

Ordinance No.

Ordinance of the Council of the City of Palo Alto Adding Chapter 18.29 (North Ventura (NV) District Regulations) and Amending Chapters 18.14 (Housing Incentives), 18.24 (Contextual Design Criteria and Objective Design Standards), and 16.65 (Citywide Affordable Housing Requirements) to Implement the North Ventura Coordinated Area Plan (NVCAP)

The Council of the City of Palo Alto ORDAINS as follows:

**SECTION 1.** Chapter 18.29 (North Ventura (NV) District Regulations) of Title 18 (Zoning) of the Palo Alto Municipal Code is added to read as follows:

**CHAPTER 18.29  
NORTH VENTURA (NV) DISTRICT REGULATIONS**

**18.29.010 Purpose**

**18.29.020 Applicability of Regulations**

**18.29.030 Zoning Districts**

**18.29.040 Definitions**

**18.29.050 Permitted Uses**

**18.29.060 Development Standards**

**18.29.070 Parking and Loading**

**18.29.080 Context-Based Design Criteria and Objective Design Standards**

**18.29.090 Housing Incentive Programs for NV District**

**18.29.100 Non-conforming Uses and Non-Complying Facilities**

**18.29.110 Transportation Demand Management Plan**

**18.29.010 Purpose**

The purpose of the North Ventura district is to implement the vision and framework of the North Ventura Coordinated Area Plan (NVCAP) through use regulations and development standards.

**18.29.020 Applicability of Regulations**

(a) The North Ventura districts shall apply to properties within the NVCAP and designated as North Ventura Coordinated Area Plan within the Palo Alto Comprehensive Plan. Where designated, the regulations set forth in this chapter shall apply in lieu of the comparable provisions established by the underlying zoning district regulations.

(b) Refer to the NVCAP for design guidelines related to streets and buildings in conjunction with the regulations contained within this chapter.

### **18.29.030 Zoning Districts**

The North Ventura districts shall apply to properties designated on the zoning map by the symbol “NV” in front of the zoning district designation.

The following zoning districts are intended to create and maintain sites for residential, commercial and mixed-use sites:

#### **(a) Single Family Residential District (NV-R1)**

The NV-R1 single family residential district is intended to create, preserve, and enhance areas suitable for detached dwellings with a strong presence of nature and with open area affording maximum privacy and opportunities for outdoor living and children’s play. Minimum site area requirements are established to create and preserve variety among neighborhoods, to provide adequate open area, and to encourage quality design. Accessory dwelling units, junior accessory dwelling units and accessory structures or buildings are appropriate. Community uses and facilities are allowed to the extent no net loss of housing would result.

#### **(b) Two Family Residential District (NV-R2)**

The NV-R2 two-family residential district is intended to allow a second dwelling unit, under the same ownership as the initial dwelling unit, in areas designated for single-family use or NVCAP by the Palo Alto Comprehensive Plan, under regulations that preserve the essential character of single-family use. Community uses and facilities are allowed to the extent no net loss of housing would result.

#### **(c) Medium Density Multiple-Family Residential District (NV-R3)**

The NV-R3 medium density multiple-family residential district is intended to create, preserve and enhance neighborhoods for multiple-family housing with better transition to lower density residential districts. Projects at this density are intended for larger parcels that will enable developments to provide their own parking spaces and to meet their open space needs in the form of garden apartments or cluster developments. While there is no maximum density in the NV-R3 residential district, the NVCAP anticipates realistic development yields ranging from 16 to 30 dwelling units per acre based on the applicable development standards.

#### **(d) High Density Multiple-Family Residential District (NV-R4)**

The NV-R4 high density multiple-family residential district is intended to create, preserve and enhance locations for apartment living at the greater density deemed appropriate for NVCAP. The most suitable locations for this district are along major transportation corridors which are close to mass transportation facilities and major employment and service centers. While there is no maximum density in the NV-R4 residential district, the NVCAP anticipates realistic development yields ranging from 61 to 100 dwelling units per acre based on the applicable development standards.

#### **(e) Low Density Mixed-Use District (NV-MXL)**

The purpose of the NV-MXL district is to allow for small-scale commercial and services with limited amount of residential that is compatible with the surrounding development. While there is no maximum density in the NV-MXL district, the NVCAP anticipates realistic development yields ranging from three to 17 dwelling units per acre.

**(f) Medium Density Mixed-Use District (NV-MXM)**

The purpose of the NV-MXM district is to allow for a compatible mix of residential and limited commercial. While there is no maximum density in the NV-MXM district, the NVCAP anticipates realistic development yields ranging from 31 to 70 dwelling units per acre.

**(g) High Density Mixed-Use District (NV-MXH)**

The purpose of the NV-MXH district is to allow for a mix of retail, restaurant, entertainment and commercial uses on the ground floor with residential on the upper floors, while maintaining a pedestrian-oriented streetscape. It is intended that the active ground floor retail space required will ensure neighborhood-oriented retail and services are provided within walking distance of high density residential. Ground floor active uses are required along El Camino Real. While no maximum density in the NV-MXH district, the NVCAP anticipates realistic development yields ranging from 61 to 100 dwelling units per acre.

**(h) Public Facilities District (NV-PF)**

The NV-PF public facilities district is designed to accommodate governmental, public utility, educational, and community service or recreational facilities. Within the North Ventura area, an approximate one-acre portion of the NV-PF district may permit a 100% affordable housing project.

**18.29.040 Definitions**

For the purposes of this chapter, the following definitions shall apply:

- (a) "Street yard" means a yard adjoining a street lot line and may also be a front lot line.

**18.29.050 Permitted Uses**

(a) The uses of land allowed by this chapter in each zoning district are identified in the following tables. Land uses that are not listed in the tables are not allowed, except where otherwise noted. Where the last column on the following tables ("Subject to Regulations in") includes a section number, specific regulations in the referenced section also apply to the use; however, provisions in other sections not specifically referenced may apply as well.

**TABLE 1: PERMITTED AND CONDITIONALLY PERMITTED USES**

- P = Permitted Use**
- CUP = Conditional Use Permit Required**
- TUP = Temporary Use Permit Required**
- = Not Permitted**

ATTACHMENT F

LAND USE	NV-R1	NV-R2	NV-R3	NV-R4	NV-MXL (1)(5)	NV-MXM (5)	NV-MXH	NV-PF	Subject to Regulations In:
<b>ACCESSORY AND SUPPORT USES</b>									
Accessory facilities and activities customarily incidental to the permitted use	P	P	P	P	P	P	P	—	18.40 18.10.080 18.12.080
Accessory Dwelling Unit & Junior Accessory Dwelling Unit when accessory to primary and permitted residential use	P	P	P	P	P	P	P	—	18.09
Home Occupations, when accessory to permitted residential use	P	P	P	P	P	P	P	P	18.42
Horticulture, Gardening, and Growing of food products for consumption by occupants of a site	P	P	P	P	P	P	P	—	
<b>EDUCATIONAL, RELIGIOUS, AND ASSEMBLY USES</b>									
Private Clubs, Lodges, or Fraternal Organizations, excluding any such facility operated as a business for profit	—	—	—	CUP	CUP	—	—	—	
Private Educational Facilities	CUP	CUP	CUP	CUP	CUP	P	P	—	
Religious Institutions	CUP	CUP	CUP	CUP	P	P	P	—	
<b>OFFICE USES<sup>(2)</sup></b>									
Administrative Office Services	—	—	—	—	P	P	P	—	18.29.050(a)
Medical Offices	—	—	—	—	P	P	P	—	18.29.050(a)
Professional and General Business Offices	—	—	—	—	P	P	P	—	18.29.050(a)
<b>PUBLIC/QUASI-PUBLIC USES</b>									

NOT YET APPROVED

Community Centers	CUP	CUP	CUP	CUP	—	—	—	CUP <sup>(3)</sup>	
Utility Facilities essential to provision of utility services but excluding construction or storage yards, maintenance facilities, or corporation yards.	CUP	—							
<b>RECREATION USES</b>									
Neighborhood Recreational Centers	—	—	CUP	CUP	—	—	—	CUP <sup>(3)</sup>	
Commercial Recreation	—	—	—	—	CUP	CUP	CUP	CUP <sup>(3)</sup>	
Outdoor Recreation Services	CUP	CUP	CUP	CUP	—	CUP	CUP	CUP <sup>(3)</sup>	
Youth Clubs	—	—	—	—	—	—	—	CUP <sup>(3)</sup>	
<b>RESIDENTIAL USES</b>									
Single-Family	P	P	—	—	—	—	—	—	
Two-Family	P	P	—	—	—	—	—	—	18.42.180
Multiple-Family	—	—	P	P	P	P	P	P <sup>(4)</sup>	
Residential Care Homes	P	P	P	P	P	P	P	—	
<b>RETAIL USES</b>									
Eating and Drinking Services, except drive-in and take-out services	—	—	P	P	P	P	P	CUP <sup>(3)</sup>	18.40.160, 18.29.050(c)
Personal Services and Retail Services of a neighborhood-serving nature	—	—	P	P	P	P	P	CUP <sup>(3)</sup>	18.40.160, 18.29.050(c)
Liquor stores	—	—	—	—	—	P	P	—	18.40.160, 18.29.050(c)
<b>SERVICE USES</b>									
Animal Care, excluding boarding and kennels	—	—	—	—	P	P	P	—	18.29.050(c)
Convalescent Facilities	—	—	—	CUP	P	P	P	—	
Day Care Centers	CUP	CUP	CUP	P	P	P	P	—	18.40.160

NOT YET APPROVED

Large Family Day Care Homes	P	P	P	P	P	P	P	P <sup>(3)</sup>	
Small Family Day Care Homes	P	P	P	P	P	P	P	P <sup>(3)</sup>	
Large Adult Day Care Homes	CUP	CUP	P	P	P	P	P	P <sup>(3)</sup>	
Small Adult Day Care Homes	P	P	P	P	P	P	P	P <sup>(3)</sup>	
Financial Services	—	—	—	—	P	P	P	—	18.29.050(a) 18.29.060(b)
General Business Services	—	—	—	—	P	P	P	—	18.29.050(a) 18.29.060(b)
Hotels	—	—	—	—	—	P	P	—	18.40.160, 18.16.060(d)
Personal Services	—	—	—	—	P	P	P	—	18.40.160, 18.29.050(c) 18.29.060(b)
<b>AGRICULTURAL AND OPEN SPACE USES</b>									
Park uses and uses incidental to park operation	—	—	—	—	—	—	—	P	
All facilities owned or leased, and operated or used, by the City of Palo Alto, the County of Santa Clara, the State of California, the government of the United States, the Palo Alto Unified School District, or any other governmental agency, or leased by any such agency to another party	—	—	—	—	—	—	—	P	
Utility Facilities	—	—	—	—	—	—	—	CUP	
<b>TEMPORARY USES</b>									
Temporary Uses	—	—	TUP	TUP	—	—	—	—	18.42.050
Farmer's Markets	—	—	—	—	—	CUP	CUP	—	
Temporary Parking Facilities, provided that such facilities shall remain no	—	—	—	—	—	CUP	CUP	CUP <sup>(3)</sup>	

more than five years									
<p><b>Notes:</b></p> <p><sup>(1)</sup> For NV-MXL zoning district, the total floor area of non-residential uses permitted and conditionally permitted on a lot shall not exceed 5,000 square feet.</p> <p><sup>(2)</sup> For office uses, total floor area of permitted office uses on a lot shall not exceed 5,000 square feet.</p> <p><sup>(3)</sup> Provided such use is conducted on property owned by the City of Palo Alto, the County of Santa Clara, the State of California, the government of the United States, the Palo Alto Unified School District, or any other governmental agency, and leased for said uses.</p> <p><sup>(4)</sup> Only a 100% Affordable Housing Project is permitted. Development shall follow NV-R4 standards.</p> <p><sup>(5)</sup> Ground floor uses shall comply with the ground floor edge framework set forth in NVCAP section 2.3.</p>									

**(a) Office Use Restrictions**

(1) Conversion of Ground Floor Housing and Non-Office Commercial to Office Medical, Professional, and Business offices shall not be located on the ground floor, unless any of the following apply to such offices:

(A) Have been continuously in existence in that space since **DATE OF ADOPTION OF NVCAP**, and as of such date, were neither non-conforming nor in the process of being amortized pursuant to [Chapter 18.30\(l\)](#);

(B) Occupy a space that was not occupied by housing, neighborhood business service, retail services, personal services, eating and drinking services, or automotive service on **DATE OF ADOPTION OF NVCAP** or thereafter;

(C) Occupy a space that was vacant on **DATE OF ADOPTION OF NVCAP**; or

(D) Are located in new or remodeled ground floor area built on or after **DATE OF ADOPTION OF NVCAP** if the ground floor area devoted to housing, retail services, eating and drinking services, and personal services does not decrease.

(E) Along El Camino Real, the office use has a consistent flow of in-person customers visiting the business, such as a dentist or medical office.

(2) Size Restrictions on Office Uses in the NV District

(A) Total floor area of permitted office uses on a lot shall not exceed 5,000 square feet.

**(b) Late Night Use and Activities**

Late Night Use and Activities requirements established in Section 18.42.040 shall apply to NV zoning districts.

**(c) Active Ground Floor Commercial Uses**

The NVCAP requires active ground floor uses along the El Camino Real corridor and encourages active ground floor uses on other designated streets. Active uses are activities and functions that promote social

engagement, vitality, and interaction within a community. Refer to NVCAP, Section 2.3 for detailed requirements.

(1) Active ground floor commercial uses generally include retail, personal services, neighborhood business service, and eating and drinking establishments. These may also include other active uses such as daycare, building lobbies, spaces accessory to residential uses such as fitness rooms, workspaces, leasing offices, bicycle facilities (Class I) with direct access to the sidewalk. Office uses may be included only to the extent they are permitted in ground floor regulations, are consistent with 18.29.080(a) and have a regular flow of in-person customers.

(2) Ground floor commercial uses are required for properties with frontage along El Camino Real, as shown in the NVCAP Section 2.3 (Ground Floor Edges).

(3) Ground floor commercial uses shall have a minimum floor to ceiling height of 14 feet.

(4) Retail or retail-like at the ground floor is required at the intersections of El Camino Real and Olive Avenue, and El Camino Real and Portage Avenue.

(5) 100% affordable housing projects are exempt from providing ground floor commercial uses.

**18.29.060 Development Standards**

(a) The following tables specify the development standards that shall apply to NV district properties. Where the last column on the following tables ("Subject to Regulations in") includes a section number, specific regulations in the referenced section also apply to the development standard; however, provisions in other sections may apply as well.

**TABLE 1: LOW DENSITY RESIDENTIAL DEVELOPMENT STANDARDS**

DEVELOPMENT STANDARD	NV-R1	NV-R2	Subject to Regulations In:
<b>Minimum Setbacks</b>	Setback lines imposed by a special setback map pursuant to Chapter 20.08 of this code may also apply		18.10.050
Street yard (ft)	Pepper Ave: 10' to create a 12' effective sidewalk width <sup>(1)</sup>  Olive Ave: 10'	Olive Ave: 10'	18.29.020(b)
<b>Height (ft)</b>	35'	35'	
<b>Parking</b>	None	None	18.29.070
<b>Other development standards</b>	See regulations in Chapter 18.12	See regulations in Chapter 18.10	
<b>Notes:</b> <sup>(1)</sup> The effective sidewalk width includes the pedestrian clear zone and landscape/furniture zone as described in PAMC 18.24.020.			

**TABLE 2: MULTI-FAMILY RESIDENTIAL & MUTLI-FAMILY RESIDENTIAL MIXED-USE DEVELOPMENT STANDARDS**

<b>DEVELOPMENT STANDARD</b>	<b>NV-R3</b>	<b>NV-R4</b>	<b>Subject to Regulations In:</b>
<b>Minimum Site Specifications</b>			
Site Area (ft <sup>2</sup> )	8,500		
Site Width (ft)	70		
Site Depth (ft)	100		
<b>Minimum Setbacks</b>			
Street Yard (ft)	Park Blvd.: 10' Ash St.: 5' Acacia Ave: 5' Portage Ave: 5'	Park Blvd.: 10' Olive Ave.: 20' Ash St.: 5' Page Mill Rd: sufficient to create a 12' effective sidewalk width <sup>(2)(3)</sup>	18.29.020(b)
Interior Side Yards (ft)	5'	5'	
Interior Rear Yards (ft)	10'	10'	
Build-to-Lines	50% of frontage built to setback <sup>(1)</sup> 33% of side street built to setback <sup>(1)</sup>		
<b>Maximum Height (ft)</b>			
Standard	45'	65'	18.29.100
<b>Daylight Plane</b> , for side and rear lot lines for sites abutting any NV-R1 or NV-R2 district or abutting a site containing a single-family or two-family residential use in a mixed-use district	10' initial height 45-degree daylight plane angle		
<b>Daylight Plane</b> , for side and rear lot lines for sites abutting any NV-R3, NV-R4, Planned Community, or mixed-use district that does not contain a single-family or two-family residential use	Refer to 18.24.050(b)(1)(C)		
<b>Maximum Lot Coverage (%)</b>			
Base	60	80	
Additional area permitted to be covered by covered patios or overhangs otherwise in compliance with all applicable laws	5	5	
<b>Floor Area Ratio (FAR)</b>			
Maximum Residential FAR	1.5:1	3.0:1	
Maximum Non-residential FAR	0.15:1	0.15:1	18.29.050(c)
Total Mixed-Use FAR	1.5:1	3.0:1	
<b>Residential Density (net units per acre)</b>			

NOT YET APPROVED

DEVELOPMENT STANDARD	NV-R3	NV-R4	Subject to Regulations In:
Maximum units per acre	None	None	
Minimum units per acre	16	61	
Minimum Landscape/Open Space Coverage (%) <sup>(4)</sup>	30	10	
Minimum Usable Open Space (ft <sup>2</sup> per unit)	150	150	
Minimum Common Open Space (ft <sup>2</sup> per unit)	75	75	
Minimum Private Open Space (ft <sup>2</sup> per unit)	50	50	
Landscape Requirements			18.40.130
Parking	None Required		18.29.070
<b>Notes:</b> (1) 25-foot driveway access permitted regardless of frontage. (2) No parking or loading space, whether required or optional, shall be located in the first 10 feet adjoining the street property line of any required yard. (3) Any minimum front, street side, or interior yard shall be planted and maintained as a landscaped screen excluding areas required for access to the site. A solid wall or fence between 5 and 8 feet in height shall be constructed along any common interior lot line. (4) Landscape coverage may be provided above the ground-floor.			

TABLE 3: MIXED-USE DEVELOPMENT STANDARDS

DEVELOPMENT STANDARD	NV-MXL	NV-MXM	NV-MXH	Subject to Regulations In:
<b>Minimum Site Specifications</b> Site Area (ft <sup>2</sup> ) Site Width (ft) Site Depth (ft)	None Required			
<b>Minimum Setbacks</b>				
Street Yard (ft)	Ash St.: 5' Olive Ave.: 10' Portage Ave: 0' Pepper Ave: 10'	El Camino Real: sufficient to create a 12' effective sidewalk width <sup>(1)(2)</sup> El Camino Real: sufficient to create a 12' effective sidewalk width <sup>(1)(2)</sup>	Park Blvd: 5' El Camino Real: sufficient to create a 12' effective sidewalk width <sup>(1)(2)</sup> Oregon Expy/Page Mill Rd: sufficient to create a 12'	18.29.020(b)

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DEVELOPMENT STANDARD	NV-MXL	NV-MXM	NV-MXH	Subject to Regulations In:
		Pepper: 10' Olive Ave 10' Ash St: 5' Park Blvd: 10' Lambert Ave: 5' Portage Ave: 5' Acacia Ave: 5'	effective sidewalk <sup>(1)(2)</sup> Lambert Ave: 5' Acacia Ave: 5' Portage Ave: 5'	
Build-to-Lines	None	For properties abutting El Camino Real: 50% of frontage built to setback <sup>(1)</sup> 33% of side street built to setback <sup>(1)</sup>		
Rear Yard (ft)	10'	10' for residential portion/ none for commercial portion	10' for residential portion/ none for commercial portion	
Rear Yard abutting residential zone district (ft)	10'	10'	10'	
Interior Side Yard (ft)	10'	5'	5'	
Build-to-lines	None Required			
Permitted Setback Encroachments	Refer to Section 18.40.070			
Maximum Setback (ft)	Not applicable	El Camino Real: 10'	El Camino Real: 10'	
Maximum Lot Coverage (%)	50	100	100	
Minimum Landscape/Open Space Coverage (%)	20	10	10	
Usable Open Space (Private and/or Common) (ft <sup>2</sup> )	150 per unit			18.16.090
Maximum Height (ft)				18.29.100
Standard	35'	55'	65'	
Ground Floor Height	Refer to Section 18.24.060(c)(5)(A)			
Daylight Plane for lot lines abutting one or more residential zoning districts	Daylight plane height and slope shall be identical to those of the most restrictive residential zoning district abutting the lot line			
<b>Residential Density (net units per acre)</b>				

NOT YET APPROVED

DEVELOPMENT STANDARD	NV-MXL	NV-MXM	NV-MXH	Subject to Regulations In:
Maximum units per acre	None Required			
Minimum units per acre	3	31	61	
<b>Floor Area Ratio (FAR)</b>				
Maximum Residential FAR	0.5:1	2.0:1	3.0:1	
Maximum Non-residential FAR <sup>(4)</sup>	0.25:1	0.25:1	0.25:1	18.29.050(c) 18.29.060(c)
Minimum Mixed-Use Ground Floor Commercial FAR	0.15:1	0.15:1	0.15:1	18.29.050(c)
Total Mixed-Use FAR	0.5:1 <sup>(4)</sup>	2.0:1	3.0:1	
<b>Parking</b>	None Required			18.29.070
<p><b>Notes:</b></p> <p><sup>(1)</sup> No parking or loading space, whether required or optional, shall be located in the first 10 feet adjoining the street property line of any required yard.</p> <p><sup>(2)</sup> Any minimum front, street side, or interior yard shall be planted and maintained as a landscaped screen excluding areas required for access to the site. A solid wall or fence between 5 and 8 feet in height shall be constructed along any common interior lot line.</p> <p><sup>(3)</sup> The 150-foot measurement may be reduced to 50 feet at minimum, subject to approval by the Planning Director, upon recommendation by the Architectural Review Board pursuant to criteria set forth in <a href="#">Chapter 18.76</a>.</p> <p><sup>(4)</sup> As provided in 18.29.060(c), maximum FAR for hotels shall be 2.0:1. Hotel projects in the NV-MXL zone may reach a Total Mixed-Use FAR of 2.0:1.</p>				

**TABLE 4: PUBLIC FACILITIES DEVELOPMENT STANDARDS<sup>(1)</sup>**

DEVELOPMENT STANDARD	NV-PF	Subject to Regulations In:
<b>Minimum Setbacks</b>		
Street Yard (ft)	Portage Ave: 0' Park Blvd: 10' Lambert Ave: 5'	18.29.020(b)
Rear Yard (ft)	10'	18.40.140
Side Yard (ft)	5'	
<b>Maximum Site Coverage (%)</b>		
Multiple-Family Residential Use	100	
Other Uses	20	
<b>Minimum Landscape/Open Space Coverage (%)</b>		
Multiple-Family Residential Use	0	
Other Uses	Not applicable	
<b>Usable Open Space (Private and/or Common) (ft<sup>2</sup>)</b>		
Multiple-Family Residential Use	150 per unit	

DEVELOPMENT STANDARD	NV-PF	Subject to Regulations In:
<b>Maximum Height (ft)</b> Multiple-Family Residential Use Other Uses	65'	18.29.100
<b>Maximum Floor Area Ratio (FAR)</b> Multiple-Family Residential Use Other Uses	3.0:1 1.0:1	
<b>Parking</b>		18.29.070
<b>Notes:</b> (1) Residential standards in this table shall only be applicable to 100% Affordable Housing Projects. For standards not listed in Table 4 for 100% Affordable Housing Projects in NV-PF, refer to applicable NV-R4 development standards in PAMC 18.29.060, Table 2.		

**(b) Storefront Guidelines**

Where active use and retail frontages are required or located within the NV district on the ground floor, the following design standards shall apply:

(1) Exterior windows on the ground floor shall use transparent glazing to the extent feasible. Low-e glass or minimal tinting to achieve sun control is permitted, so long as the glazing appears transparent when viewed from the ground level.

(2) Window coverings are not permitted on the ground floor during typical business hours. Where operations preclude transparency (e.g., theaters) or where privacy requires window coverings, sidewalk-facing frontage shall include items of visual interest including displays of merchandise or artwork; visual access shall be provided to a minimum depth of three (3) feet.

(3) No more than 10% of the total street-facing building façade or a maximum of 25 feet in width, whichever is greater, shall be dedicated to mechanical equipment rooms, parking garage entrances, exit stairs, and other facilities necessary for building operation.

**(c) Hotel Regulations**

(1) The purpose of these regulations is to allow floor area for development of hotels more than floor area limitations for other commercial uses, to provide a visitor-serving use that results in an enhanced business climate, increased transient occupancy tax and sales tax revenue, and other community and economic benefits to the city.

(2) Hotels, where they are a permitted use, may develop to a maximum FAR of 2.0:1, subject to the following limitations:

(A) The hotel use must generate transient occupancy tax (TOT) as provided in [Chapter 2.33](#) of the Palo Alto Municipal Code; and

(B) No room stays more than thirty days are permitted, except where the city council approves longer stays through an enforceable agreement with the applicant to provide for compensating revenues.

(3) Hotels may include residential condominium use, subject to:

(A) No more than twenty-five percent (25%) of the floor area shall be devoted to condominium use; and

(B) No more than twenty-five percent (25%) of the total number of lodging units shall be devoted to condominium use; and

(C) A minimum FAR of 1.0 shall be provided for the hotel/condominium building(s); and

(D) Where residential condominium use is proposed, room stays for other hotel rooms shall not exceed thirty (30) days.

(4) Violation of this chapter is subject to enforcement action for stays more than thirty days not permitted under the provisions of this chapter, in which case each day of room stay more than thirty days shall constitute a separate violation and administrative penalties shall be assessed pursuant to Chapters 1.12 and 1.16.

### **18.29.070 Parking and Loading**

In accordance with Assembly Bill 2097 (2022), no minimum automobile parking is required for properties within the NV Districts except for projects including transient lodging. There are no maximum parking standards. Standards for transient lodging and other parking standards, such as bicycle parking, and parking design standards are contained within PAMC Chapters 18.52 and 18.54.

### **18.29.080 Context-Based Design Criteria and Objective Design Standards**

In addition to the development standards prescribed in 18.29.050, all Housing Development Projects shall comply with the objective standards outlined in [Chapter 18.24](#), as defined herein. All other developments, and Housing Development Projects that elect to deviate from one or more objective design standards in [Chapter 18.24](#), shall meet the Context Based Design Criteria, as determined by the Director pursuant to the Architectural Review process. In the event of any conflict between the development standards established in this Chapter and those established in Chapter 18.24, the NVCAP standards shall prevail.

#### **(a) Multiple Family Context-Based Design Criteria**

Refer to Section 18.13.060 for the Context Based Design Criteria.

#### **(b) Mixed-Use and Commercial Context-Based Design Criteria**

Refer to Section 18.16.090 for the Context Based Design Criteria.

### **18.29.090 Housing Incentive Programs for NV District**

(a) Housing development projects in the NV Districts may utilize any Housing Incentive Program or Affordable Housing Incentive Program set forth in Sections 18.14.030 and 18.14.040.

### **18.29.100 Non-conforming Uses and Non-Complying Facilities**

Any uses or facilities rendered non-conforming or non-complying by this Chapter shall be subject to Chapter 18.70, including the schedules for required termination of non-conforming uses under Section 18.70.070.

**18.29.110 Transportation Demand Management Plan**

A transportation demand management plan shall be required for all new development projects or any projects that meet the conditions listed in PAMC Section 18.52.030(i).

**SECTION 2.** Table 1 of Section 18.14.020 (Housing Element Opportunity Sites) of Chapter 18.14 (Housing Incentives) of Title 18 (Zoning) of the Palo Alto Municipal Code is amended to read as follows (additions underlined):

**Table 1**

**Housing Element Opportunity Site Development Standards  
(Residential and Commercial Mixed Use Districts)**

Base Zoning District	Maximum Far <sup>(1)</sup>		Minimum Landscape Coverage	Residential Density (du/ac) <sup>(4)</sup>		Other Development Standards
	Residential	Total		Minimum	Maximum	
CC <sup>(2)</sup>	1.5	2.0	<sup>(3)</sup>	20	See base district regulation s: <a href="#">18.16.060</a>	See base district regulations: <a href="#">18.16.060</a>
CC	1.25	1.25	<sup>(3)</sup>	20		
CS (El Camino Real)	1.25	1.25	<sup>(3)</sup>	20		
CS (Other)	1.25	1.25	<sup>(3)</sup>	20	See HE Appendix D	
CN (El Camino Real)	1.25	1.25	30% <sup>(3)</sup>	20	See base district regulation s: <a href="#">18.16.060</a>	
CN (Other)	1.25	1.25	30% <sup>(3)</sup>	20	See HE Appendix D	
CD-C	2.0	2.0 <sup>(2)</sup>	<sup>(3)</sup>	20	See base district regulation s: <a href="#">18.18.060</a>	See base district regulations: <a href="#">18.18.060</a>

NOT YET APPROVED

CD-N	1.5	1.5	(3)	20	See HE Appendix D	
RP	1.25	1.25	(3)	25	None; 40 du/ac anticipated	See base district regulations: <a href="#">18.20.040</a>
RM-40	1.5	1.5	(3)	31	See HE Appendix D	See base district regulations: <a href="#">18.13.040</a>
RM-30	1.25	1.25	(3)	20		
RM-20	1.25	1.25	See <a href="#">18.13.040</a>	20		
<u>NV-R3</u>	<u>See base district regulations: 18.29.060, except that maximum height shall be 50', maximum lot coverage shall be 70%, and minimum density shall be 25 du/ac.</u>					

Notes:

- (1) Nothing in this table increases the non-residential floor area permitted in any district.
- (2) FAR may be increased with transfer of development rights; see [Chapter 18.18](#) for details.
- (3) Landscape coverage may be provided above the ground-floor. If standard is not specified, refer to base district regulations.
- (4) Where no maximum density is provided in terms of du/ac, maximum density shall be determined by estimating the realistic development capacity of the site based on the objective development standards applicable to the project. Where noted, refer to Housing Element Appendix D: Sites Inventory for specified densities.

**SECTION 3.** Section 18.24.010 (Purpose and Applicability) of Chapter 18.24 (Contextual Design Criteria and Objective Design Standards) of Title 18 (Zoning) of the Palo Alto Municipal Code is amended to read as follows (additions underlined, and unchanged text omitted by bracketed ellipses):

**18.24.010 Purpose and Applicability**

(a) Purpose

[. . .]

(b) Applicability of Regulations

These regulations apply to new construction and renovations of Housing Development Projects (as defined in Gov. Code 65589.5, but excluding projects compromised of single- or two-family uses with one or more ADUs), including supportive and transitional housing, and residential mixed-use projects with at least two-thirds residential square footage. Regulations

~~apply both new construction and renovations~~, within the following zones and combining districts:

- (1) Chapter 18.12: R-1, for multiple-family uses only
- (2) Chapter 18.13: RM-20, RM-30, RM-40
- (23) Chapter 18.16: CN, CC, CC(2), CS
- (34) Chapter 18.18: CD-C, CD-S, CD-N
- (45) Chapter 18.20: MOR, ROLM, ROLM(E), RP, RP(5), GM
- (56) Chapter 18.28: PF
- (7) Chapter 18.29: NV-N3, NV-R4, NV-MXM, NV-MXH
- (68) Chapter 18.34: PTOD combining district

~~Housing Development Projects include multifamily housing with three or more units ("multiple-family use" as defined in Section 18.04.030), supportive and transitional housing, and residential mixed-use projects with at least two-thirds residential square footage shall meet the objective design standards.~~

(c) Process and Alternative Compliance

[. . .]

**SECTION 4.** Section 16.65.030 (Basic affordable housing requirement - residential ownership projects) of Chapter 16.65 (Citywide Affordable Housing Requirements) of Title 16 (Building Regulations) is amended to read as follows (additions underlined, and unchanged text omitted by bracketed ellipses):

**16.65.030 Basic affordable housing requirement - residential ownership projects.**

The provisions of this section shall apply to all residential ownership projects, including the residential ownership portion of any mixed use project containing three or more units, except for any residential ownership project exempt under Section 16.65.025.

(a) Unless an alternative is approved as described in Section 16.65.080, residential ownership projects shall provide the following:

(1) For projects on sites of less than five acres, fifteen percent of the dwelling units in the project shall be made available at affordable sales price to very low, low, and moderate income households;

(2) For projects on sites of five acres or more and all townhome projects in the NV districts, twenty percent of the dwelling units in the project shall be made available at affordable sales price to very low, low, and moderate income households; and

(3) For projects that convert existing rental housing to condominiums, other residential ownership or nonresidential space or that remove existing rental housing, twenty-five percent of the dwelling units in the project shall be made available at affordable sales price to very low, low, and moderate income households.

(4) Calculations of the number of affordable units required by this section shall be based on the number of dwelling units in the residential project, excluding any density bonus units. Projects shall not receive a credit for any existing dwelling units demolished as part of the project.

(b) The affordable units shall be made available at the following affordable sales prices:

[. . .]

**SECTION 5.** Section 16.65.040 (Basic requirement - mixed use, nonresidential and residential rental projects) of Chapter 16.65 (Citywide Affordable Housing Requirements) of Title 16 (Building Regulations) is amended to read as follows (additions underlined; deletions ~~struck through~~):

**16.65.040 Basic requirement - mixed use, nonresidential and residential rental projects.**

(a) Unless the mixed use, nonresidential or residential rental project is exempt under Section [16.65.025](#) or an alternative is approved as described in Section [16.65.080](#), all mixed use, nonresidential and residential rental projects shall pay housing impact fees as specified in Section [16.65.060](#) to mitigate the projects' impacts on the need for affordable housing; except:

(1) ~~that the~~The residential ownership portion of a mixed use project containing three or more units shall comply with Section [16.65.030](#).

(2) In the NV districts, residential rental projects, including mixed use projects containing residential rental units, shall provide fifteen percent of the dwelling units in the project at rates affordable to lower income households.

**SECTION 6.** Pipeline Projects. This Ordinance and the NVCAP shall not apply to any project application deemed complete prior to the effective date of this Ordinance. Any project completed pursuant to such application shall be deemed a legal non-conforming structure and/or use, subject to the provisions of Palo Alto Municipal Code Chapter 18.70.

**SECTION 7.** On XXXX, 2024, the City Council adopted Resolution No. XXXX, certifying the NVCAP Supplemental Environmental Impact Report (SEIR) to the Final Environmental Impact Report for the 2030 Palo Alto Comprehensive Plan, and making required findings, including a statement of overriding considerations.

**SECTION 8.** 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 9.** Effective Date. This ordinance shall be effective on the thirty-first day after the date of its adoption (second reading).

INTRODUCED:

PASSED:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

ATTEST:

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

\_\_\_\_\_  
Mayor

APPROVED AS TO FORM:

APPROVED:

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

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

\_\_\_\_\_  
Director of Planning and  
Development Services