

**TO: HONORABLE CITY COUNCIL**

**FROM: CITY MANAGER**

**DEPARTMENT: PLANNING AND  
COMMUNITY ENVIRONMENT**

**DATE: JUNE 18, 2001**

**CMR:286:01**

**SUBJECT: SINGLE FAMILY REGULATIONS AND REVIEW PROCESS**

This is an informational report and no Council action is required.

### **BACKGROUND**

In April 1999, staff began to address proactively the issue of single family residential design to promote compatibility with neighborhood character. In an informational memorandum to the City Council, staff proposed a work plan that would initially include a Voluntary Design Assistance program (VDA)<sup>1</sup>, review of Title 18 of the Palo Alto Municipal Code (Zoning Ordinance), and a longer term program focusing on other methods and opportunities to achieve neighborhood compatibility.

As part of its longer term work program, staff proposed the establishment of an advisory group. The purpose of the advisory group was to provide input to the Director of Planning and Environment, Planning and Transportation Commission (P&TC), and Council to comprehensively address concerns related to the compatibility of new and remodeled single family residences within existing neighborhoods. The advisory group process would be open and inclusive and represent a cross-section of interests including real estate, developers and builders, designers, and neighborhoods. The members later named the group the Future of Single Family Neighborhoods Advisory Group (Advisory Group).

The Advisory Group began its deliberations in January 2000. As part of the problem identification process, the Advisory Group and City co-sponsored a community forum in April 2000 to seek input from the community at large. Approximately 55 people attended this evening workshop. Based on this input, the Advisory Group members adopted a prioritized list of problems/issues. A second community forum was held in late August 2000 to discuss potential solutions and introduced the central policy issue of discretionary review. Over 70 community members attended this second forum.

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<sup>1</sup> Since its inception, the VDA program has assisted 143 applicants.

After the second forum, and with direction from the Advisory Group, staff prepared a more fully developed set of recommendations, including conceptual proposals for criteria for the Individual Review process and amendments to the Single Family Zone District (R-1) regulations. During the early part of this year, the Advisory Group came to consensus on the majority of the proposed code changes but not the discretionary review standards/guidelines. Instead the Advisory Group proposed a sub-committee to work with staff to complete a draft of the guidelines and proceed with Commission review and Council direction on the major policy issue of discretionary review prior to finalizing the guidelines.

The P&TC held two study sessions and a public hearing on the proposals on March 21, May 23, and June 6, 2001, respectively. The major change recommended by the P&TC is the threshold for review, discussed in greater detail in a separate section of this report.

The June 18, 2001 Committee of the Whole meeting is intended to provide the Council with an opportunity to discuss the elements of the proposed program with staff and the Advisory Group in anticipation of the Council public hearing on the proposed Ordinance, scheduled for July 16, 2001. The primary focus of the Committee of the Whole meeting will be the proposed Individual Review Process and the associated guidelines and checklist, amendments to the Single Family Zone District (R-1) regulations, and the Community and Staff Awareness Program. As well, staff will be providing a brief oral presentation on the anticipated implementation of the program and staffing requirements. Finally, the Council may choose to discuss what are characterized as "Other Issues". These are issues deemed important by the Advisory Group, which should be addressed, but are not directly relevant to the issue of single family neighborhood compatibility.

## **DISCUSSION**

In developing the proposals, much of the initial work effort was guided by the following questions: Is there a problem or issue with the compatibility of new and remodeled houses that should be addressed? If so, what is the appropriate solution? During discussions with the Advisory Group and based on community input at the citywide Community Forum in April 2000, there was clear concern with the changes brought about by new and remodeled houses in existing neighborhoods. The changes are seen as causing a loss of privacy; and new houses that seem too large and out of scale, and do not relate well to the neighborhood pattern. These core issues can be summarized as problems related to privacy, mass and scale, and streetscape issues.

The problems identified can be further classified as generally functional or aesthetic issues. Functional issues, such as the size of setbacks, lend themselves to a quantified approach while aesthetic issues, such as scale, are more difficult to quantify. The Advisory Group also closely reviewed the existing Single Family Zone District (R-1) regulations to identify needed changes.

The Advisory Group reviewed a continuum of options to address the identified problems, ranging from no change to discretionary review for all new single-family construction.

The proposed program includes four elements:

1. Individual Review Process and associated Individual Review Guidelines (Guidelines) and “Checklist”.
2. Changes to the Single Family Zone District (R-1) Development Regulations.
3. Community and Staff Awareness Program
4. Regular program review and feedback.

The Individual Review Process is intended to address those issues that are more difficult to quantify. The process is a discretionary review with a proposed threshold for review “triggered” by a new two-story house, new second-story addition, or addition to an existing second story greater than 150 square feet. The review will be based on the Guidelines. The Guidelines are formatted to address the core problems (e.g., privacy, mass and scale, and streetscape). Each guideline includes a discussion of the intent as well as examples of design solutions that address the intent; the Guidelines allow the applicant the flexibility to provide a different design solution to address the intent of the guideline.

The changes to the R-1 development regulations are intended to address those issues that can be more easily quantified.

The Advisory Group believed it was particularly important to create an educational program to provide a forum for communication between staff and the community regarding the single-family program. An Advisory Sub-Group will continue to meet to develop the Community and Staff Awareness Program. Ideas include a joint City of Palo Alto/Palo Alto Adult School class/workshop, videotape illustrating the guidelines, and annual design award(s). The importance of an on-going discussion of issues is an underlying theme of the Community and Staff Awareness Program and also the fourth program element, an on-going program review and feedback. The intent is to provide a formal review and feedback on the proposed Individual Review Process. It could include a public hearing before the Planning and Transportation Commission and a survey instrument or more informal feedback from the neighbors, property owners, and designers regarding the process.

The binder prepared for the Committee of the Whole contains a letter regarding the Community and Staff Awareness Program and extensive material on the proposed R-1 Development Regulation changes, the Individual Review Process, and a draft copy of the Guidelines.

### Planning and Transportation Commission

The Planning and Transportation Commission's review and recommendations will be part of the staff report forwarding the Ordinance to Council for approval. At its first study session, the Commission was concerned about the lack of definitions and associated unclear expectations by the community for the three core issues: privacy, massing and scale, and streetscape. The Commission also believed they could not make a recommendation regarding the Individual Review Process without increased knowledge of the proposed guidelines (criteria) that would be used for review. In response, the Advisory Sub-Group and staff prepared draft guidelines including an introductory section on definitions, policies, and expectations. The Commission also requested a review of alternate thresholds that would "trigger" review, a review of the geographical boundaries within which a resident could request an optional hearing or appeal the Director's decision, and a brief presentation by the staff as to the extent contemporary architecture would be found compatible under the proposed Guidelines.

At its June 1 meeting, the Commission recommended that the Individual Review Process threshold should be 80 percent of Floor Area Ratio (FAR) rather than the proposed threshold of a new two-story house, second-floor addition, or addition to the second floor greater than 150 square feet. It also recommended approval of the conceptual Single Family Zone District (R-1) Development Regulations, enthusiastically recommended the development of a Community and Staff Awareness Program, and recommended that the monitoring of the Individual Review Process and Guidelines include a public hearing before the Commission in one-year.

While generally supporting the Guidelines, the Commission has some remaining concerns but deferred the discussion until the Council had reviewed the proposals. The final draft of the Guidelines will be reviewed by the Planning and Transportation Commission prior to their adoption by the Director of Planning and Community Environment. Staff is currently seeking outside assistance to format the Guidelines and provide appropriate illustrations.

As noted in the March 11 Commission staff report, staff and the Advisory Group recommended the proposed two-story threshold after discussion of the advantages and disadvantages of several alternatives, including a percentage of the FAR. However, the 80 percent FAR threshold option would still allow a second story to be built without a review for privacy considerations such as windows or decks or massing, or the placement of the second story. As well, there is a certainty for all parties in using the second story threshold, as it is clear and unambiguous. The Advisory Group and staff recommendations on thresholds for Individual Review remain unchanged.

**ATTACHMENTS**

Binder which includes five sections:

1. Staff reports from the March 21 and May 23 Planning and Transportation Commission study sessions, and the June 6 public hearing.
2. Overview of the Individual Review Process
3. Draft of the Individual Review Guidelines and associated Checklist
4. Analysis of the proposed Single Family Zone District (R-1) amendments.
5. Background Material.

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