



# City of Palo Alto

## City Council Staff Report

(ID # 7472)

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**Report Type: Consent Calendar**

**Meeting Date: 3/20/2017**

**Summary Title: Planning Code Amendments - Second Reading**

**Title: SECOND READING: Adoption of an Ordinance Amending Palo Alto Municipal Code (PAMC) Title 18 (Zoning), Chapters 18.04 (Definitions), 18.30(F) Automobile Dealership (AD) Combining District Regulations, 18.52 (Parking and Loading Requirements), and 18.54 (Parking Facility Design Standards); Adding Sections 18.40.160 (Replacement Project Required), 18.40.170 (Deferral of Director's Action), and 18.42.140 (Housing Inventory Sites Small Lot Consolidation); and Repealing Chapter 10.70 (Trip Reduction and Travel Demand). The Proposed Ordinance is Exempt from the California Environmental Quality Act (CEQA) per Sections 15061(b)(3) (FIRST READING: February 27, 2017 PASSED: 7-0)**

**From: City Manager**

**Lead Department: Planning and Community Environment**

### **Recommendation:**

Staff recommends that Council conduct a second reading and adopt the attached ordinance (Attachment A) to amend Title 18 (Zoning Code) of the Palo Alto Municipal Code.

### **Background:**

On February 27, 2017, the City Council reviewed and adopted (on first reading) a draft ordinance updating various sections of Title 18. The updates focused on the following items:

1. Update two housing-related definitions.
2. Correct the existing loading space requirements table and include Planning Director's discretion for adjusting loading zone requirements.
3. Add provisions to allow mechanical lift vehicle parking.
4. Require entitlement approval of replacement projects before demolition permitted.
5. Provide authority to the Planning Director to forward projects to City Council for action when deemed appropriate.

6. Add incentives to encourage consolidation of small-lots listed on the Housing Inventory Sites to support 100% affordable housing development as required by the Housing Element.
7. Clarify code language regarding when a Transportation Management Plan (TDM) is required.
8. For projects with an Automobile Dealership combining district, exempt floor area dedicated to meeting minimum parking requirements for service areas and vehicle queuing of customer cars dropping off or picking up service repair vehicles.

The staff report from February 27 is available at:

<http://www.cityofpaloalto.org/civicax/filebank/documents/55951>

#### Council Amendments to Ordinance:

The draft ordinance has been modified to incorporate the Council's amendments listed below that were included in the motion to adopt the ordinance.

- Transportation Demand Management
  - Change the trip generation threshold from 100 to 50 trips [Section 11 (d)(1)(b)]
  - Change the ongoing monitoring from three years to annually [Section 12 (d)(3)]
- Housing Inventory Sites Small Lot Consolidation - Section 5
  - Clarify in the initial paragraph that the identified sites are from the 2015-2023 Housing Element
  - Change the deed restriction term from 30 years to 55 years [section (f)]
  - Change the parking requirement for residential units less than 500 square feet from none to 50% of the requirement [section (k)]
- Modification to Off-Street Loading Requirements - Section 7 (Table 4) and Section 8(e)
  - Add the clarification that the use of on-street loading would not conflict with Comprehensive Plan goals and policies related to site design planning, circulation and access or urban design principles

#### Staff Amendments to Ordinance:

Staff has made a minor change to the Section 9, Mechanical Lifts, to modify the requirements for the vehicle size accommodations. The original text specified that the lifts shall accommodate full-size sport utility vehicles, and staff has modified this requirement to require lifts to accommodate mid-size utility vehicles and full-size cars. By today's standards, a full-size sport utility vehicle, such as a Chevrolet Suburban, generally cannot be accommodated by parking lifts due to the over-sized nature of the vehicle. The revised requirement is a more reasonable standard for lifts.

**Timeline:**

If approved on second reading, the attached ordinance would become effective April 20, 2017.

**Attachments:**

**Attachment A: Draft Ordinance (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), Chapters 18.04 (Definitions), 18.30(F) ((Automobile Dealership (AD) Combining District Regulations)), 18.52 (Parking and Loading Requirements), and 18.54 (Parking Facility Design Standards) Adding Sections 18.40.160 (Replacement Project Required), 18.40.170 (Deferral of Director’s Action), and 18.42.140 (Housing Inventory Sites Small Lot Consolidation) and Repealing Chapter 10.70 (Trip Reduction and Travel Demand)

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

**SECTION 1.** Section 18.04.030 (Definitions) of Chapter 18.04 (Definitions) of Title 18 (Zoning) is amended to read as follows:

**18.04.030 Definitions**

(a) Throughout this title the following words and phrases shall have the meanings ascribed in this section.

...

(135.5) “Supportive housing” means housing with no limit on length of stay, that is occupied by target populations, as defined by Section 53260(d) of the California Health and Safety Code, and that is linked to on- or off-site services that assist the supportive housing residents in retaining the housing, improving his or her health status, and maximizing his or her ability to live and, when possible, work in the community. Supportive housing shall be considered ~~as a multiple family use and only subject to those restrictions that apply to other multiple family uses of the same type in the same zone- a residential use of property and shall be subject only to those restrictions that apply to other dwellings of the same type in the same zone.~~ Supportive housing programs may use residential care homes wholly or as a part of their overall facilities.

...

(138) “Transitional housing” means buildings configured as rental housing developments, but operated under program requirements that call for termination of assistance and recirculation of the assisted units to another eligible program recipient at some predetermined future point in time, which shall be no less than six months. Support services may include meals, counseling, and other services, as well as common areas for residents of the facility. Transitional housing shall be considered a ~~multiple-family use and only subject to those restrictions that apply to other multiple family uses of the same type in the same zone~~ residential use of property and shall be only subject to those restrictions that apply to other residential dwellings of the same type in the same zone. Transitional housing programs may use residential care homes wholly or as part of their overall facilities.

**SECTION 2.** Section 18.30(F).050 (Site Development Regulations) of Chapter 18.30(F) ((Automobile Dealership (AD) Combining District Regulations)) of Title 18 (Zoning) is amended to read as follows:

**18.30(F).050 Site Development Regulations**

The site development regulations in this Section 18.30(F).050 apply to automobile dealership uses in the (AD) combining district, in addition to the regulations of the underlying district. Where the regulations of the underlying district conflict with this Section 18.30(F).050, this section shall control.

(a) Floor Area Ratio

- 1) The maximum floor area ratio for automobile dealership uses shall be 0.4 to 1.
- 2) An additional 0.2:1 FAR is permitted exclusively for automobile showroom space, for a total FAR of 0.6:1. "Automobile showroom space" is that area for the display of new automobiles, located only on the first floor and excluding all other uses associated with the automobile dealership including sales office and sale of related merchandise. The director of planning and community environment is authorized to determine whether floor area is automobile showroom space, as described above. Floor area used for automobile showroom space shall not be converted to any other use if the total floor area devoted to uses other than automobile showroom space would exceed a floor area ratio of 0.4:1 following the conversion.

3) Notwithstanding Section 18.04.030 (65), the following shall not count toward an automobile dealership's maximum floor area:

- i. Parking facilities for required parking related to service and repair areas shall be excluded from the calculation of gross floor area as provided in Section 18.52.040(b)(2), however, any enclosed or covered parking in excess of this requirement shall count toward total gross floor area;
- ii. Covered area dedicated to queuing of customer vehicles for drop off and pick up of service vehicles shall be exempt from the calculation of gross floor area; only one contiguous designated area shall be excluded in a development.

...

**SECTION 3.** Section 18.40.160 (Replacement Project Required) of Chapter 18.40 (General Standards and Exceptions) of Title 18 (Zoning) is added to read as follows:

**18.40.160 Replacement Project or Discretionary Review Required**

- (a) No permit required under Title 2 (Administrative Code), Title 12 (Public Works and Utilities), or Title 16 (Building Regulations) shall be issued for demolition of a single family residence or duplex in the Low-Density Residential District (Chapter 18.10) or Single Family Residential District (Chapter 18.12), except for deconstruction pursuant to section 16.14.130 or where necessary for health and safety purposes (as determined by the City's Building Official), unless building permit plans for a replacement project have been approved. This subsection shall also apply to demolition of a single family residence or duplex in the Multiple Family Residential District (Chapter 18.13) when the replacement project does not require discretionary.
- (b) No permit required under Title 2 (Administrative Code), Title 12 (Public Works and Utilities), or Title 16 (Building Regulations) shall be issued for any project requiring discretionary review under Title 18 or Title 21, unless the application for discretionary review has been approved.

~~No permit required under Title 2 (Administrative Code), Title 12 (Public Works and Utilities), or Title 16 (Building Regulations) shall be issued, except for tenant improvements or where necessary for health~~

~~and safety purposes (as determined by the City's Building Official), unless plans for a replacement project have been approved.~~

**SECTION 4.** Section 18.40.170 (Deferral of Director's Action) of Chapter 18.40 (General Standards and Exceptions) of Title 18 (Zoning) is added to read as follows:

**18.40.170 Deferral of Director's Action**

The director shall have the authority to forward projects to City Council for final action in the circumstances listed below. No action by the Director shall be required, and the appeal process and or request for hearing process shall not apply to such referred actions.

- (a) In the case of projects having multiple entitlements, where one requires City Council approval, all entitlements may be referred to City Council for final action;
- (b) Projects involving leases or agreements for the use of City-owned property; and
- (c) Projects, as deemed appropriate by the director.

**SECTION 5.** Section 18.42.140 (Housing Inventory Sites Small Lot Consolidation) of Chapter 18.42 (Standard for Special Uses) of Title 18 (Zoning) is added to read as follows:

**18.42.140 Housing Inventory Sites Small Lot Consolidation**

The following incentives and standards shall apply to sites listed in the 2015-2023 Housing Element's Housing Inventory Sites list and identified as "small lot, consolidation opportunity" that are merged to form a larger parcel for development of an 100% affordable rental or ownership housing project. For purposes of this section only, a "100% affordable rental or ownership housing project" ~~shall include~~ mixed use projects containing ground floor retail and retail like use provided the residential square footage is at least 85% of the project's gross floor area.

- (a) All projects shall comply with the respective development standards and allowable uses as specified in the underlying zone district, except as modified below;
- (b) For HIS properties not located in the RT 35 or RT 50 zones, the RT 35 development standards shall apply and development of a mixed use development is not required;
- (c) In the case of a conflict between the provisions of this section and the RT development standards (Chapter V, SOFA 2), this section shall control;
- (d) Any HIS property in excess of 10,000 square feet prior to consolidation shall not be entitled to any of the incentives in this section;
- (e) The applicable Housing Inventory Site (HIS) can be merged with both HIS and non-HIS sites;
- (f) The housing units shall be deed restricted as 100% affordable housing units for ~~no less than 30~~ fewer than 55 years;
- (g) Rental units shall be made affordable to households earning no more than 80% of the County's Area Median Income (AMI) and ownership units shall be made affordable to households earning no more than 120% of AMI;
- (h) Application processing shall be prioritized throughout the planning entitlement phase to the maximum extent feasible;

- (i) All such projects shall be subject to Architectural Review. Site and design review required in the Code for mixed use projects shall be waived for such projects;
- (j) All subdivisions, regardless of the number of parcels created, shall be subject to the administrative Parcel Map subdivision process; however, maps requiring exceptions as specified in PAMC 21.32 shall follow the standard review process;
- (k) ~~No parking is required.~~ Parking requirements for residential units less than 500 sq. ft. shall be reduced by 50%, regardless of bedroom count;
- (l) Guest parking for the residential use, as required by PAMC 18.52.040, shall be reduced by 30%; fractional amounts shall be rounded down; and
- (m) Waiver of planning entitlement fees: Waive all planning application fees except for direct costs for consultant fees associated with project review. This waiver shall not include applicable parking in lieu or development impact fees.

**SECTION 6.** Section 18.52.040 (Off-Street Parking, Loading, and Bicycle Facility Requirements) of Chapter 18.52 (Parking and Loading Requirements) of Title 18 (Zoning) is amended to read as follows:

**18.52.040 Off-Street Parking, Loading, and Bicycle Facility Requirements**

...

(c) Tables 1, 2 and 3: Parking, Bicycle, and Loading Requirements

Tables 1 and 2 below outline vehicle and bicycle parking requirements in general and for Parking Assessment Districts, respectively. Table 3 outlines loading requirements for each land use. For mixed-use projects, the requirement for each land use shall be applied and required for the overall project.

...

**Table 3  
Minimum Off-Street Loading Requirements**

| Use  | Gross Floor Area           | Loading Spaces Required |
|--|----------------------------|-------------------------|
| <b>RESIDENTIAL USES</b>  |                            |                         |
| <ul style="list-style-type: none"> <li>• Single-family residential use</li> <li>• Two-family residential use</li> <li>• Multiple-family residential use</li> </ul>   | No requirement established | 0                       |
| <ul style="list-style-type: none"> <li>• Dormitory, Fraternity/Sorority, or group housing where meals are provided in common dining facilities</li> <li>• Housing for the elderly or other community facility, where meals are provided in common dining facilities</li> </ul> | 0 – 9,999 sq. ft.          | 0                       |
|  | 10,000 – 99,999 sq. ft.    | 1                       |
|  | 100,000 sq. ft. or greater | 2                       |
| <b>HEALTH CARE SERVICES</b>  |                            |                         |
| <ul style="list-style-type: none"> <li>• Hospitals</li> <li>• Convalescent facilities</li> </ul>   | 0 – 9,999 sq. ft.          | 0                       |
|  | 10,000 – 99,999 sq. ft.    | 1                       |

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| 100,000 – 199,999 sq. ft.  | 2 |
| 200,000 sq. ft. or greater | 3 |

| Use   | Gross Floor Area   | Loading Spaces Required |
|---|--|-------------------------|
| <b>SERVICE USES</b>   |  |                         |
| <ul style="list-style-type: none"> <li>Automotive Uses</li> </ul>   | 0 – 29,999 sq. ft.   | 1                       |
|   | 30,000 – 69,999 sq. ft.                                      | 2                       |
|   | 70,000 – 120,000 sq. ft.                                     | 3                       |
|   | Each additional 50,000 sq. ft. over 120,000 sq. ft.          | 1 additional space      |
| <ul style="list-style-type: none"> <li>Financial services</li> <li>Personal services</li> <li>Administrative office services</li> </ul> | 0 – 9,999 sq. ft.  | 0                       |
|   | 10,000 – 99,999 sq. ft.                                      | 1                       |
|   | 100,000 – 199,999 sq. ft.                                    | 2                       |
|   | 200,000 sq. ft. or greater                                   | 3                       |
| <b>RETAIL USES</b>  |  |                         |
| <ul style="list-style-type: none"> <li>Hotel/Motel/Inn</li> </ul>   | 0 – 9,999 sq. ft.  | 0                       |
|   | 10,000 – 99,999 sq. ft.                                      | 1                       |
|   | <del>100,000 sq. ft. or greater</del> <u>199,999 sq. ft.</u> | 2                       |
|   | 200,000 sq. ft. or greater                                   | 3                       |
| <ul style="list-style-type: none"> <li>Retail Services</li> <li>Eating and Drinking Services</li> </ul>                                 | 0 – 4,999 sq. ft.  | <del>1</del>            |
|   | <del>5,000 – 29,999 sq. ft.</del>                            | <u>1</u>                |
|   | 30,000 – 69,999 sq. ft.                                      | 2                       |
|   | 70,000 – 120,000 sq. ft.                                     | 3                       |
|   | For each additional 50,000 sq. ft. over 120,000 sq. ft.      | 1 additional space      |
| <b>OFFICE USES</b>  |  |                         |
| <ul style="list-style-type: none"> <li>Medical offices</li> <li>Professional offices</li> <li>General business offices</li> </ul>       | 0 – 9,999 sq. ft.  | 0                       |
|   | 10,000 – 99,999 sq. ft.                                      | 1                       |
|   | 100,000 – 199,999 sq. ft.                                    | 2                       |
|   | 200,000 sq. ft. or greater                                   | 3                       |

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| Use   | Gross Floor Area  | Loading Spaces Required |
|---|---|-------------------------|
| <b>MANUFACTURING AND PROCESSING USES</b>  |   |                         |
| <ul style="list-style-type: none"> <li>Warehousing and distribution</li> <li>Manufacturing</li> </ul> | 0 – 4,999 sq. ft.                                       | <del>10</del>           |
|   | <u>5,000 – 29,999 sq. ft.</u>                           | <u>1</u>                |
|   | 30,000 – 69,999 sq. ft.                                 | 2                       |
|   | 70,000 – 120,000 sq. ft.                                | 3                       |
|   | For each additional 50,000 sq. ft. over 120,000 sq. ft. | 1 additional space      |
| <ul style="list-style-type: none"> <li>Research and development</li> </ul>                            | 0 – 9,999 sq. ft.                                       | 0                       |
|   | 10,000 – 99,999 sq. ft.                                 | 1                       |
|   | 100,000 – 199,999 sq. ft.                               | 2                       |
|   | 200,000 sq. ft. or greater                              | 3                       |
| <b>OTHER USES</b>   |   |                         |
| All uses not specifically listed  | To be determined by the director                        |                         |

**SECTION 7.** Section 18.52.050 (Adjustments by the Director) of Chapter 18.52 (Parking and Loading Requirements) of Title 18 (Zoning) is amended to read as follows:

**18.52.050 Adjustments by the Director**

Automobile parking requirements prescribed by this chapter may be adjusted by the director in the following instances and in accord with the prescribed limitations in Table 4, when in his/her opinion such adjustment will be consistent with the purposes of this chapter, will not create undue impact on existing or potential uses adjoining the site or in the general vicinity, and will be commensurate with the reduced parking demand created by the development, including for visitors and accessory facilities where appropriate. No reductions may be granted that would result in provision of less than ten (10) spaces on a site. The following are adjustments that apply to developments not located within a parking assessment district. Adjustments within the parking assessment districts are contained in Section 18.52.080. The decision of the regarding parking adjustments may be appealed as set forth in Chapter 18.78 (Appeals).

**Table 4  
Allowable Parking Adjustments**

| Purpose of Adjustment                 | Amount of Adjustment   | Maximum Reduction <sup>2a</sup>                    |
|---------------------------------------|--|--|
| On-Site Employee Amenities            | Square footage of commercial or industrial uses to be used for an on-site cafeteria, recreational facility, and/or day care facility, to be provided to employees or their children and not open to the general public, may be exempted from the parking requirements  | 100% of requirement for on-site employee amenities |
| Joint Use (Shared) Parking Facilities | For any site or sites with multiple uses where the application of this chapter requires a total of or more than ten (10) spaces, the total number of spaces otherwise required by application of Table 1 may be reduced when the joint facility will serve all existing, proposed, and potential uses as effectively and | 20% of total spaces required for the site          |

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|  | conveniently as would separate parking facilities for each use or site. In making such a determination, the director shall consider a parking analysis using criteria developed by the Urban Land Institute (ULI) or similar methodology to estimate the shared parking characteristics of the proposed land uses. The analysis shall employ the city's parking ratios as the basis for the calculation of the base parking requirement and for the determination of parking requirements for individual land uses. The director may also require submittal and approval of a TDM program <sup>1</sup> to further assure parking reductions are achieved. |   |
| Housing for Seniors  | The total number of spaces required may be reduced for housing facilities for seniors, commensurate with the reduced parking demand created by the housing facility, including for visitors and accessory facilities, and subject to submittal and approval of a parking analysis justifying the reduction proposed.  | 50% of the total spaces required for the site   |
| Affordable Housing Units and Single Room Occupancy (SRO) Units | The total number of spaces required may be reduced for affordable housing and single room occupancy (SRO) units, commensurate with the reduced parking demand created by the housing facility, including for visitors and accessory facilities. The reduction shall consider proximity to transit and support services and the director may require traffic demand management measures <sup>1</sup> in conjunction with any approval.   | <ul style="list-style-type: none"> <li>a. 40% for Extremely Low Income and SRO Units</li> <li>b. 30% for Very Low Income Units</li> <li>c. 20% for Low Income Units</li> </ul>  |
| Housing Near Transit Facilities                                | The total number of spaces required may be reduced for housing located within a designated Pedestrian/Transit Oriented area or elsewhere in immediate proximity to public transportation facilities serving a significant portion of residents, employees, or customers, when such reduction will be commensurate with the reduced parking demand created by the housing facility, including for visitors and accessory facilities, and subject to submittal and approval of a TDM program. <sup>1</sup>  | 20% of the total spaces required for the site.  |
| Transportation and Parking Alternatives                        | Where effective alternatives to automobile access are provided, other than those listed above, parking requirements may be reduced to an extent commensurate with the permanence, effectiveness, and the demonstrated reduction of off-street parking demand effectuated by such alternative programs. Examples of such programs may include, but are not limited to, transportation demand management (TDM) programs or innovative parking pricing or design solutions. <sup>1</sup> (note: landscape reserve requirement is deleted).   | 20% of the total spaces required for the site   |
| Combined Parking Adjustments                                   | Parking reductions may be granted for any combination of the above circumstances as prescribed by this chapter, subject to limitations on the combined total reduction allowed.   | <ul style="list-style-type: none"> <li>a. 30% reduction of the total parking demand otherwise required</li> <li>b. 40% reduction for affordable housing projects</li> <li>c. 50% reduction for senior housing projects</li> </ul> |

|   |  |   |
|---|--|---|
| <p><u>Modification to Off-Street Loading Requirements</u></p> | <p><u>The director may modify the quantity or dimensions of off-street loading requirements for non-residential development based on existing or proposed site conditions; availability of alternative means to address loading and unloading activity; and, upon <del>a</del> finding that: 1) the off-street loading requirement may conflict with Comprehensive Plan goals and policies related to site design planning, circulation and access, or urban design principles; and 2) the use of shared on-street loading would not conflict with Comprehensive Plan goals and policies related to site design planning, circulation and access or urban design principles; maximum reduction in one loading space.</u></p> | <p><u>One loading space may be waived</u></p> |
|---|--|---|

...

2. No parking reductions may be granted that would result in provision of less than ten (10) parking spaces on ~~a~~ site.

**SECTION 8.** Section 18.52.080(e) (Modification to Off-Street Loading Requirement) of Chapter 18.52 (Parking and Loading Requirements) of Title 18 (Zoning) is added to read as follows:

...

**(e) Modifications to Off-Street Loading Requirements**

The director may modify the quantity or dimensions of off-street loading requirements for non-residential development based on existing or proposed site conditions; availability of alternative means to address loading and unloading activity; and, upon ~~a~~ finding that: 1) the off-street loading requirement may conflict with Comprehensive Plan goals and policies related to site design planning, circulation and access, or urban design principles; maximum reduction is one loading space; and 2) and the use of shared on-street loading would not conflict with Comprehensive Plan goals and policies related to site design planning, circulation and access or urban design principles; maximum reduction in one loading space.

**SECTION 9.** Section 18.54.020(b)(4) (Vehicle Parking Facilities) of Chapter 18.54 (Parking Facility Design Standards) of Title 18 (Zoning) is added to read as follows:

**18.54.020(b) Off-Street Parking Stalls**

...

(4) Mechanical lifts may be used to satisfy off-street parking requirements, subject to approval by the director or city council, as applicable, and in accordance with the following provisions:

A. The regulations in this section apply to mechanical lifts, elevators and turn-around devices specified for vehicle use, and other mechanical devices that facilitate vehicle parking;

B. Mechanical vehicle lifts may be used for multi-family residential, office, hotel, automotive, industrial or institutional uses. Other uses may use mechanical vehicle lifts subject to approval from the Director of Planning and Community Development and may be required to provide dedicated on-site valet assistance for no fee to the user.

- C. The location of mechanical lifts shall be located within an enclosed parking facility. All lifts and associated equipment shall be screened from public views and the screening shall be architecturally compatible with the site conditions;
- D. Applicant shall submit an analysis and report, prepared by a qualified professional, for review and approval by the Director of Planning and Community Environment that demonstrates the effectiveness of the proposed parking lift system; operational details; schematic or technical drawings; regular and emergency maintenance schedule, procedures and backup systems; vehicle queuing, access and retrieval efficiency; and potential impacts, delays, or inconveniences to all of the following:

  - i. site residents, workers, and visitors
  - ii. pedestrian and bicycle movement and safety on and nearby the site
  - iii. vehicular movement and safety on and nearby the site
- E. Mechanical car lifts shall not be used for accessible parking spaces or loading spaces;
- F. Mechanical car lifts shall accommodate ~~full~~ mid-size sport utility vehicles and full-size cars.
- G. For all non-residential uses, a minimum of two spaces or 10% of the total number of parking spaces provided, whichever is greater, shall be provided as standard non-mechanical parking spaces. The required accessible spaces shall not be counted as one of the standard spaces for this requirement;
- H. Additional information, reports and analysis may be required and conditions may be imposed to ensure the use, operation and function of the lift system is not detrimental to the public welfare, property, land uses and users of the property, other properties, or the public right of way, in the general vicinity.
- I. The Director shall have authority to adopt regulations to implement this provision.

**SECTION 10.** Chapter 10.70 (Trip Reduction and Travel Demand) is hereby repealed in its entirety.

**SECTION 11.** Section 18.52.030 (i) (Transportation Management Plan) of Chapter 18.52 (Parking and Loading Requirements) of Title 18 (Zoning) is added to read as follows:

- (i) Transportation Demand Management Plan

  - (a) Requirement for TDM Plan: A Transportation Demand Management (TDM) Plan to reduce and manage the number of single-occupant motor vehicle trips generated by the project shall be prepared and submitted by the applicant in the following circumstances:

    - 1. For all projects that generate 100 or more net new weekday (AM or PM peak hour) or weekend peak hour trips;
    - 2. For all projects claiming a reduction in net new trips due to proximity to public transit or the implementation of a TDM plan; and

3. For all projects requesting a parking reduction.

(b) The Director shall have the authority to adopt guidelines for preparing TDM plans and when applicable shall coordinate such guidelines with the Transportation Management Authority.

**SECTION 12.** Section 18.52.050 (d)(1) of Chapter 18.52 (Parking and Loading Requirements) of Title 18 (Zoning) is amended to read as follows:

...

(d) Transportation Demand Management (TDM)

(1) A Transportation Demand Management (TDM) program may be (a) proposed by an applicant, or may be (b) required by the director for any project requesting a reduction in parking or generating 10050 or more net new weekday (AM or PM peak hour) or weekend peak hour trips; or (c) may be required as CEQA mitigation for identified potential significant parking impacts.

(2) Where a Transportation Demand Management (TDM) program is proposed or required, the TDM program shall outline parking and/or traffic demand measures to be implemented to reduce parking need and trip generation. The Director shall have the authority to adopt guidelines for preparing TDM plans. Required measures may include, but are not limited to: participation in the Transportation Management Authority or similar organization, limiting "assigned" parking to one space per residential unit, providing for transit passes, parking cash-out, enhanced shuttle service (or contributions to extend or enhance existing shuttle service or to create new shared or public shuttle service), car-sharing, traffic-reducing housing, providing priority parking spaces for carpools/vanpools or "green" vehicles (zero emission vehicles, inherently low emission vehicles, or plug-in hybrids, etc.), vehicle charging stations, additional bicycle parking facilities, or other measures to encourage transit use or to reduce parking needs. The program shall be proposed to the satisfaction of the director, shall include proposed performance targets for parking and/or trip reduction and indicate the basis for such estimates, and shall designate a single entity (property owner, homeowners association, etc.) to implement the proposed measures.

(3) Monitoring reports shall be submitted to the director two years after building occupancy and again every three years year thereafter five years after building occupancy, noting the effectiveness of the proposed measures as compared to the initial performance targets, and implementing suggestions for modifications if necessary to enhance parking and/or trip reductions.

(4) Where the monitoring reports indicate that performance measures are not met, the director may require further program modifications and may impose administrative penalties if identified deficiencies are not addressed within six months.

...

**SECTION 13.** Any provision of the Palo Alto Municipal Code or appendices thereto inconsistent

with the provisions of this Ordinance, to the extent of such inconsistencies and no further, is hereby repealed or modified to that extent necessary to effect the provisions of this Ordinance.

**SECTION 14.** If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed this Ordinance and each and every section, subsection, sentence, clause, or phrase not declared invalid or unconstitutional without regard to whether any portion of the ordinance would be subsequently declared invalid or unconstitutional.

**SECTION 15.** The Council finds that the adoption of this ordinance is exempt from the provisions of the California Environmental Quality Act pursuant to CEQA Guideline sections 15061(b) and 15301, 15302 and 15305 because it simply provides a comprehensive permitting scheme.

**SECTION 16.** This ordinance shall not apply to any planning or land use applications deemed complete as of the effective date of this ordinance.

**SECTION 17.** This ordinance shall be effective on the thirty-first date after the date of its adoption.

INTRODUCED:

PASSED:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

ATTEST:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Mayor

APPROVED AS TO FORM:

APPROVED:

\_\_\_\_\_  
Senior Assistant City Attorney

\_\_\_\_\_  
City Manager

\_\_\_\_\_  
Director of Planning & Community  
Environment

NOT YET APPROVED