



PLANNING DIVISION

STAFF REPORT

TO: PLANNING & TRANSPORTATION COMMISSION

FROM: Joan Taylor, Planning Manager **DEPARTMENT:** Planning

AGENDA DATE: June 6, 2001

SUBJECT: Recommendations for Changes to the Single Family (R-1) Zone District Regulations and Adoption of an Individual Review Process

RECOMMENDATION

Planning staff recommends that the Planning and Transportation Commission recommend the following for approval by the City Council:

1. Adoption of an Individual Review process including:
 - a. A threshold for review for any new two-story house, new second story addition, or addition greater than 150 square feet to an existing second story.
 - b. Optional Hearing and Mediation
 - c. "Call-Up" Appeal procedure
2. Staff and the Advisory Sub-Group to prepare final Individual Review Guidelines and associated Checklist to be approved and adopted by the Director of Planning and Community Environment.
3. Changes to the Single Family (R-1 [FAR]) Zone District regulations including changes to the definition of the Floor Area Ratio, Daylight Plane, Lot Coverage, Parking Surfaces, Height and Grade Definitions, and new regulations related to a Contextual Front Setback, Contextual Garage Placement, Restrictions on Bay Window and Fireplace Projections into Minimum Side Yards, Outdoor Lighting, and Permeable Surface Standard for the Front Yard Setback Area.

4. Development of a Community and Staff Awareness Program in conjunction with a Future of Single Family Neighborhoods Program Planning Committee.
5. An annual review to assess the affect of the proposed ordinance revisions and monitor the Individual Review Process and Guidelines for necessary changes.

BACKGROUND

On March 21, 2001, the Planning and Transportation Commission (Commission) held the first of two study sessions with Planning staff and members of the Future of Single Family Neighborhoods Advisory Group (Advisory Group) to review the proposed changes to the Single Family Zone District (R-1) regulations and proposal for an Individual Review process for single family homes. Binders were prepared for Commission review which contained five sections: Staff Report, R-1 Development Regulations, Individual Review Process, Other Issues, and Background. Additional copies of this material are available from the Department of Planning and Community Environment, Planning Division.

During the first study session, the Commission identified five issues to addressed or clarified further for a scheduled second study session. The five issues were, as follows:

1. A lack of definitions for the three major problems/issues, identified by the Advisory Group and staff (privacy, massing and scale, and streetscape), particularly privacy, and an associated concern with community expectations; again, particularly those associated with privacy.
2. A need for increased knowledge of the proposed review criteria (guidelines)
3. A review of alternate thresholds that would “trigger” review.
4. The extent to which contemporary architecture could/would be found compatible under the proposed review criteria.
5. The extent of the geographical boundaries within which a resident could request an optional hearing or appeal the Director’s decision.

In response to these issues, staff and an Advisory Sub-Group prepared draft guidelines including a section on definitions, policies, and expectations. Staff also prepared an analysis of alternate thresholds and requested a legal review regarding the geographical limits for optional hearing and appeal requests. At the second public hearing on May 23, 2001, the Commission reviewed the draft guidelines and heard oral presentations on the legal issues associated with the proposed noticing and appeals procedure and a brief staff presentation on a review of several contemporary homes based on the draft guidelines. As well, the Commission reviewed the proposed changes to the Single

Family (R-1) Zone District regulations (Zoning Ordinance Revisions). Copies of the Staff Report prepared for the second Commission Study Session, dated May 23, 2001 and Draft Individual Review Guidelines are also available from the Planning Division.

MAJOR POLICY QUESTIONS

In reviewing the proposed Individual Review process and changes to the Single Family Zone District regulations, there are several significant policy questions to be addressed:

1. Is there an identified problem(s) or concerns with new single family home construction in the City of Palo Alto that should be addressed?
2. If there are problems or concerns, what are they?
 - Changes to existing relationships and conditions when new homes are constructed, including those affecting:
 - Privacy
 - Mass and Scale
 - Streetscape
3. What is the best approach to addressing the identified problems, options include:
 - Ministerial approach – including more or different regulations
 - Discretionary approach (Individual Review)
 - Combination of Ministerial and Discretionary Approach
4. If the discretionary approach (Individual Review) is the appropriate solution, then what is the appropriate process?
 - Guidelines
 - Procedures

ANALYSIS

The major problems and issues identified by the Advisory Group and staff can be characterized as those affecting privacy, massing and scale (bulk), and streetscape/neighborhood compatibility issues. With minor exceptions, each of the priority items identified by the Advisory Group affect one of these areas either functionally or aesthetically. Changes to address these issues can be either primarily quantitative (ministerial) or more qualitative standards that require an exercise of discretion.

As part of its deliberation, the Advisory Group and staff discussed a range of options from no change to review of all new single family construction. While functional issues can be fairly readily addressed through code changes (e.g., outdoor lighting), it is much

more difficult, if not impossible, to address aesthetic issues with a quantitative approach. And, such a quantitative approach would significantly limit the flexibility available to individual homeowners and designers. Based on this reasoning staff and the Advisory Group have proposed both a discretionary review through the adoption of an Individual Review Process and regulatory (ministerial) changes to address the issues identified by members of the community representing a broad range of viewpoints.

As noted, in previous staff reports and the introduction to the Individual Review Guidelines, it is not the intent of the staff or the Advisory Group to define or require a specific architectural style or design, require specific colors, materials, or finish. The Individual Review Guidelines do however, in the case of new two-story houses or second story additions, seek to improve the relationship between the surrounding neighborhood and either the new or remodeled house.

Several other significant issues have been identified as part of this process including a process to address the unique character of certain neighborhoods such as those comprised primarily of Eichler built homes and building requirements (“padding”) for homes located in both flood zones and single story Combining Districts. Because the emphasis of this initial effort has been citywide and has not included issues unique to specific neighborhoods or the flood plain, staff will be seeking City Council direction to include an analysis of the above more focused issues in the Comprehensive Zoning Ordinance Update program.

ATTACHMENTS

Attachment A: Minutes of May 2, Commission and Advisory Group Study Session

Attachment B: Draft Minutes of May 23 Commission and Advisory Group Study Session

COURTESY COPIES

The Future of Single Family Neighborhoods Advisory Group
Jeff Shore

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Reviewed By: Lisa Grote, Chief Planning Official

DEPARTMENT/DIVISION HEAD APPROVAL: _____

Lisa Grote
Chief Planning Official