

NOT YET APPROVED

Resolution No. ____

Resolution of the Council of the City of Palo Alto Repealing the Objective
Design Standards for SB9 Development and Adopting Objective Design
Standards for Two-Story Development in the Single Family Zones

WHEREAS, on December 6, 2021, the City Council adopted Urgency Ordinance no. 5538, as well as objective design standards to govern development under the Senate Bill 9 (2021) (SB9), and directed staff to include in work plans of the City's Architectural Review Board (ARB) and Planning and Transportation Commission (PTC) reviews of these standards; and

WHEREAS, on January 24, 2022 and April 11, 2022, the City Council adopted Interim Ordinance nos. 5542 and 5546, respectively, replacing and amending Ordinance no. 5538.

WHEREAS, on February 8, 2023, the Planning and Transportation Commission reviewed and recommended adoption of a permanent ordinance governing SB 9 projects; and

WHEREAS, on June 12, 2023, the City Council adopted Ordinance no. 5587 governing SB 9 projects;

WHEREAS, on February 12, 2024, the City Council adopted Resolution no. 10150, which set forth objective design standards mandatory for SB9 projects; and

WHEREAS, on September 19, 2024, the Governor of the State of California signed Senate Bill 450, effective January 1, 2025, which specifies that SB9 projects may be subject to only those objective standards that apply uniformly in the underlying zone;

NOW, THEREFORE, the Council of the City of Palo Alto does RESOLVE as follows:

SECTION 1. The City Council repeals the SB9-specific regulations adopted pursuant to Resolution no. 10150 and adopts the attached objective design standards for two-story development in the R-1 zone, as well as single-family development in the RE, R-2, and RMD zones (Exhibit 1), which shall be mandatory unless applicants prefer to apply under the Individual Review program set forth in Palo Alto Municipal Code Sections 18.12.110 and 18.77.075;

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SECTION 2. The Council finds that the revisions to the objective design standards applicable to single-family zoning districts will facilitate streamlined review of residential development projects and are not considered a project under the California Environmental Quality Act because it can be seen with certainty that there is no possibility that the activity in question may have a significant impact on the environment.

INTRODUCED AND PASSED:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

ATTEST:

APPROVED:

City Clerk

Mayor

APPROVED AS TO FORM:

Assistant City Attorney

City Manager

Director of Planning and
Development Services

Proposed Second Story Objective Design Standards

The following Objective Design Standards apply to all new two-story homes and second story additions 150 sf or larger, unless the homeowner elects to use the Individual Review Process (PAMC 18.12.110, 18.777.075). When existing structures proposed to remain do not meet the Objective Design Standards, the structure shall not be considered non-complying, and the existing condition(s) may remain.

Section A: All Site Planning and Architectural Details
The following ODS apply to all proposed new housing units as a part of an SB 9 project. When existing units do not meet the ODS, they shall be treated as existing non-conforming when proposing remodels.
A1: FRONT SETBACK Where the contextual front yard setback does not apply, the front setback shall be no less than the average front setback of the homes on lots to either side of the subject lot, up to a maximum of 25 feet. Otherwise, the zoning minimum front setback or special setback would still apply.
A2: STUCCO TEXTURE: When stucco is used it shall be steel-troweled 'Smooth' or 'Santa Barbara' texture as described in the Technical Services Information Bureau, Chapter 5 - Plaster Textures & Acrylic Finishes (2011). For additions, stucco plaster texture on the addition shall be allowed to match the stucco texture of the existing house.
A3: CONTEXTUAL PORCH ENTRIES: If porches (i.e., roofed, street-facing porches with posts/column(s) and more than 3 feet deep), occur on more than half of the houses on the same side of the block, including the subject site, the proposed house(s) with street frontage shall include a street-facing porch no less than 4.5 feet deep and 6 feet wide.
A4: DRIVEWAYS: One curb cut and driveway per street frontage. Shared driveways are encouraged but require an easement to which the City is a third party.
A5A4: DRIVEWAY WIDTH: 18-foot maximum driveway width (inclusive of uncovered parking) within a front or street side yard setback.
A6: WALKWAY SEPARATION: Walkways shall be separated from driveways by a minimum of 2 feet of landscape planting or shall be a different paving material than the driveway.
A7A5: PLANTING STRIP: A minimum two-foot wide, landscaped planting strip is required between a driveway and/or uncovered parking space and an existing interior lot line.
A8: DRIVEWAY MATERIALS: Driveway and uncovered parking surfaces that exceed 10 feet in width shall not have asphalt or grey concrete surfaces. They must have a decorative surface to blend with the landscape such as stone pavers, grass pavers, or bricks.
A9A6: GARAGE LOCATION: Attached garages adjacent to the front setback must be located a minimum of 5 feet behind the forwardmost plane of the front facade or 3 feet behind the forwardmost plane of the street-side façade. The forwardmost façade plane may be a building wall or porch with posts/columns and must be at least 12 feet wide. In mapped Eichler neighborhoods (see Section E), this standard does not apply.
A10A7: GARAGE WIDTH: An attached garage or carport facing the street shall be no more than 30 percent of the total facade width facing that street, except that it may be 12 feet wide in any circumstance.
A11 A8: GARAGE DOOR DESIGN AND MATERIALS: The garage door shall match the material, color, or panel design pattern of the entry door, window fenestration, or exterior cladding material.

A12A9: GARAGE DOOR SIZE: When visible from the street, the maximum garage door width shall be 16 feet and the maximum garage door height shall be 8 feet. If two single-wide garage doors are used instead of one double-wide door, each door's maximum width shall be 9 feet and maximum height 8 feet.

A12A10: ROOF DECK NOT PERMITTED: A roof deck (i.e., a deck above the first level of a single-story building or second level of a two-story building) shall not be permitted.

A13A11: ROOF HEIGHT FOR VARIED ROOF PITCHES: Roof height shall be limited to 27 feet for roofs with pitches 9:12 or greater, 25 feet for roofs with pitches 3:12, up to 9:12, and 22 feet for roofs with pitches less than 3:12, inclusive of parapets on flat roofs. In flood zones, the maximum height is increased by one-half of the increase in elevation required to reach base flood elevations, up to a maximum increase of 30 inches.

A14A12: GABLE ROOF FORMS: No more than three gable forms on an elevation facing a public street.

A15A13: BAY WINDOWS: No more than two bay windows on an elevation facing a public street.

A16A14: STREET-FACING WINDOWS: Each street-facing building elevation shall have at least 20 square feet of glazing in a large window, multi-panel window or glazed door, or bay window form, with minimum dimensions of 3 feet. In an Eichler tract, clerestory windows may have a reduced minimum dimension.

A17A15: WINDOW TO WALL DETAILING: Window frames shall be recessed at least 2 inches from the exterior wall face or have trim at least 2 inches wide and 0.5 inches thick on all four window sides. Stucco over foam shall not be used as window trim.

A18A16: WINDOW PATTERNS: Window fenestration with divided lite appearance shall have exterior applied muntin bars (i.e., true or simulated divided lites).

Section B: Two-Story Houses-Second Floor Massing and Privacy

The following ODS apply to SB 9 projects that include a new or expanded second story.

B1: SECOND FLOOR LOCATION: The second-floor area shall not be permitted within the standard side or rear setbacks of the underlying single-family zoning district.

B2: SECOND FLOOR SIZE: The maximum second-floor area shall not exceed 35 percent of the allowable gross floor area for the lot, or 400 sf, whichever is larger.

B3: CONTEXTUAL FIRST FLOOR EAVE HEIGHT: The height of the first floor's street-facing roof edges (i.e., eaves or parapets) shall not exceed 18 inches above the height of the first-floor eave or parapet of the homes on the abutting lots at side lot lines as measured at those homes' eaves nearest the subject lot. This first-floor roof edge height limit shall also extend 15 feet back from the building corner. This standard shall be 24 inches within a flood zone if either of the abutting homes' first-floor levels does not meet current flood zone regulations. This standard applies to the eave side of pitch roof forms and not the rake side such as at a gable.

B4: CONTEXTUAL SECOND FLOOR EAVE HEIGHT: The height of the upper floor's street-facing roof edge (eave or parapet) shall not exceed 18 inches above either: (a) the average height of the upper floor street-facing eave or roof edge of homes to each side, or (b) in the case of only one home having a second floor, the height of that home's eaves.

B5: GARAGE HEIGHT AND MASS: Maximum height of a roof over an attached garage shall not exceed 15 feet in height as measured from existing grade. The maximum garage wall plate height shall not exceed 10 feet.

B6: SECOND FLOOR BALCONY LIMITATIONS: No more than one second-floor deck/balcony shall be permitted per dwelling and shall: (a) only be permitted on a street-facing facade, (b) be located at least 10 feet from any interior side lot line with a 5.5-foot-tall solid privacy wall or be located at least 30 feet from any interior side lot line, and (c) be limited in size to no more than 40 square feet.

B7: SCREENING LANDSCAPE: For two-story houses, plant screening trees with a species having a typical mature height of at least 25 feet and mature canopy width of 15 feet at a quantity of at least one per 25 linear feet along each interior lot line. Existing trees to be retained that are at least 25 feet tall and 15 feet wide count towards the required planting. Three closely spaced tall screening shrubs with a mature height of at least 15 feet and a mature width of at least 3 feet may be substituted for one screening tree.

Privacy screening landscape shall be located to align with proposed second-floor windows across the side and rear lot lines and between windows at facing units on a single property.

B8: PLANTING TYPE AND SIZE: When required, screening trees and shrubs shall be specified by botanical name with at least 50 percent of screening trees and shrubs being evergreen. Screening trees shall be specified and planted at 24-inch box size or larger and 8 feet height or taller. Screening shrubs shall be specified and planted at 15-gallon size or larger and 8 feet or taller.

B9: PLANTING ADJACENT PUE'S: Where an easement such as a PUE exists along an interior lot line, privacy landscaping is required to be planted on the same side of the easement as the building, but not within the easement.

B10: SECOND FLOOR WINDOW PRIVACY: For any window on an upper floor or in a stairway, facing an interior lot line that is located less than 20 feet from a side or rear lot line, one of the following shall be used: (a) permanent obscure glazing to at least 5 feet from the finished floor, or (b) exterior mounted permanent architectural privacy screens that block views more than 70%, or (c) windows with sills above 5 feet from the finished floor level. In a stairway, the finished floor is the height of the landing.

This standard shall also apply to first-floor windows less than 6 feet from a property line where the finished floor height is 2 feet or more above grade.

B11: SECOND FLOOR OPERABLE WINDOWS ALONG SIDE LOT LINES: Operable casement windows on the upper level with a sill height less than 5 feet above the finished floor and within 20 feet of an interior side lot line shall be hinged so the windows open towards the public street. Horizontal sliding windows shall not be permitted facing and within 20 feet of an interior side lot line, unless the windowsill height is at least 5 feet above the finish floor level.

Section C: New or Expanded Second Story Development Next to One-Story House(s)

The following Standards apply when an SB-9 project includes a new or expanded second story adjacent to an existing one-story house.

C1: SIDE DAYLIGHT PLANE CLEARANCE: Where a home on an abutting lot across a side lot line is single-story or has a second-floor area no more than 500 square feet, the side daylight plane shall be measured from 8 ft above average grade instead of 10 ft. In the case of an Urban Lot Split, the daylight plane only applies to the original property lines.

In flood zones, the average grade for determining daylight plane is increased by one-half of the increase in elevation required to reach base flood elevations, up to a maximum increase of 30 inches.

C2: SINGLE-STORY BUILDING FORMS: Where a home on an abutting lot across a side lot line is single-story or has a second-floor area no more than 500 square feet, all houses with frontage on the street shall have either: (a) a one-story building form (excluding garages) at least 6 feet forward of the second-floor wall face, and at least 10 feet wide; or (b) a protruding porch or one-story roof overhang at least 6 feet deep, and at least 8 feet wide.

Section D: Flag Lots and Substandard Lots

~~The following ODS applies only for projects proposed on an existing flag lot or substandard lot. A lot created by an Urban Lot Split is not subject to this.~~

PAMC 18.12.040(c) prohibits second floors on houses on substandard lots. Second stories are only allowed as a part of an SB 9 project, subject to Standard D1 below.

D1. SECOND FLOOR AREA ON FLAG LOTS AND SUBSTANDARD LOTS: On lots that are flag lots (or similar lots without street frontage) and/or substandard lots prior to an Urban Lot Split, a second floor shall only be allowed to facilitate the minimum 800 sf unit size.

Section E: Eichler Neighborhoods

The following ODS apply only in mapped Eichler Tracts, as listed on the map published in the Eichler Design Guidelines (2018)

E1: EICHLER TRACT GARAGES: In mapped Eichler Tracts, a garage or carport may be located forward of the front facade plane of the house so long as the garage or carport is: (a) no more than 21 feet wide, (b) has a roof pitch of 3:12 (slope of 3 vertical feet for every 12 horizontal feet) or less, and (c) has a maximum height of no more than 12 feet above existing grade.

~~E2: EICHLER TRACT GARAGES: In mapped Eichler Tracts, the garage may also count as the required 1-story form in ODS A9.~~

~~E3~~E2: EICHLER TRACT ROOF HEIGHTS: In mapped Eichler Tracts the maximum roof height shall not exceed 22 feet, as measured from existing grade to the roof surface. Properties in flood zones shall be permitted to increase building height by one-half foot for each foot that the base flood elevation exceeds the existing grade.

~~E4~~E3: ROOFLINES IN EICHLER TRACTS: In mapped Eichler Tracts rooflines shall meet the following: (a) roof pitches no more than 3:12, (b) gable, shed, butterfly, or flat roof forms, and (c) 2-foot minimum overhangs at eave and rake sides of roof forms for at least 50 percent of roof edges.

~~E5~~E4: EXTERIOR MATERIALS IN EICHLER TRACTS: In mapped Eichler Tracts, exterior wall cladding shall be vertical board channel or flush siding, wood tongue, and groove board siding, wood nickel-gap siding, smooth fiber cement panels, or metal panels. Board-form concrete, concrete block, or stucco may be used as a secondary material, but collectively, these materials shall not account for more than 30 percent of all non-glazed wall surfaces.

~~E6~~E5: ENTRIES IN EICHLER TRACTS: In mapped Eichler Tracts, a projecting entry porch shall not be used. A covered trellis used as a colonnade or a side porch that does not project forward of the facade at the entry would not be considered an entry porch.