUP	CUP	—	
Temporary Parking Facilities, provided that such facilities shall remain no more than five years	—	—	—	—	—	CUP	CUP	CUP <sup>(3)</sup>	

**Notes:**

- (1) For NV-MXL zoning district, the total floor area of non-residential uses permitted and conditionally permitted on a lot shall not exceed 5,000 square feet.
- (2) For office uses, total floor area of permitted office uses on a lot shall not exceed 5,000 square feet.
- (3) Provided such use is conducted on property owned by the City of Palo Alto, the County of Santa Clara, the State of California, the government of the United States, the Palo Alto Unified School District, or any other governmental agency, and leased for said uses.
- (4) Only a 100% Affordable Housing Project is permitted. Development shall follow NV-R4 standards.

LAND USE	NV- R1	NV- R2	NV- R3	NV- R4	NV- MXL (1)(5)	NV- MXM (5)	NV- MXH	NV- PF	Subject to Regulations In:
<sup>(5)</sup> Ground floor uses shall comply with the ground floor edge framework set forth in NVCAP section 2.3.									

**(a) Office Use Restrictions**

(1) Conversion of Ground Floor Housing and Non-Office Commercial to Office Medical, Professional, and Business offices shall not be located on the ground floor, unless any of the following apply to such offices:

(A) Have been continuously in existence in that space since **DATE OF ADOPTION OF NVCAP**, and as of such date, were neither non-conforming nor in the process of being amortized pursuant to [Chapter 18.30\(l\)](#);

(B) Occupy a space that was not occupied by housing, neighborhood business service, retail services, personal services, eating and drinking services, or automotive service on **DATE OF ADOPTION OF NVCAP** or thereafter;

(C) Occupy a space that was vacant on **DATE OF ADOPTION OF NVCAP**; or

(D) Are located in new or remodeled ground floor area built on or after **DATE OF ADOPTION OF NVCAP** if the ground floor area devoted to housing, retail services, eating and drinking services, and personal services does not decrease.

(E) Along El Camino Real, the office use has a consistent flow of in-person customers visiting the business, such as a dentist or medical office.

(2) Size Restrictions on Office Uses in the NV District

(A) Total floor area of permitted office uses on a lot shall not exceed 5,000 square feet.

**(b) Late Night Use and Activities**

(1) 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.

(2) Where planning or building permits are required or for a change in use that results in any such commercial business in the NV-MXM and NV-MXH zoning 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.

(3) 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.

**(c) Active Ground Floor Commercial Uses**

The NVCAP requires active ground floor uses along the El Camino Real corridor and encourages active ground floor uses on other designated streets. Active uses are activities and functions that promote social engagement, vitality, and interaction within a community. Refer to NVCAP, Section 2.3 for detailed requirements.

(1) Active ground floor commercial uses generally include retail, personal services, neighborhood business service, and eating and drinking establishments. These may also include other active uses such as daycare, building lobbies, spaces accessory to residential uses such as fitness rooms, workspaces, leasing offices, bicycle facilities (Class I) with direct access to the sidewalk. Office uses may be included only to the extent they are permitted in ground floor regulations, are consistent with 18.29.080(a) and have a regular flow of in-person customers.

(2) Ground floor commercial uses are required for properties with frontage along El Camino Real, as shown in the NVCAP Section 2.3 (Ground Floor Edges)

(3) Ground floor commercial uses shall have a minimum floor to ceiling height of 14 feet.

(4) Retail or retail-like at the ground floor is required at the intersections of El Camino Real and Olive Avenue, and El Camino Real and Portage Avenue.

(5) 100% affordable housing projects are exempt from providing ground floor commercial uses.

**18.29.060 Development Standards**

(a) The following tables specify the development standards that shall apply to NV district properties. Where the last column on the following tables ("Subject to Regulations in") includes a section number, specific regulations in the referenced section also apply to the development standard; however, provisions in other sections may apply as well.

**TABLE 1: LOW DENSITY RESIDENTIAL DEVELOPMENT STANDARDS**

<b>DEVELOPMENT STANDARD</b>	<b>NV-R1</b>	<b>NV-R2</b>	<b>Subject to Regulations In:</b>
<b>Minimum Setbacks</b>	Setback lines imposed by a special setback map pursuant to Chapter 20.08 of this code may also apply		18.10.050
Street yard (ft)	Pepper Ave: 12.5' to create a 12' effective sidewalk width <sup>(1)</sup>	Olive Ave: 12.5'	18.29.020(b)
<b>Parking</b>	None	None	18.29.070
<b>Other development standards</b>	See regulations in Chapter 18.12	See regulations in Chapter 18.10	
<b>Notes:</b>			

DEVELOPMENT STANDARD	NV-R1	NV-R2	Subject to Regulations In:
----------------------	-------	-------	----------------------------

<sup>(1)</sup> The effective sidewalk width includes the pedestrian clear zone and landscape/furniture zone as described in PAMC 18.24.020.

**TABLE 2: MULTI-FAMILY RESIDENTIAL & MUTLI-FAMILY RESIDENTIAL MIXED-USE DEVELOPMENT STANDARDS**

DEVELOPMENT STANDARD	NV-R3	NV-R4	Subject to Regulations In:
<b>Minimum Site Specifications</b>			
Site Area (ft <sup>2</sup> )	8,500		
Site Width (ft)	70		
Site Depth (ft)	100		
<b>Minimum Setbacks</b>			
Street Yard (ft)	Park Blvd.: 20' Ash St: 5' Acacia Ave: 5' Portage Ave: 5'	Park Blvd.: 20' Olive Ave.: 20' Ash St.: 5' Page Mill Rd: sufficient to create a 12' effective sidewalk width <sup>(2)(3)</sup>	18.29.020(b)
Interior Side Yards (ft)	5'	5'	
Interior Rear Yards (ft)	10'	10'	
Build-to-Lines	50% of frontage built to setback <sup>(1)</sup> 33% of side street built to setback <sup>(1)</sup>		
<b>Maximum Height (ft)</b>			
Standard	35'	55'	18.29.100
Portions of a site within 50 feet of a more restrictive residential district or a site containing a residential use in a nonresidential district (measured from property lines)		35'	
<b>Daylight Plane</b>			
For lot lines abutting one or more residential zoning districts or lots bigger than 10,000 ft <sup>2</sup>			18.24.050(b)
For lots smaller than 10,000 ft <sup>2</sup>	None	None	
<b>Maximum Lot Coverage (%)</b>			
Base	40	45	
Additional area permitted to be covered by covered patios or overhangs otherwise in compliance with all applicable laws	5	5	

DEVELOPMENT STANDARD	NV-R3	NV-R4	Subject to Regulations In:
<b>Floor Area Ratio (FAR)</b>			
Maximum Residential FAR	1.5:1	3.0:1	
Maximum Non-residential FAR	0.15:1	0.15:1	18.29.050(c)
Total Mixed-Use FAR	1.5:1	3.0:1	
<b>Residential Density (net units per acre)</b>			
Maximum units per acre	None	None	
Minimum units per acre	16	61	
<b>Minimum Landscape/Open Space Coverage (%)</b>	30 <sup>(4)</sup>	None	
<b>Minimum Usable Open Space (ft<sup>2</sup> per unit)</b>	150	150	
<b>Minimum Common Open Space (ft<sup>2</sup> per unit)</b>	75	75	
<b>Minimum Private Open Space (ft<sup>2</sup> per unit)</b>	50	50	
<b>Landscape Requirements</b>			18.40.130
<b>Parking</b>	None	None	18.29.070
<b>Notes:</b>			
(1) 25-foot driveway access permitted regardless of frontage.			
(2) 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.			
(3) 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.			
(4) Landscape coverage may be provided above the ground-floor.			

**TABLE 3: MIXED-USE DEVELOPMENT STANDARDS**

DEVELOPMENT STANDARD	NV-MXL	NV-MXM	NV-MXH	Subject to Regulations In:
<b>Minimum Site Specifications</b> Site Area (ft <sup>2</sup> ) Site Width (ft) Site Depth (ft)		None Required	Not required	
<b>Minimum Setbacks</b>				
Street Yard (ft)	Ash St.: 5' Olive Ave.: 12.5' Portage Ave: 0' Pepper Ave: 12.5'	El Camino Real: 5' Oregon/Page Mill Rd: 5' Pepper: 12.5'	Park Blvd: 5' El Camino Real: sufficient to create a 12' effective sidewalk width <sup>(1)(2)</sup>	18.29.020(b)

<b>DEVELOPMENT STANDARD</b>	<b>NV-MXL</b>	<b>NV-MXM</b>	<b>NV-MXH</b>	<b>Subject to Regulations In:</b>
		Olive Ave (North side): 12.5' Olive Ave (South side): 10' Ash St: 5' Park Blvd: 20' Lambert Ave: 5' Portage Ave: 5' Acacia Ave: 5'	Oregon Expy/Page Mill Rd: sufficient to create a 12' effective sidewalk <sup>(1)(2)</sup> Lambert Ave: 5' Acacia Ave: 5' Portage Ave: 5'	
Build-to-Lines	None	For properties abutting El Camino Real: 50% of frontage built to setback <sup>(1)</sup> 33% of side street built to setback <sup>(1)</sup>		
Rear Yard (ft)	10'	10' for residential portion/ none for commercial portion	10' for residential portion/ none for commercial portion	
Rear Yard abutting residential zone district (ft)	10'	10'	10'	
Interior Side Yard (ft)	10'	5'	5'	
Build-to-lines	None Required			
Permitted Setback Encroachments	Balconies, awnings, porches, stairways, and similar elements may extend up to 6 ft into the setback. Cornices, eaves, fireplaces, and similar architectural features (excluding flat or continuous walls or enclosures of interior space) may extend up to four (4) ft into the front and rear setbacks and up to three (3) ft into interior side setbacks			
<b>Maximum Setback (ft)</b>	Not applicable	El Camino Real: 10'	El Camino Real: 10'	
<b>Maximum Lot Coverage (%)</b>	50	100	100	
<b>Minimum Landscape/Open Space Coverage (%)</b>	20	5	None	
<b>Usable Open Space (Private and/or Common) (ft<sup>2</sup>)</b>	150 per unit			18.16.090

<b>DEVELOPMENT STANDARD</b>	<b>NV-MXL</b>	<b>NV-MXM</b>	<b>NV-MXH</b>	<b>Subject to Regulations In:</b>
<b>Maximum Height (ft)</b>				18.29.100
Standard	35'	45'	55'	
Ground Floor Height	14'			18.29.050(c)
Portions of a site within 150 ft of an abutting residential zoning district (measured from property line) <sup>(3)</sup>	Not applicable	45'	Not Applicable	
<b>Daylight Plane for lot lines abutting one or more residential zoning districts</b>				18.24.050(b)
<b>Residential Density (net units per acre)</b>				
Maximum units per acre	None			
Minimum units per acre	3	31	61	
<b>Floor Area Ratio (FAR)</b>				
Maximum Residential FAR	0.5:1	2.0:1	3.0:1	
Maximum Non-residential FAR <sup>(4)</sup>	0.25:1	0.25:1	0.25:1	18.29.050(c) 18.29.060(c)
Minimum Mixed-Use Ground Floor Commercial FAR	0.15:1	0.15:1	0.15:1	18.29.050(c)
Total Mixed-Use FAR	0.5:1 <sup>(4)</sup>	2.0:1	3.0:1	
<b>Parking</b>				18.29.070
<b>Notes:</b>				
<p><sup>(1)</sup> 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><sup>(2)</sup> 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><sup>(3)</sup> The 150-foot measurement may be reduced to 50 feet at minimum, subject to approval by the Planning Director, upon recommendation by the Architectural Review Board pursuant to criteria set forth in <a href="#">Chapter 18.76</a>.</p> <p><sup>(4)</sup> As provided in 18.29.060(c), maximum FAR for hotels shall be 2.0:1. Hotel projects in the NV-MXL zone may reach a Total Mixed-Use FAR of 2.0:1.</p>				

**TABLE 4: PUBLIC FACILITIES DEVELOPMENT STANDARDS<sup>(1)</sup>**

<b>DEVELOPMENT STANDARD</b>	<b>NV-PF</b>	<b>Subject to Regulations In:</b>
<b>Minimum Setbacks</b>		
Street Yard (ft)	Portage Ave: 0' Park Blvd: 20' Lambert Ave: 5'	18.29.020(b)
Rear Yard (ft)	10'	18.40.140
Side Yard (ft)	5'	
<b>Maximum Site Coverage (%)</b>		
Multiple-Family Residential Use	100	
Other Uses	20	
<b>Minimum Landscape/Open Space Coverage (%)</b>		
Multiple-Family Residential Use	0	
Other Uses	Not applicable	
<b>Usable Open Space (Private and/or Common) (ft<sup>2</sup>)</b>		
Multiple-Family Residential Use	150 per unit	
<b>Maximum Height (ft)</b>		18.29.100
Multiple-Family Residential Use	55'	
Other Uses		
<b>Maximum Floor Area Ratio (FAR)</b>		
Multiple-Family Residential Use	3.0:1	
Other Uses	1.0:1	
<b>Parking</b>		18.29.070
<b>Notes:</b>		
<sup>(1)</sup> Residential standards in this table shall only be applicable to 100% Affordable Housing Projects. For standards not listed in Table 4 for 100% Affordable Housing Projects in NV-PF, refer to applicable NV-R4 development standards in PAMC 18.29.060, Table 2.		

**(b) Storefront Guidelines**

Where active use and retail frontages are required or located within the NV district on the ground floor, the following design standards shall apply:

(1) Exterior windows on the ground floor shall use transparent glazing to the extent feasible. Low-e glass or minimal tinting to achieve sun control is permitted, so long as the glazing appears transparent when viewed from the ground level.

(2) Window coverings are not permitted on the ground floor during typical business hours. Where operations preclude transparency (e.g., theaters) or where privacy requires window coverings, sidewalk-facing frontage shall include items of visual interest including displays of merchandise or artwork; visual access shall be provided to a minimum depth of three (3) feet.

(3) The building facade shall not dedicate more than 10% of its frontage, and no more than 25 feet in width, to mechanical equipment rooms, parking garage entrances, exit stairs, and other facilities necessary for building operation.

**(c) Hotel Regulations**

(1) The purpose of these regulations is to allow floor area for development of hotels more than floor area limitations for other commercial uses, to provide a visitor-serving use that results in an enhanced business climate, increased transient occupancy tax and sales tax revenue, and other community and economic benefits to the city.

(2) Hotels, where they are a permitted use, may develop to a maximum FAR of 2.0:1, subject to the following limitations:

(A) The hotel use must generate transient occupancy tax (TOT) as provided in [Chapter 2.33](#) of the Palo Alto Municipal Code; and

(B) No room stays more than thirty days are permitted, except where the city council approves longer stays through an enforceable agreement with the applicant to provide for compensating revenues.

(3) Hotels may include residential condominium use, subject to:

(A) No more than twenty-five percent (25%) of the floor area shall be devoted to condominium use; and

(B) No more than twenty-five percent (25%) of the total number of lodging units shall be devoted to condominium use; and

(C) A minimum FAR of 1.0 shall be provided for the hotel/condominium building(s); and

(D) Where residential condominium use is proposed, room stays for other hotel rooms shall not exceed thirty (30) days.

(4) Violation of this chapter is subject to enforcement action for stays more than thirty days not permitted under the provisions of this chapter, in which case each day of room stay more than thirty days shall constitute a separate violation and administrative penalties shall be assessed pursuant to Chapters 1.12 and 1.16.

### **18.29.070 Parking and Loading**

In accordance with Assembly Bill 2097 (2022), no minimum automobile parking is required for properties within the NV Districts except for projects including transient lodging. There are no maximum parking standards. Standards for transient lodging and other parking standards, such as bicycle parking, and parking design standards are contained within PAMC Chapters 18.52 and 18.54.

### **18.29.080 Context-Based Design Criteria and Objective Design Standards**

In addition to the development standards prescribed in 18.29.050, all Housing Development Projects shall comply with the objective standards outlined in [Chapter 18.24](#), as defined herein. All other developments, and Housing Development Projects that elect to deviate from one or more objective design standards in [Chapter 18.24](#), shall meet the Context Based Design Criteria, as determined by the Director pursuant to the Architectural Review process.

#### **(a) Multiple Family Context-Based Design Criteria**

Refer to Section 18.13.060 for the Context Based Design Criteria.

**(b) Mixed-Use and Commercial Context-Based Design Criteria**

Refer to Section 18.16.090 for the Context Based Design Criteria.

**18.29.090 Housing Incentive Programs for NV District**

(a) Housing development projects in the NV Districts may utilize any Housing Incentive Program or Affordable Housing Incentive Program set forth in Sections 18.14.030 and 18.14.040, subject to the following restrictions:

(1) Maximum Height. The maximum height for a 100% affordable housing project shall not exceed 68 feet in the NV-MXL and NV-R3 districts, 78 feet in the NV-MXM district, and 88 feet in the NV-R4 and NV-MXH districts.

**SECTION 2.** Table 1 of Section 18.14.020 (Housing Element Opportunity Sites) of Chapter 18.14 (Housing Incentives) of Title 18 (Zoning) of the Palo Alto Municipal Code is amended to read as follows (additions underlined):

**Table 1**

**Housing Element Opportunity Site Development Standards  
(Residential and Commercial Mixed Use Districts)**

Base Zoning District	Maximum Far <sup>(1)</sup>		Minimum Landscape Coverage	Residential Density (du/ac) <sup>(4)</sup>		Other Development Standards
	Residential	Total		Minimum	Maximum	
CC <sup>(2)</sup>	1.5	2.0	<sup>(3)</sup>	20	See base district regulation s: <a href="#">18.16.060</a>	See base district regulations: <a href="#">18.16.060</a>
CC	1.25	1.25	<sup>(3)</sup>	20		
CS (El Camino Real)	1.25	1.25	<sup>(3)</sup>	20		
CS (Other)	1.25	1.25	<sup>(3)</sup>	20	See HE Appendix D	
CN (El Camino Real)	1.25	1.25	30% <sup>(3)</sup>	20	See base district regulation s: <a href="#">18.16.060</a>	

CN (Other)	1.25	1.25	30% <sup>(3)</sup>	20	See HE Appendix D	
CD-C	2.0	2.0 <sup>(2)</sup>	<sup>(3)</sup>	20	See base district regulations: <a href="#">18.18.060</a>	See base district regulations: <a href="#">18.18.060</a>
CD-N	1.5	1.5	<sup>(3)</sup>	20	See HE Appendix D	
RP	1.25	1.25	<sup>(3)</sup>	25	None; 40 du/ac anticipated	See base district regulations: <a href="#">18.20.040</a>
RM-40	1.5	1.5	<sup>(3)</sup>	31	See HE Appendix D	See base district regulations: <a href="#">18.13.040</a>
RM-30	1.25	1.25	<sup>(3)</sup>	20		
RM-20	1.25	1.25	See <a href="#">18.13.040</a>	20		
<u>NV-MXM</u>	<u>See base district regulations: 18.29.060, except that maximum height shall be 50'</u>					
<u>NV-R3</u>	<u>See base district regulations: 18.29.060, except that maximum height shall be 50', maximum lot coverage shall be 70%, and minimum density shall be 25 du/ac.</u>					

Notes:

- (1) Nothing in this table increases the non-residential floor area permitted in any district.
- (2) FAR may be increased with transfer of development rights; see [Chapter 18.18](#) for details.
- (3) Landscape coverage may be provided above the ground-floor. If standard is not specified, refer to base district regulations.
- (4) Where no maximum density is provided in terms of du/ac, maximum density shall be determined by estimating the realistic development capacity of the site based on the objective development standards applicable to the project. Where noted, refer to Housing Element Appendix D: Sites Inventory for specified densities.

**SECTION 3.** Section 18.24.010 (Purpose and Applicability) of Chapter 18.24 (Contextual Design Criteria and Objective Design Standards) of Title 18 (Zoning) of the Palo Alto Municipal Code is amended to read as follows (additions underlined, and unchanged text omitted by bracketed ellipses):

**18.24.010 Purpose and Applicability**

(a) Purpose

[. . .]

(b) Applicability of Regulations

These regulations apply to Housing Development Projects (as defined in Gov. Code 65589.5), both new construction and renovations, within the following zones and combining districts:

- (1) Chapter 18.12: R-1, for multiple-family use projects only
- (2) Chapter 18.13: RM-20, RM-30, RM-40
- (23) Chapter 18.16: CN, CC, CC(2), CS
- (34) Chapter 18.18: CD-C, CD-S, CD-N
- (45) Chapter 18.20: MOR, ROLM, ROLM(E), RP, RP(5), GM
- (56) Chapter 18.28: PF
- (7) Chapter 18.29: NVCAP
- (68) Chapter 18.34: PTOD combining district

Housing Development Projects include multifamily housing with three or more units ("multiple-family use" as defined in Section 18.04.030), supportive and transitional housing, and residential mixed-use projects with at least two-thirds residential square footage shall meet the objective design standards.

(c) Process and Alternative Compliance

[. . .]

**SECTION 4.** Section 16.65.030 (Basic affordable housing requirement - residential ownership projects) of Chapter 16.65 (Citywide Affordable Housing Requirements) of Title 16 (Building Regulations) is amended to read as follows (additions underlined, and unchanged text omitted by bracketed ellipses):

**16.65.030 Basic affordable housing requirement - residential ownership projects.**

The provisions of this section shall apply to all residential ownership projects, including the residential ownership portion of any mixed use project containing three or more units, except for any residential ownership project exempt under Section 16.65.025.

(a) Unless an alternative is approved as described in Section 16.65.080, residential ownership projects shall provide the following:

(1) For projects on sites of less than five acres, fifteen percent of the dwelling units in the project shall be made available at affordable sales price to very low, low, and moderate income households;

(2) For projects on sites of five acres or more and all townhome projects in the NV districts, twenty percent of the dwelling units in the project shall be made available at affordable sales price to very low, low, and moderate income households; and

(3) For projects that convert existing rental housing to condominiums, other residential ownership or nonresidential space or that remove existing rental housing, twenty-five percent of the dwelling units in the project shall be made available at affordable sales price to very low, low, and moderate income households.

(4) Calculations of the number of affordable units required by this section shall be based on the number of dwelling units in the residential project, excluding any density bonus units. Projects shall not receive a credit for any existing dwelling units demolished as part of the project.

(b) The affordable units shall be made available at the following affordable sales prices:  
[. . .]

**SECTION 5.** Section 16.65.040 (Basic requirement - mixed use, nonresidential and residential rental projects) of Chapter 16.65 (Citywide Affordable Housing Requirements) of Title 16 (Building Regulations) is amended to read as follows (additions underlined; deletions ~~struck-through~~):

**16.65.040 Basic requirement - mixed use, nonresidential and residential rental projects.**

(a) Unless the mixed use, nonresidential or residential rental project is exempt under Section [16.65.025](#) or an alternative is approved as described in Section [16.65.080](#), all mixed use, nonresidential and residential rental projects shall pay housing impact fees as specified in Section [16.65.060](#) to mitigate the projects' impacts on the need for affordable housing; except:

- (1) ~~that the~~The residential ownership portion of a mixed use project containing three or more units shall comply with Section [16.65.030](#).
- (2) In the NV districts, residential rental projects, including mixed use projects containing residential rental units, shall provide fifteen percent of the dwelling units in the project at rates affordable to lower income households.

**SECTION 6.** Pipeline Projects. This Ordinance and the NVCAP shall not apply to any project application deemed complete prior to the effective date of this Ordinance. Any project completed pursuant to such application shall be deemed a legal non-conforming structure and/or use, subject to the provisions of Palo Alto Municipal Code Chapter 18.70.

## Staff Response to ARB Comments on Draft NVCAP

ID	Comment	Response
ARB 1	Place table captions above the table	Table captions were moved above the table throughout the document.
ARB 2	Encourage or require more green roofs (maybe incentivize with additional FAR)	No incentive programs were considered but green roofs are encouraged in the plan area per Section 6.6.5.
ARB 3	Only include essential information in the plan and refer to other documents when necessary. Example: trees.	After reorganization of the document, appropriate references were added.
ARB 4	2.1: Make exhibit more realistic	Language added that no new or recent development constructed during preparation of NVCAP reflected in any exhibits.
ARB 5	Ground floor height is 15' too tall?	Ground floor height changed to 14' to be consistent with Contextual Design Criteria and Objective Design Standards
ARB 6	Sustainable design (subcommittee of the ARB): 6.5.4 through 6.5.7.	No substantial recommendations were provided to be implemented; new ordinance is underway for bird safe design.
ARB 7	4.6.2 :Provide examples of permeable pavement.	Updated the Figure 69 in Chapter 4.
ARB 8	2.5: Show more green roofs, solar panels. Tell more of a story that includes green roof and solar panels, connection with the open spaces and creek. Vertical green spaces	Conceptual figures for the plan added more green roofs and solar panels but no additional changes were made to the draft zoning ordinance as the NVCAP ordinance follows existing Title 18 requirements on green roofs and open space requirements.
ARB 9	Figure 42: Provide more setback from building near creek (see document for where).	Noted but no changes were made to graphics.
ARB 10	Figure 46 & 78: This seems inconsistent with the preferred plan and other illustrative exhibits because the creek improvement would occupy portions of these building envelopes. Shrink the building envelopes to be consistent with the diagram for the creek.	Figure 82 adjusted
ARB 11	3.3: Consider separating out topics	The comment addressed by reorganization of the document.
ARB 12	3.3: These are already in the code, should refer to the code or master plan	The comment addressed by reorganization of the document.

ID	Comment	Response
ARB 13	Figure 77: Replace this exhibit with one from the Municipal Code 18.24.	Replaced.
ARB 14	2.4, figure 36: The legend mentions priority, secondary and tertiary streets. Is this supposed to be "primary," etc.? Describe more what these mean.	Removed legend items for priority secondary and tertiary and replaced with bike facility information.
ARB 15	6.4.1: Entries must be raised above sidewalk grade. Is there any consideration for ADA compliance when we require this? Is this already in the zoning code.	No changes made; ADA compliance required per building code.
ARB 16	Can we encourage exploration and reuse of existing structures? For example for the audi building and ash office?	Noted. No changes made.
ARB 17	consider adding a FAR bonus as well to make projects more viable	No incentive program added; the draft NVCAP ordinance has its own housing incentive program but only for affordable housing with extra height allowed. The NVCAP already increased density and height for the plan area.
ARB 18	ground floor uses packet page 85, office edges are going to want to go near retail so having office edge near residential edge may not make so much sense.	No changes are needed. Limited office allowed. Office edge removed (See the updated Figure 32 in Chapter 2)
ARB 19	consider having a focused retail corridor. The retail seems broken up and unconcentrated now making it less likely to be viable.	Figure 32 on Ground Floor Edges in Chapter is updated to show required retail edges along El Camino Real and encouraged active edge along Park Boulevard
ARB 20	bird safe building design—UV coated glass is not a preferred option	No changes made. The Citywide dark sky and bird safe ordinance will supersede once adopted.
ARB 21	Better way to refer to "egg-crate" design on page 159	No changes made.
ARB 22	need clarifications on ground floor entries (page 110), 4 active doorways every 200 linear feet	The requirement is specific to woonerf. Revised the language to specify the requirement is applicable "between park and ash" on Portage Avenue.
ARB 23	Paseo between buildings—possibility to connect greenbelt to the rest of the neighborhood through paseos—would like to see birdseye view of that	Figure was updated to remove paseos.

**Attachment D:**

Link to the Draft SEIR for North Ventura Coordinated Area Plan

<https://www.cityofpaloalto.org/files/assets/public/v/1/planning-amp-development-services/north-ventura-cap/draft-seir-nvcap-march-2024.pdf>