



Urban Lot Split Standards/ Refining SB 9 Development Standards

Authorizing PW Director to Publish Objective Standards

Implementing Policy L7.1.1

Planning & Development Services

Recommendation

- 1. Review and adopt objective standards for urban lot splits (Attachment A)**
These standards will only apply to qualifying SB 9 projects within Palo Alto

- 2. Adopt Interim Ordinance (Attachment B) to:**
 - **Refine SB 9 Regulations**
 - **Authorize Public Works Director** to Publish Objective Standards Regarding Adjacent Public Improvements Related to SB 9 Projects

- 3. Direct implementation of Comprehensive Plan Program L7.1.1** – with staff, Historic Resources Board (HRB), and consultant assistance, begin updating City historic inventory with properties previously evaluated and determined eligible for State and National Register.





SB 9 Background

Background: Council Actions

- SB 9 became effective January 1, 2022.
- Council has adapted Palo Alto's municipal code accommodate Senate Bill 9 (SB 9, GC Section 66411.7).
 - Council adopted an urgency ordinance December 6, 2021, and interim ordinance January 10, 2022. These address some areas of concern while a permanent ordinance is drafted.
 - The December 2021 ordinance contemplated the development of urban lot split standards and their adoption by the City Council.

Background: SB9 Lot Splits

- No discretionary review/hearing for SB9 urban lot splits in R-1 and RE zones
- Lot split criteria: Location, Parcel Size, No Prior SB9 Lot Split, Subdivision Map Requirements, Protected Units, Owner-Occupancy Affidavit, Residential Uses (Packet Page 222)
- Objective zoning standards, objective subdivision standards, and objective design review standards apply to SB 9 urban lot splits; these standards:
 - Must not conflict with the ***limitations*** imposed by SB 9
 - Must not physically preclude construction of up to two units each 800 sf
 - Urban lot split limitations include: Setbacks, allowing adjacent or connected structures, parking requirements, easements, access and dedications, number of unit, extends approval time for maps, etc.





Proposed Objective Standards for Urban Lot Splits

March 21, 2022

www.cityofpaloalto.org

Proposed Objective Standards for Urban Lot Split

- Existing interim ordinance Section 21.10.040 (e)1 states: “Each parcel shall comply with any objective lot design standards for Urban Lot Splits adopted by the City Council.”
- Objective lot split standards will be applicable to SB9 projects only
- These will be combined with the objective design standards for SB9 projects
- State law gives cities some latitude in designing lot split standards
 - Palo Alto may require “that the parcels [resulting from a lot split] have access to, provide access to, or adjoin the public right-of-way.”
 - Staff evaluated three types of lot splits
 - Street frontage requirement can largely dictate the way subdivision is designed



Proposed Objective Standards for Urban Lot Split

Side-by-side:

Allowed in all situations

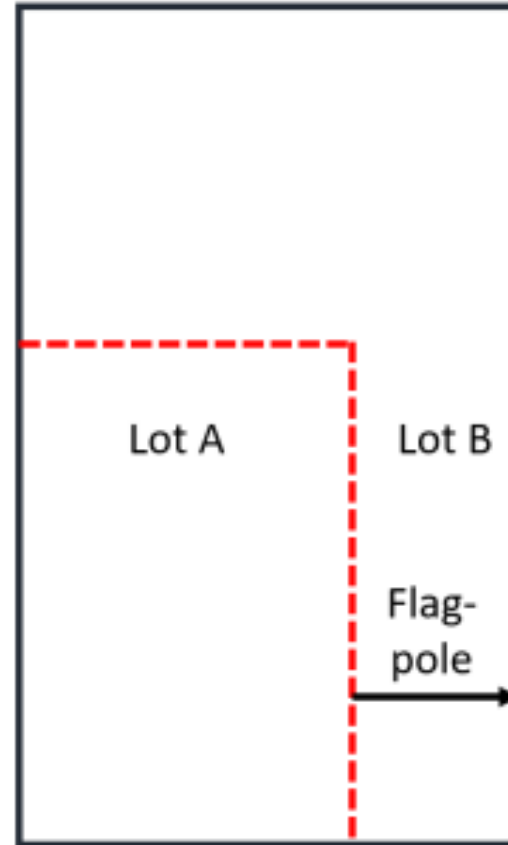
Flag lot: Allowed in all situations

Flag lot with easement:

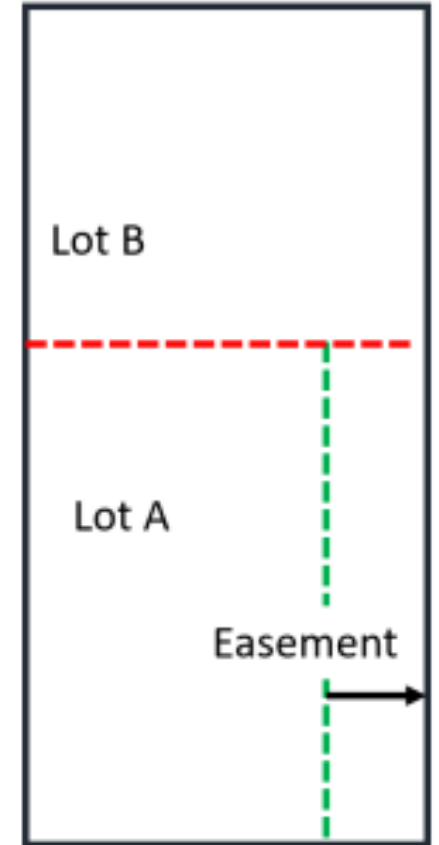
Allowed and required for lots less than 50' wide



(1) Side-by-Side: A 50/50 or 60/40 lot split could occur. This may be limited if a home exists on the property.



(2) Flag lot: Require a "flagpole" of at least 15' wide that results in a back lot and front lot.



(3) Flag lot w/Easement: For lots less than 50' in wide, 10' would be allowed.





Preferred Development Pattern & Further Shaping of Lot

March 21, 2022

www.cityofpaloalto.org

Preferred Development Pattern

Side-by-Side Lot Split

- Longer and narrower lots than typically allowed by today's lot standards.
- Easier for an applicant to leave a back yard.
- ***To encourage side-by-side split:***
 - Only allow flag lots (with or without easement) on very narrow lots, such as 50' wide

Flag Lot Split

- May lead to more homes built in the rear, and thus with greater adjacencies to neighboring yards.
- Easier to preserve existing home.
- ***To promote more flag lots:***
 - Require 30' minimum frontage for side-by-side split (where 60' is minimum)
 - Less than 30' frontage goes to flag lot option(s)





Historic Preservation

March 21, 2022

www.cityofpaloalto.org

Historic Properties Already Deemed Eligible – Policy L7.1.1

- On December 6, Council directed staff to return with information on updating our local historic inventory
- SB 9 exposed a vulnerability with respect to the potential loss of approximately 160 National Register eligible properties in Palo Alto, many of which are single family homes
- SB 9 does not apply to properties listed on a local or state or national register
- Local listing does not preclude subdivision of the property or home additions
- Property owners with listed historic properties are eligible for a number zoning code incentives, including additional floor area.
- To protect historic resources from demolition and/or alteration, the City may conduct a process to consider listing eligible properties.





Adjacent Public Improvements

March 21, 2022

www.cityofpaloalto.org

Public Improvements

- Staff recommend adding language to the regular ordinance allowing the Director of Public Works to promulgate objective adjacent public improvement standards.
- Examples of standards include allowable curb cuts, distances between curb cuts for driveways, reconstruction of sidewalk and/or curb lawns.
- Specifying these in objective ways will ensure that SB 9 projects are better connected into the neighborhood fabric.
- ***Please note***, the supplemental memorandum recommended the same language be added to the ordinance, however in a different location than originally proposed.





CITY OF
**PALO
ALTO**

Jonathan Lait

Director, Planning & Development Services

Jonathan.Lait@CityofPaloAlto.org

Rachael Tanner

Assistant Director,

Planning & Development Services

Rachael.Tanner@CityofPaloAlto.org