



**Development Services Department/Housing Division
1 North San Antonio Road
Los Altos, California 94022-3087**

March 4, 2024

Department of Housing and Community Development
2020 West El Camino, Suite 500
Sacramento, CA 95833

Re: Prohousing Designation Program Application

Dear HCD Staff,

The City of Los Altos is pleased to submit its Prohousing Designation Program Application to the Department of Housing and Community Development ("HCD").

We are compliant with State Housing Element Law with the approval of the 6th Cycle Housing Element in September 2023 by HCD. The City of Los Altos has enacted Prohousing Policies to support the increase of housing development within the City of Los Altos, including affordable and market-rate multi-family developments along with ADU/JADUs and single-family homes.

Included are: 1) Application Checklist; 2) Application Information; 3) Certification and Acknowledgement Form; 4) Legislative Information; 5) Threshold Requirements Checklist; 6) Appendix 1 – Formal Resolution for the Prohousing Designation Program; 7) Appendix 2 – Prohousing Policy Completion Schedule; 8) Appendix 3 – Project Proposal Scoring Sheet; 9) Appendix 4 – Prohousing Policies; and 10) Appendix 5 – Additional Information and Supporting Documentation.

If you have any questions, feel free to email me at mgallardo@losaltsoca.gov or contact me at 650-947-2646.

Sincerely,

Monica Gallardo-Melkesian

Monica Gallardo-Melkesian
Housing Manager
Development Services Department

cc: Nick Zornes, Development Services Director

Attachments

**City of Los Altos
Application Checklist**

	Yes	No
Application Information	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Certification and Acknowledgement	<input checked="" type="checkbox"/>	<input type="checkbox"/>
The Legislative Information form is completed.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
The Threshold Requirements Checklist is completed.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
A duly adopted and certified Formal Resolution for the Prohousing Designation Program is included in the application package. (See Appendix 1 for the Formal Resolution for the Prohousing Designation Program form.)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
If applicable, the Proposed Policy Completion Schedule is completed. (See Appendix 2.)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
The Project Proposal Scoring Sheet is completed. (See Appendix 3 for the Project Proposal Scoring Sheet and the Sample Project Proposal Scoring Sheet.)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Additional information and supporting documentation (Applicant to provide as Appendix 5)	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**City of Los Altos
Application Information**

Applicant (Jurisdiction):	City of Los Altos
Applicant Mailing Address:	1 N. San Antonio Road
City:	Los Altos
ZIP Code:	94022
Website:	www.losaltosca.gov
Authorized Representative Name	Nick Zornes
Authorized Representative Title:	Development Services Director
Phone:	650-947-2625
Email:	nzornes@losaltosca.gov
Contact Person Name:	Monica Gallardo-Melkesian
Contact Person Title:	Housing Manager
Phone:	650-947-2646
Email:	mgallardo@losaltosca.gov
Proposed Total Score (Based on Appendix 3):	33

**CITY OF LOS ALTOS
CERTIFICATION AND ACKNOWLEDGMENT**

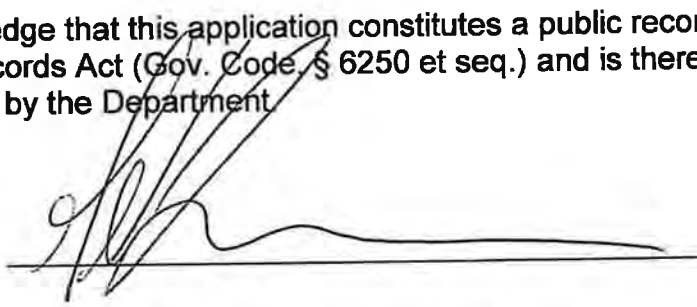
As authorized by the Formal Resolution for the Prohousing Designation Program (Resolution No. 2024-07), which is attached hereto and incorporated by reference as if set forth in full, I hereby submit this full and complete application on behalf of the applicant.

I certify that all information and representations set forth in this application are true and correct.

I further certify that any proposed Prohousing Policy identified herein will be enacted within two (2) years of the date of this application submittal.

I acknowledge that this application constitutes a public record under the California Public Records Act (Gov. Code, § 6250 et seq.) and is therefore subject to public disclosure by the Department

Signature: _____



Name and Title: Nick Zornes, Development Services Director

Date: _____

2/28/2024

**City of Los Altos
Legislative Information**

District	Number	Legislators Name(s)
State Assembly District	#23	Assemblymember Marc Berman
State Senate District	#13	Senator Josh Becker

**City of Los Altos
Threshold Requirements Checklist**

The applicant meets the following threshold requirements in accordance with Section 6604 of the Regulations:

	Yes	No
The applicant is a Jurisdiction.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
The applicant has adopted a Compliant Housing Element.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
The applicant has submitted or will submit a legally sufficient Annual Progress Report prior to designation.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
The applicant has completed or agrees to complete, on or before the relevant statutory deadlines, any rezone program or zoning that is necessary to remain in compliance with Government Code sections 65583, subdivision (c)(1), and 65584.09, subdivision (a), and with California Coastal Commission certification where appropriate.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
The applicant is in compliance, at the time of the application, with applicable state housing law, including, but not limited to those included in Government Section 65585, subdivision (j); laws relating to the imposition of school facilities fees or other requirements (Gov. Code, § 65995 et seq.); Least Cost Zoning Law (Gov. Code, § 65913.1); Permit Streamlining Act (Gov. Code, § 65920 et seq.); and provisions relating to timeliness of CEQA processing by local governments in Public Resources Code sections 21080.1, 21080.2, and 21151.5(a).	<input checked="" type="checkbox"/>	<input type="checkbox"/>
The applicant further acknowledges and confirms that its treatment of homeless encampments on public property complies with and will continue to comply with the constitutional rights of persons experiencing homelessness and that it has submitted a one-page summary to the Department demonstrating how the applicant has enacted best practices in their jurisdiction related to the treatment of unhoused individuals camping on public property, consistent with United States Interagency Council on Homelessness' "7 Principles for Addressing Encampments," (June 17, 2022 update), hereby incorporated by reference.	<input checked="" type="checkbox"/>	<input type="checkbox"/>

The applicant has duly adopted and certified, by the applicant's governing body, a Formal Resolution for the Prohousing Designation Program, which is hereby incorporated by reference. (A true and correct copy of the resolution is included in this application package.)



Name of Jurisdiction: City of Los Altos

1. Was the Jurisdiction awarded Encampment Resolution Funding (ERF) Program funds (Yes/No)? If so, indicate the round of funding (i.e., ERF-1, ERF-2-L, ERF-2-R, ERF-3-L, or ERF-3-R), the date the grant was awarded, and attach the approved proposal. Max. 100 characters.

No

2. What is the Jurisdiction's role in the Coordinated Entry System (lead, support, etc.)? Max. 100 characters. If applicable, attach any supporting documents.

N/A

3. Does the Jurisdiction receive a direct allocation of federal funds from HUD (Yes/No)? If so, indicate the type of federal funds, and how the federal funds are being utilized to serve the homeless population. Also, attach the jurisdiction's consolidated plan and indicate the award amount. Max. 100 characters.

No

Each Jurisdiction's response to homelessness is based on the unique needs of the population they serve. Based on these efforts, the [United States Interagency Council on Homelessness' Seven Principles for Addressing Encampments](#) provides best practice guidance to support communities as they develop and implement a comprehensive response to encampments. Please provide a response on how the Jurisdiction meets each of the principles noted below. *Attach and reference any supporting documentation along with the page numbers accordingly.*

- **Principle 1: Establish a Cross-Agency, Multi-Sector Response to Encampments** (*Describe how system partners work together. Attach communication and coordination plans.*)
- **Principle 2: Engage Encampment Residents to Develop Solutions** (*Describe street outreach efforts to engage with encampment residents to find alternative shelter, housing, and service options before an existing encampment is closed.*)
- **Principle 3: Conduct Comprehensive and Coordinated Outreach** (*Describe multidisciplinary connection strategies and linkages to resources and permanent housing solutions. If applicable, describe how the jurisdiction uses the coordinated entry system to connect individuals to resources and permanent housing.*)
- **Principle 4: Address Basic Needs and Provide Storage** (*Describe efforts to meet basic needs, health, safety, and access to storage for people experiencing unsheltered homelessness.*)
- **Principle 5: Ensure Access to Shelter or Housing Options** (*Include a list of shelter or housing options, such as transitional housing, permanent supportive housing, emergency shelters, etc. within the jurisdiction and/or are accessible within nearby communities. Also, indicate the shelter/housing name, address, target population and funding sources applied towards the development(s).*)
- **Principle 6: Develop Pathways to Permanent Housing and Supports** (*Describe Housing First strategies emphasizing low-barriers, a harm-reduction model, and services to support people obtaining permanent housing more efficiently. Identify efforts to align federal, state, and local funding/programs to provide clear pathways to permanent housing.*)
- **Principle 7: Create a Plan for What Will Happen to Encampment Sites After Closure** (*Describe plans for former encampment spaces. Include efforts to emphasize safety, accessibility, and inclusivity that improve infrastructure. Example: Communities can include curb cuts to increase mobility access and enhanced lighting to encourage safety.*)

- **Principle 1: Establish a Cross-Agency, Multi-Sector Response to Encampments (350 characters max)**

The City of Los Altos currently does not have any homeless encampments. If we do have individuals in encampments in the future, the City will develop cross-departmental and community-wide collaboration and coordination systems to facilitate communication to account for the needs of encampment residents as well as the neighborhood. System partners that we would work with if we do have homeless encampments would be the Santa Clara County Continuum (CoC).

- **Principle 2: Engage Encampment Residents to Develop Solutions (350 characters max)**

The City will engage encampment residents in future to discuss and understand their needs and develop strategies and decisions related to their living environments that best meet the needs of the encampment residents and the community. This type of street outreach will be done prior to an encampment being closed if we have one in the future.

- **Principle 3: Conduct Comprehensive and Coordinated Outreach (350 characters max)**

City staff will connect people in homeless encampments directly to shelter and housing, mental health and treatment services, and health care utilizing the Santa Clara County Continuum (CoC) as a resource. The CoC has access to Santa Clara County’s supportive housing systems that provides services related to emergency shelters, transitional and permanent housing, rapid rehousing, supportive services, homeless prevention rental assistance, and special initiatives including employment pathways and youth programs.

- **Principle 4: Address Basic Needs and Provide Storage (350 characters max)**

The City will provide unsheltered individuals sanitary places to wash their hands and use the restroom and provide access to storage for an adequate period of time to allow a person to collect their belongings in the event a future encampment is closed.

- **Principle 5: Ensure Access to Shelter or Housing Options (Please complete the information below for each shelter or housing options within the jurisdiction and/or are accessible within nearby communities)**

<u>Shelter/Housing Name</u>	<u>Type of Housing</u>	<u>Address</u>	<u>Target Population</u>	<u>Funding Source</u>
Opportunity Services Center	Emergency Shelter	33 Encina Ave. Palo Alto, CA	Adult Men & Women	Church Funded
Haven Family House	Family Interim Shelter	260 Van Buren Rd. Menlo Park, CA	Families	Life Moves
Homekey Mountain View	Interim Housing	2566 Leghorn St. Mountain View, CA	Seniors/Families	Life Moves
Project WeHope Shelter	Emergency/Interim	1854 Bay Rd. East Palo Alto, CA	Single Women/Men	Grants
Willow Housing	Permanent Affordable	605 Willow Rd. Menlo Park, CA	Veterans	EAH Housing
Retraining the Village	Transitional Housing	2399 Menalto Ave. East Palo Alto, CA	Veterans/Incarcerated Addiction Recovery	Corporations/ Grants

- **Principle 6: Develop Pathways to Permanent Housing and Supports (350 characters max)**

The City will work closely with the Santa Clara County Continuum (CoC) to help ensure that unsheltered individuals in any future encampments will be provided access for housing and services to help these individuals receive assistance in finding and obtaining safe, secure, and permanent housing as quickly as possible. The City recognizes the value of an individual's choice in housing selection and supportive service participation. The City's goal is to empower individuals to make decisions about their housing, increasing their chances of remaining housed and improving their lives. While supportive services, such as CoC, are offered to promote housing stability and well-being, participation is not mandatory. A person's choice to engage in services is respected, recognizing that services are more effective when chosen voluntarily. For any future unsheltered individuals, the City will aim to integrate individuals into their communities, fostering connections and reducing isolation. The City recognizes that housing is not just a roof overhead but a pathway to broader life improvements and stability.

Principle 7: Create a Plan for What Will Happen to Encampment Sites After Closure (350 characters max)

The City will work to secure any future encampment sites that are not safe to keep encampments from returning to those locations. For encampments that are in public spaces such as parks, the City staff will engage neighborhoods, churches, business communities, and formerly homeless individuals to reimagine and invest in these public spaces for all residents to benefit from their use. Reuse plans for former encampment sites will ensure safety, accessibility, and inclusivity. Coordination between public works, service providers, and volunteer organizations will be facilitated to develop strategies to serve the people experiencing homelessness who may continue to use the public space after the encampment is gone.

RESOLUTION NO. 2024-07

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALTOS
AUTHORIZING APPLICATION TO AND PARTICIPATION IN THE PROHOUSING
DESIGNATION PROGRAM**

WHEREAS, Government Code section 65589.9 established the Prohousing Designation Program (“Program”), which creates incentives for jurisdictions that are compliant with state housing element requirements and that have enacted Prohousing local policies; and

WHEREAS, such jurisdictions will be designated Prohousing, and, as such, will receive additional points or other preference during the scoring of their competitive Applications for specified housing and infrastructure funding; and

WHEREAS, the California Department of Housing and Community Development (“Department”) has adopted regulations (Cal. Code Regs., tit. 25, § 6600 et seq.) to implement the Program (“Program Regulations”), as authorized by Government Code section 65589.9, subdivision (d); and

WHEREAS, the City of Los Altos (“Applicant”) desires to submit an Application for a Prohousing Designation (“Application”).

NOW THEREFORE, BE IT RESOLVED THAT:

1. Applicant is hereby authorized and directed to submit an Application to the Department.
2. Applicant acknowledges and confirms that it is currently in compliance with applicable state housing law.
3. Applicant acknowledges and confirms that it will continue to comply with applicable housing laws and to refrain from enacting laws, developing policies, or taking other local governmental actions that may or do inhibit or constrain housing production. Examples of such local laws, policies, and actions include moratoriums on development; local voter approval requirements related to housing production; downzoning; and unduly restrictive or onerous zoning regulations, development standards, or permit procedures. Applicant further acknowledges and confirms that the Prohousing Policies in its Application comply with its duty to Affirmatively Further Fair Housing pursuant to Government Code sections 8899.50 and 65583. Applicant further acknowledges and confirms that its general plan is in alignment with an adopted sustainable communities strategy pursuant to Public Resources Code section 21155- 21155.4. Applicant further acknowledges and confirms that its policies for the treatment of homeless encampments on public property comply with and will continue to comply with the Constitution and that it has enacted best practices in its jurisdiction that are consistent with the United States Interagency Council on Homelessness’ “7 Principles for Addressing Encampments” (June 17, 2022, update).
4. If the Application is approved, Applicant is hereby authorized and directed to enter into, execute, and deliver all documents required or deemed necessary or appropriate to participate in the Program, and all amendments thereto (the “Program Documents”).

5. Applicant acknowledges and agrees that it shall be subject to the Application; the terms and conditions specified in the Program Documents; the Program Regulations; and any and all other applicable law.
6. The Development Services Director is authorized to execute and deliver the Application and the Program Documents on behalf of the Applicant for participation in the Program.

BE IT FURTHER RESOLVED that the application and participation in the prohousing designation program is authorized upon adoption of this resolution.

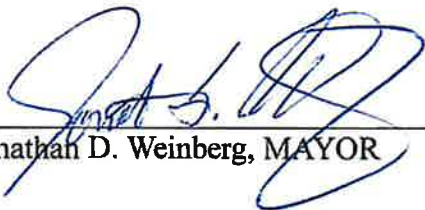
I HEREBY CERTIFY that the foregoing is a true and correct copy of a Resolution passed and adopted by the City Council of the City of Los Altos at a meeting thereof on the 27th day of February 2024 by the following vote:

AYES: DALLEY, FLIGOR, LEE ENG, MEADOWS, WEINBERG

NOES:


ABSENT:

ABSTAIN:



Jonathan D. Weinberg, MAYOR

Attest:



Melissa Thurman MMC, City Clerk

Appendix 2: Proposed Policy Completion Schedule

Category Number	Concise Written Description of Proposed Policy	Key Milestones and Milestone Dates	Anticipated Completion Date	Notes
1D	Provide density bonus increases and incentives beyond that required by State law for projects that provide senior housing or housing for extremely low-income households or people with disabilities, including developmental disabilities, in multi-family or mixed-use zones. Specifically, the City will codify the additional density bonus and incentives for senior-only projects.	Approved proposed policy in 6 th Cycle Housing Element approved by City Council January 2023 and in September 2023 by HCD – see Section 4.H	December 2025	
1E	Junior ADUs – Develop and adopt objective standards to allow more than one (at minimum two) Junior ADU per structure by July 2025. The objective is to achieve at least 10 JADUs in lower-density neighborhoods by January 2031.	Approved proposed policy in 6 th Cycle Housing Element approved by City Council January 2023 and in September 2023 by HCD – see Section 6.G	July 2025	
3A	The City will evaluate applying the park in-lieu and traffic impact fees on a per square foot basis rather than per unit to encourage the development of higher densities and smaller, more affordable	Approved proposed policy in 6 th Cycle Housing Element approved by City Council January 2023 and in September	December 2024	

	<p>housing units. Based on this evaluation, the City will modify impact fees in accordance with Assembly Bill 602 (AB 602) with completion of the comprehensive fee evaluation.</p>	<p>2023 by HCD – see Section 3.D</p>		
<p>3B</p>	<p>Prepare permit ready standard ADU plans with a variety of unit sizes, bedroom count, and architectural styles. Hired dedicated ADU/JADU staff per the 6th Cycle Housing Element – see Section 2.D</p>	<p>Community meeting to review standard ADU plans – February 21, 2024 Approved proposed policy in 6th Cycle Housing Element approved by City Council January 2023 and in September 2023 by HCD – see Section 2.D</p>	<p>December 2024 Done</p>	
<p>3C</p>	<p>With completion of a comprehensive fee study (see Program 3.D), the City will adopt a zero cost (\$) permit fee for ADUs to incentivize the creation of ADUs.</p>	<p>Approved proposed policy in 6th Cycle Housing Element approved by City Council January 2023 and in September 2023 by HCD – see Sections 2.D and 3.D</p>	<p>December 2024</p>	
<p>4E</p>	<p>The City will facilitate development of housing on City-owned sites through public-private partnerships during the planning period. City-</p>	<p>Approved proposed policy in 6th Cycle Housing Element approved by City</p>	<p>December 2026</p>	

	<p>owned Downtown Parking Plazas 7 and 8 were identified as opportunity sites that could accommodate new development, including affordable housing. The first RFP issued by the City for housing on either Parking Plaza 7 or 8 will be affordable housing and the City will commit to selecting the development proposal that maximizes public benefit in creating additional affordable housing in Downtown Los Altos. Prior to the RFP issuance, the City shall hire a third-party to analyze what the minimum financially feasible affordable housing production could be, based upon a minimum of 20 years of a zero-cost land lease and a commitment to provide a minimum 55-year lease. In the event the development is 100 percent affordable as defined by law, the City shall waive all applicable development impact fees per Program 2.C. The City will comply with all Surplus Land Act requirements. The City will provide a dedicated project planner to facilitate an expedited project review process.</p>	<p>Council January 2023 and in September 2023 – see Section 1.H</p>	
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4M	The City will conduct a feasibility analysis to support the establishment of an affordable housing in-lieu fee for residential developments and a commercial linkage fee for affordable housing.	Approved proposed policy in 6 th Cycle Housing Element approved by City Council January 2023 and in September 2023 – see Section 2.B	December 2025	
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Appendix 3: Project Proposal Scoring Sheet

Category Number	Concise Written Description of Prohousing Policy	Enacted or Proposed	Documentation Type (e.g., resolution, zoning code)	Insert Web Links to Documents <u>or</u> Indicate that Electronic Copies are Attached as Appendix 5	Points	Enhancement Category Number	Enhancement Points	Total Points
1C	Sufficient sites to accommodate 133 percent of the current RHNA with rezoning by total or income category.	E	Resolution 2023-03; 6 th Cycle Housing Element – Table B-9	Electronic copy attached	2	1	2	4
1D	Density bonus program to allow additional density for senior housing or housing for extremely low-income households or people with disabilities, including developmental disabilities, in multi-family or mixed-use zones.	P	Resolution 2023-03; 6 th Cycle Housing Element – Section 4.H	Electronic copy attached	2			2
1E	Increasing allowable density in low-density, single-family residential areas beyond SB 9 requirements.	P	Resolution 2023-03; 6 th Cycle Housing Element – Section 6.G	Electronic copy attached	2	1	2	4

1F	Adopted vehicular parking ratios that are less than the relevant ratio thresholds at subparagraphs (A), (B), and (C) of Gov. Code section 65915 subdivision (p)(1), specifically for deed-restricted affordable housing, senior housing, emergency shelters, single-room occupancy units, and housing for persons with disabilities (e.g., 0.5 spaces per unit).	E	Zoning Code Item 7 from 2.13.2024 City Council Meeting; Resolution 2024-507	Electronic copy attached	2	2	
1H	Modified development standards/other applicable zoning provisions to allow for residential uses in non-residential zones (office administration, commercial thoroughfare, etc.)	E	Zoning Code Item 4 from 11.28.2023 City Council Meeting; Resolutions 2023-503, 504, & 505	Electronic copy attached	1	2	3
1I	Modification of development standards and other applicable zoning provisions to promote greater development intensity.	E	Zoning Code Item 4 from 10.10.2023 City Council Meeting; Resolution 2023-501	Electronic copy attached	1	2	1

1K	Inclusionary housing program requires new developments to include housing affordable to low- and very low-income households consistent with AB 1505.	E	Zoning Code	<u>Chapter 14.28 - MULTIPLE-FAMILY AFFORDABLE HOUSING Code of Ordinances Los Altos, CA Municipality Library</u>	1			1
2G	Consolidated permit processes that minimize the levels of review and approval required for projects.	E	Resolution 2023-03; 6 th Cycle Housing Element – Sections 2.D and 3.L	Electronic copy attached	1			1
2H	Eliminated the requirement of development of standards for housing projects to be reviewed by certain City Commissions.	E	Resolution 2023-03; 6 th Cycle Housing Element – Sections 2.D and 3.H; Resolution 2023-490	Electronic copy attached	1			1
2J	Reduced plan check times for ADUs/JDUs.	P	Resolution 2023-03; 6 th Cycle Housing Element – Section 2.D	Electronic copy attached	1			1
2K	Standardized application form for all entitlement applications.	E	Planning Form	<u>Submit no later than 3:00 p (losaltosca.gov)</u>	1			1

2M	Limitation on number of hearings for any project to three or fewer.	E	Zoning Code	https://library.municode.com/ca/los_altos/codes/code_of_ordinances?no_deld=TIT14ZO_CH14.76DE_REINMIDI_14.76.110NUHEA L	1		1
3A	Significant reduction of development impact fees for residential development with units affordable to Lower-Income Households (e.g., park in-lieu and traffic impact fees).	P	Resolution 2023-03; 6 th Cycle Housing Element – Section 3.D	Electronic copy attached	3		3
3B	Adoption of policies that result in less restrictive requirements to reduce barriers to create ADUs/JADUs. <ul style="list-style-type: none"> • Hired staff dedicated to ADU/JADU • Prepare permit ready standard ADU plans with a variety of unit sizes, bedroom count, and architectural styles. 	E P	Resolution 2023-03; 6 th Cycle Housing Element – Section 2.D	Electronic copy attached	2	1	4
3C	Other fee reduction strategies separate from Category 3A (e.g., ADU fee waivers).	P	Resolution 2023-03; 6 th Cycle Housing Element – Section 2.D	Electronic copy attached	1		1

4E	Program that complies with Surplus Land Act that makes publicly owned land available for affordable housing, or for multifamily housing projects with the highest feasible percentage of units available to Lower-Income Households.	P	Resolution 2023-03; 6 th Cycle Housing Element – Section 1.H	Electronic copy attached	2		2
4M	The City will conduct a feasibility analysis to support the establishment of an affordable housing in-lieu fee for residential developments and a commercial linkage fee for affordable housing.	P	Resolution 2023-03; 6 th Cycle Housing Element – Section 2.B	Electronic copy attached	1		1
				TOTAL	25	10	35

Appendix 4: Examples of Prohousing Policies with Enhancement Factors

Category 1: Favorable Zoning and Land Use

- Rezoning sufficient sites to accommodate 133 percent or greater of the Regional Housing Needs Allocation by total or income category.
- Rezoning to accommodate 125 to 149 percent of the Regional Housing Needs Allocation in downtown commercial corridors or other infill locations.
- Reducing or eliminating parking requirements for residential development as authorized by Government Code section 65852.2 in Location Efficient Communities.
- Increasing allowable density in low-density, single-family residential areas beyond the requirements of state Accessory Dwelling Unit Law in High Resource and Highest Resource areas (as designated in the most recently updated TCAC/HCD Opportunity Maps).
- Modification of development standards and other applicable zoning provisions to promote greater development intensity in downtown commercial corridors or other infill locations.
- Adoption of policies that result in less restrictive requirements to reduce barriers to create ADUs/JADUs.
 - Hired staff dedicated to ADU/JADU.

 - Preparing permit ready standard ADU plans with a variety of unit sizes, bedroom count, and architectural styles.

Appendix 5: Additional Information and Supporting Documentation

1. Resolution 2023-03 - 6th Cycle Housing Element Approval
2. 6th Cycle Housing Element – Section 4.H
3. 6th Cycle Housing Element – Section 6.G
4. 6th Cycle Housing Element – Section 3.D
5. 6th Cycle Housing Element – Section 2.D
6. 6th Cycle Housing Element – Section 1.H
7. 6th Cycle Housing Element – Section 2.B
8. 6th Cycle Housing Element – Table B-9
9. Resolution 2024-507 (approves Item 7 below)
10. Item 7 from 2.13.2024 City Council Meeting Zoning Code Amendments
11. Resolution 2023-503, 504, and 505 (approves Item 4 below)
12. Item 4 from 11.28.2023 City Council Meeting Zoning Code Amendments
13. Resolution 2023-501 (approves Item 4 below)
14. Item 4 from 10.10.2023 City Council Meeting Zoning Code Amendments
15. Resolution 2023-490 (approves 6th Cycle Housing Element Programs 3.H & 3.K)

CITY COUNCIL RESOLUTION NO. 2023-03

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALTOS, CALIFORNIA, ADOPTING A GENERAL PLAN AMENDMENT TO REPEAL THE 2015-2023 HOUSING ELEMENT AND ADOPT THE HOUSING ELEMENT OF THE GENERAL PLAN FOR THE PERIOD OF 2023-2031 AND MITIGATED NEGATIVE DECLARATION IN COMPLIANCE WITH STATE HOUSING ELEMENT LAW AND THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

WHEREAS, the California Legislature has found that “California has a housing supply and affordability crisis of historic proportions. The consequences of failing to effectively and aggressively confront this crisis are hurting millions of Californians, robbing future generations of the chance to call California home, stifling economic opportunities for workers and businesses, worsening poverty and homelessness, and undermining the state’s environmental and climate objectives” (Gov. Code Section 65589.5.); and

WHEREAS, the Legislature has further found that “Among the consequences of those actions are discrimination against low-income and minority households, lack of housing to support employment growth, imbalance in jobs and housing, reduced mobility, urban sprawl, excessive commuting, and air quality deterioration” (Gov. Code Section 65589.5.); and

WHEREAS, the Legislature recently adopted the Housing Crisis Act of 2019 (SB 330) which states that “In 2018, California ranked 49th out of the 50 states in housing units per capita... California needs an estimated 180,000 additional homes annually to keep up with population growth, and the Governor has called for 3.5 million new homes to be built over 7 years”; and

WHEREAS, State Housing Element Law (Government Code Sections 65580 et seq.) requires that the City Council adopt a Housing Element for the eight-year period 2023-2031 to accommodate the City of Los Altos, California regional housing need allocation (RHNA) of 1,958 housing units, comprised of 501 very-low-income units, 288 low-income units, 326 moderate-income units, and 843 above moderate-income units; and

WHEREAS, to comply with State Housing Element Law, the City of Los Altos, California has prepared Housing Element 2023-2031 (the Housing Element) in compliance with State Housing Element Law and has identified sites that can accommodate housing units meeting the City’s RHNA; and

WHEREAS, as provided in Government Code Section 65350 et. seq., adoption of the Housing Element constitutes a General Plan Amendment; and

WHEREAS, an Initial Study and Mitigated Negative Declaration for the 2023-2031 Housing Element was prepared pursuant to California Environmental Quality Act (CEQA), Public Resources Code Section 21000 et esq., CEQA Guidelines Section 15070, and the City of Los Altos local process for implementing CEQA, assessing the potential environmental impacts that might

result from the adoption of the 2023-2031 Housing Element, a Mitigated Negative Declaration (MND) was prepared to address potential environmental impacts;

WHEREAS, as provided in Government Code Sections 65352 – 65352.5 the City mailed a public notice to all California Native American tribes provided by the Native American Heritage Commission and to other entities listed; and

WHEREAS, No California Native American tribe requested consultation; and

WHEREAS, the City conducted substantial and broad public engagement using a methodical process including 1) the establishment of a Housing Element page on the City's website, through which the city has received input directly from residents and businesses; 2) six Housing Element pop-up events; 3) ongoing small group virtual meetings on the Housing Element, ranging from 2 to 10 attendee; 4) two double page ads in the Town Crier; 5) Housing Element newsletters and alerts for over 200 persons; 6) two Community Workshops, over two hundred attendees; 7) informational flier sent to every household in Los Altos; and five banners (8' by 3') posted on various City Buildings and street corners advertising the Housing Element Update website and opportunity for continued public input; and

WHEREAS, in accordance with Government Code Section 65585 (b), on June 22, 2022 the Housing Element was posted, the City posted the draft Housing Element and requested public comment for a 30-day review period, and on August 12, 2022 the draft Housing Element was submitted to HCD, after responding to public comments, the City submitted the draft Housing Element to the State Department of Housing and Community Development (HCD) for its review; and

WHEREAS, on November 10, 2022, the City received a letter from HCD providing its findings regarding the draft Housing Element; and

WHEREAS, on November 30, 2022, the City released the draft Initial Study and Mitigated Negative Declaration for a public comment period of 30-days; and

WHEREAS, on December 29, 2022, the City published a revised draft Housing Element responding to HCD's findings and requested public comment on the draft; and

WHEREAS, on December 30, 2022, the City closed the public comment period for the draft Initial Study and Mitigated Negative Declaration and considered all public comments received; and

WHEREAS, on January 5, 2023, the Planning Commission held a duly and properly noticed public hearing and recommended that the City Council adopt the Housing Element and Initial Study and Mitigated Negative Declaration; and

WHEREAS, on January 10, 2023, the City Council held a duly and properly noticed public hearing to take public testimony and consider this Resolution regarding the proposed Housing Element, reviewed the Housing Element and all pertinent maps, documents and exhibits, including HCD's findings, the City's response to HCD's findings, the staff report and all attachments, and oral and written public comments; and

WHEREAS, on January 10, 2023, the City Council at a duly and properly noticed public hearing directed the Development Services Director to make necessary changes to the draft housing element based on public testimony received, and City Council direction; and

WHEREAS, on January 10, 2023, the City Council continued the housing element agenda time to a separately noticed public hearing on January 24, 2023 to provide staff with the necessary time to revise the draft housing element and return to the City Council for final consideration; and

WHEREAS, on January 24, 2023, the City Council held a duly and properly noticed public hearing to take public testimony and consider this Resolution regarding the proposed Housing Element, reviewed the Housing Element and all pertinent maps, documents and exhibits, including HCD's findings, the City's response to HCD's findings, the staff report and all attachments, and oral and written public comments;

NOW, THEREFORE, BE IT RESOLVED, that the City Council hereby finds that, based on substantial evidence in the record:

SECTION 1. The foregoing recitals are true and correct and are incorporated by reference into this action.

SECTION 2. The Housing Element substantially complies with Housing Element Law, as provided in Government Code 65580 et seq., and contains all provisions required by State Housing Element Law, as shown in Attachment A to this resolution, incorporated herein.

SECTION 3. Based on substantial evidence in the record, based on the age, and in some cases, the declining or deteriorating conditions of primarily non-residential structures located on non-vacant sites, as well as the likelihood of commercial uses on non-vacant sites converting to mixed-use residential development due to the continued decline of existing retail-only uses, as well as the currently moderate commercial use vacancy rates in the City; together with recent regional development trends (where conversion of non-residential uses on non-vacant sites to housing development to accommodate a range of household types such as multi-family and smaller unit sizes), the documented interest in recent years from developers and land owners; the lack of developable vacant sites in the City; and the existing uses on the sites identified in the site inventory to accommodate RHNA are likely to integrate with new residential uses, or discontinue during the planning period; the existing uses on the non-vacant sites identified in the site inventory to accommodate the RHNA are likely to be discontinued during the planning period and therefore

do not constitute an impediment to planned residential development on the site during the planning period.

SECTION 4. As required by Government Code Section 65585(e), the Los Altos City Council has considered the findings made by the Department of Housing and Community Development included in the Department's letter to the City of Los Altos dated November 10, 2022, consistent with Government Code Section 65585(f), and as described in Attachment B to this resolution, incorporated herein, the Los Altos City Council has changed the Housing Element in response to the findings of the Department to substantially comply with the requirements of State Housing Element Law as interpreted by HCD.

SECTION 5. That exercising its independent judgement, the City Council approves the Initial Study and Mitigated Negative Declaration for the 2023-2031 Housing Element Attachment D and IS-MND Mitigation Monitoring and Reporting Program Attachment E.

SECTION 6. The City of Los Altos 2015-2023 Housing Element is hereby repealed in its entirety, and the City of Los Altos 6th Cycle Housing Element 2023-2031, as shown in Attachment C to this Resolution, incorporated herein, is adopted.

SECTION 7. This Resolution shall become effective upon adoption by the Los Altos City Council.

SECTION 8. The City Manager or their designee is hereby directed to file all necessary material with the Department of Housing and Community Development for the Department to find that the Housing Element is in conformance with State Housing Element Law and is further directed and authorized to make all non-substantive changes to the Housing Element to make it internally consistent or to address any non-substantive changes or amendments requested by the Department to achieve certification.

SECTION 9. The City Manager or their designee is hereby directed to distribute copies of the Housing Element in the manner provided in Government Code Sections 65357 and 65589.7.

I HEREBY CERTIFY that the foregoing is a true and correct copy of a Resolution passed and adopted by the City Council of the City of Los Altos at a meeting thereof on the 24th day of January 2023 by the following vote:

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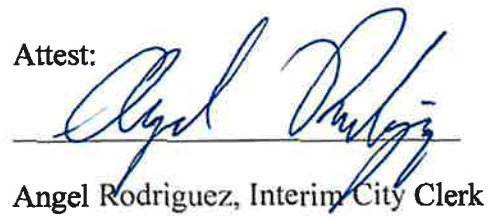
/

AYES: Councilmembers Fligor, Dailey, Vice Mayor Weinberg, Mayor Meadows
NOES: None
ABSENT: None
ABSTAIN: Councilmember Lee Eng

A handwritten signature in blue ink that reads "Sally Meadows". The signature is written in a cursive style and is positioned above a horizontal line.

Sally Meadows, Mayor

Attest:

A handwritten signature in blue ink that reads "Angel Rodriguez". The signature is written in a cursive style and is positioned above a horizontal line.

Angel Rodriguez, Interim City Clerk

Responsible Body: Development Services Department, Planning Commission, City Council

Funding Source: General Fund

Time Frame: Adopt an ordinance by December 2023; report to City Council on number of reasonable accommodation requests submitted and the status of each (i.e., approved, denied (and reason for denial), or under review) (annually)

Objective: The City will adopt a reasonable accommodation ordinance and process request as submitted with the target of approving at least three reasonable accommodation requests by January 31, 2031.

Program 4.G: Assist seniors to maintain and rehabilitate their homes.

Seek, maintain, and publicize a list of resources or service providers to help seniors maintain and/or rehabilitate their homes. Specifically, the City will update (as needed) and regularly promote the Age Friendly Design (design that promotes the mobility and welfare of aging population) Elements handout and require larger lower income developments to utilize Universal Design (allows for equitable use, flexibility in use, simple and intuitive use, etc.) standards.

Responsible Body: Development Services Department, Senior Commission

Funding Source: General Fund

Time Frame: Update Age Friendly Design handout by July 2026; publicize list of service providers annually.

Program 4.H: Provide additional density bonuses and incentives for housing that accommodates special needs groups.

Provide density bonus increases and incentives beyond that required by State law for projects that provide senior housing or housing for extremely low-income households or people with disabilities, including developmental disabilities, in multi-family or mixed-use zones. Specifically, the City will codify the additional density bonus and incentives for senior-only projects.

Responsible Body: Development Services Department, Planning Commission, City Council

Funding Source: General Fund

Time Frame: December 2025

Program 4.I: Allow senior housing with extended care facilities in multi-family and mixed-use zoning districts.

The City will amend Zoning Code to clearly allow senior housing under the multi-family use and residential care facilities consistent with State law.

reached and will be determined with local organizations and groups to be most effective. The goal is to educate at least 40 households or prevent at least 40 households from displacement.

Geographic Targeting: At-risk households citywide, including renter and senior households.

Program 6.F: Affirmatively market physically accessible units.

As a condition of the disposition of any City-owned land, the award of City financing, any density bonus concessions, or land use exceptions or waivers for any affordable housing project, the City will require that the housing developer implement an affirmative marketing plan for State-mandated physically accessible units which, among other measures, provides disability-serving organizations adequate prior notice of the availability of the accessible units and a process for supporting people with qualifying disabilities to apply.

Responsible Body: Development Services Department

Funding Source: General Fund

Time Frame: Ongoing as applications are processed

Objective: Affirmative marketing conducted for 100 percent of affordable housing units approved and permitted in Los Altos from 2023 to 2031.

Geographic Targeting: All future physically accessible units in below market rate housing developments citywide.

Program 6.G: Housing Mobility

Housing mobility strategies consist of removing barriers to housing in areas of opportunity and strategically enhancing access (Los Altos is entirely highest resource in terms of access to opportunity and a concentrated area of affluence). To improve housing mobility and promote more housing choices and affordability throughout Los Altos, including in lower-density neighborhoods, the City will employ a suite of actions to expand housing opportunities affordable to extremely low, very low, low, and moderate income households. Actions and strategies include:

- SB 9 – Monitor the City’s SB 9 standards and amend standards to facilitate SB 9 applications (e.g., duplexes in single-family zones) if the City is not on track to meet its SB 9 application goal during the planning period. See Program 1.M.
- Rezoning – Modify zoning to allow residential or increased residential intensity and/or density of residential throughout Los Altos. This includes zoning amendments along higher intensity corridors (e.g., El Camino Real, San Antonio Road, and Foothill Expressway) and for sites within lower-density neighborhoods (e.g., Loyola Corners Specific Plan, OA-zoned sites on Altos Oaks Drive, and church sites on Magdalena Avenue). See Programs 1.B, 1.C, 1. D, 1.E, and 1.F.

- **Housing on City Sites** – Enter into a public-private partnership to develop housing, targeting low-income households, on City-owned Downtown Parking Plazas. See Program 1.H.
- **Enhanced Inclusionary Housing** – Assess and amend the City's inclusionary housing requirements to better produce low-income units and units for special needs groups throughout Los Altos. See Program 2.A.
- **Accessory Dwelling Units (ADUs)** – Encourage and streamline ADUs in single-family neighborhoods by preparing standardized ADU plans with a variety of unit sizes and by affirmatively marketing and outreach to increase awareness and the diversity of individuals residing in Los Altos. See Program 2.D.
- **Junior ADUs** – Develop and adopt objective standards to allow more than one (at minimum two) Junior ADU per structure by July 2025. The objective is to achieve at least 10 JADUs in lower-density neighborhoods by January 2031.
- **Religious Institutional Sites** – Allow housing on all religious institutional sites within the City (i.e., all PCF-zoned religious institutional properties in addition to the two sites identified in the housing sites inventory (Program 1.D)). Conduct outreach to owners and operators of religious institutions to raise awareness and encourage housing proposals. Permit 10 housing units on a religious institution/faith-based site(s) during the 2023-2031 planning period. If no application for housing on a religious institution/faith-based site is received by December 2025, the City will expand outreach efforts to be conducted annually. This may include direct mailings to faith-based sites highlighting successful affordable housing units on other faith-based sites, as well as available City resources and programs to support such projects (e.g., Program 2.C – Assist in securing funding for affordable housing projects).
- **Homesharing** – Research and pursue a homesharing program, including coordination with non-profits and other organizations to assist with matching tenants with existing homeowners. The City will publicize and take other actions as necessary (e.g., facilitate presentations at the Los Altos Senior Center, etc.) at least annually with the goal of five opportunities per year.

Responsible Body: Development Services Department

Funding Source: General Fund

Time Frame: Annually review overall progress and effectiveness in April and include information in annual report to HCD. If the City is not on track to meet its 150 affordable housing unit goal for the 8-year RHNA cycle by 2027 (i.e., 75 affordable units built or in process by 2027), the City will consider alternative land use strategies and make necessary amendments to zoning or other land use documents to facilitate a variety of housing choices, including but not limited to, strategies that encourage missing middle zoning (small-scale multi-unit projects), adaptive reuse, and allowing additional ADUs

and/or JADUs, within six months, if sufficient progress toward this quantified objective is not being met.

Objective: Provide 150 housing opportunities affordable to lower income households by January 2031.

Geographic Targeting: Citywide, but especially lower-density neighborhoods.

Goal 7: Encourage energy and resource conservation and sustainability measures.

Policies

Policy 7.1: Energy and Water Conservation.

The City will encourage energy and water conservation measures to reduce energy and water consumption in residential, governmental, and commercial buildings.

Policy 7.2: Energy and Water Efficiency.

The City will continue to implement building and zoning standards to encourage energy and water efficiency.

Policy 7.3: Greenhouse Gas Reduction.

The City will continue to implement the 2022 Climate Action and Adaptation Plan to encourage reducing greenhouse gas emissions.

Programs

Program 7.A: Promote energy and water conservation and greenhouse gas reduction through education and awareness campaigns.

Continue to promote residential energy and water conservation and greenhouse gas reduction consistent with the City's adopted 2022 Climate Action and Adaptation Plan, through consumer information on financial assistance and rebates for energy-efficient home improvements published by governmental agencies, nonprofit organizations, and utility companies. This includes information on the Property Assessed Clean Energy (PACE) program that provides eligible property owner financing for energy improvements to their homes—solar panels, water-efficient landscapes, etc.—on their property tax assessment. Other programs include leveraging and promoting other State and commercial initiatives to encourage solar energy, such as grants, tax credits, and rebates, as they are implemented through organizations such as Silicon Valley Clean Energy, PG&E, BayRen, among others.

The City will make the above-described information available at the public counter of the Development Services Department, at the Los Altos Senior Center, Los Altos Library, and through the City's newsletters. The information will also be available on the City's website.

Responsible Body: Development Services Department, Planning Commission, City Council

Funding Source: General Fund

Time Frame: December 2024

Objective: Remove site-specific 0.35 floor-to-area ratio (FAR), and create development standards that require both commercial and residential uses for the Rancho Shopping Center and Woodland Plaza properties to incorporate needed housing units and preserve essential shopping services.

Program 3.D: Evaluate and adjust impact fees.

The City will evaluate applying the park in-lieu and traffic impact fees on a per square foot basis rather than per unit to encourage the development of higher densities and smaller, more affordable housing units. Based on this evaluation, the City will modify impact fees in accordance with Assembly Bill 602 (AB 602) with completion of the comprehensive fee evaluation.

Responsible Body: Development Services Department, City Council

Funding Source: General Fund

Time Frame: Initiate comprehensive fee evaluation August 2023; complete comprehensive fee evaluation and modify fees December 2024

Program 3.E: Ensure that the density bonus ordinance remains consistent with State law.

Government Code Section 65915 requires that a jurisdiction adopt a local Density Bonus Ordinance consistent with State law. State Density Bonus law requires a local jurisdiction to grant an increase in density, if requested by a developer, for providing affordable housing as part of a development project. Key provisions of the law include incremental density bonuses that correspond to the percentage of housing set aside as affordable units. The law also provides reduced parking requirements and allows requests for waivers of development standards, such as increased height limits and reduced setback requirements.

The City will continue to annually monitor the effectiveness and appropriateness of existing adopted policies and update the ordinance as needed and will ensure that its local ordinance remains consistent with State law, but will apply current state law even before local amendments are adopted. The City will update its Appendix to the Affordable Housing Ordinance (Municipal Code Chapter 14.28, Article 2) to comply with State law. The City commits to continue to review and approve eligible requests under State Density Bonus law (including requests for incentives, concessions, waivers, and parking reductions) so that projects that qualify are not prevented from developing at the densities to which they are entitled.

Responsible Body: Development Services Department, Planning Commission, City Council

result in a reduction in impact fees collected in association with the development of Below Market Rate Units.

The City will also promote incentives through outreach to developers, specifically by hosting a developers roundtable annually to inform developers of available incentives and encourage affordable housing development.

Responsible Body: Development Services Department, City Council

Funding Source: State or federal grant funds, General Fund

Time Frame: Ongoing; developers roundtable annually; see Program 3.D for timing of modification of impact fees.

Objective: Using these incentives, facilitate the development of at least 80 below-market-rate units in Los Altos by January 2031. If by January 2027, this objective is not on track to be met (i.e., 50 percent of objective), the City will establish and offer additional incentives no later than July 2027.

Program 2.D: Encourage and streamline Accessory Dwelling Units (ADUs).

The City will continue to promote ADU production through streamlined review and clear informational resources, including handouts and other materials. To increase the number of ADU's constructed, the City will:

- Prepare permit ready standard ADU plans with a variety of unit sizes, bedroom count, and architectural styles.
- Publicize and promote the standard ADU plans through multiple outreach methods and languages, targeting single-family households and neighborhoods. Outreach material will also include fair housing information (e.g., source of income protection).
- Remove any barriers in the review process of an ADU (a preliminary planning review was previously required; the City has eliminated this requirement and will continue to no longer require the preliminary planning review).
- Ensure ministerial processing of all ADUs.
- Hire one additional planning staff position to review ministerial applications which includes ADUs.
- Promote the availability of funding for ADUs, including the CalHFA ADU Grant Program that currently provides up to \$40,000 to reimburse homeowners for predevelopment costs necessary to build and occupy an ADU.
- With completion of a comprehensive fee study (see Program 3.D), the City will adopt a zero cost (\$) permit fee for ADUs to incentivize the creation of ADUs.
- Amend the ADU ordinance to comply with State law, pending formal comment from HCD.

- Annually review ADU ordinance for compliance with State law, and process any necessary amendments within six months.

The City will also monitor ADU production and affordability throughout the planning period and implement additional action if target ADU numbers are not being met.

Responsible Body: Development Services Department

Funding Source: General Fund

Time Frame: Ongoing; if ADU targets are not being met by January 2027, the City will review and revise efforts to increase ADU construction (e.g., fee waivers, local financing program for ADUs, etc.) no later than July 2027. Outreach will occur annually, targeting single-family households and neighborhoods. The City's action shall be commensurate with the level of shortfall from construction targets (i.e., if shortfall is significant, a rezoning action may be required, if shortfall is slight, additional incentives may be appropriate). Additional planning staff position will be budgeted and hired by the end of 2022. The City will release an RFQ by July 2023 for permit ready standard ADU plans; by the end of year 2024 the City will have adopted standard ADU design plans. The City will adopt amendments to the ADU ordinance six months from receipt of HCD's formal comment letter.

Objective: Adopt and provide City Standard Permit Ready ADU Plans (2024). 322 ADUs by the end of the planning period with at least 80 percent of ADUs (260 ADUs) located in the highest resource areas of the city.

Geographic Targeting: Highest resource, single-family neighborhoods throughout Los Altos.

Program 2.E: Conduct annual ADU rental income surveys.

The City will conduct annual ADU rental income surveys whereby each property owner may voluntarily share the rental income for the unit for the City to use in its annual progress reports consistent with Zoning Code Section 14.14.090. The City will provide additional staff support by the onboarding of a Housing Manager or look to consultant services to provide this support at the appropriate capacity needed.

Responsible Body: Development Services Department

Funding Source: General Fund; potential State or federal grants

Time Frame: Annually, March 2023 to provide funding for in-house staff or consultant services

Responsible Body: Development Services Department, Planning Commission, City Council

Funding Source: General Fund

Time Frame: January 2024

Program 1.H: Facilitate housing on City-owned sites.

The City will facilitate development of housing on City-owned sites through public-private partnerships during the planning period. City-owned Downtown Parking Plazas 7 and 8 were identified as opportunity sites that could accommodate new development, including affordable housing. The first RFP issued by the City for housing on either Parking Plaza 7 or 8 will be affordable housing and the City will commit to selecting the development proposal that maximizes public benefit in creating additional affordable housing in Downtown Los Altos. Prior to the RFP issuance, the City shall hire a third-party to analyze what the minimum financially feasible affordable housing production could be, based upon a minimum of 20 years of a zero-cost land lease and a commitment to provide a minimum 55-year lease. In the event the development is 100 percent affordable as defined by law, the City shall waive all applicable development impact fees per Program 2.C. The City will comply with all Surplus Land Act requirements. The City will provide a dedicated project planner to facilitate an expedited project review process.

Responsible Body: Development Services Department, Planning Commission, City Council

Funding Source: General Fund, State or federal grant funds (if available).

Time Frame: Financial analysis for Parking Plaza 7 and 8 by independent third-party consultant by the end of 2023; release request for proposals by December 2023; complete entitlements within one (1) year of application if not sooner (by December 2026)

Objective: The City will enter into a public-private partnership for development of housing on at least one of the City's Downtown parking plazas.

Geographic Targeting: Facilitate housing development in the Downtown, a highest resource area with commercial and transit (bus line along San Antonio Road). Target housing for low-income residents, persons with disabilities, and/or seniors.

Program 1.I: Incentivize Downtown lot consolidation.

In certain portions of Downtown, particularly along Main Street and State Street, the presence of small lots, fragmented ownership pattern, and lack of ability to provide on-site parking may constrain future development. Considering other programs addressing governmental constraints (see programs under Goal 3), the City will evaluate and adopt (through the Zoning Code or by resolution, as appropriate) complementary incentives to further encourage lot consolidation in Downtown. This will include expedited application processing, reduction in application fees, reduction in permit fees, or other incentives. The City will promote the lot consolidation incentives on the City's website, through regular updates at the Planning Commission and City Council

Program 2.B: Establish an affordable housing in-lieu fee and commercial linkage fee.

The City will conduct a feasibility analysis to support the establishment of an affordable housing in-lieu fee for residential developments and a commercial linkage fee for affordable housing. Based on this analysis, the City will adopt such fees. Said analysis will also ensure that the in-lieu fees adopted are not a constraint to housing development. As a part of the establishment of an affordable housing in-lieu fee and commercial linkage fee the City will conduct outreach to all stakeholders including residents, property owners, and housing and commercial developers.

Responsible Body: Development Services Department, City Council, Planning Commission

Funding Source: General Fund

Time Frame: Adopt housing in-lieu fee by the end of 2023; begin commercial linkage fee for affordable housing by end of year 2025.

Program 2.C: Assist in securing funding for affordable housing projects.

To promote the development of affordable housing projects, and when requested by the project sponsor, the City will continue to assist in securing funding for low- and moderate-income housing developments through the following actions (all of the incentives below are currently in place except for providing funding for multi-jurisdictional housing finance programs and partnering with nonprofit housing developers):

- Apply for State and federal funding on behalf of a nonprofit, under a specific program to construct affordable housing including persons with physical disabilities or developmental disabilities.
- Provide financial incentive waiving City fees for 100 percent affordable housing projects.
- Provide a dedicated project planner for 100 percent affordable housing projects.
- Transfer the City's annual CDBG allocation to the County for projects that serve the Los Altos community.
- Allocate a portion of CDBG funds toward affordable housing development.
- Provide funding to participate in a multi-jurisdictional housing finance program (such as a Mortgage Revenue Bond or Mortgage Credit Certification Program). The City will continue to coordinate with Santa Clara County and other agencies on multi-jurisdictional housing finance programs.
- Partner with nonprofit housing developers to facilitate the development of affordable housing.
- Impact fees associated with the development of Below Market Rate Units shall be set at a proportional rate in line with the level of affordability of each unit. This will

Table B-9: Residential Development Potential and RHNA – WITH REZONING

	Extremely Low	Very Low	Low	Moderate	Above Moderate	Total
RHNA	See Very Low	501	288	326	843	1,958
ADUs	See Very Low	16	97	161	48	322
Entitled/Proposed Projects ¹	-	101	34	39	451	625
Remaining RHNA	See Very Low	384	157	126	344	1,011
Site Inventory ¹	See Very Low/Low	965		297	389	1,651
Surplus / (Shortfall)	See Very Low/Low	424		171	45	640
¹ Considers net new units only. <i>Source: City of Los Altos, LWC</i>						

AB 725 requires at least 25 percent of the above moderate income RHNA be met on sites that allow four or more units, and at least 25 percent of the moderate income RHNA be met on sites that allow four or more units, but not more than 100 units per acre. The City’s sites inventory complies with these requirements.

B.3.2 Housing Sites Map

The following maps (Figures B-1, B-2, B-3, and B-4) show the inventory of sites by income category. Sites that were also included in the 5th Cycle Housing Element are identified with a bold border. Additional sites maps are included in Appendix F (Affirmatively Furthering Fair Housing), Section F.3.

ORDINANCE NO. 2024-507

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LOS ALTOS
AMENDING CHAPTER 14.74 OF THE LOS ALTOS MUNICIPAL CODE TO
IMPLEMENT PROGRAM 1.I, PROGRAM 3.A, AND PROGRAM 3.M OF THE SIXTH
CYCLE HOUSING ELEMENT**

WHEREAS, the City Council is empowered pursuant to Article XI, Section 7 of the California Constitution to make and enforce within the City all local, police, sanitary, and other ordinances, and regulations not in conflict with general laws; and

WHEREAS, on January 24, 2023, the City Council approved the City's Sixth Cycle Housing Element Update; and

WHEREAS, the City Council held a duly noticed public hearing on February 13, 2024, and February 27, 2024; and

WHEREAS, Program 1.I of the Housing Element Update calls for Incentivization of Downtown Los Altos Lot Consolidation; and

WHEREAS, Program 1.I of the Housing Element Update to facilitate housing development in mixed-use zoning districts, the City will amend the Zoning Code to address governmental constraints by reducing the parking requirements for the consolidation of small lots in Downtown Los Altos; and

WHEREAS, Program 3.A of the Housing Element Update calls for and update to citywide parking requirements; and

WHEREAS, Program 3.A of the Housing Element Update expressly requires the modification to parking ratios for all multi-family housing development to be consistent with the provisions of State Density Bonus pursuant to Government Code Section 65915(p); and

WHEREAS, Program 3.A of the Housing Element Update expressly requires the establishment of reduced parking ratios for single-room occupancy units, senior citizen housing developments, affordable housing units, and other specialized housing unit types within the City; and

WHEREAS, Program 3.A of the Housing Element Update expressly requires the modification of required parking design dimensions such as stall dimensions, so that less land area is required to be dedicated to parking; and

WHEREAS, Program 3.M of the Housing Element Update calls for the modification of parking requirements for emergency shelters consistent with State law pursuant to Government Code Section 65583(a)(4)(A); and

WHEREAS, having committed itself to implement Housing Element Update in its entirety, the City Council now desires to adopt this Ordinance; and

WHEREAS, this Ordinance is exempt from environmental review pursuant to Section 15061(b)(3) of the State Guidelines implementing the California Environmental Quality Act of 1970, as amended; and

NOW, THEREFORE, the City Council of the City of Los Altos does hereby ordain as follows:

SECTION 1. AMENDMENT OF CHAPTER 14.74 OF THE MUNICIPAL CODE. Chapter 14.74 of the Los Altos Municipal Code is hereby amended as set forth in Appendix A to this Ordinance, underline indicating addition, strikethrough indicating deletion.

SECTION 2. CONSTITUTIONALITY; AMBIGUITIES. If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions hereof. Any ambiguities in the Los Altos Municipal Code created by this Ordinance shall be resolved by the Development Services Director, in their reasonable discretion, after consulting the City Attorney.

SECTION 3. PUBLICATION. This Ordinance shall be published as provided in Government Code Section 36933.

SECTION 4. EFFECTIVE DATE. This Ordinance shall be effective upon the commencement of the thirty-first day following the adoption hereof.

The foregoing Ordinance was duly and properly introduced at a regular meeting of the City Council of the City of Los Altos held on February 13, 2024, and was thereafter, at a regular meeting held on February 27, 2024, passed and adopted by the following vote:

AYES: DAILEY, FLIGOR, LEE ENG, MEADOWS, WEINBERG

NOES:

ABSENT:

ABSTAIN:


Jonathan D. Weinberg, MAYOR

Attest:


Melissa Thurman, MMC, CITY CLERK



AGENDA REPORT SUMMARY

Meeting Date: February 13, 2024

Subject: Comprehensive Parking Code Amendment 1.0 - Housing Element Implementing Ordinance

Prepared by: Nick Zornes, Development Services Director

Reviewed by: Jolie Houston, City Attorney

Approved by: Gabe Engeland, City Manager

Attachment(s):

1. Draft Ordinance
2. Appendix A – Chapter 14.74

Initiated by:

City of Los Altos adopted 6th Cycle Housing Element, Program 1.I, 3.A, and 3.M.

Fiscal Impact:

No fiscal impacts are associated with the adoption of these implementing regulations.

Environmental Review:

This Ordinance is exempt from environmental review pursuant to Section 15061(b)(3) of the State Guidelines implementing the California Environmental Quality Act of 1970.

Staff Recommendation:

Introduce and waive further reading of an ordinance of the City Council of the City of Los Altos amending Chapter 14.74 of the Los Altos Municipal Code to implement Program 1.I, Program 3.A, and Program 3.M of the 6th Cycle Housing Element and find that this ordinance is exempt from environmental review pursuant to Section 15061(b)(3) of the State Guidelines implementing the California Environmental Quality Act of 1970.

Background:

On January 24, 2023, the Los Altos City Council adopted the City's 6th Cycle Housing Element 2023-2031. As required by law, the adopted housing element has several housing programs contained within. The City of Los Altos identified specific programs in its housing element that will allow it to implement the stated policies and achieve the stated goals and objectives. Programs must include specific action steps the City will take to implement its policies and achieve its goals and objectives. Programs must also include a specific timeframe for implementation, identify the



Subject: Comprehensive Parking Code Amendment 1.0 - Housing Element Implementing Ordinance

agencies or officials responsible for implementation, describe the city's specific role in implementation, and (whenever possible) identify specific, measurable outcomes.

Program 1.I is prescribed under Goal 1 in the adopted Housing Element which is intended to promote new housing construction to meet Los Altos' Regional Housing Needs Allocation (RHNA). The proposed amendments contained in the draft ordinance help to encourage mixed-use development in designated zoning districts as required in Policy 1.2 of the adopted Housing Element.

Programs 3.A, and 3.M are prescribed under Goal 3 in the adopted Housing Element which is intended to remove constraints to the development of housing. The proposed amendments contained in the draft ordinance help to further Policy 3.1 promote housing through city regulation, and Policy 3.2 modify zoning code to assist in meeting housing needs.

The draft ordinance under consideration implementing Programs 1.I, Program 3.A, and Program 3.M is required to be adopted at various times within the planning cycle. Due to the various requirements and deliverables of the 6th Cycle Housing Element the draft ordinance was prepared early to help ensure that ample time is available to execute several other adopted programs. By providing additional time in amending each chapter of the draft ordinance the city hopes to provide additional buffer in creating the regulatory environment to allow for the approval and creation of housing units.

It is important to note that Program 1.I, and Program 3.A will require additional future action of the City of Los Altos, and future Zone Text Amendments will be prepared for consideration. Additional amendments to implement Program 1.I will be incentives beyond the confines of the City's Parking Ordinance, while Program 3.A will require additional amendments to the Parking Ordinance once completion of the Comprehensive Downtown Parking Plan has been completed with assistance from outside consultants; the Comprehensive Downtown Parking Plan is currently underway and began work in late 2023, the completion date of the Plan is anticipated for late 2024.

Analysis:
The City's adopted 6th Cycle Housing Element 2023-2031, included Program 31.I. The housing program requires the proposed ordinance amendments to *Incentivize downtown lot consolidation*. The draft ordinance included in this agenda packet begins to implement the multipronged deliverables called out within the housing program.

Program 1.I: Incentivize downtown lot consolidation.
In certain portions of Downtown, particularly along Main Street and State Street, the presence of small lots, fragmented ownership pattern, and lack of ability to provide on-site parking may constrain future development. Considering other programs



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addressing governmental constraints (see programs under Goal 3), the City will evaluate and adopt (through the Zoning Code or by resolution, as appropriate) complementary incentives to further encourage lot consolidation in Downtown. This will include expedited application processing, reduction in application fees, reduction in permit fees, or other incentives. The City will promote the lot consolidation incentives on the City's website, through regular updates at the Planning Commission and City Council public meetings, and at the developers roundtable (see Program 2.C). Additionally, Policy 3.7 in the Community Design & Historic Resources Element of the General Plan will be modified for consistency with this Program.

Responsible Body: *Development Services Department, Planning Commission, City Council*

Funding Source: *General Fund*

Time Frame: *Adoption of incentives and amendment of Community Design & Historic Resources Element by July 2026; promotion to occur annually thereafter.*

Objective: *Facilitate at least two Downtown lot consolidations by January 2031. If by January 2027, this objective is not on track to be met (i.e., 50 percent of objective), the City will offer additional and increased incentives no later than July 2027.*

The City's adopted 6th Cycle Housing Element 2023-2031, included Program 3.A. The housing program requires the proposed ordinance amendments to *Prepare a Downtown parking plan and update citywide parking requirements*. The draft ordinance included in this agenda packet effectively completes portions of these deliverables as explicitly called out within the housing program.

Program 3.A: Prepare a Downtown parking plan and update citywide parking requirements.

To address all parking constraints, the City will analyze and update parking requirements citywide and implement a Downtown parking plan. This effort will include the following:

- *Assess parking demand, requirements, and strategies in the Downtown and citywide.*
- *Identify approaches to address short and long-term parking needs considering innovative parking design and strategies that support efficient use of land.*
- *Reflect that the City will support consolidation of City-owned parking plazas.*
- *Prepare a Downtown parking plan and modify parking requirements to reflect this plan and reflect ensuring that overflow parking does not spill over into adjacent residential only districts.*



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- *Revise parking standards citywide for commercial (mixed-use) and multi-family residential zones to implement a sliding scale based on unit size (number of bedrooms). Multi-family parking ratios shall be reduced to be consistent with State Density Bonus Law (Government Code §65915(p)), with no more than the following required:*
 - *0-1 bedroom – one parking space*
 - *2-3 bedrooms – 1.5 parking spaces*
 - *4 or more bedrooms -2.5 parking spaces*
 - *Guest Parking – 0 spaces*

Lower ratios or no parking shall be required for qualifying projects pursuant to §65915(p).
- *Consistent with AB 2097, the City will update its parking regulations to remove minimum parking requirements on any residential, commercial, or other development projects within one half-mile of public transit (as defined in AB 2097) unless required findings are made as specified in State law. The City will map eligible properties consistent with AB 2097 and will apply current State law even before local amendments are adopted (AB 2097 is effective January 1, 2023).*
- *Amend the City’s parking requirements citywide based on the assessment’s findings. This will include reducing parking ratios (as noted above), eliminate guest parking requirements for multi-family housing; offering further reduced ratios for properties participating in a public parking district; establishing further reduced parking ratios for single-room occupancy units, senior housing, housing for persons with disabilities, deed-restricted affordable housing, etc. (e.g., 0.5 spaces per unit); providing more flexibility related to the underground parking requirement by allowing covered parking instead of requiring undergrounding; offering other alternatives to comply with parking requirements; and modifying the required parking design dimensions (e.g., parking stall and lane dimensions) so that less land area is required to be dedicated to parking while providing safe vehicle movement as approved by the City’s Engineering Division.*

Responsible Body: *Development Services Department, Planning Commission, City Council*

Funding Source: *General Fund, Parking In-Lieu Fees, Public-Private Partnership*

Time Frame: *December 2024*

The City’s adopted 6th Cycle Housing Element 2023-2031, included Program 3.M. The housing program requires the proposed ordinance amendments to *Modify parking*



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requirements for emergency shelters consistent with State law. The draft ordinance included in this agenda packet effectively completes these deliverables as explicitly called out within the housing program.

Program 3.M: Modify parking requirements for emergency shelters consistent with State law.

The City will amend its Zoning Ordinance to only require parking necessary for emergency shelter staff consistent with Government Code §65583(a)(4)(A).

Responsible Body: Development Services Department, Planning Commission, City Council

Funding Source: General Fund

Time Frame: December 2024

Discussion:

The actions included within the attached draft ordinance are requirements pursuant to the City's adopted 6th Cycle Housing Element. Once a jurisdiction takes final action by adopting its housing element this requires immediate action in order to remain compliant with State housing law. The draft ordinance will effectively accomplish multiple components of the required housing programs within the adopted housing element by fully implementing one of the three programs included as apart of the amendments presented, and partially two of the remaining programs presented.

Housing Element Noncompliance:

Should the Los Altos City Council vote not to proceed with the implementing actions discussed in this report the City will be vulnerable to penalties and consequences of housing element noncompliance. HCD is authorized to review any action or failure to act by a local government that determines is inconsistent with an adopted housing element or housing element law. This includes failure to implement program actions included in the housing element. HCD may revoke housing element compliance if the local government's actions do not comply with state law. Examples of penalties and consequence of housing element noncompliance:

- **General Plan Inadequacy:** the housing element is a mandatory element of the General Plan. When a jurisdiction's housing element is found to be out of compliance, its General Plan could be found inadequate, and therefore invalid. Local governments with an invalid General Plan can no longer make permitting decisions.
- **Legal Suits and Attorney Fees:** local governments with noncompliant housing elements are vulnerable to litigation from housing rights' organization, developers, and HCD. If a



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jurisdiction faces a court action stemming from its lack of compliance and either loses or settles the case, it often must pay substantial attorney fees to the plaintiff's attorneys in addition to the fees paid by its own attorneys. Potential consequences of lawsuits include mandatory compliance within 120 days, suspension of local control on building matters, and court approval of housing developments.

- **Loss of Permitting Authority:** courts have authority to take local government residential and nonresidential permit authority to bring the jurisdiction's General Plan and housing element into substantial compliance with State law. The court may suspend the locality's authority to issue building permits or grant zoning changes, variances, or subdivision map approvals – giving local governments a strong incentive to bring its housing element into compliance.
- **Financial Penalties:** court-issued judgement directing the jurisdiction to bring its housing element into substantial compliance with state housing element law. If a jurisdiction's housing element continues to be found out of compliance, courts can multiply financial penalties by a factor of six.
- **Court Receivership:** courts may appoint an agent with all powers necessary to remedy identified housing element deficiencies and bring the jurisdiction's housing element into substantial compliance with housing element law.

Petition for Writ of Mandate – California Housing Defense Fund, Yes In My Back Yard v. City of Cupertino.

So that the City Council and public are well-informed the City of Los Altos has included this information with this agenda item so that all circumstances are understood as housing law is rapidly evolving.

Early this year Californians for Homeownership, California Housing Defense Fund, and YIMBY Law had filed 12 lawsuits in Contra Costa, Santa Clara, Marin, and San Mateo County Superior Courts with the intention to file more in the coming weeks. The cities and counties sued include Belvedere, Burlingame, Cupertino, Daly City, Fairfax, Martinez, Novato, Palo Alto, Pinole, Pleasant Hill, Richmond, and Santa Clara County. Each municipality has been sued by one or two of the non-profits.

With the Bay Area's 109 cities and counties at widely varied stages in the process of Housing Element adoption and compliance, these twelve lawsuits mark the first round of what will likely be many rounds of judicial review for noncompliance with state housing law in the Bay Area. The initial lawsuits focus on cities with a long history of exclusionary housing practices, cities that adopted housing elements unlawfully, and localities that have made little progress in developing



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their draft housing elements. The organizations will continue to file suits in the coming weeks, prioritizing cities with the most egregious violations in each organization’s judgment.

A Petition for Writ of Mandate in the State of California is used by superior courts, courts of appeal and the Supreme Court to command lower bodies (such as lower level of government agencies, in this case a city) to do or not do specific actions. In this case, a Writ of Mandate can result in the city being directed to adopt a compliant housing element or other associated actions to comply with State law. A Writ of Mandate could also be petitioned for and direct a city to specifically implement programs that were included in their adopted housing element.

Given the current and ongoing legal climate around housing element law it is vital for the City of Los Altos to expeditiously implement the adopted 6th Cycle Housing Element 2023-2031. As noted above the potential legal risks associated with housing element noncompliance could be further enforced by similar legal actions.

December 21, 2023 – HCD Letter of Inquiry

On December 21, 2023, the Development Services Director received written correspondence from the Department of Housing and Community Development (HCD) Proactive Enforcement Unit of HCD. The Letter of Inquiry was regarding the Rezone Requirements of the City of Los Altos, and the status of the City’s progress to complete such actions by January 31, 2024. As of November 28, 2023, the City of Los Altos has completed all necessary rezoning actions.

The Letter of Inquiry should serve as a cautionary warning to the City of Los Altos that all adopted programs must be implemented timely, and completed with strict adherence to the strong commitments contained within the adopted Housing Element.

Countywide Compliance Report:

Of the sixteen (16) jurisdictions in Santa Clara County at the time of this report only seven (7) jurisdictions are in compliance with Housing Element Law. As of September 5, 2023, the City of Los Altos was the sixth (6th) jurisdiction in the county to receive final concurrence from the Department of Housing and Community Development (HCD). The following table shows the status of all jurisdictions within Santa Clara County:

Jurisdiction:	Compliance Status:	Date:
Campbell	IN	5/30/2023
Cupertino	OUT	12/15/2023
Gilroy	IN	8/21/2023



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Los Altos	IN	9/5/2023
Los Altos Hills	IN	5/30/2023
Los Gatos	OUT	12/1/2023
Milpitas	IN	5/17/2023
Monte Sereno	OUT	9/22/2023
Morgan Hill	IN	11/29/2023
Mountain View	IN	5/26/2023
Palo Alto	OUT	8/3/2023
San Jose	IN REVIEW	11/30/2023
Santa Clara (City)	OUT	10/20/2023
Santa Clara (County)	OUT	12/18/2023
Saratoga	OUT	7/27/2023
Sunnyvale	IN REVIEW	11/15/2023

Planning Commission Recommendation – January 4, 2024

On January 4, 2024, the Los Altos Planning Commission considered the proposed draft ordinance at their regularly scheduled meeting. A public hearing was held, a presentation was given by staff, and public testimony was received. The Planning Commission had a robust discussion regarding the amended parking standards which resulted in minor modifications to the draft ordinance; the modifications were clarifications to be incorporated. The amendments were incorporated into the draft ordinance before the City Council tonight.

ORDINANCE NO. 2024-__

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LOS ALTOS
AMENDING CHAPTER 14.74 OF THE LOS ALTOS MUNICIPAL CODE TO
IMPLEMENT PROGRAM 1.I, PROGRAM 3.A, AND PROGRAM 3.M OF THE SIXTH
CYCLE HOUSING ELEMENT**

WHEREAS, the City Council is empowered pursuant to Article XI, Section 7 of the California Constitution to make and enforce within the City all local, police, sanitary, and other ordinances, and regulations not in conflict with general laws; and

WHEREAS, on January 24, 2023, the City Council approved the City’s Sixth Cycle Housing Element Update; and

WHEREAS, the City Council held a duly noticed public hearing on February 13, 2024, and February 27, 2024; and

WHEREAS, Program 1.I of the Housing Element Update calls for Incentivization of Downtown Los Altos Lot Consolidation; and

WHEREAS, Program 1.I of the Housing Element Update to facilitate housing development in mixed-use zoning districts, the City will amend the Zoning Code to address governmental constraints by reducing the parking requirements for the consolidation of small lots in Downtown Los Altos; and

WHEREAS, Program 3.A of the Housing Element Update calls for and update to citywide parking requirements; and

WHEREAS, Program 3.A of the Housing Element Update expressly requires the modification to parking ratios for all multi-family housing development to be consistent with the provisions of State Density Bonus pursuant to Government Code Section 65915(p); and

WHEREAS, Program 3.A of the Housing Element Update expressly requires the establishment of reduced parking ratios for single-room occupancy units, senior citizen housing developments, affordable housing units, and other specialized housing unit types within the City; and

WHEREAS, Program 3.A of the Housing Element Update expressly requires the modification of required parking design dimensions such as stall dimensions, so that less land area is required to be dedicated to parking; and

WHEREAS, Program 3.M of the Housing Element Update calls for the modification of parking requirements for emergency shelters consistent with State law pursuant to Government Code Section 65583(a)(4)(A); and

WHEREAS, having committed itself to implement Housing Element Update in its entirety, the City Council now desires to adopt this Ordinance; and

WHEREAS, this Ordinance is exempt from environmental review pursuant to Section 15061(b)(3) of the State Guidelines implementing the California Environmental Quality Act of 1970, as amended; and

NOW, THEREFORE, the City Council of the City of Los Altos does hereby ordain as follows:

SECTION 1. AMENDMENT OF CHAPTER 14.74 OF THE MUNICIPAL CODE. Chapter 14.74 of the Los Altos Municipal Code is hereby amended as set forth in Appendix A to this Ordinance, underline indicating addition, strikethrough indicating deletion.

SECTION 2. CONSTITUTIONALITY; AMBIGUITIES. If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions hereof. Any ambiguities in the Los Altos Municipal Code created by this Ordinance shall be resolved by the Development Services Director, in their reasonable discretion, after consulting the City Attorney.

SECTION 3. PUBLICATION. This Ordinance shall be published as provided in Government Code Section 36933.

SECTION 4. EFFECTIVE DATE. This Ordinance shall be effective upon the commencement of the thirty-first day following the adoption hereof.

The foregoing Ordinance was duly and properly introduced at a regular meeting of the City Council of the City of Los Altos held on __, 2024, and was thereafter, at a regular meeting held on __, 2024, passed and adopted by the following vote:

- AYES:
- NOES:
- ABSENT:
- ABSTAIN:

Jonathan D. Weinberg
MAYOR

Attest:

Melissa Thurman MMC
City Clerk

APPENDIX A

Chapter 14.74 ACCESS, OFF-STREET PARKING AND LOADING

Sections:

14.74.010 Purpose and Intent ~~R-1 District requirements.~~

- ~~A. Not less than two parking spaces, one of which shall be covered, shall be required for each living unit, except accessory dwelling units which shall provide parking as required under Chapter 14.14 of this title.~~
- ~~B. All required parking spaces shall be provided on-site.~~
- ~~C. No commercial vehicle or trailer shall be parked, stored, or otherwise left unattended at any place within the R-1 District, except while actually engaged in pickup or delivery activities, or during the course of the actual construction, alteration, or repair of structures in the immediate proximity, or unless kept entirely in an enclosed parking structure or behind a solid fence or wall not less than six feet in height.~~

The access, off-street parking and loading regulations ensure that all land uses provide safe access and on-site circulation along with adequate off-street parking and loading facilities. These regulations shall be maintained and consistent with State law. In the event that there is conflict between State law and this chapter State law shall prevail.

~~(Prior code § 10-2-2301)~~

~~(Ord. No. 2018-448, § 5, 7-10-2018)~~

14.74.020 Applicability. Reserved.

- A. The minimum standards of this chapter shall apply to all proposed land uses, buildings, and structures.
- B. The minimum standards of this chapter shall also apply to all proposed additions, enhancements and modifications to existing land use(s) and associated structure(s). At the time a building or structure is added onto, enlarged, or modified, parking and loading spaces shall be provided for both the existing and the modified or enlarged portions so as to conform to the provisions of the chapter.
- C. Unless otherwise provided through an approved discretionary permit such as a joint use parking agreement, all required access, off-street parking and loading facilities shall be provided onsite.
- D. No commercial vehicle or trailer shall be parked, stored, or otherwise left unattended at any place within the R-1 District, except while actually engaged in pickup or delivery activities, or during the course of the actual construction, alteration, or repair of structures in the immediate proximity, or unless kept entirely in an enclosed parking structure or behind a solid fence or wall not less than six feet in height and does not project above the maximum height of the solid fence or wall provided.

~~Editor's note(s) — Ord. No. 2012-375, § 8, adopted Jan. 24, 2012, repealed § 14.74.020 which pertained to R1-10 district requirements and derived from § 10-2-2302 of the prior code.~~

14.74.030 Site Plan and Permit Required. R3-5 District requirements.

- A. A site plan shall be submitted for all required parking facilities. The plan shall consist of a detailed layout of the existing and proposed parking facilities, including the site, grades, drainage, utilizes, easements, all

structures, landscaping, walls and fences, parking stalls, drive aisles, and ingress and egress drives. The plan shall be accurately and thoroughly dimensioned to scale.

- B. The site plan shall be submitted and reviewed in conjunction with any discretionary review or ministerial permits.
- C. In the event that no other permit is required the modification of any existing required parking facilities shall be reviewed by the Development Services Department as an Administrative Design Review Permit to ensure consistency with all requirements of this chapter.

~~Not less than two parking spaces for each dwelling unit in a multiple family unit or apartment, one of which shall be covered, shall be required.~~

~~(Ord. 07-312 § 9 (part); prior code § 10-2-2303)~~

14.74.040 General Provisions. ~~R3-4.5 District requirements.~~

A. Accessibility.

- i. Required access, off-street parking, and loading facilities shall be made available and permanently maintained for access, off-street parking, and loading for all uses and structures.
- ii. Required access, off-street parking, and loading facilities shall be designed, located, constructed, and maintained so as to be fully and independently usable and accessible at all times.
- iii. Required access, off-street parking, and loading facilities, and associated driveways providing access to such facilities, shall not be used for any purpose which at any time would preclude the use of the area for its intended and approved use.
- iv. Inoperable motor vehicles shall not be parked in or on any driveway, carport and/or easement(s).
 - a. Any inoperable motor vehicle shall be required to be fully enclosed and always contained within a permanent structure.

B. Exclusivity of Access, Off-Street Parking, and Loading Facilities.

- i. Unless otherwise provided through an approved discretionary permit such as a joint use parking agreement, no owner or tenant shall lease, rent, or otherwise make the required access, off-street parking, and loading facilities unavailable to the intended onsite users.
 - a. The joint use of access, off-street parking, and loading facilities shall be permitted subject to the approval of a Conditional Use Permit reviewed by the Zoning Administrator at a Public Hearing.

C. Encroachment into Right-of-Way Prohibited.

- i. Land within the right-of-way of a proposed street or highway, or within the planned ultimate right-of-way on a street or highway proposed to be widened, shall not be used to provide required off-street parking.
 - a. Exception. Loading facilities shall be permitted within the public right-of-way immediately adjacent to any proposed or existing development if adequate fire access is provided and bicycle and pedestrian safety is maintained at all times and is subject to the approval of a Conditional Use Permit reviewed by the Zoning Administrator at a Public Hearing.

~~Not less than two parking spaces for each dwelling unit in a multiple family unit or apartment, one of which shall be covered, shall be required.~~

{Ord. 07-312 § 9 (part); prior code § 10-2-2304}

14.74.050 Access. R3-3 District requirements.

- A. Driveways.** Driveways are intended to provide access from public or private streets to off-street parking facilities. Entry driveways provide direct ingress or egress from a street, alley or public right-of-way to a parking aisle, internal driveway, or parking maneuvering area. Internal driveways provide interior circulation between parking aisles. Except as is customary on a parcel developed with a single-family dwelling, no parking shall be permitted in an entry driveway.
- i. Location of Driveway on a Corner Lot.** When a building site abuts two (2) intersecting streets and a driveway is proposed, the driveway shall be located on the primary building frontage.
 - a. Exception.** When the primary building frontage is along a public street which causes safety concerns for ingress and egress to and from the site the driveway may locate along the secondary building frontage.
- B. Driveway Spacing.** Spacing between adjacent property driveways shall be provided to create a clear delineation of ingress and egress to each parcel or property within the city.
- i. A minimum of five (5) feet shall be provided between driveways of adjacent parcels or properties.**
- C. Limit on Single Family Residential Driveways.**
- i. For all residential uses, the driveway must lead to a garage, carport, or other approved parking facility.**
 - ii. The number of permitted driveways, driveway approaches, or curb cuts shall be one (1) per fifty (50) feet of lot frontage, not to exceed a total of two (2).**
- D. Driveway/Drive Aisle Widths.**
- i. The minimum width of a one-way driveway/drive aisle shall be twelve (12) feet.**
 - ii. The minimum width of a two-way driveway/drive aisle shall be eighteen (18) feet.**
- E. Primary Access.**
- i. When a proposed development is immediately adjacent to an alleyway the primary driveway access shall be taken from the alleyway.**
 - ii. When a proposed development with building frontage along Main Street and/or State Street the primary driveway access shall be taken from the rear of the property immediately adjacent to the public parking plazas.**

Not less than two parking spaces for each dwelling unit in a multiple-family unit or apartment, one of which shall be covered, shall be required.

{Ord. 07-312 § 9 (part)}

14.74.060 Development Standards of Access, Off-Street Parking and Loading Facilities. R3-1-8 District requirements.

- A. Access, Off-Street Parking and Loading Facilities shall conform to the following standards:**
- i. Parking Stall Standard Dimensions, shall be as follows:**

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(Supp. No. 40)

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- a. Perpendicular and Angled parking space size. Each standard parking space shall consist of an area not less than nine (9) feet wide by eighteen (18) feet long, except as noted on the drawing labeled "Parking Standards Exhibit A" on file with the Development Services Department.
 - b. Parallel parking space size. Each standard parking space shall consist of an area not less than nine (9) feet wide by twenty-two (22) feet long except as noted on the drawing labeled "Parking Standards Exhibit A" on file with the Development Services Department.
 - c. Disabled persons parking standards shall comply with all requirements set forth in the California Building Code, and Americans with Disabilities Act (ADA).
- ii. Vehicle Backup Distance/Drive Aisle Requirements, as depicted on "Parking Standards Exhibit A" and are as follows:
- a. Angled parking stalls positioned at a degree no less than thirty (30) and no greater than forty-five (45), the vehicle backup distance/drive aisle shall be a minimum of twelve (12) feet free and clear of any obstructions.
 - b. Angled parking stalls positioned at a degree no less than forty-five (45) and no greater than sixty (60), the vehicle backup distance/drive aisle shall be a minimum of eighteen (18) feet free and clear of any obstructions.
 - c. Perpendicular parking stalls positioned at a ninety (90) degree angle, the vehicle backup distance/drive aisle shall be a minimum of twenty-six (26) feet free and clear of any obstructions.
 - d. Vehicle backup distance/drive aisle immediately adjacent to any parallel parking stalls shall be a minimum of twelve (12) feet free and clear of any obstructions.
- iii. Additional minimum standards for the design of off-street parking areas shall be in accordance with those shown on the drawing labeled "Parking Standards Exhibit A" on file in the office of the Development Services Department.
- iv. If found to be necessary or desirable by the city, the design standards set forth in this chapter may be waived for public and community facility uses or commercially operated public parking facilities.

B. Loading Facilities.

- i. Loading facilities shall not be less than ten (10) feet wide by twenty-five (25) feet long.
- ii. Loading facilities shall be located immediately adjacent to the main entrance of any proposed development or immediately adjacent to any designated service areas of any proposed development.

C. Decorative paving Materials. All required access, off-street parking, and loading facilities shall be paved with:

- i. Decorative paving, decorative concrete, or decorative asphalt-type surfacing.
- ii. Decorative paving or decorative concrete shall be provided for all entry driveways, parking facility approaches, parking areas, parking maneuvering areas, and parking stall(s) providing access and parking for all newly constructed buildings or any required parking facilities that are modified or improved greater than 50% of gross floor area of the parking facility.

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- iii. Decorative paving or decorative concrete entry areas of any parking facility shall be provided in any required setback area or a minimum of the first twenty (20) feet of depth of any parking facility whichever is greater, as measured from the primary entrance into the required facility.
- D. Lighting. The lighting of all onsite parking facilities shall be designed and maintained in a manner to prevent glare or indirect illumination from intruding into any off-site areas or adjacent properties or parcels. Lighting fixtures shall be provided in accordance with the following specifications:
- i. Lighting fixtures shall be oriented and shielded downward to prevent any excess light intrusion.
 - ii. Lighting fixtures shall only illuminate what is necessary to provide sufficient lighting for the safety and security of all parking facilities.
 - iii. Lighting fixtures installed on the exterior of any building onsite or visible from public view shall be architecturally compatible and integrated into the building design.
 - iv. Lighting fixtures shall be installed to illuminate any walkways or paths of travel for pedestrians to and from any onsite parking facilities.
 - v. Lighting fixtures shall be provided as external illumination for any onsite signage for wayfinding or directional signage of any parking facility built in conjunction with a development.
- E. Landscaping of all Access, Off-Street Parking, and Loading Areas.
- i. All landscaping shall conform to the Water Efficient Landscape requirements and best arboricultural practices.
 - ii. Perimeter Landscaping. All unenclosed or surface parking facilities shall provide a perimeter landscaped strip/buffer at least five (5) feet in depth between any parking facility and adjacent properties.
 - a. Perimeter landscaping shall include a mixture of trees, shrubs, and ground cover. Sufficient number of trees shall be utilized in order to achieve complete screening of required parking facilities from adjacent properties at full maturity.
 - iii. Interior Landscaping Island(s) and Diamond(s). All unenclosed or surface parking facilities shall provide interior landscaping island(s) or diamond(s).
 - a. Interior landscaping island(s) or diamond(s) shall be provided one (1) per every five (5) parking stalls; any fraction resulting based on this calculation shall be rounded down to the next whole number.
 - b. Any required landscaping island(s) shall be provided no less than two (2) feet by eight (8) feet in dimensions.
 - c. Any required landscaping diamond(s) shall be provided no less than four (4) feet by four (4) feet in dimensions.
 - d. As an alternative to any required landscaping island(s) or diamond(s) a project may propose above ground decorative planter(s) or pot(s) to satisfy this standard. The final location, and planter or pot design shall be determined by the Development Services Director.
- F. Wheel Stops. A permanent curb, bumper wheel stop, or similar device shall be installed for all required parking stalls onsite. When a permanent curb is installed as a method for satisfying this requirement no vehicle overhang shall be permitted to encroach into any required landscaping area onsite.
- G. Vertical Clearance. All required parking facilities shall have a vertical clearance of not less than seven (7) feet.

H. Horizontal Clearance. All required parking stalls and loading facilities shall be free and clear of any encroachments into the required size dimensions (i.e., no pillars or structural members shall be located within the required dimension area of any parking stall or loading facilities).

I. Gates at Entrance(s), Exit(s) and Perimeter of all Access, Off-Street Parking, and Loading Areas.

- i. When gates are proposed onsite for any access, off-street parking, and loading areas they shall be designed and constructed to be architecturally compatible with the existing or proposed building(s) in that building materials shall be the same materials and finishes of the primary building(s).
- ii. Adequate vehicle staging shall be provided at the approach of any gated access, off-street parking, and loading areas to prevent vehicles from staging off-site or in the public right-of-way.
- iii. Parking Management Plan. A parking management plan shall be required for any development that proposes gates into any required access, off-street parking, and loading areas to the satisfaction of the Development Services Director.
 - a. The parking management plan shall be reviewed independently of any other permit and processed as a Conditional Use Permit reviewed by the Zoning Administrator.
 - b. The purposes of a parking management plan shall be to ensure adequate access is maintained at all times, and in the event of emergency all necessary provisions have been made to accommodate the safe ingress and egress of emergency response personnel and evacuation of any occupants.

J. Maintenance. All access, off-street parking and loading areas shall be maintained to assure the facilities are ready for use at all times. Such facilities shall be maintained free of refuse or debris at all times. When storage is included within any required parking facilities the designated parking and loading areas shall maintained free and clear and ready for vehicular use at all times.

K. Signage. Adequate onsite directional and wayfinding signage shall be provided for all access, off-street parking and loading areas. Signage shall include but is not limited to:

- i. Entrance height clearance signage and bar.
- ii. Directional and wayfinding signage for access into and around development.
- iii. When non-residential uses are provided onsite a directory shall be provided near all main entrances and exits of the site.
- iv. When reserved or dedicated parking stalls are provided individual signage or floor markings shall be provided and maintained at all times.

L. Electric Vehicle (EV) dedicated parking stalls shall include signage indicating the type and capacity of each charging station.

~~A. Two spaces, one of which shall be covered, for each dwelling unit in a multiple family dwelling or apartment house having two rooms or more in addition to the kitchen and bathrooms shall be required.~~

~~B. One and one-half spaces, one of which shall be covered, for each dwelling unit in a multiple family dwelling or apartment house having less than two rooms in addition to the kitchen and bathrooms shall be required.~~

~~C. One on-site visitor space shall be required for every four multifamily residential dwelling units or fraction thereof.~~

(Ord. 07-312 § 9 (part); Ord. 02-410 § 4; prior code § 10-2.2305)

14.74.070 Alternative to Off-Street Parking and Loading Facilities. R3-1 District requirements.

A. Compact Parking Stall Provisions.

- i. Compact parking stalls shall be provided only for vehicles mid-size or smaller and are parking stalls designed with a standard reduction in size as compared to the City standard stall requirements.
- ii. Compact parking space size. Each standard compact parking space shall consist of an area not less than eight (8) feet wide by sixteen (16) feet long.
- iii. Multiple-Family Residential shall be permitted to accommodate a maximum of twenty (20) percent of required residential parking as compact parking stalls.
- iv. Non-Residential Uses shall be permitted to accommodate a maximum of forty (40) percent of required non-residential parking as compact parking stalls.

B. Tandem Parking Stall Provisions.

- i. Tandem parking stalls are an alternative parking configuration where one (1) parking stall is in front of another creating one (1) long parking stall that provides sufficient parking for two (2) required parking stalls.
- ii. Tandem parking space size. Each standard tandem parking space shall consist of an area not less than nine (9) feet wide by thirty-six (36) feet long.
- iii. Tandem parking stalls shall only be allowed for meeting the requirements of Residential Parking Standards.
- iv. Tandem parking stalls shall only be allowed for required parking assigned to the same residential dwelling unit.

C. Mechanical Lift and Automated Parking Stall Provisions.

- i. Mechanical Lift Parking is an alternative parking configuration where one (1) vehicle is mechanically lifted on a parking system vertically above the ground to provide sufficient clearance for another vehicle to be parked directly beneath the vehicle above.
 - a. Mechanical lift parking stalls shall only be allowed for required parking assigned to the same residential dwelling unit. Mechanical lift parking stalls shall not be allowed in meeting the parking requirements for any non-residential uses.
 - b. Mechanical lift parking stalls shall provide a minimum of seven (7) feet in height clearance for each parking stall for a minimum of fourteen (14) feet in height for the two (2) stacked vehicles.
 - c. Back-up Power shall be provided for any proposed mechanical lift parking facilities to allow emergency operation of the system in retrieving all parked vehicles.
- ii. Automated Parking is a mechanical system designed to minimize the area and volume required for parking vehicles. Automated parking configurations can include single level or multiple levels of parking lifts in meeting the parking requirements. Automated parking systems utilize Artificial Intelligence (AI) to park and retrieve all vehicles parked within the automated parking facility.
 - a. Automated parking shall be allowed for required parking of residential and non-residential uses shall be permitted subject to the approval of a Conditional Use Permit reviewed by the Zoning Administrator at a Public Hearing. The following requirements shall be provided as apart of any request for use of an automated parking system:

1. A parking management plan shall be provided to ensure adequate access is maintained at all times, and in the event of emergency all necessary provisions have been made to accommodate the safe ingress and egress of emergency response personnel and evacuation of any occupants.
2. All automated parking stalls, and associated equipment shall be located wholly within a permanent structure.
3. Technical study shall be provided with initial request for consideration demonstrating that the proposed design and operation of automated parking system will not be detrimental to surrounding uses and properties in the vicinity relative to noise, visual impacts, and general use of the proposed facilities.
4. Back-up Power shall be provided for any proposed automated parking facilities to allow emergency operation of the system in retrieving all parked vehicles.
5. The Zoning Administrator shall have the discretion to require any necessary technical study or manufacturer specifications in order to determine the appropriateness and operational standards of the proposed automated parking system.

D. Motorcycle Stall Provisions.

- i. Motorcycle parking stalls shall be provided only for the cycle of motorcycles and are parking stalls designed with a standard reduction in size as compared to the City standard stall requirements.
 - ii. Motorcycle parking space size. Each standard motorcycle parking space shall consist of an area not less than five (5) feet wide by ten (10) feet long.
 - iii. Motorcycle parking shall be permitted to accommodate a maximum of five (5) percent of the required non-residential parking.
 - iv. Motorcycle parking shall not be allowed for meeting the requirements of Residential Parking Standards.
- ~~A. There shall be two underground off-street parking spaces for each dwelling unit in a multiple-family dwelling or apartment house having two rooms or more in addition to the kitchens and bathrooms.~~
- ~~B. There shall be one and one-half underground off-street parking spaces for each dwelling unit in a multiple-family dwelling or apartment house having less than two rooms in addition to the kitchens and bathrooms.~~
- ~~C. Projects with a site area less than thirty thousand (30,000) square feet may provide up to a maximum of one-half of the required parking above ground. The proposed parking plan shall be subject to the approval of the commission and council.~~
- ~~D. One on-site visitor space shall be required for every four multiple-family residential dwelling units or fraction thereof.~~

~~(Ord. 07-312 § 9 (part); prior code § 10-2-2305.1)~~

~~(Ord. No. 2012-375, § 9, 1-24-2012)~~

14.74.080 Mixed Use Development Parking Requirements. Residential uses in CN, CD, CD/R3, CRS/OAD, CRS and CT Districts.

Where more than one use is included in one building or on a single parcel, the parking requirements shall be the sum total of the requirements of all the uses (each onsite use parking requirement is calculated independently); provided, however, when determined by the Development Services Director that a conflict in demand for parking will not occur, parking requirements may be combined. Appropriate legal documents, as approved by the City Attorney, shall be executed when such a combination is required and approved.

For those properties which participated in a public parking district, no parking shall be required for the net square footage which does not exceed one hundred (100) percent of the lot area. Parking shall be required as follows for any net square footage in excess of one hundred (100) percent of the lot area and for those properties which did not participate in a public parking district:

- A. ~~There shall be two off-street parking spaces for each dwelling unit in a multiple-family dwelling or apartment house having two rooms or more in addition to the kitchens and bathrooms.~~
- B. ~~There shall be one and one-half off-street parking spaces for each dwelling unit in a multiple-family dwelling or apartment house having less than two rooms in addition to the kitchens and bathrooms.~~
- C. ~~One on-site visitor space shall be required for every four multiple-family residential dwelling units or fraction thereof. Mixed-use projects may substitute nonresidential parking spaces for visitor use in lieu of providing dedicated visitor parking spaces, subject to approval of the commission and council.~~
- D. ~~For emergency shelters the following off-street parking shall be provided: 0.25 parking spaces per bed, 0.2 bike spaces per bed, one parking space per family room, and one parking space per employee on duty.~~

~~{Ord. 07-312 § 9 (part); Ord. 05-294 § 3 (part)}~~

~~{Ord. No. 2012-375, § 10, 1-24-2012; Ord. No. 2015-408, § 3, 6-9-2015}~~

14.74.090 Loading Facilities. Reserved.

In order to accommodate the delivery or shipping of goods of all developments, on-site loading facilities shall be provided for all non-residential development and housing developments of ten (10) units or greater:

- A. There shall be at least one loading facility provided, which shall have minimum dimensions of at least ten (10) feet by twenty-five (25) feet, with fourteen (14) feet of vertical clearance (when provided within the building envelope).
- B. Loading facilities shall be located and designed so that the vehicles intended to use them can maneuver safely and conveniently to and from a public right-of-way without interfering with the orderly movement of vehicular traffic, bicyclists and pedestrians on any public way and complete the loading and unloading operations without obstructing or interfering with any parking stall or parking lot aisle.
- C. No area allocated to loading facilities may be used to satisfy the area requirements for off-street parking, nor shall any portion of any of off-street parking area be used to satisfy the area requirements for loading facilities.
- D. A loading facility may be located in the front yard setback but shall comply with other required setbacks.
- E. All loading facilities shall be designed and maintained so that vehicles do not back in from, or onto, a public street.

F. Loading facilities shall be striped indicating the loading spaces and identifying the spaces for "loading only." The striping shall be permanently maintained by the property owner/tenant in a clear and visible manner at all times.

G. Adequate signage shall be provided that directs delivery vehicles to the loading space.

Editor's note(s) — Ord. No. 2012-375, § 11, adopted Jan. 24, 2012, repealed § 14.74.090 which pertained to office uses in the OA-1, OA-4.5 and CN district and derived from § 10-2.2306 of the prior code; Ord. No. 05-294, § 3(part); Ord. No. 07-312, § 9(part); and Ord. No. 10-348, § 7, adopted April 13, 2010.

14.74.100 Downtown Los Altos Parking Provisions. Office uses in CRS/OAD, OA, CN, CD, CD/R3, CRS and CT Districts.

A. Downtown Los Altos Parking District.

- i. Properties located in Downtown Los Altos which participated in a public parking district, no parking shall be required for the net square footage of existing nonresidential buildings which does not exceed one hundred (100) percent of the net lot area.
- ii. Parking shall be required for any new net square footage in excess of one hundred (100) percent of the lot area and for all properties which did not participate in the original public parking district.
- iii. All parking requirements shall be calculated based on the adopted parking ratios and provisions contained within this code.

B. Downtown Lot Consolidation.

- i. In certain portions of Downtown Los Altos, specifically along Main Street and State Street, the presence of small lots, fragmented ownership pattern, and lack of ability to provide on-site parking have historically constrained redevelopment potential. In order to incentivize Downtown Lot Consolidation for the redevelopment of existing buildings with frontages along Main Street and State Street the following standards shall apply:
 - a. The maximum parking requirement of any residential dwelling unit shall be one (1) parking stall per unit.

~~For those properties which participated in a public parking district, no parking shall be required for the net square footage which does not exceed one hundred (100) percent of the lot area. Parking shall be required for any net square footage in excess of one hundred (100) percent of the lot area and for those properties which did not participate in a public parking district and shall be not less than one parking space for each three hundred (300) square feet of net floor area.~~

~~(Ord. 07-312 § 9 (part); Ord. 05-294 § 3 (part); prior code § 10-2.2307)~~

~~(Ord. No. 10-348, § 8, 4-13-2010; Ord. No. 2012-375, § 12, 1-24-2012)~~

14.74.110 Common Parking Facilities. Commercial uses in CRS/OAD, OA, CN, CD, CD/R3, CRS and CT Districts.

- A. Parking space requirements prescribed in this chapter may be satisfied by the permanent allocation of the required area or number of spaces for each permitted use in a common parking facility, cooperatively established and operated, either under private auspices or a public assessment district, which includes the site of any use permitted under this chapter, provided the total number of spaces allocated shall be not

less than the sum of the individual requirements, and provided also that the parking facility shall be within five hundred (500) feet of the site of the permitted use.

- B. When a common parking facility is approved as prescribed per subsection A, appropriate legal documents, as approved by the City Attorney and Development Services Director, shall be executed to insure permanent use of such spaces.

~~For those properties which participated in a public parking district, no parking shall be required for the net square footage which does not exceed one hundred (100) percent of the lot area. Parking shall be required as follows for any net square footage in excess of one hundred (100) percent of the lot area and for those properties which did not participate in a public parking district:~~

- ~~A. For intensive retail uses and personal services, not less than one parking space for each two hundred (200) square feet of net floor area;~~
- ~~B. For extensive retail uses, not less than one parking space for each five hundred (500) square feet of net floor area;~~
- ~~C. For business, professional and trade schools, one parking space for every three employees, including teachers and administrators, plus one additional space for every two students;~~
- ~~D. For bars, cafes, nightclubs, restaurants, and soda fountains, one parking space for every three employees, plus one space for every three seats provided for patrons, and such additional parking spaces as may be prescribed by the commission;~~
- ~~E. For bowling alleys, one parking space for every three employees, plus six additional parking spaces for each alley;~~
- ~~F. For pool halls, one parking space for every three employees, plus one additional parking space for each pool table;~~
- ~~G. For other types of commercial recreation establishments, one parking space for every three employees, plus such additional parking spaces as may be prescribed by the planning commission;~~
- ~~H. For hotels and motels, one parking space for every three employees, plus one additional space for each sleeping room or suite, and additional parking spaces as prescribed in subsection A of this section for any store, service establishment, shop, or studio located on the site, and additional parking spaces as prescribed in subsection C of this section for any bar, cafe, nightclub, restaurant, or soda fountain located on the site;~~
- ~~I. For mortuaries, one parking space for every three employees, and one additional space for each hearse and funeral car owned or hired by the mortuary, plus the number of spaces prescribed by the planning commission for visitors and persons attending funerals;~~
- ~~J. For theaters and auditoriums, one parking space for every four seats, plus one additional space for every three employees; and~~
- ~~K. For automobile display or salesrooms, bus depots, drive-in banks, drive-in restaurants, repair garages, and storage garages, one parking space for every three employees, plus such additional parking spaces as prescribed by the planning commission or city council.~~

~~{Ord. 07-312 § 9 (part); Ord. 07-306 § 7; Ord. 05-294 § 3 (part); prior code § 10-2-2308}~~

~~{Ord. No. 2012-375, § 13, 1-24-2012}~~

14.74.120 Authorization to Execute Parking License Agreements. ~~Community facilities.~~

A. Applicability.

- i. The provisions of Section 14.74.120 of the Los Altos Municipal Code shall only apply to properties within Downtown Los Altos and for meeting the parking requirements of nonresidential development and uses.

B. Authorization Granted.

- i. The City Council authorizes the Development Services Director to determine the parking requirements of any proposed project within the City of Los Altos consistent with the provisions of this code.
 - a. When it is determined that providing the required parking onsite is infeasible the Development Services Director shall negotiate with consultation of the City Attorney a Parking License Agreement to satisfy the parking requirements of Chapter 14.74 of the Los Altos Municipal Code.
- ii. The City Council authorizes the City Manager to execute any proposed Parking License Agreement and subsequent amendments to existing and proposed Parking License Agreements based on the provisions of Section 14.74.120 of the Los Altos Municipal Code.

C. Establishment of Fee.

- i. The fee for use of public parking plazas, and structures for meeting the parking requirements of nonresidential uses shall be based upon the Master Fee Schedule of the City of Los Altos as amended annually.
 - a. Annual amendments to the Master Fee Schedule shall be applied to each executed Parking License Agreement as necessary.

D. Executed Parking License Agreement.

- i. The executed agreement shall be reported out to the City Council as an Informational Item on its published agenda at its next regularly scheduled meeting following the final execution of said agreement.

Parking space requirements shall be as follows:

- A. ~~For public, parochial, and private schools and for nursery schools, church schools, and colleges, one parking space for every two employees, including teachers and administrators, plus sufficient space for the safe, convenient loading and unloading of students, and such additional area for student and visitor parking as may be prescribed by the commission;~~
- B. ~~For public playgrounds, parks, community centers, and other public buildings, structures, and facilities, one parking space for every two employees, plus such additional parking area as may be prescribed by the commission;~~
- C. ~~For day care centers and private nonprofit recreation facilities, one parking space for every two employees, plus such additional parking area as may be prescribed by the commission;~~
- D. ~~For churches, not less than one parking space for every three and one half seats in the main sanctuary, plus one additional space for each church official resident on the premises, and one additional space for every two employees, plus such additional parking area as may be prescribed by the commission;~~
- E. ~~For monasteries, convents, and other religious institutions, one parking space for every two employees, plus such additional parking area as may be prescribed by the commission;~~

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- F. For golf courses, country clubs, and private commercial clubs, one parking space for every two employees, plus such additional parking area as may be prescribed by the commission;
 - G. For private noncommercial clubs, other than country clubs, one parking space for every two employees, plus one parking space for every three members, or, in the alternative, such additional parking area for members as may be prescribed by the commission;
 - H. For libraries, museums, and noncommercial art galleries, one parking space for every two employees, plus such additional parking area as may be prescribed by the commission;
 - I. For institutions of an educational or philanthropic nature, one parking space for every two employees, plus such additional parking area as may be prescribed by the commission;
 - J. For public utility service structures or installations, one parking space for every two employees;
 - K. For hospitals, one parking space for every two patient beds, plus one additional space for each staff doctor and one space for every three employees, including nurses. Loading space for ambulances and similar vehicles shall not be included therein;
 - L. For nursing home and convalescent hospitals, one half of one parking space for each bed, plus additional parking space as may be determined by the planning commission and city council;
 - M. For retirement homes, three-fourths of one parking space for each dwelling unit, plus additional parking spaces as may be determined by the planning commission and city council; and
 - N. For residential care homes for aged persons on sites containing ten thousand (10,000) to forty three thousand five hundred sixty (43,560) square feet, not less than one garage or carport, plus one parking space; provided, however, in the event there are more than two vehicles, additional space shall be provided for each additional vehicle beyond the required front yard setback in accordance with plans approved by the commission. The occupants of the care home shall be prohibited from parking their vehicles off site.

(Ord. 07-312 § 9 (part); Ord. 05-294 § 3 (part); prior code § 10-2.2311)

14.74.130 Minimum Number of Required Parking Stalls. Plant nurseries.

A. Calculation of Minimum Parking Requirements.

- i. For the purposes of this chapter, "net square footage" shall mean the total horizontal area in square feet on each floor, including basements, but not including the area of inner courts or shaft enclosures.
- ii. The requirement for a use not specifically mentioned in Chapter 14.74 of the Los Altos Municipal Code shall be the same as for a specified use which has the most similar traffic or parking generation characteristics. The Development Services Director shall determine what constitutes similar traffic or parking generation characteristics. The Development Services Director shall have the authority to require a parking analysis or report of any proposed development in order to determine the appropriate parking requirement of a use not listed below. The number of required stalls shall be adequate to service the proposed use.
- iii. When the calculation of required parking stalls results in a fractional number, the number of required stalls shall be rounded up to the next whole number when the fraction is equal to or greater than .5 and may be rounded down to the next whole number when the fraction is less than .5.

B. Minimum Number of Required Parking Stalls by Use are as follows:

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<u>USE</u>	<u>REQUIRED NUMBER OF PARKING STALLS</u>
<u>Residential Uses</u>	
<u>Accessory Dwelling Unit(s)</u>	Shall comply with the provisions of Chapter 14.14 of this title per unit.
<u>Affordable Housing Unit(s), Below Market Rate (BMR), Deed Restricted Unit</u>	One Half (0.5) stalls per unit.
<u>Senior Citizen Housing Development, as defined in Section 51.3 and 51.12 of the California Civil Code and based on age requirements for housing for older persons pursuant to Section 798.76 or 799.5 of the California Civil Code.</u>	One (1) stall per unit.
<u>Single Family Dwelling Unit</u>	Two (2) stalls, one of which shall be covered per unit.
<u>Multiple Family Dwelling Units</u>	
<u>Studio Unit(s)</u>	One (1) stall per unit.
<u>0 to 1 Bedroom Unit(s)</u>	One (1) stall per unit.
<u>2 to 3 Bedroom Unit(s)</u>	One and one half (1.5) stalls per unit.
<u>4 or more Bedroom Unit(s)</u>	Two and one half (2.5) stalls per unit.
<u>Guest Parking (For Multiple Family Housing Development(s) Only)</u>	Zero (0) stalls required.
<u>Specialized Housing Uses</u>	
<u>Emergency Shelters</u>	One (1) stall for every three (3) employees, plus (1) stall for every ten (10) beds within the emergency shelter.
<u>Nursing Homes, Including: Convalescent Hospitals, Assisted Living Homes or Similar Uses.</u>	One (1) stall for every two (2) patient beds or for every two (2) resident units, plus one (1) for every three (3) employees.
<u>Single Room Occupancy (SRO)</u>	One half (0.5) stall per single room occupancy unit.
<u>Supportive and Transitional Housing</u>	One half (0.5) stall per supportive and transitional housing unit, plus one (1) stall for every three (3) employees.
<u>Nonresidential Uses</u>	
<u>Arcades</u>	One (1) stall for every three (3) employees plus one (1) for every one hundred and fifty (150) square feet of net floor area.
<u>Art Galleries, and Museums</u>	One (1) stall for every two hundred and fifty (250) square feet of net floor area.

<u>Bowling Alleys</u>	<u>One (1) stall for every three (3) employees, plus six (6) stalls for each alley.</u>
<u>Business and Professional Offices, Including: Accountants, Lawyers, Real Estate Companies, Estate Planning, and similar uses.</u>	<u>One (1) stall for every three hundred (300) square feet of net floor area.</u>
<u>Business, Professional, and Trade Schools</u>	<u>One (1) stall for every three (3) employees, plus one (1) stall for every two (2) students.</u>
<u>Commercial Recreation Establishments (Not Specifically Listed in this Chapter.)</u>	<u>One (1) stall for every three (3) employees, plus additional parking stalls as determined by the Development Services Director.</u>
<u>Country Clubs</u>	<u>Individual uses shall be calculated independently of each other and included in the comprehensive parking total for all uses onsite.</u>
<u>Churches, Monasteries, Convents, and Other Religious Institutions</u>	<u>One (1) stall for every three (3) employees, plus one (1) stall for every three (3) fixed seats (or 72" of bench seating), or one (1) stall for every twenty-five (25) square feet of net floor area.</u>
<u>Daycare Facilities</u>	<u>One (1) stall for every two (2) employees, plus (1) stall for every four (4) persons left in the care of the daycare facility. Additional parking and loading requirements shall be considered when bicycle and pedestrian safety is determined to be necessary as determined by the Development Services Director.</u>
<u>Financial Services, Including: Banks, Savings and Loans, Credit Unions, and similar uses.</u>	<u>One (1) stall for every two hundred and fifty (250) square feet of net floor area.</u>
<u>Golf Courses</u>	<u>Four (4) stalls for each hole of golf course, plus additional stalls for each use calculated separately.</u>
<u>Government Uses, and other Public and Community Facility Uses</u>	<u>To be determined by the Development Services Director and supported by a Parking Study or Analysis.</u>
<u>Gyms, Spas, and Health Clubs</u>	<u>One (1) stall for every two hundred (200) square feet of net floor area.</u>
<u>Hospitals</u>	<u>One (1) stall for every two (2) patient beds, plus one (1) stall for every three (3) employees. Additional parking and loading shall be required for emergency response vehicles.</u>
<u>Hotels and Motels</u>	<u>One (1) stall for every three (3) employees, plus one (1) for each sleeping room.</u>
<u>Laundromat</u>	<u>One (1) stall for every three (3) washing machines.</u>
<u>Libraries</u>	<u>One (1) stall for every two hundred and fifty (250) square feet of net floor area.</u>

<u>Medical and Dental Offices</u>	<u>One (1) stall for every two hundred (200) square feet of net floor area.</u>
<u>Mortuaries and Funeral Homes</u>	<u>One (1) stall for every three (3) employees, plus one (1) for each hearse, plus one (1) stall for every three (3) fixed seats (or 72" of bench seating), or one (1) stall for every twenty-five (25) square feet of net floor area.</u>
<u>Nonprofit Organizations</u>	<u>One (1) stall for every three hundred (300) square feet of net floor area.</u>
<u>Parks, Playgrounds, Sport Fields</u>	<u>To be determined by the Development Services Director and supported by a Parking Study or Analysis.</u>
<u>Personal Services</u>	<u>One (1) stall for every two hundred (200) square feet of net floor area.</u>
<u>Plant Nurseries</u>	<u>One (1) stall for every one thousand (1,000) square feet of gross floor area of indoor/enclosed areas, plus one (1) stall for every two thousand (2,000) square feet of gross floor area of all outdoor sale, storage or display areas.</u>
<u>Pool Halls</u>	<u>One (1) stall for every three (3) employees, plus one (1) for each pool table.</u>
<u>Private Membership Clubs</u>	<u>One (1) stall for every one hundred and fifty (150) square feet of net floor area.</u>
<u>Public Utility Service Structures (open to the public and agency use only).</u>	<u>One (1) stall for every two (2) employees, plus (1) stall for every two hundred (200) square feet of net floor area of customer service and office areas.</u>
<u>Restaurants, Including: Bars, Cafes, Nightclubs, Ice Cream Shops, Food Halls, Coffee Shops</u>	<u>One (1) stall for every three (3) employees, plus one (1) stall for every three (3) seats for patrons.</u>
<u>Retail</u>	
<u>Extensive Retail Sales</u>	<u>One (1) stall for every five hundred (500) square feet of net floor area.</u>
<u>Intensive Retail Sales</u>	<u>One (1) stall for every two hundred (200) square feet of net floor area.</u>
<u>Schools (Public and Private)</u>	<u>One (1) stall for every two (2) employees, plus additional stalls as determined by a Parking Study or Analysis. Additional parking and loading requirements shall be considered when bicycle and pedestrian safety is determined to be necessary as determined by the Development Services Director.</u>
<u>Swimming Pools</u>	<u>Ten (10) stalls, plus one (1) for every three (3) employees.</u>
<u>Tennis Courts, Including Pickleball and Racquetball</u>	<u>Three (3) stalls for each court.</u>

<u>Theaters and Auditoriums</u>	<u>One (1) stall for every four (4) fixed seats, plus one (1) stall for every three (3) employees.</u>
<u>Union Halls, Lodges, and Clubs</u>	<u>One (1) stall for every two (2) employees, plus (1) stall for every three (3) members.</u>
<u>Veterinary Offices</u>	<u>One (1) stall for every three hundred (300) square feet of net floor area.</u>
<u>Other Uses</u>	
<u>Other Uses, all uses not specifically listed</u>	<u>To be determined by the Development Services Director and supported by a Parking Study or Analysis.</u>

Parking space requirements shall be as follows:

- A. Ten (10) parking spaces for each acre, or fraction thereof, contained in the site, plus such additional parking spaces as may be prescribed by the commission; or
- B. One parking space for every three employees, plus such additional parking spaces as may be prescribed by the commission.

(Ord. 07-312 § 9 (part); Ord. 05-294 § 3 (part); prior code § 10-2.2312)

14.74.140 Other uses.

Other uses not specifically set forth in the foregoing sections of this chapter shall furnish parking as prescribed by the commission. In determining the off-street parking requirements for such uses, the commission shall use the foregoing requirements as a general guide and shall determine the minimum number of parking spaces necessary to avoid undue interference with the public use of streets and alleys.

(Ord. 07-312 § 9 (part); Ord. 05-294 § 3 (part); prior code § 10-2.2313)

14.74.150 Mixed use development.

Where more than one use is included in one building or on a single parcel, the parking requirements shall be the sum total of the requirements of all the uses; provided, however, when determined by the city that a conflict in demand for parking will not occur, parking requirements may be combined. Appropriate legal documents, as approved by the city attorney, shall be executed when such combination is approved. Any use or building requiring five-tenths or more parking space shall be deemed to require a full space.

(Ord. 07-312 § 9 (part); Ord. 05-294 § 3 (part); prior code § 10-2.2314)

(Ord. No. 10-348, § 10, 4-13-2010)

14.74.160 Off-street loading spaces.

Loading spaces shall be provided on the site of each of the permitted uses in the CN, CN-T, CD, CT, Community Facilities, and Plant Nursery districts when found by the commission to require the receipt of

distribution of materials by vehicles or when found to be necessary for the public safety or welfare. The number of spaces shall be determined on the basis of the number of anticipated truck movements.

(Ord. 07-312 § 9 (part); Ord. 05-294 § 3 (part); prior code § 10-2.2315)

14.74.170 Common parking facilities.

- A. ~~Parking space requirements prescribed in this chapter may be satisfied by the permanent allocation of the required area or number of spaces for each permitted use in a common parking facility, cooperatively established and operated, either under private auspices or a public assessment district, which includes the site of any use permitted under this chapter, provided the total number of spaces allocated shall be not less than the sum of the individual requirements, and provided also that the parking facility shall be within three hundred (300) feet of the site of the permitted use, and further provided that the parking facility meets the design standards set forth in this chapter.~~
- B. ~~The Planning and Transportation Commission shall review and approve a common parking facility proposal to ensure that it meets the intent of this chapter.~~
- C. ~~When a common parking facility is approved as prescribed per subsections A and B, appropriate legal documents, as approved by the City Attorney and the City Planner, shall be executed to insure permanent use of such spaces.~~

(Ord. 07-312 § 9 (part); Ord. 05-294 § 3 (part); prior code § 10-2.2316; Ord. No. 2015-414, § 11, 9-8-2015)

14.74.180 Off-street parking and loading spaces.

~~No parking space or loading space provided on one site for a structure or a use in compliance with the regulations for the district in which it is located shall be deemed to provide a parking space or loading space for a structure or use on any other site.~~

(Ord. 07-312 § 9 (part); Ord. 05-294 § 3 (part); prior code § 10-2.2317)

14.74.190 Reduction of off-street parking and loading spaces.

~~No parking space or truck loading space provided for a structure or use in compliance with the regulations for the district in which it is located shall be reduced in area or capacity without sufficient additional area or capacity being provided to comply with the district regulations.~~

(Ord. 07-312 § 9 (part); Ord. 05-294 § 3 (part); prior code § 10-2.2318)

14.74.200 Development standards for off-street parking and truck loading spaces.

- A. ~~Off-street parking facilities shall conform to the following standards:~~
- ~~1. Perpendicular parking space size. Each standard parking space shall consist of an area not less than nine feet wide by eighteen (18) feet long, except as noted on the drawing labeled "Parking Standards Exhibit A" on file in the office of the planning department.~~
 - ~~2. Handicapped persons perpendicular parking space size. Parking stalls for the use of the physically handicapped shall comply with the requirements set forth in Part 2 of Title 24 of the California Administrative Code and Chapter 9 of Division 11 of the Vehicle Code of the state.~~

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(Supp. No. 40)

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3. ~~Truck loading space size. Truck loading spaces shall not be less than ten (10) feet wide by twenty-five (25) feet long.~~
4. ~~Clearance. Standard and compact parking spaces shall have a vertical clearance of at least seven feet over the entire area. In addition, the spaces shall be clear horizontally (for example, pillars in a basement or parking structure shall not be located in required parking spaces). Truck loading spaces shall have a vertical clearance of at least fourteen (14) feet.~~
- B. ~~Each parking and loading space shall be accessible from a public street or alley.~~
- C. ~~The parking and loading area shall be paved with an all-weather asphaltic concrete or portland cement concrete pavement and marked in accordance with the city engineering standards (not applicable for single-family dwellings).~~
- D. ~~Concrete bumper guards or wheel stops shall be provided for all parking spaces, except as provided in this section. The concrete curb around a perimeter landscaped area shall not be used as a bumper stop unless approved by the commission and the council. In such cases, the commission and the council may allow a parking space length to be reduced by two feet.~~
- E. ~~Lighting shall be deflected downward and away from any residential property.~~
- F. ~~No advertising or sign, other than identification or direction signs, shall be permitted in the parking or loading area.~~
- G. ~~No repair or servicing of vehicles shall be permitted in the parking or loading area.~~
- H. ~~No area which lies within the precise plan line for a public street or alley adopted by the council shall be computed as satisfying the parking and loading space requirements of this chapter.~~
- I. ~~A parking area abutting on property in an R-District or across a street or an alley from property in an R-District shall be screened, subject to the approval of the planning department, by a solid fence or wall or a compact evergreen hedge or other screening not less than six feet high, subject to the provisions of Chapter 14.72 of this title regulating fences (not applicable for single-family dwellings).~~
- J. ~~The minimum width of a one-way drive shall be twelve (12) feet.~~
- K. ~~The minimum width of a two-way drive shall be eighteen (18) feet.~~
- L. ~~Space for turning around on the site shall be provided for parking areas of three or more spaces so that no cars need back into the street (not applicable for single-family dwellings).~~
- M. ~~Parallel and acute angle parking shall be designed for one-way traffic only, unless otherwise specified by the commission.~~
- N. ~~The minimum standards for the design of off-street parking areas shall be in accordance with those shown on the drawing labeled "Parking Standards Exhibit A" on file in the office of the planning department.~~
- O. ~~If found to be necessary or desirable by the city, the design standards set forth in this section may be waived for public and community facility uses or commercially operated public parking facilities in order to permit attended or supervised parking.~~
- P. ~~District requirements resulting in one-half or greater parking space shall be deemed to require a full space. Any fractional parking spaces .5 and greater shall be rounded up to the next whole number.~~
- Q. ~~For the purposes of this section, "net square footage" shall mean the total horizontal area in square feet on each floor, including basements, but not including the area of inner courts or shaft enclosures.~~
- (Ord. 07-312 § 9 (part), 10; Ord. 05-294 § 3 (part); prior code § 10-2.2319)
- (Ord. No. 10-348, § 11, 4-13-2010; Ord. No. 2012-375, § 14, 1-24-2012)

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ORDINANCE NO. 2023-504

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LOS ALTOS
REPEALING IN ITS ENTIRETY THE LOYOLA CORNERS SPECIFIC PLAN,
CHAPTER 14.42 OF THE LOS ALTOS MUNICIPAL CODE, AND CITY COUNCIL
RESOLUTION NO. 2017-41 AND REINSTATING THE UNDERLYING ZONING
DISTRICTS TO ALL AFFECTED PARCELS TO IMPLEMENT PROGRAM 1.E OF
THE SIXTH CYCLE HOUSING ELEMENT UPDATE**

WHEREAS, the City Council is empowered pursuant to Article XI, Section 7 of the California Constitution to make and enforce within the City all local, police, sanitary, and other ordinances and regulations not in conflict with general laws; and

WHEREAS, on January 24, 2023, the City Council approved the City's Sixth Cycle Housing Element Update; and

WHEREAS, the City Council held a duly noticed public hearing on November 14, 2023, and November 28, 2023; and

WHEREAS, Program 1.E of the Housing Element Update calls for Update of the Loyola Corners Specific Plan; and

WHEREAS, Program 1.E of the Housing Element Update requires the City of Los Altos to rescind and revert to underlying zoning districts to facilitate housing production; and

WHEREAS, Program 1.E of the Housing Element Update requires the City of Los Altos repeal all conflicting land use regulations present in the Loyola Corner area; and

WHEREAS, Program 1.E of the Housing Element Update requires the City of Los Altos repeal all land use regulations that are in opposition to Housing law; and

WHEREAS, the City Council repeals in its entirety the Loyola Corners Specific Plan; and

WHEREAS, Upon repeal of the Loyola Corners Specific Plan all effected parcels shall return to the underlying zoning districts as identified on the adopted City of Los Altos Zoning Map; and

WHEREAS, the City Council repeals in its entirety City Council Resolution 2017-41 which enacted development standards which violate the Housing Crisis Act and are not enforceable; and

WHEREAS, the City Council repeals in its entirety Chapter 14.42 – LC/SPZ Loyola Corners Specific Plan Zone District; and

WHEREAS, this Ordinance is exempt from environmental review pursuant to Section 15061(b)(3) of the State Guidelines implementing the California Environmental Quality Act of 1970, as amended; and

NOW, THEREFORE, the City Council of the City of Los Altos does hereby ordain as follows:

SECTION 1. AMENDMENT OF CHAPTER 14.42 OF THE MUNICIPAL CODE. Chapter 14.42 of the Los Altos Municipal Code is hereby amended as set forth in Appendix A to this Ordinance, underline indicating addition, and strikethrough indicating deletion.

SECTION 2. CONSTITUTIONALITY; AMBIGUITIES. If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions hereof. Any ambiguities in the Los Altos Municipal Code created by this Ordinance shall be resolved by the Director of Development Services, in their reasonable discretion, after consulting the City Attorney.

SECTION 3. PUBLICATION. This Ordinance shall be published as provided in Government Code Section 36933.

SECTION 4. EFFECTIVE DATE. This Ordinance shall be effective upon the commencement of the thirty-first day following the adoption hereof.


The foregoing Ordinance was duly and properly introduced at a regular meeting of the City Council of the City of Los Altos held on November 14, 2023, and was thereafter, at a regular meeting held on November 28, 2023, passed and adopted by the following vote:

AYES: Dailey, Fligor, Meadows, Weinberg
NOES: Lee Eng
ABSENT:
ABSTAIN:



Sally Meadows, MAYOR

Attest:



Melissa Thurman, MMC,
CITY CLERK

ORDINANCE NO. 2023-505

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LOS ALTOS
AMENDING CHAPTER 14.88 OF THE LOS ALTOS MUNICIPAL CODE
PERTAINING TO REZONING OF A PARCEL LOCATED AT 4546 EL CAMINO REAL
(APN: 16712042) FROM R1-10 TO COMMERCIAL THOROUGHFARE (CT) AND
REPEALING IN ITS ENTIRETY PLANNED UNIT DEVELOPMENT (62-PUD/C7) TO
IMPLEMENT PROGRAM 1.F REZONE VILLAGE COURT PARCEL OF THE SIXTH
CYCLE HOUSING ELEMENT UPDATE**

WHEREAS, the City Council is empowered pursuant to Article XI, Section 7 of the California Constitution to make and enforce within the City all local, police, sanitary, and other ordinances and regulations not in conflict with general laws; and

WHEREAS, on January 24, 2023, the City Council approved the City's Sixth Cycle Housing Element Update; and

WHEREAS, the City Council held a duly noticed public hearing on November 14, 2023, and November 28, 2023; and

WHEREAS, Program 1.F of the Housing Element Update calls for Rezone Village Court Parcel; and

WHEREAS, Program 1.F of the Housing Element Update requires the City of Los Altos to rezone the Village Court Parcel from R1-10 to Commercial Thoroughfare (CT); and

WHEREAS, Program 1.F of the Housing Element Update requires the City of Los Altos to remove modifications made by Planned Unit Development (62-PUD/C7) for consistency with the Commercial Thoroughfare (CT) District; and

WHEREAS, the City Council amends the Zoning Designation of the property located at 4546 El Camino Real, APN: 16712042, commonly referred to as "Village Court" from R1-10 to Commercial Thoroughfare (CT);

WHEREAS, the City Council repeals in its entirety the Planned Unit Development (62-PUD/C7) and reverts to the underlying zoning district of Commercial Thoroughfare (CT) District; and

WHEREAS, this Ordinance is exempt from environmental review pursuant to Section 15061(b)(3) of the State Guidelines implementing the California Environmental Quality Act of 1970, as amended; and

NOW, THEREFORE, the City Council of the City of Los Altos does hereby ordain as follows:

SECTION 1. AMENDMENT OF CHAPTER 14.88 OF THE MUNICIPAL CODE. Chapter 14.88 of the Los Altos Municipal Code are hereby amended as set forth in Appendix A to this Ordinance, underline indicating addition, and strikethrough indicating deletion.

SECTION 2. AMENDMENT OF CHAPTER 14.88 OF THE MUNICIPAL CODE. Chapter 14.88 of the Los Altos Municipal Code is hereby amended as set forth in Exhibit A to this Ordinance, underline indicating addition, and strikethrough indicating deletion.

SECTION 3. CONSTITUTIONALITY; AMBIGUITIES. If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions hereof. Any ambiguities in the Los Altos Municipal Code created by this Ordinance shall be resolved by the Director of Development Services, in their reasonable discretion, after consulting the City Attorney.

SECTION 4. PUBLICATION. This Ordinance shall be published as provided in Government Code Section 36933.

SECTION 5. EFFECTIVE DATE. This Ordinance shall be effective upon the commencement of the thirty-first day following the adoption hereof.

The foregoing Ordinance was duly and properly introduced at a regular meeting of the City Council of the City of Los Altos held on November 14, 2023, and was thereafter, at a regular meeting held on November 28, 2023, passed and adopted by the following vote:

AYES: Dailey, Fligor, Meadows, Weinberg
NOES: Lee Eng
ABSENT:
ABSTAIN:



Sally Meadows, MAYOR

Attest:



Melissa Thurman, MMC,
CITY CLERK



AGENDA REPORT SUMMARY

Meeting Date: November 28, 2023
Subject Housing Element Implementation Ordinance 2.0
Prepared by: Nick Zornes, Development Services Director
Reviewed by: Jolie Houston, City Attorney
Jon Maginot, Assistant City Manager
Approved by: Gabe Engeland, City Manager

Attachment(s):

- 1. Draft Ordinance #1
- 2. Draft Ordinance #1 – Appendix A
- 3. Draft Ordinance #1 – Appendix B
- 4. Draft Ordinance #1 – Appendix C
- 5. Draft Ordinance #1 – Appendix D
- 6. Draft Ordinance #2
- 7. Draft Ordinance #2 – Appendix A
- 8. Draft Ordinance #3
- 9. Draft Ordinance #3 – Appendix A
- 10. Draft Ordinance #3 – Exhibit, Zone Map Change

Initiated by:

The City of Los Altos adopted 6th Cycle Housing Element, Programs 1.A, 1.B, 1.C, 1.E, 1.F, 1.G, 3.I, and 3.J.

Fiscal Impact:

No fiscal impacts are associated with the adoption of these implementing regulations.

Environmental Review:

This Ordinance is exempt from environmental review pursuant to Section 15061(b)(3) of the State Guidelines implementing the California Environmental Quality Act of 1970.

City Manager
GE

Reviewed By:
City Attorney
JH



Subject: Housing Element Implementation Ordinance

Summary:

The draft ordinance incorporates regulations to rezone for the RHNA shortfall, facilitation of higher density housing in the commercial thoroughfare district, allow housing in the office administrative district, repeal of the Loyola Corners Specific Plan in its entirety, rezone Village Court parcel and repeal its entirety the PUD specific to the parcel, rezone housing sites from previous housing elements, allow residential care facilities consistent with State law, and explicitly allow manufactured homes consistent with State law. The draft ordinance integrates regulations into the Los Altos Municipal Code, which addresses all required provisions from the Housing Element programs previously noted.

Staff Recommendation:

Adoption of Zoning Ordinance Text Amendments which implement programs identified in the adopted housing element, Program 1.A: Rezone for RHNA Shortfall; Program 1.B: Facilitate Higher Density Housing in the Commercial Thoroughfare (CT) District; Program 1.C: Allow Housing in the Office Administrative (OA) District; Program 1.E: Update the Loyola Corners Specific Plan; Program 1.F: Rezone Village Court Parcel; Program 1.G: Rezone Housing Sites from Previous Housing Elements; Program 3.I: Allow Residential Care Facilities Consistent with State law; Program 3.J: Explicitly Allow Manufactured Homes Consistent with State law; and consideration of the City of Los Altos Planning Commission’s October 19, 2023 decisions and find that the proposed amendments are exempt from environmental review pursuant to Section 15061(b)(3) of the California Environmental Quality Act (CEQA) Guidelines since there would be no possibility of a significant effect on the environment.

Prior Consideration:

On November 14, 2023, the Los Altos City Council Introduced and Waived Further Reading of the proposed ordinances. The following actions were taken:

Action #1 – Ordinance #1 – An Ordinance of the City Council of the City of Los Altos amending Chapter 13.34, Chapter 13.36, Chapter 14.50, and Chapter 14.63 of the Los Altos Municipal Code to Implement Program 1.A, Program 1.B, Program 1.C, Program 1.G, Program 3.I, and Program 3.J of the Sixth Cycle Housing Element Update.

The Los Altos City Council introduced the ordinance the following vote:

AYES: Meadows, Weinberg, Fligor, Daily, Lee Eng
NOES:

Action #2 – Ordinance #2 – An Ordinance of the City Council of the City of Los Altos repealing in its entirety the Loyola Corners Specific Plan, Chapter 14.42 of the Los Altos Municipal Code,



Subject: Housing Element Implementation Ordinance

and Resolution No. 2017-41 and reinstating the underlying zoning districts to all effected parcels to Implement Program 1.E of the Sixth Cycle Housing Element Update.

The Los Altos City Council introduced the ordinance the following vote:

AYES: Meadows, Weinberg, Fligor, Daily
NOES: Lee Eng

Action #3 – Ordinance #3 – An Ordinance of the City Council of the City of Los Altos amending Chapter 14.88 of the Los Altos Municipal Code Pertaining to Rezoning of a Parcel Located at 4546 El Camino Real (APN: 16712042) from R1-10 to Commercial Thoroughfare (CT) and Repealing in its entirety Planning Unit Development (62-PUD/C7) to Implement Program 1.F Rezone Village Court Parcel of the Sixth Cycle Housing Element Update.

The Los Altos City Council introduced the ordinance the following vote:

AYES: Meadows, Weinberg, Fligor, Daily
NOES: Lee Eng

Background:

On January 24, 2023, the Los Altos City Council adopted the City’s 6th Cycle Housing Element 2023-2031. As required by law, the adopted housing element has several housing programs contained within. The City of Los Altos identified specific programs in its housing element that will allow it to implement the stated policies and achieve the stated goals and objectives.

Programs must include specific action steps the City will take to implement its policies and achieve its goals and objectives. Programs must also include a specific timeframe for implementation, identify the agencies or officials responsible for implementation, describe the city’s specific role in implementation, and (whenever possible) identify specific, measurable outcomes.

The draft ordinance under consideration implementing Programs 1.A, 1.B, 1.C, 1.E, 1.F, 1.G, 3.I, and 3.J is required to be adopted no later than January 31, 2024.

On October 19, 2023, the Los Altos Planning Commission were presented with a staff report, and presentation at a duly noticed public hearing. At the regularly scheduled meeting the Planning Commission asked clarifying questions of the Development Services Director, opened the Public Hearing and received public testimony, and discussed the amendments presented to the commission. Three separate actions were taken that evening, and are summarized below:

Action #1 – Ordinance #1 – An Ordinance of the City Council of the City of Los Altos amending Chapter 13.34, Chapter 13.36, Chapter 14.50, and Chapter 14.63 of the Los Altos Municipal Code



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to Implement Program 1.A, Program 1.B, Program 1.C, Program 1.G, Program 3.I, and Program 3.J of the Sixth Cycle Housing Element Update.

The Los Altos Planning Commission passed the recommendation by the following vote:

- AYES:** Steinle, Roche, Doran, Ahi, Beninato
- NOES:** Disney
- ABSENT:** Mensinger

Action #2 – Ordinance #2 – An Ordinance of the City Council of the City of Los Altos repealing in its entirety the Loyola Corners Specific Plan, Chapter 14.42 of the Los Altos Municipal Code, and Resolution No. 2017-41 and reinstating the underlying zoning districts to all effected parcels to Implement Program 1.E of the Sixth Cycle Housing Element Update.

The Los Altos Planning Commission passed the recommendation by the following vote:

- AYES:** Steinle, Roche, Doran, Ahi, Beninato, Disney
- NOES:**
- ABSENT:** Mensinger

Action #3 – Ordinance #3 – An Ordinance of the City Council of the City of Los Altos amending Chapter 14.88 of the Los Altos Municipal Code Pertaining to Rezoning of a Parcel Located at 4546 El Camino Real (APN: 16712042) from R1-10 to Commercial Thoroughfare (CT) and Repealing in its entirety Planning Unit Development (62-PUD/C7) to Implement Program 1.F Rezone Village Court Parcel of the Sixth Cycle Housing Element Update.

The Los Altos Planning Commission passed the recommendation by the following vote:

- AYES:** Steinle, Roche, Doran, Ahi, Beninato, Disney
- NOES:**
- ABSENT:** Mensinger

Analysis:

The City’s adopted 6th Cycle Housing Element 2023-2031 included various programs which requires the proposed ordinance amendments to implement the various commitments contained within the Housing Element as Certified by the State of California Housing and Community Development Department (HCD). The following programs are being implemented in various components of the draft ordinance.



Subject: Housing Element Implementation Ordinance

The following program has already been partially implemented in that the City of Los Altos has already increased development capacity and overall density in zones such as CN, CRS, CD/R3 to accommodate moderate-income level units, and now in the CT and OA Districts.

Program 1.A: Rezone for RHNA shortfall.

To accommodate the remaining above moderate-income RHNA of 19 units, the City will identify and rezone sufficient vacant land or land with redevelopment potential to provide capacity for this shortfall. Appendix B (Sites Inventory and Methodology) identifies potential parcels for rezoning to address this shortfall and provide excess capacity throughout the planning period. Separate programs detail specifics of various rezoning actions that would provide additional capacity for all income levels.

Responsible Body: Development Services Department, Planning Commission, City Council

Funding Source: General Fund

Time Frame: Sites rezoned to address shortfall by January 2024 ***Objective:*** The City will amend the Zoning Map and/or Zoning Code to create the opportunity for at least 19 above moderate-income housing units; proposed rezoning would accommodate an assumed capacity of 64 above-moderate income housing units

Geographic Targeting: Create additional opportunities for housing capacity throughout the city, which is identified as high and highest resource by TCAC opportunity maps.

The following program implements the requirements identified within the adopted housing element in that the proposed ordinance removes the zoning code limit on maximum density allowed within the zone (68 units/acre or 179% of maximum allowed density has been the average development trend for recently approved/constructed projects), eliminates excess setback requirements for adjacencies, increases the building heights, and makes residential and mixed-use developments allowed by-right.

Program 1.B: Facilitate higher density housing in the Commercial Thoroughfare (CT) District.

The Commercial Thoroughfare (CT) Zone is located along El Camino Real with a maximum density of 38 units per acre and a maximum height of 45 feet. Development trends in this area are showing much higher densities and heights being built. To continue to facilitate housing in the CT District, the City will remove or increase the density maximum and increase the height allowed in the CT District by at least 10 feet and one story which will result in a maximum height of 55 feet and 5-stories to ensure the increased maximum density can be accommodated. Objective design standards for the CT District will be modified as necessary to accommodate higher density, and the



Subject: Housing Element Implementation Ordinance

increased setback standards when across the street from or abutting a residential zoning district will be removed.

Responsible Body: *Development Services Department, Planning Commission, City Council*

Funding Source: *General Fund*

Time Frame: *December 2024*

Objective: *Approve housing development projects along El Camino Real at densities above 38 units per acre anticipating at least 80 total housing units with at least 20 low-income units.*

Geographic Targeting: *Increase housing opportunity in a mixed-use, transit-accessible area. See Program 4.J for place-based improvements, specifically relative to the Los Altos Loop, that will be prioritized in this area east of San Antonio Road.*

The following program implements the requirements identified within the adopted housing element in that the proposed ordinance specifies the allowed density of a minimum of 20 units per acre and a maximum of 30 units per acre, modifies the required setbacks to provide ample buffer and spatial distance from single family zoning districts by reducing side and front yard setbacks while increasing the rear yard setback to an acceptable maximum of 30 feet, and makes residential and mixed-use developments allowed by-right.

Program 1.C: Allow housing in the Office Administrative (OA) District.

The Office Administrative (OA) District, primarily located along South San Antonio Road (east of Downtown), does not currently allow residential uses. However, given the high demand for housing in Los Altos and the opportunity to provide for housing in a mixed-use environment with access to transit, the sites identified in the OA District (Appendix B, Table B-11) will be amended to allow multi-family development. Residential uses will be allowed at a minimum density of 20 dwelling units per acre and a maximum density of 30 dwelling units per acre.

Responsible Body: *Development Services Department, Planning Commission, City Council*

Funding Source: *General Fund*

Time Frame: *December 2024* **Objective:** *Permit housing on OA District parcels during the planning period comprising at least 40 total housing units with at least eight low-income units in the highest resource areas of the city.*

Geographic Targeting: *Create additional opportunities for housing capacity in a highest resource area located adjacent to Downtown, transit (bus line along San Antonio Road), and single-family neighborhoods.*



Subject: Housing Element Implementation Ordinance

The following program implements the requirements identified within the adopted housing element in that the proposed ordinance repeals in its entirety the Loyola Corners Specific Plan which has been an impediment to the creation of housing as well as any large-scale revitalization of the area since its inception. Additionally, the action will repeal in its entirety City Council Resolution 2017-41 which was an action that further restricted development potential within the specific plan area.

Program 1.E: Update the Loyola Corners Specific Plan.

The Loyola Corners Specific Plan will be rescinded and revert to underlying zoning (CN District) to facilitate housing production. Regardless of whether the Specific Plan is updated or rescinded, this program includes removal of all standards that are more restrictive than those applicable within the CN District. Standards to be eliminated include the 20-unit density cap (enforcement of this limitation is currently precluded by the Housing Crisis Act), the dwelling unit size requirement of between 1,500 and 8,000 square feet, the two-story height limitation in addition to a 30-foot maximum height (Resolution 2017-41), and any subjective design standards applicable to residential. The eliminated standards will provide regulations that allow development at greater densities than what is presently allowed today, increased building heights and greater flexibility in unit sizes. The Loyola Corners Specific Plan is considered a highest resource area with the most positive educational outcomes (see Appendix F, Section F.2.5 (Access to Opportunity)).

Responsible Body: Development Services Department, Planning Commission, City Council

Funding Source: General Fund

Time Frame: December 2024 ***Objective:*** Eliminate restrictive development standards within Loyola Corners Specific Plan for density, height, and unit size no later than December 2024. Also eliminate any subjective design standards applicable to residential no later than December 2024. Permit housing units in the Loyola Corners Specific Plan above the current 20-unit cap and with a mixture of unit sizes during the planning period. Target approval of at least 40 total housing units with at least eight low-income units.

Geographic Targeting: Remove barriers to increase housing opportunity in Loyola Corners neighborhood, a highest resource area with commercial, transit (bus line along Foothill Expressway), and single-family homes.

The following program implements the requirements identified within the adopted housing element in that the proposed ordinance executes the required Zone Change to one (1) affected parcel at the “Village Court” development. The existing parcel(s) has “split” or “shared” zoning districts which further creates confusion and irregular development potential of the site. Additionally, as a part of the Zone Change Planned Residential Development 62-PUD/C7



Subject: Housing Element Implementation Ordinance

is repealed in its entirety which has limited development potential of the site since its inception. Due to the split or shared zoning of the parcel at Village Court there is not feasible or practical way for the PUD to be maintained and carry the new zoning of the Commercial Thoroughfare District on all portions of the parcels.

Program 1.F: Rezone Village Court parcel.

To facilitate housing, the Village Court parcel at 4546 El Camino Real (APN 16712042) will be rezoned from R1-10 to Commercial Thoroughfare (CT), and modifications made to the Planned Unit Development (62-PUD/C7), as necessary for consistency with the CT District. The City will consult with adjacent property owners and interested parties throughout the Village Court rezone program.

Responsible Body: Development Services Department, Planning Commission, City Council

Funding Source: General Fund

Time Frame: December 2025

The following program implements the requirements identified within the adopted housing element in that the proposed ordinance the rezoning of the sites identified in the program has been accomplished by allowing for the use of residential and mixed-use development by-right within the CT District and by the Zone Change of the Village Court parcel.

Program 1.G: Rezone housing sites from previous Housing Elements.

Under AB 1397, certain rezoning requirements apply if a lower income housing site identified in the sites inventory (Appendix B) was identified as a housing site (for any income level) in a previous housing element’s site inventory. The following vacant and nonvacant lower income sites are subject to the rezoning requirements:

- *Vacant lower income sites that have been included in at least two consecutive housing element sites inventories.*
- *Nonvacant lower income sites that have been included in a prior housing element sites inventory.*

The City will make necessary zoning amendments to allow development by right pursuant to Government Code §65583.2(i) when 20 percent or more of the units are affordable to lower income households on sites identified in Table IV-1. These identified sites meet the density requirements for lower-income households and allow at least 30 units per acre.

Responsible Body: Development Services Department, Planning Commission, City Council

Funding Source: General Fund



Subject: Housing Element Implementation Ordinance

Time Frame: January 2024

The following program implements the requirements identified within the adopted housing element in that the proposed ordinance by the creation of Article 6 of the Specialized Housing Regulations Chapter in the Zoning Code by integration of definitions and allowances which are articulated in State law.

Program 3.I: Allow residential care facilities consistent with State law.

To comply with State law, the City will amend the Zoning Code to permit residential care facilities for six or fewer persons in all residential zoning districts, as well as districts where single-family homes are allowed by-right and treat them as a residential use. The Zoning Code will also be amended to allow large residential care facilities (seven or more persons) in all residential zones without discretionary review (i.e., subject only to objective standards). Residential care facilities will not be limited to individuals of 60 years of age or over, and a barrier-free definition of “family” that encompasses unrelated individuals living together as a single residential unit will be added consistent with State law.

Responsible Body: Development Services Department, Planning Commission, City Council

Funding Source: General Fund

Time Frame: March 2024

The following program implements the requirements identified within the adopted housing element in that the proposed ordinance by the creation of Article 5 of the Specialized Housing Regulations Chapter in the Zoning Code by asserting that all manufactured housing shall be considered the same as conventional stick-built construction.

Program 3.J: Explicitly allow manufactured homes consistent with State law.

Government Code §65852.3 requires manufactured and mobile homes on a permanent foundation to be allowed in the same manner and in the same zone as a conventional stick-built structure. While it is the City’s practice to treat manufactured homes on a foundation as a conventional single-family home, the Zoning Code does not reflect this practice. The City will amend the Zoning Code to explicitly allow manufactured homes on a permanent foundation, subject to the same regulations as single-family homes and in the same zones as single-family homes.



Subject: Housing Element Implementation Ordinance

Responsible Body: *Development Services Department, Planning Commission, City Council*

Funding Source: *General Fund*

Time Frame: *March 2024*

Discussion:

The actions included within the attached draft ordinance are requirements pursuant to the City’s adopted 6th Cycle Housing Element. Once a jurisdiction takes final action by adopting its housing element this requires immediate action in order to remain compliant with State housing law. The City of Los Altos Housing Element contains several major action items or milestones that must be completed by specific dates as determined within the adopted Housing Element. The draft ordinance before the City Council tonight will effectively accomplish the majority of **8 items or milestones.**

Since the City of Los Altos was not found to be in substantial compliance with Housing Element Law within 120-days post the statutory due dates of January 31, 2023, the City of Los Altos must complete **all** rezoning within 1-year (by 1-31-2024). Since adoption of the Housing Element in January 2023:

- (19) programs have been **completed**
- (8) programs are **in-progress** as a part of the amendments before the City Council tonight
- (6) programs are **in-progress** and anticipated to be completed by early to mid-2024 (on-time with HEU due dates)
- (38) programs remaining to begin within next 12-24 months (some programs are ongoing and do not have a target completion date)

Failure to Implement Adopted Housing Element Programs

Should the Los Altos City Council not introduce and adopt the draft ordinances the City will be vulnerable to penalties and consequences of housing element noncompliance. HCD is authorized to review any action or failure to act by a local government that determines is inconsistent with an adopted housing element or housing element law. This includes failure to implement program actions included in the housing element. HCD may revoke housing element compliance if the local government’s actions do not comply with state law. Examples of penalties and consequence of housing element noncompliance:

- **General Plan Inadequacy:** the housing element is a mandatory element of the General Plan. When a jurisdiction’s housing element is found to be out of compliance, its General Plan



Subject: Housing Element Implementation Ordinance

could be found inadequate, and therefore invalid. Local governments with an invalid General Plan can no longer make permitting decisions.

- **Legal Suits and Attorney Fees:** local governments with noncompliant housing elements are vulnerable to litigation from housing rights’ organization, developers, and HCD. If a jurisdiction faces a court action stemming from its lack of compliance and either loses or settles the case, it often must pay substantial attorney fees to the plaintiff’s attorneys in addition to the fees paid by its own attorneys. Potential consequences of lawsuits include mandatory compliance within 120 days, suspension of local control on building matters, and court approval of housing developments.
- **Loss of Permitting Authority:** courts have authority to take local government residential and nonresidential permit authority to bring the jurisdiction’s General Plan and housing element into substantial compliance with State law. The court may suspend the locality’s authority to issue building permits or grant zoning changes, variances, or subdivision map approvals – giving local governments a strong incentive to bring its housing element into compliance.
- **Financial Penalties:** court-issued judgement directing the jurisdiction to bring its housing element into substantial compliance with state housing element law. If a jurisdiction’s housing element continues to be found out of compliance, courts can multiply financial penalties by a factor of six.
- **Court Receivership:** courts may appoint an agent with all powers necessary to remedy identified housing element deficiencies and bring the jurisdiction’s housing element into substantial compliance with housing element law.

ORDINANCE NO. 2023-__

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LOS ALTOS AMENDING CHAPTER 14.34, CHAPTER 14.36, CHAPTER 14.50, AND CHAPTER 14.63 OF THE LOS ALTOS MUNICIPAL CODE TO IMPLEMENT PROGRAM 1.A, PROGRAM 1.B, PROGRAM 1.C, PROGRAM 1.G, PROGRAM 3.I, PROGRAM 3.J OF THE SIXTH CYCLE HOUSING ELEMENT UPDATE

WHEREAS, the City Council is empowered pursuant to Article XI, Section 7 of the California Constitution to make and enforce within the City all local, police, sanitary, and other ordinances and regulations not in conflict with general laws; and

WHEREAS, on January 24, 2023, the City Council approved the City’s Sixth Cycle Housing Element Update; and

WHEREAS, the City Council held a duly noticed public hearing on November 14, 2023, and November 28, 2023; and

WHEREAS, Program 1.A of the Housing Element Update calls for Rezone for RHNA Shortfall; and

WHEREAS, Program 1.A of the Housing Element Update requires the City of Los Altos to increase housing capacity to accommodate the remaining above moderate-income RHNA within the City of Los Altos; and

WHEREAS, Program 1.B of the Housing Element Update calls for Facilitating Higher Density Housing in the Commercial Thoroughfare (CT) District; and

WHEREAS, Program 1.B of the Housing Element Update expressly allows 5-stories, and 55-foot tall buildings with no cap on density limits within the CT District in the City of Los Altos; and

WHEREAS, Program 1.C of the Housing Element Update calls for Allowing Housing in the Office Administrative (OA) District; and

WHEREAS, Program 1.C of the Housing Element Update expressly allows residential uses in the Office Administrative (OA) zoning districts with a minimum density of 20 units per acre and maximum of 30 units per acre within the City of Los Altos; and

WHEREAS, Program 1.G of the Housing Element Update calls for Rezoning Housing Sites from Previous Housing Elements; and

WHEREAS, Program 1.G of the Housing Element Update expressly allows housing sites from the prior housing element cycle to be allowed by-right within the City of Los Altos; and

WHEREAS, Program 3.I of the Housing Element Update calls for Allowing Residential Care Facilities Consistent with State law; and

WHEREAS, Program 3.I of the Housing Element Update expressly allows residential care facilities anywhere that residential zoning is allowed within the City of Los Altos; and

WHEREAS, Program 3.J of the Housing Element Update calls for Explicitly Allowing Manufactured Homes Consistent with State law; and

WHEREAS, Program 3.J of the Housing Element Update expressly allows manufactured homes by-right anywhere residential zoning is allowed within the City of Los Altos; and

WHEREAS, this Ordinance is exempt from environmental review pursuant to Section 15061(b)(3) of the State Guidelines implementing the California Environmental Quality Act of 1970, as amended; and

NOW, THEREFORE, the City Council of the City of Los Altos does hereby ordain as follows:

SECTION 1. AMENDMENT OF CHAPTER 14.34 OF THE MUNICIPAL CODE. Chapter 14.34 of the Los Altos Municipal Code is hereby amended as set forth in Appendix A to this Ordinance, underline indicating addition, and strikethrough indicating deletion.

SECTION 2. AMENDMENT OF CHAPTER 14.36 OF THE MUNICIPAL CODE. Chapter 14.36 of the Los Altos Municipal Code is hereby amended as set forth in Appendix B to this Ordinance, underline indicating addition, and strikethrough indicating deletion.

SECTION 3. AMENDMENT OF CHAPTER 14.50 OF THE MUNICIPAL CODE. Chapter 14.50 of the Los Altos Municipal Code is hereby amended as set forth in Appendix C to this Ordinance, underline indicating addition, and strikethrough indicating deletion.

SECTION 4. AMENDMENT OF CHAPTER 14.63 OF THE MUNICIPAL CODE. Chapter 14.63 of the Los Altos Municipal Code is hereby amended as set forth in Appendix D to this Ordinance, underline indicating addition, and strikethrough indicating deletion.

SECTION 5. CONSTITUTIONALITY; AMBIGUITIES. If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions hereof. Any ambiguities in the Los Altos Municipal Code created by this Ordinance shall be resolved by the Director of Development Services, in their reasonable discretion, after consulting the City Attorney.

SECTION 6. PUBLICATION. This Ordinance shall be published as provided in Government Code Section 36933.

SECTION 7. EFFECTIVE DATE. This Ordinance shall be effective upon the commencement of the thirty-first day following the adoption hereof.

The foregoing Ordinance was duly and properly introduced at a regular meeting of the City Council of the City of Los Altos held on __, 2023, and was thereafter, at a regular meeting held on __, 2023, passed and adopted by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Sally Meadows, MAYOR

Attest:

Melissa Thurman, MMC, CITY CLERK

**APPENDIX A
AMENDMENTS TO CHAPTER 14.34**

**APPENDIX B
AMENDMENTS TO CHAPTER 14.36**

**APPENDIX C
AMENDMENTS TO CHAPTER 14.50**

**APPENDIX D
AMENDMENTS TO CHAPTER 14.63**

Chapter 14.34 OA OFFICE-ADMINISTRATIVE DISTRICT

Sections:

14.34.010 OA Districts.

The regulations, general provisions, and exceptions set forth in this chapter and Chapter 14.66 shall apply in all OA Districts.

(Prior code § 10-2.1301)

14.34.020 Specific purposes (OA).

Specific purposes for OA Districts are as follows:

- A. Attract new office development to sites suitable for such use;
- B. Allow the integration of residential uses and a variety of housing types;
- B-C. Allow latitude for creative design and architectural variety within limits established.

(Prior code § 10-2.1302)

14.34.030 Required conditions (OA).

- A. No use shall be permitted and no process, equipment, or materials shall be employed which are found by the commission to be objectionable by reason of odor, dust, noise, vibration, illumination, glare, unsightliness, or electrical disturbances which are manifested beyond the premises in which the permitted use is located.
- B. No property owner, business owner, and/or tenant shall suffer, permit, or allow operation of a business on his or her property or on property upon which his or her business operates to violate the required conditions of this chapter. Enforcement shall be as provided for in Chapter 1.10 of Title 1.
 - 1. General screening standard. Every development shall provide sufficient screening to reasonably protect the privacy, safety, and environment of neighboring residential properties and shield them from adverse external effects of that development.

Walls up to twelve (12) feet in height shall be required for the purpose of attenuating noise, (as determined by an acoustical analysis), odor, air pollution, artificial light, mitigation for grade differential between properties, and providing privacy and safety.
 - 2. Sites for screening of refuse collection. Every development will be required to provide suitable space for solid waste separation, collection, and storage, and shall provide sites for such that are located so as to facilitate collection and minimize any negative impact on persons occupying the development site, neighboring properties, or public rights-of-way.
 - 3. Lighting. Lighting within any lot that unnecessarily illuminates any other lot and/or substantially interferes with the use or enjoyment of such other lot is prohibited. Lighting unnecessarily illuminates another lot if (i) it clearly exceeds the minimum illumination necessary to provide for security of property and the safety of persons using such roads, driveways, sidewalks, parking lots, and other

common areas and facilities, or (ii) if the illumination could reasonably be achieved in a manner that would not substantially interfere with the use or enjoyment of neighboring properties.

- 4. Air pollution. Any use that emits any "air contaminant" as defined by the Bay Area air quality management district shall comply with applicable state standards concerning air pollution.
 - 5. Maintenance of common areas, improvements, and facilities. Maintenance of all common areas, improvements, or facilities required by this chapter or any permit issued in accordance with its provisions shall be required except those areas, improvements, or facilities with respect to which an offer of dedication to the public has been accepted by the appropriate public authority.
 - 6. Odors. No use may generate any odor that may be found reasonably objectionable as determined by an appropriate agency such as the Santa Clara County Health Department and the Bay Area air quality management district beyond the boundary occupied by the enterprise generating the odor.
 - 7. Noise. No person shall operate, or cause to be operated, any source of sound at any location within the city or allow the creation of any noise on property owned, leased, occupied or otherwise controlled by such person, which causes the noise level when measured on any other property either incorporated or unincorporated, to exceed standards as set forth in Chapter 6.16 of the Los Altos Municipal Code.
- C. In order to attenuate noise associated with commercial development, walls up to twelve (12) feet in height shall be required at a commercial/residential interface. Other conditions may be applied such as, but not limited to, muffling of exterior air conditioning facilities.

(Prior code § 10-2.1302.5)

14.34.040 Permitted uses (OA).

The following uses shall be permitted in the OA Districts:

- A. ~~Accessory structures and uses customarily incidental to permitted uses;~~
- B. ~~Copy reproduction shops;~~
- C. Office-administrative uses;
- D. ~~Parking spaces and loading areas; and~~
- B. Residential Only Development(s);
- C. Mixed Use Development(s); and
- E. Other uses which are determined by the Zoning Administrator ~~commission and the council~~ to be of the same general character.

(Prior code § 10-2.1303)

(Ord. No. 2015-406 , § 2, 2-10-2015; Ord. No. 2015-414 , § 6, 9-8-2015)

14.34.050 Conditional uses (OA).

Upon the granting of a use permit in accordance with the provisions of Chapter 14.80 of this title, the following uses shall be permitted in OA Districts:

- A. ~~Blueprinting shops;~~ Reprographic Uses;
- B. Data processing centers;

(Supp. No. 40, Update 2)

- ~~C.~~ Drive-in facilities, except car washes;
- ~~D.C.~~ Medical and dental clinics;
- ~~E.~~ Medical and dental offices that are five thousand (5,000) gross square feet or more;
- ~~F.D.~~ Mortuaries; and
- ~~G.E.~~ Other uses which are determined by the commission ~~and the council~~ to be of the same general character.

(Prior code § 10-2.1304)

(Ord. No. 2015-406 , §§ 3, 4, 2-10-2015)

14.34.065 Allowed Density (OA).

Residential uses will be allowed at a minimum density of twenty (20) dwelling units per acre and a maximum density of thirty (30) dwelling units per acre.

14.34.060 Coverage (OA).

The maximum coverage for all structures shall be ~~fifty (50) percent of the total site area; provided, however, the maximum coverage may be increased to seventy-five (75) percent of total gross lot area if required off-street parking is provided underground.~~ Lot coverage measures the portion of a lot that is covered by habitable structures only and excludes all non-habitable exterior improvements or structures.

(Prior code § 10-2.1305)

14.34.070 Front yard (OA).

The minimum depth of front yards shall be ~~eighteen five (185) feet, all with a minimum of fifty (50) percent of which shall be landscaped.~~ For purposes of this section, "landscaped" shall mean any combination of plant material ("soft surfaces") and decorative paving, steps, seating, seat walls, fountains, etc., ("hard surfaces") where the soft surface comprises at least sixty (60) percent of the total landscaped area.

(Prior code § 10-2.1306)

14.34.080 Side yards (OA).

The minimum depth of side yards shall be ~~ten five (105) feet percent of the width of the site except where immediately abutting an R1-10 District, in which case the side yard shall be twenty-five (25) feet.~~ Two or more parcels may develop as a combined project with abutting buildings subject to the approval of the commission. Where the yard abuts a residential property fencing, landscaping, and other measures shall be used to reduce the impact.

(Prior code § 10-2.1307)

14.34.090 Rear yard (OA).

The minimum depth of rear yards shall be ~~ten-fifteen (1015)~~ feet except where immediately abutting an R1-10 District, in which case the rear yard shall be ~~twenty-five thirty (2530)~~ feet. ~~Where the yard abuts a residential property fencing, ten (10) feet of landscaping, and other measures shall be used to reduce the impact.~~

(Prior code § 10-2.1308)

14.34.100 Site area (OA).

The minimum site area shall be five thousand one hundred (5,100) square feet ~~if the lot was in single ownership on January 13, 1967; otherwise, the minimum lot area shall be nine thousand (9,000) square feet.~~

(Prior code § 10-2.1309)

14.34.110 Off-street parking (OA).

Parking facilities shall be provided in accordance with Chapter 14.74 of this title. In addition, parking facilities built as part of building projects shall:

- A. ~~Reduce the visual impact of p~~Parking structures and surface parking lots ~~shall be by locating them located~~ at the rear of the parcel or below ground; interior portions of building sites;
- B. ~~Keep the n~~Number of direct entrances to parking facilities from streets to ~~a minimum with a maximum of two (2) excluding any required emergency access;~~
- C. Provide a landscaped buffer not less than five feet in width between a parking lot or structure and street frontage or buildings. Where the landscaped strip adjoins a public street or pedestrian walkway, the landscaped strip may be required to include a fence, wall, berm, or equivalent feature;
- D. Provide a minimum of interior landscaping for unenclosed parking facilities as follows: Where the total parking provided is located on one site and is fourteen thousand nine hundred ninety-nine (14,999) square feet or less, five percent of total parking area; where the parking is fifteen thousand (15,000) through twenty-nine thousand nine hundred ninety-nine (29,999) square feet, seven and one-half percent of total parking area; and where the facility is thirty thousand (30,000) square feet or greater, ten (10) percent of total parking area.

Parking Area (in square feet)	Minimum Landscaping (% of Parking Area)
< 15,000	5
15,000 — 29,999	7.5
≥ 30,000	10

- E. Trees in reasonable number shall be provided; ground cover alone is not acceptable. Interior landscaping shall be distributed throughout the paved area as evenly as possible. ~~Provision shall be made for automatically irrigating all planted area.~~ All landscaping shall be protected with concrete curbs or other acceptable barriers. ~~All landscaping shall be continuously maintained.~~
- F. Provisions of Section 14.34.110 which differ from Chapter 14.74 can be reduced or waived in its entirety by the authority of the Zoning Administrator.

(Prior code § 10-2.1310)

14.34.120 Off-street loading and refuse collection (OA).

- A. Where buildings are sewed by alleys, all service-delivery entrances, loading docks, and refuse collection facilities shall be located to be accessed from the alley. No loading area shall be located at the street frontage or building façade.
- B. A minimum of thirty-two (32) square feet of on-site refuse collection area shall be provided on each lot or premises and shall not be located in any front or street side yard. Where an alley exists, the refuse collection area shall be accessed from the alley.
- C. On sites not served by an alley, service areas shall be located to the rear, side, or at an internal location where visibility from public streets and windows of neighboring buildings will be minimized.
- D. Refuse collection areas and dumpsters shall be enclosed by a screen wall of durable material and planting as necessary to screen views from streets and neighboring properties.

(Prior code § 10-2.1311)

14.34.130 Height of structures (OA).

~~The maximum height of structures shall be two stories of a maximum of thirty (30) feet, whichever is the lesser as measured from the sidewalk. Mechanical equipment and elevator shafts shall be included in the maximum height. The height may be exceeded, up to a maximum of thirty five (35) feet for appurtenances such as towers, spires, cupolas, chimney, and antenna. The height shall not preclude a fully submerged basement.~~

- ~~a. Residential Only Development(s) building height shall be a maximum of forty (40) feet and four (4) stories.~~
- ~~b. Mixed Use Development(s) building height shall be a maximum of forty-five (45) feet and four (4) stories.~~
- ~~c. Non-Residential Use Only Development(s) building height shall be a maximum of thirty (30) feet and two (2) stories.~~

(Prior code § 10-2.1312)

14.34.140 Design control (OA).

- ~~A. No structure shall be built or altered including exterior changes in color, materials, and signage in the OA District except upon approval of the city planner for minor changes and architecture and site approval to be obtained as prescribed in Chapter 14.66 of this title for major changes.~~
- ~~B. No building or portion thereof shall project over the public right of way above ground level; provided, however, that awnings and canopies may encroach into the public right of way.~~
- ~~C. Building surface materials and colors:

 - ~~1. Surface materials shall only be those which are in keeping with the traditional materials of the community. These include:

 - ~~i. Natural materials such as wood, brick, or natural unpolished stone;~~
 - ~~ii. Roofing materials such as wood shakes or tile;~~
 - ~~iii. Stucco (painted); and~~~~~~

- iv. ~~— Glass.~~
- 2. ~~— Not more than forty (40) percent of any exterior building elevation above the first story shall consist of glass or any other material that resembles glass.~~
- 3. ~~— Surface materials that are not in keeping with the existing character of the community are prohibited, including but not limited to:

 - i. ~~— Extensive use of metal panels of any kind;~~
 - ii. ~~— Mirrored or highly reflective glass in any quantity;~~
 - iii. ~~— Glazed tiles covering more than ten (10) percent of any building elevation;~~
 - iv. ~~— Polished marble, granite, terrazzo, or similar materials covering more than ten (10) percent of any building elevation;~~
 - v. ~~— Plain or painted concrete, concrete block, or cinder block;~~
 - vi. ~~— Plastic materials of any kind except for awnings attached to the building.~~~~
- 4. ~~— Surface colors should be those which are in keeping with the established character of the community and the street, with earth tones dominant. These include:

 - i. ~~— White and shades of white, including cream and ivory;~~
 - ii. ~~— Brown, and shades of brown, including tan and beige; and~~
 - iii. ~~— Natural red brick tones, including wood-painted barn reds.~~~~
- 5. ~~— When other colors are permitted, the user of one or more colors described in subsections (C)(4)(i), (C)(4)(ii), and (C)(4)(iii) of this section shall be incorporated. Bright, highly reflective, or garish colors are not in keeping with the established character of the community and are expressly prohibited.~~
- 6. ~~— No change in building surface material or color shall be made following architectural and site control committee approval except upon approval of the city planner for minor changes and architecture and site approval to be obtained as prescribed in Chapter 14.78 for major changes.~~
- D. ~~— Rooftop mechanical equipment must be within the height limit and screened architecturally from public view. By November 30, 1991, existing unconcealed rooftop equipment shall be concealed.~~
- E. ~~— Scale. Because of the location of this district to a larger region, a mixture of scales may be appropriate, with most elements scaled for appreciation from the street and moving automobile; however, within the context of the residential neighborhood, design for appreciation by pedestrians may be appropriate.~~
- F. ~~— Design control. The portions of building elements at a commercial/residential interface shall be designed to protect residential privacy (including but not limited to window placement), daylight, and environmental quality.~~
- G. ~~— Firewalls. Consideration should be given to the aesthetic treatment of firewalls including increased side yard setbacks, contouring the firewall to the building, use of noncombustible roofing materials, and creative use of architectural features in the firewall.~~
- H. ~~— Presentation materials. Graphics presented to the architectural and site control committee and the planning commission to explain the character of a proposed development shall be adequate to show neighboring buildings and important features of adjacent sites in sufficient detail to enable evaluation of the relationship of the proposed development to its context. Elevations facing the public street shall be drawn at a scale of 1/4" = 1' 0".~~

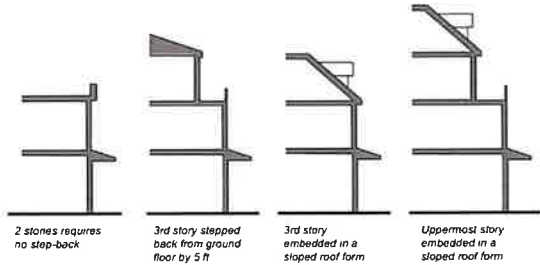
~~(Amended during 2/06 supplement; prior code § 10-2.1313)~~

A. Building Placement. A minimum seventy-five (75) percent of ground-floor building frontages must be built at the minimum setback line. This standard applies to the building frontage only (exclusive of side setbacks).

B. Building Massing and Articulation.

1. Upper-story Step-backs, Front and Street Side.

- a. Along all frontages, the third story must be either stepped back a minimum five feet from the ground floor façade or embedded in a sloped roof form such as a mansard roof or a hipped and/or gabled roof with dormers.
- b. For buildings over three stories along all frontages, the uppermost story must be embedded in a sloped roof form.

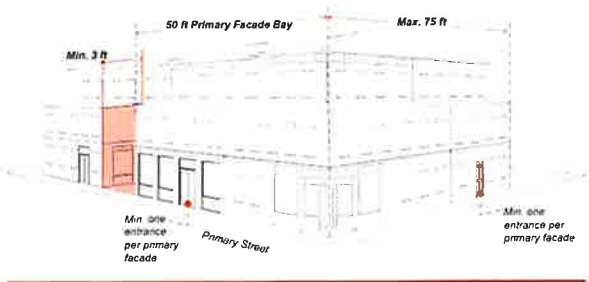


2. Upper Story Step-backs, Side Interior and Rear where Abutting an R-1 District.

- a. The third story must be either stepped back a minimum five (5) feet from ground floor façade or embedded in a sloped roof form.
- b. For buildings over three stories, the uppermost story must be embedded in a sloped roof form.

3. Vertical Articulation.

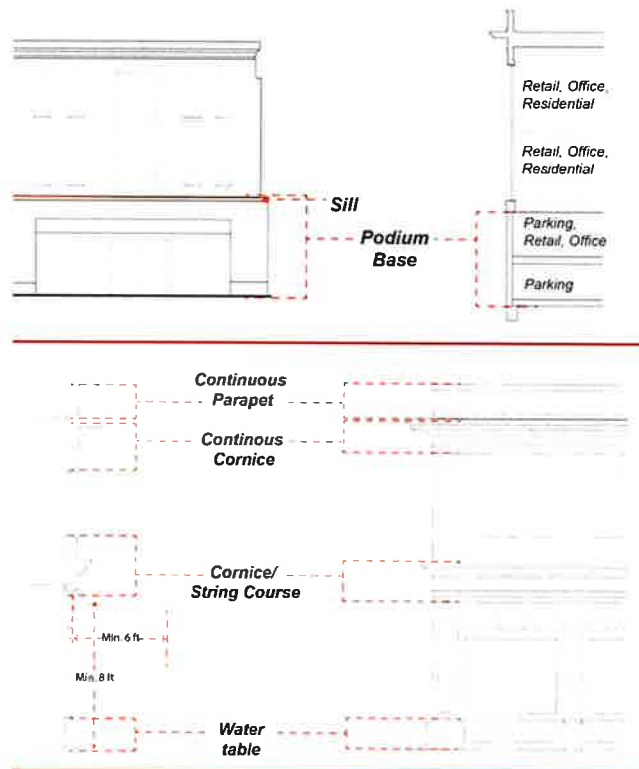
- a. When a building façade exceeds seventy-five (75) feet in length along a right-of-way, it must be separated into primary façade bays no greater than fifty (50) feet and secondary façade bays defined by a recess a minimum three feet deep and ten (10) feet wide.
- b. A minimum one entrance shall be provided per primary façade bay.
- c. The eave/roof of a secondary façade bay shall be no higher than the corresponding elements of the primary façade bay.



4. Horizontal Articulation. New façades and façade modifications along a street or civic space shall be designed to visually express a base, middle, and top.

- a. One or more of the following patterns shall be used to define the base:

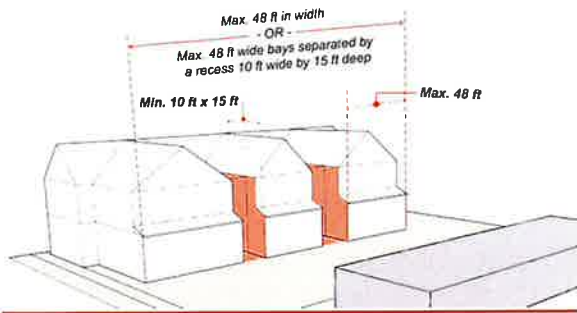
- i. Watertable: Base material extends from grade to between eight and fifty-four (54) inches above grade.
 - ii. Podium: The base material encompasses the lowest story (or stories) of the building, with or without mezzanine(s), and terminates in a sill, string course, or cornice at its upper bound (multi-story buildings only).
 - iii. Watertable and Cornice/String Course: A watertable using the base material is combined with a cornice or string course at the lowest story's upper bound, including any mezzanine (multi-story buildings only).
- b. The top of each building mass/bay shall be defined by elements spanning the full length of the façade of the mass/bay. Such elements may include a cornice, eave and/or gable(s), or other similar elements. These elements shall be consistent with the overall architectural style of the building mass/bay.



5. Adjacencies.

a. Façades adjacent to an R-1 District.

- i. Building façade planes abutting an R-1 district may not exceed forty-eight (48) feet in width.
- ii. When a building façade abutting an R-1 district exceeds forty-eight (48) feet in width, it must be separated into façade bays no greater than forty-eight (48) feet by a recess ten (10) feet wide and fifteen (15) feet deep.



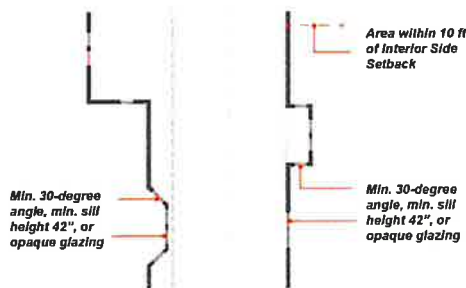
b. Storefront Facades Adjacent to Storefront Facades.

- i. The height of a storefront shall not differ from the height of any adjacent storefront by more than two feet.
- ii. The height of ground story shall not differ from height of any adjacent ground story by more than two feet.
- iii. Storefronts may transition in height using a module of twenty-five (25) feet in length along a right-of-way.



6. Privacy and Line of Sight.

- a. Primary living spaces and balconies located along a side setback shall orient principal windows and balconies toward the front and rear of the building.
- b. Where windows are within ten (10) feet of and oriented toward an interior side setback, glazing shall either be a minimum thirty (30) degree angle measured perpendicular to the adjacent side setback line, have minimum sill height of forty-two (42) inches, or be opaque.



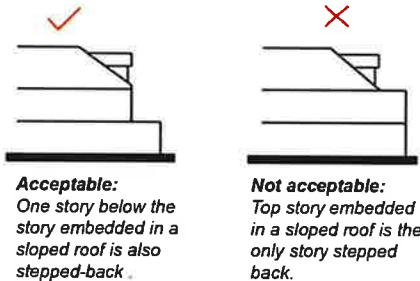
7. Roofline and Roof Design.

- a. Roof designs shall be limited to:
 - i. Hipped.

- ii. Gable.
- iii. Shed.
- iv. Dormer.
- v. Parapet.

- (a) Not allowed on frontages facing R-1 District.
- (b) When used on the first or second floor, a parapet longer than twenty-five (25) feet in length must include at least one but not more than two of the following design elements to break up the length of the parapet:
 - (1) Steps.
 - (2) Curves.
 - (3) Angled surfaces.
- (c) The length of a parapet segment on the third floor and above may not exceed twenty-five (25) feet.

b. When the top story is stepped back and embedded in a sloped roof form such as a mansard roof or a hipped and/or gabled roof with dormers, the floor below must (and other floors may) be stepped back to meet the slope of the top story.



- c. Building façades facing an R-1 district must have a hipped or gable roof and may incorporate dormers.
- d. Roofline/parapet at corners shall not exceed roofline/parapet of adjacent wallplanes by more than twenty-four (24) inches.



C. Building Design.

1. Façade Design.

- a. Building façades shall be arranged in an orderly composition of bays, defined by vertically aligned openings alternating horizontally with solid walls or columns. The pattern shall be visually

expressed through the spacing of openings, recesses, eaves, inset panels, cornices, overhangs, trellises, exposed rafters, columns, or bay windows.

- b. The pattern may be shared between the ground floor and upper stories provided the ground floor exhibits enhanced detail or modulation.
- c. Residential façades shall incorporate at least one element that signals habitation, such as bay windows, or balconies.
- d. Non-glazed wall areas (blank walls) must be enhanced with architectural details, landscaping, and/or landscaped trellises or lattices.

2. Pedestrian-Scaled Entrances.

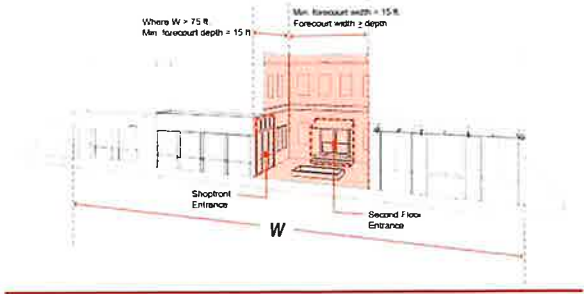
a. Building entrances must incorporate at least one of the following entry features. See Section 14.66.275 (Entrance Type Standards) for design standards applicable to each entrance type listed.

- i. Stoop.
- ii. Dooryard.
- iii. Shopfront.

(a) Shopfronts more than twenty-five (25) feet in width must incorporate variations in bulkhead, awnings, materials and/or color to visually articulate the shopfront into modules not to exceed twenty-five (25) continuous feet.

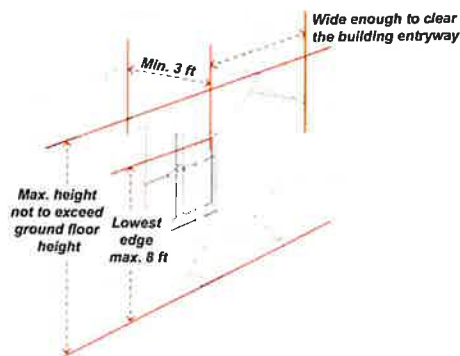
- iv. Gallery.
- v. Arcade.
- vi. Forecourt.

- (a) Forecourts must feature at least one entry to a shop and/or second floor use.
- (b) Forecourts for buildings more than seventy (70) feet in length along a right-of-way must have a minimum width and depth of fifteen (15) feet from front façade. Width of forecourt shall be equal to or greater than depth.
- (c) The size of the forecourt must be appropriate relative to the size of the building. The maximum ratio of building height to forecourt is 2:1 (height < 2 x width).
- (d) Forecourt must be enclosed on at least three sides by buildings.
- (e) Forecourt must remain open to the sky (arbors and trellises are allowed).

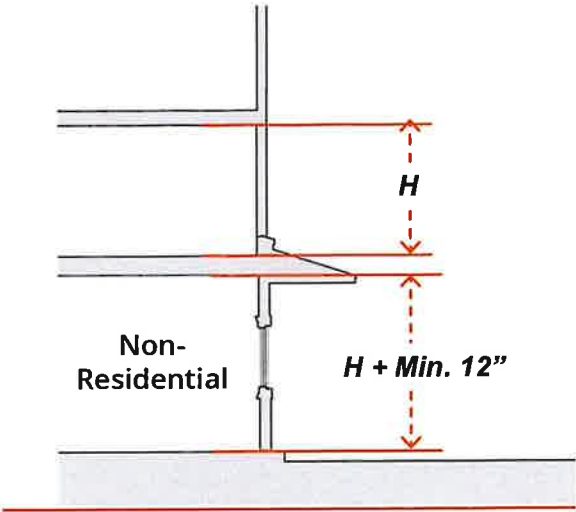


b. Primary Entrance Location(s). The building entrance shall be located along the primary right-of-way.

- c. Corner Entrances. Chamfered corners must incorporate a building entrance. Any required entrances may be provided on the corner of the building assuming one of the intersecting sides is a primary frontage.
- d. Street-facing Entries to Upper Floors. Street-facing entries to upper floors shall be equal in quality and detail to storefronts. This standard may be satisfied through two or more of the following:
 - i. Dedicated awning, canopy, or other roof element.
 - ii. Stairs with a single color applied to treads and a contrasting color or pattern applied to risers.
 - iii. Dedicated light fixture(s).
 - iv. Decorative street address numbers or tiles.
 - v. Plaque signs for upper-floor business tenants.
- e. Entry Protection. Primary street-facing entrances shall be protected by a recess in the building frontage at least three feet deep or by a projection extending outward at least three feet measured horizontally from the entrance, and wide enough to clear the building entryway on both sides.
 - i. Protection may be coterminous with an accent element.
 - ii. Protection may take the form of an extended eave, overhang, awning, door canopy, gallery, arcade frontage, or other element that provides shade and shelter from the elements.
 - iii. The lowest edge of a projecting awning or door canopy shall have a vertical clearance of no more than eight feet.
 - iv. Recessed entries shall differentiate pavement within the recess through the use of a dedicated paving material or pattern.



- f. Accent elements demarcating building frontage, entrance, and common open space areas shall not exceed the height of the ground floor story. Roof elements are excepted.
- 3. Ground Floor Floor-to-Ceiling Height. Minimum twelve (12) inches taller than typical upper floor floor-to-ceiling.



- 4. Interior Courtyard. Interior courtyards must be:
 - a. Enclosed on at least two sides by buildings.
 - b. Open to the sky (arbors and trellises are allowed).
 - c. A minimum width of twenty (20) feet and a minimum area of four hundred (400) square feet.
- 5. Paseos. Paseos must be:
 - a. A minimum width of ten (10) feet for through-block paseos.
 - b. A minimum width of four feet for entries to courtyards or individual single businesses.

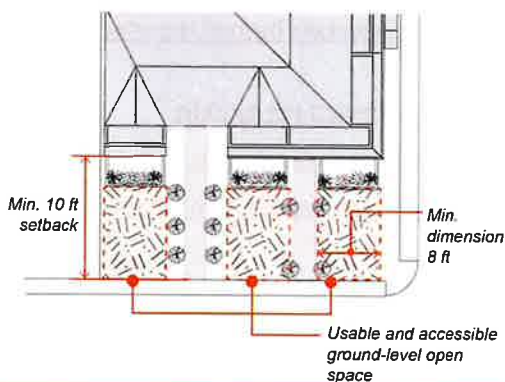
D. Window Design.

- 1. Window frames, backbands, and sills.
 - a. All windows shall have a sill.
 - i. The sill shall extend horizontally beyond the window opening or frame/casing (if present) at each end.
 - ii. The sill shall be sloped toward the outside.
 - iii. The sill shall have a drip at its outer edge.
- 2. Vinyl windows are prohibited on facades visible from a right-of-way.
- 3. Tinted glass is not allowed.

E. Building Materials.

- 1. Primary shall mean fifty (50) percent or more of a facade surface area excluding transparent surfaces. Permitted primary cladding materials are limited to:
 - a. Stucco (minimum two-coat stucco;).
 - b. Siding (lap, vertical, panelized, or shingle).
 - i. All siding shall be wood, composite wood, or cement fiberboard.
 - ii. Wood siding shall be painted or stained.

- iii. Vinyl and aluminum not permitted.
 - c. Stone.
 - d. Brick.
- 2. Secondary shall mean less than fifty (50) percent of a façade surface area excluding transparent surfaces. Permitted secondary cladding materials are limited to:
 - a. Stucco (minimum two-coat stucco; synthetic stucco not allowed, EIFS not allowed).
 - b. Siding (lap, vertical, panelized, or shingle).
 - i. All siding shall be wood, composite wood, or cement fiberboard.
 - ii. Wood siding shall be painted or stained.
 - iii. Vinyl and aluminum siding are not permitted.
 - c. Stone (building base only).
 - d. Brick (building base only).
 - e. Tile (for bulkheads below display windows and decorative accents only).
 - f. Metal (matte finish or Cor-ten).
 - i. Ribbed metal, titanium, and mirrored finishes are not permitted.
 - g. Concrete Masonry Units (watertable and building base only, and not allowed on any façade facing a right-of-way or a single-family zone).
 - h. Concrete (building base only, board-form only, cast concrete not permitted).
- F. Ground Level Open Space. Where any required front, rear, or side yard setback is ten (10) feet or greater, on-site ground-level open space shall be provided within the setback.
 - 1. The ground level open space shall be usable and accessible.
 - 2. The minimum dimension for ground level open space shall be eight feet.



- G. Landscaping, Paving and Pedestrian Amenities.
 - 1. Landscape elements shall be integrated with the building architecture, parking, and streetscape. Recommended patterns shall include, but are not limited to:
 - a. Planters for flowers and shrubs within street frontage.
 - b. Landscape buffers between parking spaces and building façades.

- c. Landscaping within and/or on walls adjacent to courtyards, open spaces, and setbacks.
- 2. See Sections 14.66.180 (Maintenance of Landscaped Areas) and 14.70.070 (Landscaped Strips) for additional landscaping standards.

H. Site Circulation and Access.

- 1. New development on abutting lots shall be designed to allow cross-access for internal pedestrian, bicycle, and vehicular circulation systems.
- 2. Bicycle racks shall be provided:
 - a. In or within fifty (50) feet of every parking area; and
 - b. Within twenty (20) feet of at least one building entrance.

I. Service Areas and Screening.

- 1. Service areas must be located at the rear of lot.
- 2. Service areas must be enclosed in enclosures that are architecturally consistent with primary building in terms of materials, colors, and style.

14.34.150 Nonconforming use regulations (OA).

(As provided in Chapter 14.66 of this title.)

(Prior code § 10-2.1314)

Chapter 14.36 OA-1/OA-4.5 OFFICE-ADMINISTRATIVE DISTRICT¹

Sections:

14.36.010 OA-~~A1~~ and OA-4.5 Districts.

The regulations, general provisions, and exceptions set forth in this article and in this chapter and Chapter 14.66 shall apply in the OA-1 and OA-4.5 Districts as specified.

(Prior code § 10-2.1401)

14.36.020 Specific purposes (OA-1, Altos Oaks Avenue).

- A. Ensure the retention of design and scale compatible with the surrounding residential properties;
- B. Promote and retain a residential design reflected in architectural and landscaping style, building orientation, and site amenities;
- C. Enhance landscaping and pedestrian amenities, with particular attention to the front yard.

(Prior code § 10-2.1401.1)

14.36.025 Review Authority of Design Review (OA-1 and OA-4.5).

The development of any housing development within the OA-1 and OA-4.5 zoning districts shall be subject to design review by the zoning administrator only following a noticed public hearing. Notwithstanding any other provision of this code, and unless otherwise required by state law, any additional planning applications for such a project including, without limitation, tentative or parcel maps, variance requests, or conditional use permits, shall be heard and decided by the zoning administrator concurrently with the design permit application. As used in this subsection, a "housing development project" includes a project to construct one or more dwelling units, including a mixed-use development project for which not more than one-third of total floor area is dedicated for commercial use. Review procedures not otherwise covered by this chapter shall be reviewed in accordance with Chapter 14.78 of the Los Altos Municipal Code.

14.36.030 Required conditions (OA-1 and OA-4.5).

- A. No use shall be permitted and no process, equipment, or materials shall be employed which are found by the commission to be objectionable by reason of odor, dust, noise, vibration, illumination, glare, unsightliness, or electrical disturbances which are manifested beyond the premises in which the permitted use is located.
- B. No property owner, business owner, and/or tenant shall suffer, permit, or allow operation of a business on his or her property or on property upon which his or her business operates to violate the "required conditions" of this article. Enforcement shall be as provided for in Chapter 1.10 of this code.

¹Editor's note(s)—Ord. No. 10-346, § 3, adopted March 9, 2010, changed the title of ch. 14.36 from "OA and OA-4.5 Office-Administrative Districts" to "OA-1/OA-4.5 Office-Administrative District."

1. General screening standard. Every development shall provide sufficient screening to reasonably protect the privacy, safety, and environment of neighboring residential properties and shield them from adverse external effects of that development.

Walls up to twelve (12) feet in height shall be required for the purpose of attenuating noise, (as determined by an acoustical analysis), odor, air pollution, artificial light, mitigation for grade differential between properties, and providing privacy and safety.

2. Sites for screening of refuse collection. Every development will be required to provide suitable space for solid waste separation, collection, and storage and shall provide sites for such that are located so as to facilitate collection and minimize any negative impact on persons occupying the development site, neighboring properties, or public rights-of-way.
3. Lighting. Lighting within any lot that unnecessarily illuminates any other lot and/or substantially interferes with the use or enjoyment of such other lot is prohibited. Lighting unnecessarily illuminates another lot if (i) it clearly exceeds the minimum illumination necessary to provide for security of property and the safety of persons using such roads, driveways, sidewalks, parking lots, and other common areas and facilities or (ii) if the illumination could reasonably be achieved in a manner that would not substantially interfere with the use or enjoyment of neighboring properties.
4. Air pollution. Any use that emits any "air contaminant" as defined by the Bay Area air quality management district shall comply with applicable state standards concerning air pollution.
5. Maintenance of common areas, improvements, and facilities. Maintenance of all common areas, improvements, or facilities required by this chapter or any permit issued in accordance with its provisions shall be required except those areas, improvements, or facilities with respect to which an offer of dedication to the public has been accepted by the appropriate public authority.
6. Odors. No use may generate any odor that may be found reasonably objectionable as determined by an appropriate agency such as the Santa Clara County health department and the Bay Area air quality management district beyond the boundary occupied by the enterprise generating the odor.
7. Noise. No person shall operate, or cause to be operated, any source of sound at any location within the city or allow the creation of any noise on property owned, leased, occupied or otherwise controlled by such person, which causes the noise level when measured on any other property either incorporated or unincorporated, to exceed standards as set forth in Chapter 6.16 of the Los Altos Municipal Code.

- C. In order to attenuate noise associated with commercial development, walls up to twelve (12) feet in height shall be required at a commercial/residential interface. Other conditions may be applied such as, but not limited to, muffling of exterior air conditioning facilities.

(Prior code 10-2.1401.2)

14.36.040 Permitted uses (OA-1 and OA-4.5).

The following uses shall be permitted in the OA-1 and OA-4.5 Districts:

- A. Office-administrative uses;
- B. ~~Travel agencies; Residential Only Development(s); and~~
- C. ~~Parking spaces and loading areas; and~~
- D. Other uses which are determined by the ~~Zoning Administrator commission and the council~~ to be of the same general character.

(Prior code § 10-2.1402)

(Ord. No. 2015-406 , § 2, 2-10-2015; Ord. No. 2015-414 , § 7, 9-8-2015)

14.36.050 Conditional uses (OA-1 and OA-4.5).

Upon the granting of a use permit in accordance with the provisions of Chapter 14.80 of this title, the following uses shall be permitted in OA-1 and OA-4.5 Districts:

- A. Medical and dental offices that are five thousand (5,000) gross square feet or more, ~~except when located in a ground floor building space that fronts directly onto First Street, Main Street or State Street;~~ and
- B. ~~Medical and dental clinics, except when located in a ground floor building space that fronts directly onto First Street, Main Street or State Street;~~
- C. Other uses which are determined by the commission ~~and the council~~ to be of the same general character.

(Ord. No. 2015-406 , § 5, 2-10-2015)

Editor's note(s)—Ord. No. 2015-406 , § 5, adopted Feb. 10, 2015, renumbered §§ 14.36.050—14.36.170 as §§ 14.36.060—14.36.180 and enacted a new § 14.36.050 as set out herein. The historical notation has been retained with the amended provisions for reference purposes.

14.36.055 Allowed Density (OA).

Residential uses will be allowed at a minimum density of twenty (20) dwelling units per acre and a maximum density of thirty (30) dwelling units per acre.

14.36.060 Site area (OA-1 and OA-4.5).

The minimum site area shall be as follows:

District	Minimum Site Area
OA-1	14,000 square feet
OA-4.5	4,500 square feet where the lot is in single ownership on December 8, 1959; otherwise the minimum sit area shall be 9,000 square feet.
<u>OA-1 and OA 4.5</u>	<u>4,500 square feet</u>

(Prior code § 10-2.1403)

(Ord. No. 2015-406 , § 5, 2-10-2015)

Note(s)—See the editor's note to § 14.36.050.

14.36.070 Coverage (OA-1 and OA-4.5).

The maximum coverage shall be as follows:

District	Maximum Coverage
OA-1	30 percent of total area of area
OA-4.5	40 percent of total area of site
<u>OA-1 and OA 4.5</u>	<u>75 percent of total area of site</u>

*Lot coverage measures the portion of a lot that is covered by habitable structures only and excludes all non-habitable exterior improvements or structures.

(Prior code § 100-2.1404)

(Ord. No. 2015-406 , § 5, 2-10-2015)

Note(s)—See the editor's note to § 14.36.050.

14.36.080 Floor area ratio (OA-1 and OA-4.5).

The maximum floor area ratio shall be as follows:

District	Maximum Floor Area Ratio
OA-1	None
OA-1 (Altos Oaks Avenue)	35 percent of total area of site None
OA-4.5	None

(Prior code § 10-2.1404.1)

(Ord. No. 2015-406 , § 5, 2-10-2015)

Note(s)—See the editor's note to § 14.36.050.

14.36.090 Front yard (OA-1 and OA-4.5).

The minimum depth of front yards shall be as follows:

District	Minimum Depth of Front Yard
OA-1	20 10 feet
OA-4.5	10 feet

(Prior code § 10-2.1405)

(Ord. No. 2015-406 , § 5, 2-10-2015)

Note(s)—See the editor's note to § 14.36.050.

14.36.100 Side yards (OA-1 and OA-4.5).

~~A.—The minimum width depth of side yards shall be ten five (105) feet percent of the width of the site, subject to the following exceptions: except where immediately abutting an R1-10 District, in which case the side yard shall be ten (10) feet.~~

- ~~1.—On a corner lot in an OA 1 District, the minimum width of the side yard adjoining the street shall be twenty (20) feet.~~
- ~~2.—On a corner lot in an OA 4.5 District, the minimum width of the side yard adjoining the street shall be ten (10) feet.~~

~~B. Five feet shall be added to each minimum side yard for each story above the first story or for each ten (10) feet of height, or fraction thereof, above the lowest twelve (12) feet of the height of the structure, whichever requires the lesser addition.~~

(Prior code § 10-2.1406)

(Ord. No. 2015-406 , § 5, 2-10-2015)

Note(s)—See the editor's note to § 14.36.050.

14.36.110 Rear yard (OA-1 and OA-4.5).

The minimum depth of rear yards shall be twenty-five (25) feet except where the rear yard abuts on an alley, the minimum depth of the rear yard shall be ten (10) feet. One-story garages, carports, and other accessory structures may be located in the required rear yard provided not more than twenty (20) percent of the area of the required rear yard shall be covered by structures. ~~Where the property abuts an alley, no structure shall be permitted in the rear yard.~~

(Prior code § 10-2.1407)

(Ord. No. 2015-406 , § 5, 2-10-2015)

Note(s)—See the editor's note to § 14.36.050.

14.36.120 Off-street parking (OA-1 and OA-4.5).

(As provided in Chapter 14.74 of this title.)

(Prior code § 10-2.1408)

(Ord. No. 2015-406 , § 5, 2-10-2015)

Note(s)—See the editor's note to § 14.36.050.

14.36.130 Height of structures (OA-1 and OA-4.5).

~~The maximum height of structures shall be two stories or thirty (30) feet, whichever is the lesser. This shall not preclude a basement.~~

- a. Residential Only Development(s) building height shall be a maximum of forty (40) feet and four (4) stories.
- b. Mixed Use Development(s) building height shall be a maximum of forty-five (45) feet and four (4) stories.
- c. Non-Residential Use Only Development(s) building height shall be a maximum of thirty (30) feet and two (2) stories.

(Prior code § 10-2.1409)

(Ord. No. 2015-406 , § 5, 2-10-2015)

Note(s)—See the editor's note to § 14.36.050.

14.36.140 Screening and landscaping (OA-1 and OA-4.5).

- A. To ensure privacy, screen unsightliness, and insulate against noise, adequate screening shall be provided where the site of a professional or administrative office adjoins a dwelling in an R1-10 District, a vacant site in an R1-10 District, or R1-10 structures in a planned unit development. In OA-1 Districts such screening shall be at least ten (10) feet wide where abutting the R1-10 District.
- B. The screening required by this section shall consist of masonry walls, board fences, compact evergreen hedges, or any combination of such elements which may be found appropriate by the building and planning department.
- C. On sites of professional or administrative offices, the required front yard, the required rear yard on a double frontage lot, and the required side yard on the street side of a corner lot shall be landscaped and permanently maintained. All areas in which landscaping is required shall be used exclusively for landscaping purposes.

(Prior code § 10-2.1410)

(Ord. No. 2015-406 , § 5, 2-10-2015)

Note(s)—See the editor's note to § 14.36.050.

14.36.150140 Design control (OA-1 and OA-4.5).

As provided in Chapter 14.66 of this title and as follows:

- A. No structure shall be built or altered including exterior changes in color, materials, and signage except upon approval of the city planner for minor changes and architectural and site approval to be obtained as prescribed in Chapter 14.78 of this title for major changes.
- B. Scale. When the location of this district is to a larger region such as the OA-1 District in the El Camino corridor, a mixture of scales may be appropriate with some elements scaled for appreciation from the street and moving automobile and others for appreciation by pedestrians.

In Altos Oaks OA-1 District, elements of design shall retain the low profile residential appearance and surface materials shall only be those which are in keeping with the traditional materials of the district.
- C. The proportions of building elements, especially those at ground level, should be kept close to human scale by using recesses, courtyards, entries, or outdoor spaces.
- D. The proportions of building elements at a commercial/residential interface shall be designed to protect residential privacy (including but not limited to window placement), daylight, and environmental quality.
- E. Rooftop mechanical equipment must be within the height limit and screened architecturally from public view.
- F. Firewalls. Consideration should be given to the aesthetic treatment of firewalls including increased side yard setback, contouring the firewall to the building, use of noncombustible roofing materials, and creative use of architectural features in the firewall.
- G. Presentation materials. Graphics presented to the architectural and site control committee and planning commission to explain the character of a proposed development shall be adequate to show neighboring buildings and important features of adjacent sites in sufficient detail to enable evaluation

of the relationship of the proposed development to its context. Evaluations facing the public street shall be drawn at a scale of 1/4" = 1' 0".

(Amended during 2/06 supplement; prior code § 10-2.1411)

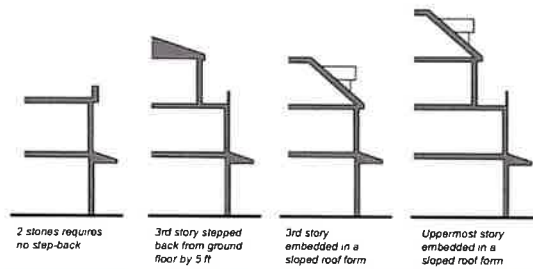
A. Building Placement. A minimum seventy-five (75) percent of ground-floor building frontages must be built at the minimum setback line. This standard applies to the building frontage only (exclusive of side setbacks).

B. Building Massing and Articulation.

1. Upper-story Step-backs, Front and Street Side.

a. Along all frontages, the third story must be either stepped back a minimum five feet from the ground floor façade or embedded in a sloped roof form such as a mansard roof or a hipped and/or gabled roof with dormers.

b. For buildings over three stories along all frontages, the uppermost story must be embedded in a sloped roof form.



2. Upper Story Step-backs, Side Interior and Rear where Abutting an R-1 District.

a. The third story must be either stepped back a minimum five (5) feet from ground floor façade or embedded in a sloped roof form.

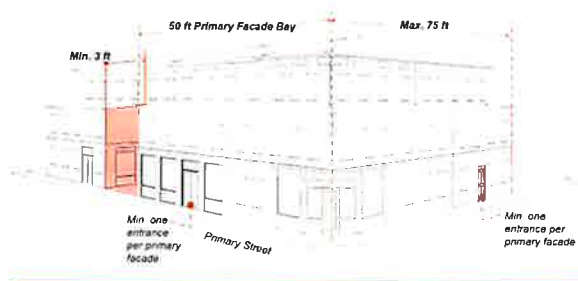
b. For buildings over three stories, the uppermost story must be embedded in a sloped roof form.

3. Vertical Articulation.

a. When a building façade exceeds seventy-five (75) feet in length along a right-of-way, it must be separated into primary façade bays no greater than fifty (50) feet and secondary façade bays defined by a recess a minimum three feet deep and ten (10) feet wide.

b. A minimum one entrance shall be provided per primary façade bay.

c. The eave/roof of a secondary façade bay shall be no higher than the corresponding elements of the primary façade bay.

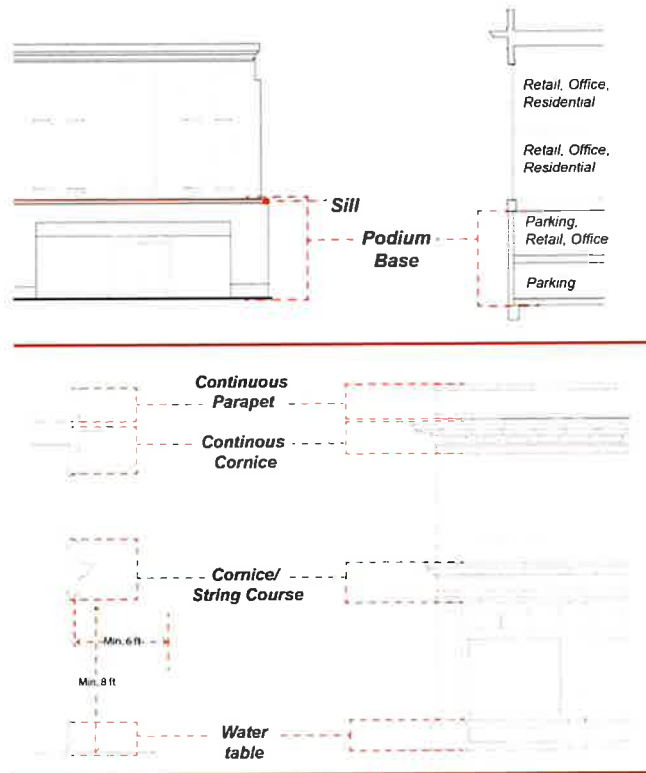


4. Horizontal Articulation. New façades and façade modifications along a street or civic space shall be designed to visually express a base, middle, and top.

a. One or more of the following patterns shall be used to define the base:

- i. Watertable: Base material extends from grade to between eight and fifty-four (54) inches above grade.
- ii. Podium: The base material encompasses the lowest story (or stories) of the building, with or without mezzanine(s), and terminates in a sill, string course, or cornice at its upper bound (multi-story buildings only).
- iii. Watertable and Cornice/String Course: A watertable using the base material is combined with a cornice or string course at the lowest story's upper bound, including any mezzanine (multi-story buildings only).

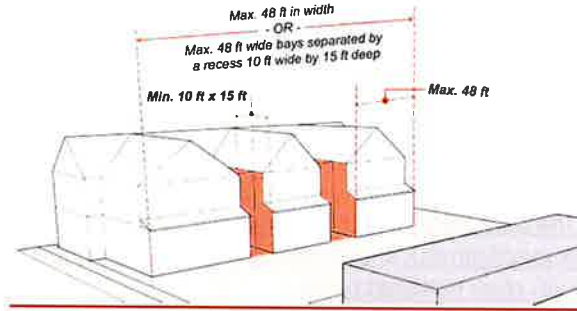
b. The top of each building mass/bay shall be defined by elements spanning the full length of the façade of the mass/bay. Such elements may include a cornice, eave and/or gable(s), or other similar elements. These elements shall be consistent with the overall architectural style of the building mass/bay.



5. Adjacencies.

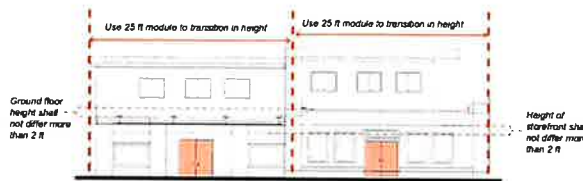
a. Façades adjacent to an R-1 District.

- i. Building façade planes abutting an R-1 district may not exceed forty-eight (48) feet in width.
- ii. When a building façade abutting an R-1 district exceeds forty-eight (48) feet in width, it must be separated into façade bays no greater than forty-eight (48) feet by a recess ten (10) feet wide and fifteen (15) feet deep.



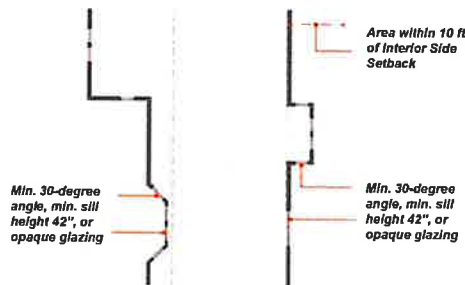
b. Storefront Façades Adjacent to Storefront Façades.

- i. The height of a storefront shall not differ from the height of any adjacent storefront by more than two feet.**
- ii. The height of ground story shall not differ from height of any adjacent ground story by more than two feet.**
- iii. Storefronts may transition in height using a module of twenty-five (25) feet in length along a right-of-way.**



6. Privacy and Line of Sight.

- a. Primary living spaces and balconies located along a side setback shall orient principal windows and balconies toward the front and rear of the building.**
- b. Where windows are within ten (10) feet of and oriented toward an interior side setback, glazing shall either be a minimum thirty (30) degree angle measured perpendicular to the adjacent side setback line, have minimum sill height of forty-two (42) inches, or be opaque.**



7. Roofline and Roof Design.

- a. Roof designs shall be limited to:**
 - i. Hipped.**

ii. Gable.

iii. Shed.

iv. Dormer.

v. Parapet.

(a) Not allowed on frontages facing R-1 District.

(b) When used on the first or second floor, a parapet longer than twenty-five (25) feet in length must include at least one but not more than two of the following design elements to break up the length of the parapet:

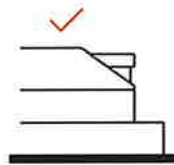
(1) Steps.

(2) Curves.

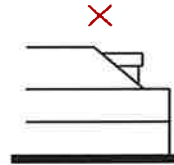
(3) Angled surfaces.

(c) The length of a parapet segment on the third floor and above may not exceed twenty-five (25) feet.

b. When the top story is stepped back and embedded in a sloped roof form such as a mansard roof or a hipped and/or gabled roof with dormers, the floor below must (and other floors may) be stepped back to meet the slope of the top story.



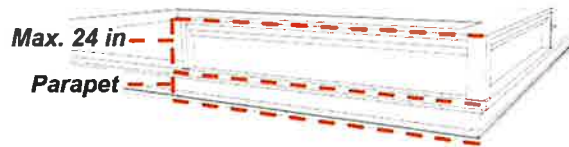
Acceptable:
One story below the story embedded in a sloped roof is also stepped-back.



Not acceptable:
Top story embedded in a sloped roof is the only story stepped back.

c. Building façades facing an R-1 district must have a hipped or gable roof and may incorporate dormers.

d. Roofline/parapet at corners shall not exceed roofline/parapet of adjacent wallplanes by more than twenty-four (24) inches.



C. Building Design.

1. Facade Design.

a. Building façades shall be arranged in an orderly composition of bays, defined by vertically aligned openings alternating horizontally with solid walls or columns. The pattern shall be visually

expressed through the spacing of openings, recesses, eaves, inset panels, cornices, overhangs, trellises, exposed rafters, columns, or bay windows.

- b. The pattern may be shared between the ground floor and upper stories provided the ground floor exhibits enhanced detail or modulation.
- c. Residential façades shall incorporate at least one element that signals habitation, such as bay windows, or balconies.
- d. Non-glazed wall areas (blank walls) must be enhanced with architectural details, landscaping, and/or landscaped trellises or lattices.

2. Pedestrian-Scaled Entrances.

a. Building entrances must incorporate at least one of the following entry features. See Section 14.66.275 (Entrance Type Standards) for design standards applicable to each entrance type listed.

i. Stoop.

ii. Dooryard.

iii. Shopfront.

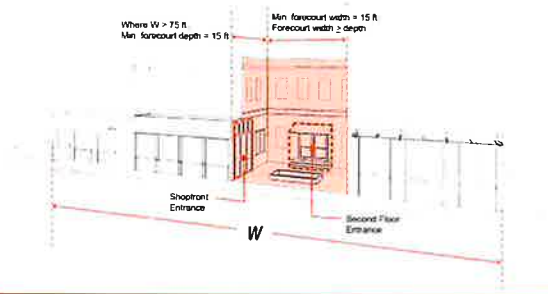
- (a) Shopfronts more than twenty-five (25) feet in width must incorporate variations in bulkhead, awnings, materials and/or color to visually articulate the shopfront into modules not to exceed twenty-five (25) continuous feet.

iv. Gallery.

v. Arcade.

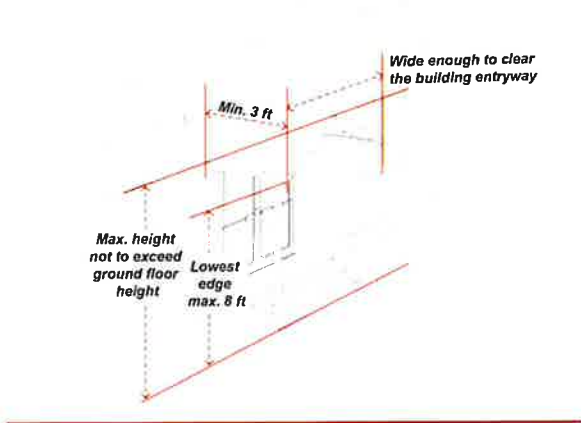
vi. Forecourt.

- (a) Forecourts must feature at least one entry to a shop and/or second floor use.
- (b) Forecourts for buildings more than seventy (70) feet in length along a right-of-way must have a minimum width and depth of fifteen (15) feet from front façade. Width of forecourt shall be equal to or greater than depth.
- (c) The size of the forecourt must be appropriate relative to the size of the building. The maximum ratio of building height to forecourt is 2:1 (height < 2 x width).
- (d) Forecourt must be enclosed on at least three sides by buildings.
- (e) Forecourt must remain open to the sky (arbors and trellises are allowed).

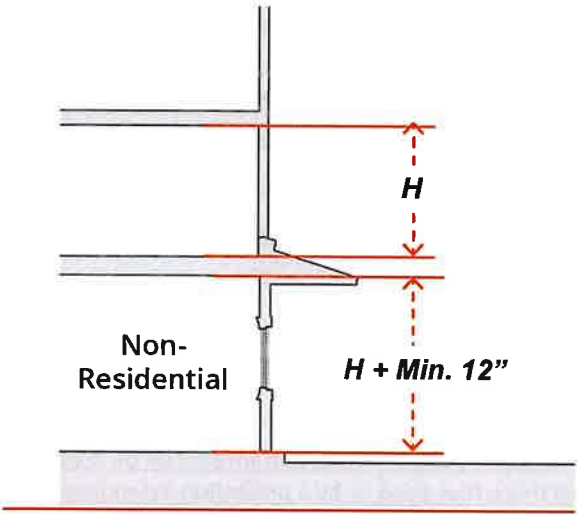


b. Primary Entrance Location(s). The building entrance shall be located along the primary right-of-way.

- c. Corner Entrances. Chamfered corners must incorporate a building entrance. Any required entrances may be provided on the corner of the building assuming one of the intersecting sides is a primary frontage.
- d. Street-facing Entries to Upper Floors. Street-facing entries to upper floors shall be equal in quality and detail to storefronts. This standard may be satisfied through two or more of the following:
 - i. Dedicated awning, canopy, or other roof element.
 - ii. Stairs with a single color applied to treads and a contrasting color or pattern applied to risers.
 - iii. Dedicated light fixture(s).
 - iv. Decorative street address numbers or tiles.
 - v. Plaque signs for upper-floor business tenants.
- e. Entry Protection. Primary street-facing entrances shall be protected by a recess in the building frontage at least three feet deep or by a projection extending outward at least three feet measured horizontally from the entrance, and wide enough to clear the building entryway on both sides.
 - i. Protection may be coterminous with an accent element.
 - ii. Protection may take the form of an extended eave, overhang, awning, door canopy, gallery, arcade frontage, or other element that provides shade and shelter from the elements.
 - iii. The lowest edge of a projecting awning or door canopy shall have a vertical clearance of no more than eight feet.
 - iv. Recessed entries shall differentiate pavement within the recess through the use of a dedicated paving material or pattern.



- f. Accent elements demarcating building frontage, entrance, and common open space areas shall not exceed the height of the ground floor story. Roof elements are excepted.
3. Ground Floor Floor-to-Ceiling Height. Minimum twelve (12) inches taller than typical upper floor floor-to-ceiling.



- 4. Interior Courtyard. Interior courtyards must be:
 - a. Enclosed on at least two sides by buildings.
 - b. Open to the sky (arbors and trellises are allowed).
 - c. A minimum width of twenty (20) feet and a minimum area of four hundred (400) square feet.
- 5. Paseos. Paseos must be:
 - a. A minimum width of ten (10) feet for through-block paseos.
 - b. A minimum width of four feet for entries to courtyards or individual single businesses.

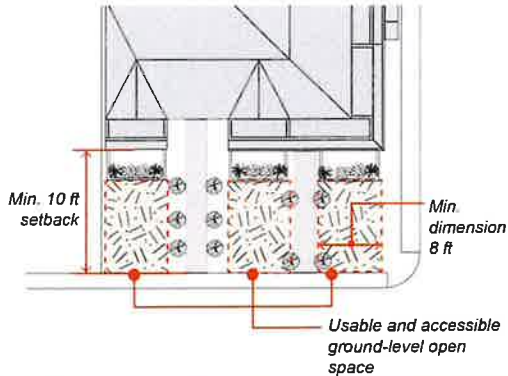
D. Window Design.

- 1. Window frames, backbands, and sills.
 - a. All windows shall have a sill.
 - i. The sill shall extend horizontally beyond the window opening or frame/casing (if present) at each end.
 - ii. The sill shall be sloped toward the outside.
 - iii. The sill shall have a drip at its outer edge.
- 2. Vinyl windows are prohibited on facades visible from a right-of-way.
- 3. Tinted glass is not allowed.

E. Building Materials.

- 1. Primary shall mean fifty (50) percent or more of a façade surface area excluding transparent surfaces. Permitted primary cladding materials are limited to:
 - a. Stucco (minimum two-coat stucco);
 - b. Siding (lap, vertical, panelized, or shingle).
 - i. All siding shall be wood, composite wood, or cement fiberboard.
 - ii. Wood siding shall be painted or stained.

- iii. Vinyl and aluminum not permitted.
 - c. Stone.
 - d. Brick.
 - 2. Secondary shall mean less than fifty (50) percent of a façade surface area excluding transparent surfaces. Permitted secondary cladding materials are limited to:
 - a. Stucco (minimum two-coat stucco; synthetic stucco not allowed, EIFS not allowed).
 - b. Siding (lap, vertical, panelized, or shingle).
 - i. All siding shall be wood, composite wood, or cement fiberboard.
 - ii. Wood siding shall be painted or stained.
 - iii. Vinyl and aluminum siding are not permitted.
 - c. Stone (building base only).
 - d. Brick (building base only).
 - e. Tile (for bulkheads below display windows and decorative accents only).
 - f. Metal (matte finish or Cor-ten).
 - i. Ribbed metal, titanium, and mirrored finishes are not permitted.
 - g. Concrete Masonry Units (watertable and building base only, and not allowed on any façade facing a right-of-way or a single-family zone).
 - h. Concrete (building base only, board-form only, cast concrete not permitted).
- F. Ground Level Open Space. Where any required front, rear, or side yard setback is ten (10) feet or greater, on-site ground-level open space shall be provided within the setback.
- 1. The ground level open space shall be usable and accessible.
 - 2. The minimum dimension for ground level open space shall be eight feet.



- G. Landscaping, Paving and Pedestrian Amenities.
- 1. Landscape elements shall be integrated with the building architecture, parking, and streetscape. Recommended patterns shall include, but are not limited to:
 - a. Planters for flowers and shrubs within street frontage.
 - b. Landscape buffers between parking spaces and building façades.

c. Landscaping within and/or on walls adjacent to courtyards, open spaces, and setbacks.

2. See Sections 14.66.180 (Maintenance of Landscaped Areas) and 14.70.070 (Landscaped Strips) for additional landscaping standards.

H. Site Circulation and Access.

1. New development on abutting lots shall be designed to allow cross-access for internal pedestrian, bicycle, and vehicular circulation systems.

2. Bicycle racks shall be provided:

a. In or within fifty (50) feet of every parking area; and

b. Within twenty (20) feet of at least one building entrance.

I. Service Areas and Screening.

1. Service areas must be located at the rear of lot.

2. Service areas must be enclosed in enclosures that are architecturally consistent with primary building in terms of materials, colors, and style.

(Ord. No. 2015-406 , § 5, 2-10-2015)

Note(s)—See the editor's note to § 14.36.050.

~~**14.36.160 Signs (OA-1 and OA-4.5).**~~

~~(As provided in Chapter 14.68 of this code.)~~

~~(Prior code § 10-2.1412)~~

~~(Ord. No. 2015-406 , § 5, 2-10-2015; Ord. No. 2015-413, § 12, 9-8-2015)~~

~~Note(s)—See the editor's note to § 14.36.050.~~

~~**14.36.170 Fences (OA-1 and OA-4.5).**~~

~~(As provided in Chapter 14.72 of this title.)~~

~~(Prior code § 10-2.1413)~~

~~(Ord. No. 2015-406 , § 5, 2-10-2015)~~

~~Note(s)—See the editor's note to § 14.36.050.~~

14.36.180~~150~~ Nonconforming use regulations (OA-1 and OA-4.5).

(As provided in Chapter 14.66 of this title.)

(Prior code § 10-2.1414)

(Ord. No. 2015-406 , § 5, 2-10-2015)

Note(s)—See the editor's note to § 14.36.050.

Chapter 14.50 CT COMMERCIAL THOROUGHFARE DISTRICT*

Sections:

14.50.010 CT District.

The regulations, general provisions, and exceptions set forth in this chapter and in Chapter 14.66 of this title shall apply in the CT District.

(Ord. 04-259 § 1 (part))

14.50.020 Specific purposes (CT).

Specific purposes for CT Districts are as follows:

- A. To encourage a variety of residential developments, including affordable housing development;
- B. To promote the economic and commercial success of Los Altos;
- C. To encourage aggregation of parcels;
- D. To buffer the impacts of commercial and multi-family land uses on neighboring residential properties;
- E. To emphasize a healthy proportion of retail uses as opposed to office and service uses; and
- F. To allow for mixed uses of commercial and residential

(Ord. 04-259 § 1 (part))

Ord. No. 2017-436 , § 1, 10-10-2017)

14.50.030 Permitted uses (CT).

The following uses shall be permitted in the CT District:

- A. Professional and office-administrative services;
- B. Restaurants, excluding drive-through facilities;
- C. Retail and personal services;
- ~~D.~~ D. Residential Only Development(s);
- ~~E.~~ E. Mixed Use Development(s);
- ~~F.~~ F. Single Room Occupancy (SRO) Housing;
- ~~D-G.~~ Emergency shelters; and
- ~~E-H.~~ Uses which are determined by the city-planner Zoning Administrator to be of the same general character.

(Ord. 05-280 § 8 (part): Ord. 04-259 § 1 (part))

(Ord. No. 2015-406 , § 2, 2-10-2015; Ord. No. 2015-408 , § 2, 6-9-2015)

14.50.040 Conditional uses (CT).

Upon the granting of a use permit in accordance with the provisions of Chapter 14.80 of this title, the following uses shall be permitted in the CT District:

- A. Animal clinics, hospitals, and kennels;
- B. Business, professional, and trade schools;
- ~~C. Cocktail lounges;~~
- ~~D.C.~~ Commercial recreation;
- ~~E.D.~~ Day care centers;
- ~~F.E.~~ Hotels and motels;
- ~~G.F.~~ Medical and dental clinics;
- ~~H. Medical and dental offices that are five thousand (5,000) gross square feet or more;~~
- ~~I. Mixed-use projects, including a combination of multiple-family dwelling units and nonresidential uses;~~
- ~~J.G.~~ Mortuaries;
- ~~K. Multiple-family housing;~~
- ~~L.H.~~ Pet shops;
- ~~M.I.~~ Printing shops;
- ~~N. Single-room occupancy housing;~~
- ~~O.J.~~ Upholstery shops; and
- ~~P.K.~~ Uses which are determined by the planning commission ~~and the city council~~ to be of the same general character.

(Ord. 05-280 § 8 (part); Ord. 04-259 § 1 (part))

(Ord. No. 2015-406 , §§ 3, 4, 2-10-2015; Ord. No. 2015-409 , § 2, 6-9-2015)

14.50.050 Limited conditional uses (CT).

Upon the granting of a use permit in accordance with the provisions of Chapter 14.80 of this title, the following uses shall be permitted except on parcels within fifty (50) feet of an R District:

- A. Automotive display or salesrooms, servicing and repair;
- B. Cabinet and carpenter shops;
- C. Drive-through facilities, including car washes;
- D. Service stations provided the site has at least one hundred (100) feet of frontage on a street with a minimum site area of twenty thousand (20,000) square feet;
- E. Sheet metal shops;
- F. Sign painting shops; and
- G. Theaters and auditoriums.

(Ord. 04-259 § 1 (part))

(Ord. No. 10-348, § 6, 4-13-2010)

14.50.060 Required conditions (CT).

The following conditions shall be required of all uses in the CT District:

- A. All businesses, services, and processes shall be conducted within a completely enclosed structure, except for recycling facilities, parking and loading areas, outdoor dining areas, nurseries, the sale of gasoline and oil at service stations, bus depots, or as permitted under the terms of a permit issued pursuant to Chapter 14.80 of this title.
- B. No use shall be permitted and no process, equipment, or materials shall be employed which are found by the commission to be objectionable by reason of odor, dust, noise, vibration, illumination, glare, unsightliness, or electrical disturbances which are manifested beyond the premises in which the permitted use is located.
- C. No property owner, business owner, or tenant shall permit or allow activities, which violate the requirements of this chapter, including the following general criteria:
 - 1. General screening standard. Every development shall provide sufficient screening to reasonably protect the privacy, safety, and environment of neighboring residential properties and shield them from adverse external effects of that development.

Walls up to twelve (12) feet in height shall be required for the purpose of attenuating noise, odor, air pollution, artificial light, mitigation for grade differential between properties, and providing privacy and safety.
 - 2. Access and screening of refuse collection. Every development will be required to provide suitable space on-site for solid waste separation, collection, storage, and pick up and shall site these in locations that facilitate access, collection, and minimize any negative impact on persons occupying the development site, neighboring properties, or public rights-of-way.
 - 3. Lighting. Lighting within any lot that unnecessarily illuminates any other lot or substantially interferes with the use or enjoyment of such other lot is prohibited. Lighting shall be designed to minimize the glare and intensity of external illumination, and to respect the privacy of neighbors by avoiding direct and reflected illumination onto adjacent properties.
 - 4. Air pollution. Any use that emits any "air contaminant" as defined by the Bay Area Air Quality Management District shall comply with applicable state standards concerning air pollution.
 - 5. Maintenance of common areas, improvements, and facilities. Maintenance of all common areas, improvements, or facilities required by this chapter or any permit issued in accordance with its provisions shall be required except those areas, improvements, or facilities with respect to which an offer of dedication to the public has been accepted by the appropriate public authority.
 - 6. Odors. No use may generate any odor that reasonably may be found objectionable as determined by an appropriate agency such as the Santa Clara County health department and the Bay Area Air Quality Management District beyond the boundary occupied by the enterprise generating the odor. All mechanical, venting, and/or exhausting equipment that generates odors shall be located away from residential properties.
 - 7. Noise. No person shall operate, or cause to be operated, any source of sound at any location within the city or allow the creation of any noise on property owned, leased, occupied or otherwise controlled by such person, which causes the noise level, when measured on any other

property, either incorporated or unincorporated, to exceed standards as set forth in Chapter 6.16 of the Los Altos Municipal Code. All mechanical, venting, and/or exhausting equipment that generates noise shall be located away from residential properties. Exterior heating, venting, and air-conditioning facilities shall be muffled.

In order to attenuate noise associated with commercial development, walls up to twelve (12) feet in height shall be required at a commercial or residential interface.

(Ord. 04-259 § 1 (part))

(Ord. No. 2017-436 , § 1, 10-10-2017)

14.50.070 Site area (CT).

The minimum site area shall be twenty thousand (20,000) square feet. The minimum site frontage shall be seventy-five (75) feet.

(Ord. 04-259 § 1 (part))

14.50.080 Residential density (CT).

~~The maximum permitted residential density shall be thirty-eight (38) dwelling units per net acre of land. No residential density shall be applicable within the Commercial Thoroughfare Zoning District.~~

(Ord. 04-259 § 1 (part))

14.50.090 Front yard (CT).

The minimum front yard depth shall be twenty-five (25) feet, with a minimum of fifty (50) percent of which shall be landscaped.

(Ord. 04-259 § 1 (part))

14.50.100 Side yards (CT).

~~Side yard width shall average seven feet six inches with a minimum setback of four feet over the length of the wall of the structure at the side yard, except that on a corner lot, the width of the side yard adjoining the street shall average fifteen (15) feet with a minimum setback of four feet. For a property that abuts an R-District (excluding access corridors), the following requirements shall apply:~~

- ~~A. When the side property line of the site is across a street or alley from property in an R-District, in which instance the minimum width of that side yard shall be thirty (30) feet;~~
- ~~B. When the side property line of the site abuts on property in an R-District, in which instance the minimum width of that side yard shall be forty (40) feet for any portion of a structure thirty (30) feet or less in height and one hundred (100) feet for any portion of a structure over thirty (30) feet in height;~~
- ~~C. A minimum twenty (20) foot landscape buffer of evergreen trees and shrubs to provide screening shall be provided, all of which shall be permanently maintained by the property owner. No below-grade garage construction or excavation is permitted within this landscape buffer.~~

(Ord. 04-259 § 1 (part))

- a. The minimum interior side yard depth shall be ten (10) feet, with a minimum of fifty (50) percent of which shall be landscaped.
- b. The minimum exterior side yard depth shall be fifteen (15) feet, with a minimum of fifty (50) percent of which shall be landscaped.

(Ord. No. 2017-436 , § 1, 10-10-2017)

14.50.110 Rear yard (CT).

~~No rear yard shall be required, unless the property abuts an R district (excluding access corridors) in which case the following requirements shall apply:~~

- ~~A. When the rear property line of the site is across a street or alley from property in an R-District, the rear yard setback shall be thirty (30) feet for all structures thirty (30) feet or less in height and seventy (70) feet for all structures over thirty (30) feet in height;~~
- ~~B. When the rear property line of the site abuts on property in an R-District, the rear yard setback shall be forty (40) feet for all structures thirty (30) feet or less in height and one hundred (100) feet for all structures over thirty (30) feet in height;~~
- ~~C. A minimum twenty (20) foot landscape buffer of evergreen trees and shrubs to provide screening shall be provided, all of which shall be permanently maintained by the property owner. No below-grade garage construction or excavation is permitted within this landscape buffer.~~

The minimum rear yard depth shall be twenty-five (25) feet, with a minimum of fifty (50) percent of which shall be landscaped.

(Ord. 04-259 § 1 (part))

(Ord. No. 10-351, § 1, 5-25-2010)

14.50.120 Off-street parking (CT).

As provided in Chapter 14.74 of this title.

(Ord. 04-259 § 1 (part))

14.50.130 Off-street loading (CT).

As provided in Chapter 14.74 of this title.

(Ord. 04-259 § 1 (part))

14.50.140 Height of structures (CT).

~~No structure shall exceed forty-five (45) feet in height. Commercial and mixed-use projects that include ground floor commercial floor area shall provide a ground floor with a minimum interior ceiling height of twelve (12) feet.~~

- a. Residential Only Development(s) building height shall be a maximum of fifty-five (55) feet and five (5) stories.
- b. Mixed Use Development(s) building height shall be a maximum of sixty (60) feet and five (5) stories.

(Supp. No. 40, Update 2)

c. Non-Residential Use Only Development(s) building height shall be a maximum of forty-five (45) feet and four (4) stories.

(Ord. 08-323 § 1: Ord. 04-259 § 1 (part))

(Ord. No. 10-351, § 2, 5-25-2010)

14.50.150 Open space (CT).

All multiple-family residential projects, including mixed-use projects with multiple-family dwelling units, except duplexes, shall provide permanently maintained outdoor open space, subject to the following requirements:

- A. Although not required for each dwelling unit, an average of fifty (50) square feet of private open space shall be provided for the total number of dwelling units within a project.
- B. Any private open space provided shall be at the same level and immediately accessible from the unit it serves. The provision of private open space shall not reduce the common open space requirements of this section.
- C. Depending on the number of dwelling units in a multiple-family project, common open space shall be provided to meet the following criteria:
 - 1. Two to ten (10) units: a minimum of eight hundred (800) square feet of common open space shall be provided.
 - 2. Eleven (11) to twenty-five (25) units: a minimum of one thousand six hundred (1,600) square feet of common open space shall be provided.
 - 3. Twenty-six (26) to fifty (50) units: a minimum of two thousand four hundred (2,400) square feet of common open space shall be provided.
 - 4. Fifty-one (51) or more units: a minimum of three thousand two hundred (3,200) square feet of common open space shall be provided.
- D. Common open space areas:
 - 1. Shall be designed to be easily accessible and shall be available for passive and active outdoor recreational purposes for the enjoyment of all residents of the project;
 - 2. Shall be provided as continuous, usable site elements of sufficient size to be usable by residents that may be within the rear yard setback;
 - 3. Shall not include driveways, public or private streets, or utility easements where the ground surface cannot be used appropriately for open space.
 - 4. Common open space areas shall be surfaced with any practical combination of landscaping, paving, decking, concrete, or other serviceable material with no more than fifty (50) percent of the area at grade level covered with a non-permeable surface.
- E. Required common open space shall be controlled and permanently maintained by the owner of the property or by a homeowners' association. Provisions for control and maintenance shall be included in any property covenants of common interest developments.

(Ord. No. 2017-436 , § 1, 10-10-2017)

Editor's note(s)—Ord. No. 2017-436 § 1, adopted October 10, 2017, enacted new provisions set out as §§ 14.50.150, 14.50.160, and 14.50.180, and subsequently renumbered former §§ 14.50.150 through 14.50.180

as 14.50.170 and 14.50.190 through 14.50.210. Historical notation to the former sections have been retained for reference purposes.

14.50.160 Rooftop uses (CT).

Rooftop activities or uses are permitted within the perimeter walls of a structure that meet all setback standards provided also that any such activities or uses are accessory to the principal use or uses of the development, and provided further, activities shall comply with the following performance standards:

- A. No use shall be established or activity conducted that violates the noise standards and limits identified in Chapter 6.16, Noise Control, of the Municipal Code.
- B. No activity shall be conducted which causes ground vibrations perceptible at the property line.
- C. No lighting or illuminated device shall be operated so as to create glare which creates a hazard or nuisance on other properties.
- D. No use or activity shall be conducted without first obtaining any required permit from the county air pollution control district. Uses shall be conducted to prevent dust or other airborne material from crossing property lines.
- E. Solid wastes shall be handled and stored so as to prevent nuisances, health and fire hazards, and to facilitate recycling. Suitable containers shall be provided to prevent blowing or scattering of trash and screened by an enclosure. Suitable concealed space and containers shall be provided at the roof top to encourage the appropriate sorting and collection of discarded materials.
- F. No use may generate any odor that reasonably may be found objectionable as determined by an appropriate agency such as the Santa Clara County Health Department and the Bay Area Air Quality Management District beyond the boundary occupied by the enterprise generating the odor. All mechanical, venting, and/or exhausting equipment that generates odors shall be located away from residential properties.
- G. The use of conventional energy sources for space heating and cooling, water heating, and illumination shall be minimized by means of proper design and orientation, including provision and protection of solar exposure.
- H. These performance standards are general requirements and shall not be construed to prevent the council, boards or commission with review authority or staff from imposing, as part of project approval, specific conditions which may be more restrictive, in order to meet the intent of these regulations.

(Ord. No. 2017-436 , § 1, 10-10-2017)

Editor's note(s)—See Editor's Note § 14.50.150.

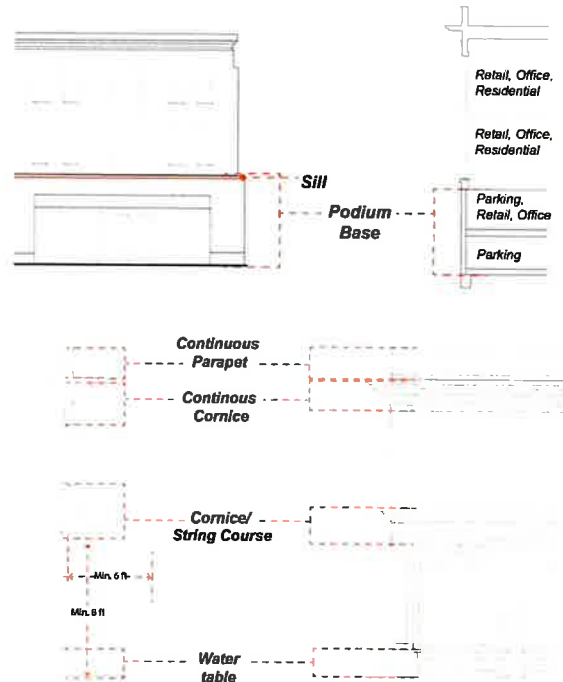
14.50.170 Design control (CT).

- A. **Building Placement.** A minimum seventy-five (75) percent of ground-floor building frontages facing El Camino Real must be built at the minimum setback line. This standard applies to the building frontage only (exclusive of side setbacks).
- B. **Building Massing and Articulation.**
 - 1. **Upper-story Step-backs.**

- a. Front: Minimum ten (10) feet from ground floor façade for stories above forty-five (45) feet in height.
 - b. Street Side: Minimum ten (10) feet from ground floor façade for stories above forty-five (45) feet in height.
2. Vertical Articulation.
- a. When a building façade exceeds one hundred (100) feet in length along a right-of-way, it must be separated into primary façade bays no greater than fifty (50) feet and secondary façade bays defined by a recess a minimum three feet deep and ten (10) feet wide.
 - b. A minimum one entrance shall be provided per one hundred fifty (150) linear feet along El Camino Real and per primary façade bay along all other rights-of-way.
 - c. The eave/roof of a secondary façade bay shall be no higher than the corresponding elements of the primary façade bay.



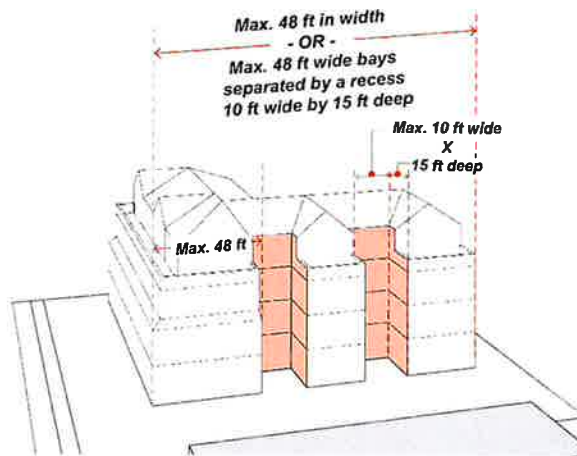
3. Horizontal Articulation. New façades and façade modifications along a street or civic space shall be designed to visually express a base, middle, and top.
- a. One or more of the following patterns shall be used to define the base:
 - i. Watertable: Base material extends from grade to between eight and fifty-four (54) inches above grade.
 - ii. Podium: The base material encompasses the lowest story (or stories) of the building, with or without mezzanine(s), and terminates in a sill, string course, or cornice at its upper bound (multi-story buildings only).
 - iii. Watertable and Cornice/String Course: A watertable using the base material is combined with a cornice or string course at the lowest story's upper bound, including any mezzanine (multi-story buildings only).
 - b. The top of each building mass/bay shall be defined by elements spanning the full length of the façade of the mass/bay. Such elements may include a cornice, eave and/or gable(s), or other elements listed under Section 17.50.170.B.6. These elements shall be consistent with the overall architectural style of the building mass/bay.



4. Adjacencies.

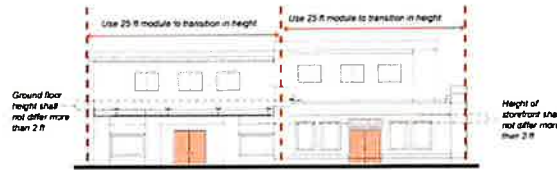
a. Façades Adjacent to an R-1 District.

- i. Building façade planes abutting an R-1 district may not exceed forty-eight (48) feet in width.
- ii. When a building façade abutting an R-1 district exceeds forty-eight (48) feet in width, it must be separated into façade bays no greater than forty-eight (48) feet by a recess ten (10) feet wide and fifteen (15) feet deep.
- iii. Balconies, roof decks and other habitable outdoor space are not allowed on upper-story façades abutting R-1 zones.
- iv. Sliding glass doors, French doors, and floor-to-ceiling windows are not allowed on upper-story façades abutting R-1 zones.



b. Storefront Façades Adjacent to Storefront Façades.

- i. The height of a storefront shall not differ from the height of any adjacent storefront by more than two feet.
- ii. The height of ground story shall not differ from height of any adjacent ground story by more than two feet.
- iii. Storefronts may transition in height using a module of twenty-five (25) feet in length along a right-of-way.

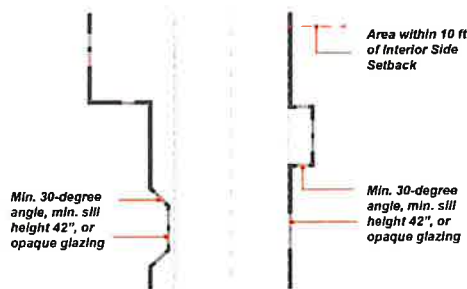


c. Compatibility with Adjacent Shorter Buildings with Height Difference of One Story or More. When adjacent to an existing shorter building with a height difference of one story or more, a proposed building must utilize two or more of the following strategies:

- i. Incorporate the uppermost floor into the roof form.
- ii. Break the mass of the building into smaller modules through changes in wall plane, setbacks, and/or height.
- iii. Match window heights and/or proportions.
- iv. Relate roof cornices and moldings at floor lines.

5. Privacy and Line of Sight.

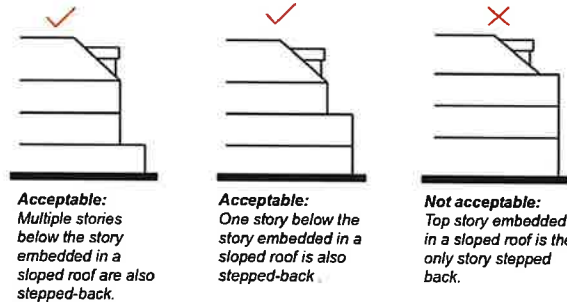
- a. Primary living spaces and balconies located along a side setback shall orient principal windows and balconies toward the front and rear of the building.
- b. Where windows are within ten (10) feet of and oriented toward an interior side setback, glazing shall either be a minimum thirty (30) degree angle measured perpendicular to the adjacent side setback line, have minimum sill height of forty-two (42) inches, or be opaque.
- c. The maximum sill height for an ingress/egress window is forty-four (44) inches from finished floor.



6. Roofline and Roof Design.

- a. Roof designs shall be limited to:
 - i. Hipped.

- ii. Gable.
- iii. Shed.
- iv. Dormer.
- v. Parapet.
 - (a) When used on the first or second floor, a parapet longer than twenty-five (25) feet in length must include at least one but not more than two of the following design elements to break up the length of the parapet:
 - (1) Steps.
 - (2) Curves.
 - (3) Angled surfaces.
 - (b) The length of a parapet segment on the third floor and above may not exceed twenty-five (25) feet.



- b. When the top story is stepped back and embedded in a sloped roof form, the floor below must (and other floors may) be stepped back to meet the slope of the top story.
- c. Building façades facing an R-1 district must have a hipped or gable roof and may incorporate dormers.
- d. Roofline/parapet at corners shall not exceed roofline/parapet of adjacent wallplanes by more than twenty-four (24) inches.

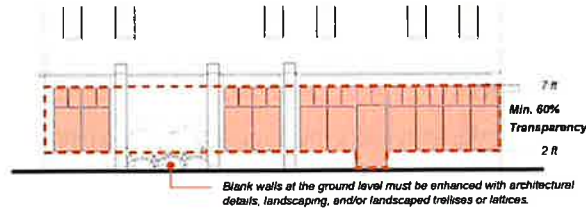


C. Building Design.

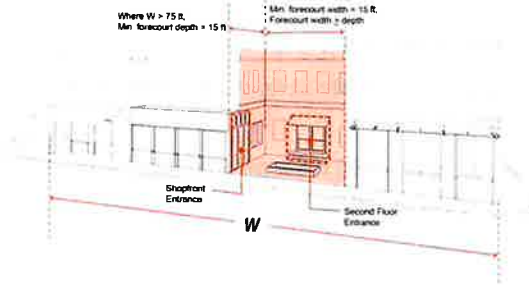
1. Façade Design.

- a. Building façades shall be arranged in an orderly composition of bays, defined by vertically aligned openings alternating horizontally with solid walls or columns. The pattern shall be visually expressed through the spacing of openings, recesses, eaves, inset panels, cornices, overhangs, trellises, exposed rafters, columns, or bay windows.

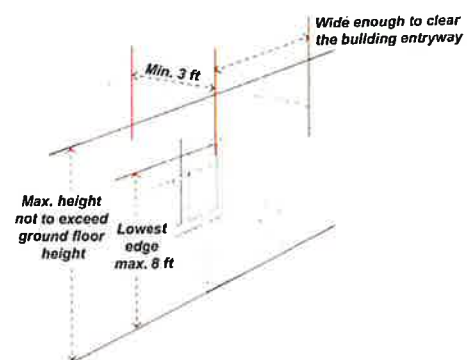
- b. The pattern may be shared between the ground floor and upper stories provided the ground floor exhibits enhanced detail or modulation.
 - c. Residential façades shall incorporate at least one element that signals habitation, such as bay windows, or balconies.
 - d. Non-glazed wall areas (blank walls) must be enhanced with architectural details, landscaping, and/or landscaped trellises or lattices.
2. Ground Level Transparency. A minimum sixty (60) percent of commercial ground floor street-facing façades between two and seven feet in height shall be transparent window surface. Opaque, reflective, or dark tinted glass is not allowed.



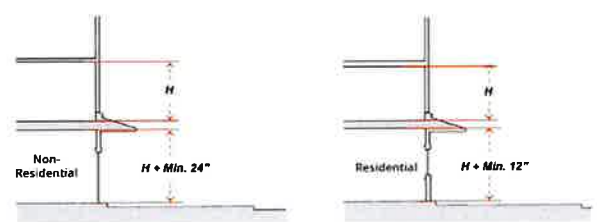
3. Pedestrian-Scaled Entrances.
- a. Buildings more than seventy (70) feet in length along a right-of-way must incorporate at least one forecourt frontage on the right-of-way-facing façade. Required forecourts must also comply with the standards of Section 14.50.170.C.3.b.v. below.
 - b. Each street-facing building façade must incorporate at one of the following entry features. See Section 14.66.275 (Entrance Type Standards) for design standards applicable to each entrance type listed.
 - i. Stoop.
 - ii. Shopfront.
 - (a) Shopfronts more than twenty-five (25) feet in width must incorporate variations in bulkhead, awnings, materials and/or color to visually articulate the shopfront into modules not to exceed twenty-five (25) continuous feet.
 - iii. Gallery.
 - iv. Arcade.
 - v. Forecourt.
 - (a) Forecourts must feature at least one entry to a shop and/or second floor use.
 - (b) The size of the forecourt must be appropriate relative to the size of the building. The maximum ratio of building height to forecourt is 2:1 (height < 2 x width).
 - (c) Forecourt must be minimum fifteen (15) feet in width.
 - (d) Forecourt must be enclosed on at least three sides by buildings.
 - (e) Forecourt must remain open to the sky (arbors and trellises are allowed).



- vi. Terrace.
- c. Primary Entrance Location(s). Locate primary entrance on the front right-of-way.
- d. Individual Entries. Ground floor residential units facing a street must provide individual entries along the street frontage.
- e. Corner Entrances. Chamfered corners must incorporate a building entrance. Any required entrances may be provided on the corner of the building assuming one of the intersecting sides is a primary frontage.
- f. Street-facing Entries to Upper Floors. Street-facing entries to upper floors shall be equal in quality and detail to storefronts. This standard may be satisfied through two or more of the following:
 - i. Dedicated awning, canopy, or other roof element.
 - ii. Stairs with a single color applied to treads and a contrasting color or pattern applied to risers.
 - iii. Dedicated light fixture(s).
 - iv. Decorative street address numbers or tiles.
 - v. Plaque signs for upper-floor business tenants.
- g. Entry Protection. Primary street-facing entrances shall be protected by a recess in the building frontage at least three feet deep or by a projection extending outward at least three feet measured horizontally from the entrance, and wide enough to clear the building entryway on both sides.
 - i. Protection may be coterminous with an accent element.
 - ii. Protection may take the form of an extended eave, overhang, awning, door canopy, gallery, arcade frontage, or other element that provides shade and shelter from the elements.
 - iii. The lowest edge of a projecting awning or door canopy shall have a vertical clearance of no more than eight feet.
 - iv. Recessed entries shall differentiate pavement within the recess through the use of a dedicated paving material or pattern.



- h. Accent elements demarcating building frontage, entrance, and common open space areas shall not exceed the height of the ground floor story. Roof elements are excepted.
- 4. Ground Floor Floor-to-Ceiling Height.
 - a. Minimum twenty-four (24) inches taller than typical upper floor floor-to-ceiling height where ground floor is non-residential.
 - b. Minimum twelve (12) inches taller than typical upper floor floor-to-ceiling where ground floor is residential.



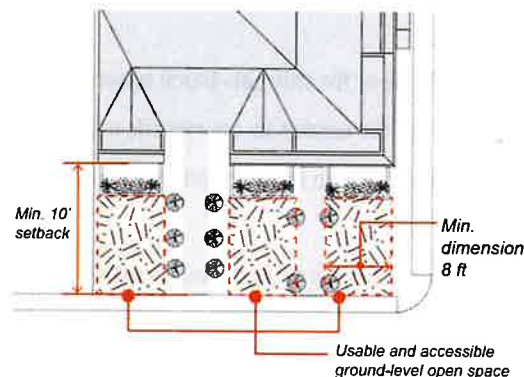
- 5. Interior Courtyard. Interior courtyards must be:
 - a. Partially visible from the street and linked to the street by a clear accessible path of travel.
 - b. Enclosed on at least two sides by buildings.
 - c. Open to the sky (arbors and trellises are allowed).
 - d. A minimum width of twenty (20) feet and a minimum area of four hundred (400) square feet.
- 6. Paseos. Paseos must be:
 - a. A minimum width of ten (10) feet for through-block paseos.
 - b. A minimum width of four feet for entries to courtyards or individual single businesses.

D. Window Design. Vinyl windows are prohibited on façades visible from a right-of-way.

E. Building Materials.

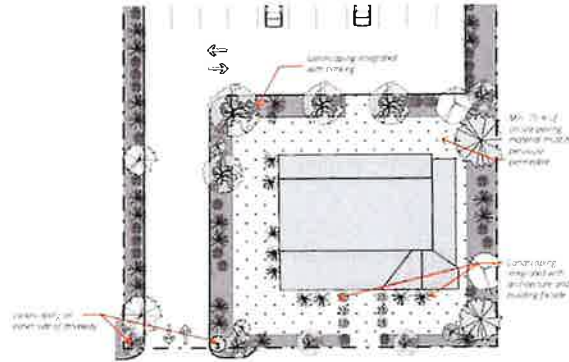
- 1. Primary shall mean fifty (50) percent or more of a façade surface area excluding transparent surfaces. Permitted primary cladding materials are limited to:
 - a. Stucco (minimum two-coat stucco; synthetic stucco or EIFS not allowed).
 - b. Siding (lap, vertical, panelized, or shingle).
 - i. All siding shall be wood, composite wood, or cement fiberboard.

- ii. Wood siding shall be painted or stained.
 - iii. Vinyl and aluminum siding are not permitted.
 - c. Stone.
 - d. Brick.
 - e. Concrete (board-form only).
 - 2. Secondary shall mean less than fifty (50) percent of a façade surface area excluding transparent surfaces. Permitted secondary cladding materials are limited to:
 - a. Stucco (minimum two-coat stucco; synthetic stucco not allowed, EIFS not allowed).
 - b. Siding (lap, vertical, panelized, or shingle).
 - i. All siding shall be wood, composite wood, or cement fiberboard.
 - ii. Wood siding shall be painted or stained.
 - iii. Vinyl and aluminum siding are not permitted.
 - c. Stone (building base only).
 - d. Brick (building base only).
 - e. Tile.
 - f. Metal (matte finish or Cor-ten).
 - i. Ribbed metal, titanium, and mirrored finishes are not permitted.
 - g. Concrete Masonry Units (watertable and building base only, and not allowed on any façade facing a right-of-way or a single-family zone).
 - h. Concrete (building base only, board-form only, cast concrete not permitted).
 - 3. On attached elements, such as bay windows, orioles, and balconies.
- F. Ground Level Open Space. Where any required front, rear, or side yard setback is ten (10) feet or greater, on-site ground-level open space shall be provided within the setback.
 - 1. The ground level open space shall be usable and accessible.
 - 2. The minimum dimension for ground level open space shall be eight feet.



G. Landscaping and Paving.

1. Landscaping must be placed on each side of a driveway at grade or in raised planters.
2. Landscape elements shall be integrated with the building architecture, parking, and streetscape. Recommended patterns shall include, but are not limited to:
 - a. Planters for flowers and shrubs within street frontage.
 - b. Landscape buffers between parking spaces and building façades.
 - c. Landscaping within and/or on walls adjacent to courtyards, open spaces, and setbacks.
3. See Sections 14.66.180 (Maintenance of Landscaped Areas) and 14.70.070 (Landscaped Strips) for additional landscaping standards.

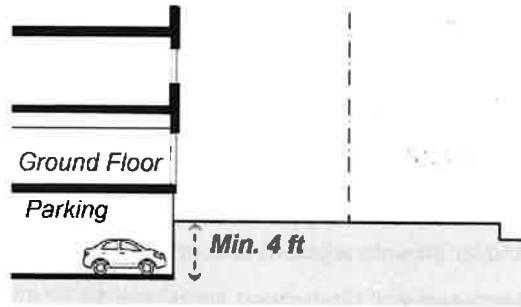


H. Parking Design and Access.

1. Where structured parking is provided, the parking area must be either:
 - a. "Lined" with ground-floor non-residential uses at least thirty (30) feet deep as measured from the front façade; or



- b. Designed such that the floor elevation is a minimum four vertical feet below the elevation of the adjacent sidewalk.



- 2. Visible structured parking must be screened from view from the right-of-way by at least one of the following features:
 - a. Regular punched openings designed to resemble windows of habitable spaces.
 - b. Trellis/living wall.
 - c. Custom textured or decorative screening.
- 3. Entrances to Parking Facilities.
 - a. A maximum of two curb cuts for one-way traffic and one curb cut for two-way traffic may be permitted per street frontage per lot.
 - b. Controlled entrances to parking facilities (gates, doors, etc.) shall be located a minimum ten (10) feet from the back of sidewalk.
 - c. Entrances to parking facilities along a street frontage shall be separated by a minimum of sixty (60) feet.
 - d. Where possible, curb cuts serving adjacent parking facilities shall be shared.
- I. Site Circulation and Access.
 - 1. New development on abutting lots shall be designed to allow cross-access for internal pedestrian, bicycle, and vehicular circulation systems.
 - 2. Bicycle racks shall be provided:
 - a. In or within fifty (50) feet of every parking area; and
 - b. Within twenty (20) feet of at least one building entrance.
- J. Service Areas and Screening.
 - 1. Service areas must be located at the rear of lot.
 - 2. Service areas must be enclosed in enclosures that are architecturally consistent with primary building in terms of materials, colors, and style.
- K. Additional Design Standards. See Section 14.66.280 for additional design standards applicable to all residential mixed-use development in the CT District.

(Ord. 04-259 § 1 (part))

(Ord. No. 2017-436 , § 1, 10-10-2017; Ord. No. 2021-478 , § 1, 9-14-2021)

Editor's note(s)—See Editor's Note § 14.50.150.

14.50.180 Off-street loading for residential (CT).

In order to accommodate the delivery or shipping of goods at a multiple-family residential project, on-site loading/unloading space shall be provided:

- A. There shall be at least one loading/unloading space provided, which shall have minimum dimensions of at least ten (10) feet by twenty-five (25) feet, with fourteen (14) feet of vertical clearance;
- B. Loading and unloading spaces shall be located and designed so that the vehicles intended to use them can maneuver safely and conveniently to and from a public right-of-way without interfering with the orderly movement of traffic and pedestrians on any public way and complete the loading and unloading operations without obstructing or interfering with any parking space or parking lot aisle;
- C. No area allocated to loading and unloading facilities may be used to satisfy the area requirements for off-street parking, nor shall any portion of any of off-street parking area be used to satisfy the area requirements for loading and unloading facilities;
- D. A loading/unloading space may be located in the front yard setback, but shall comply with other required setbacks;
- F. All loading spaces shall be designed and maintained so that vehicles do not back in from, or onto, a public street;
- G. Loading spaces shall be striped indicating the loading spaces and identifying the spaces for "loading only." The striping shall be permanently maintained by the property owner/tenant in a clear and visible manner at all times; and
- H. Adequate signage shall be provided that directs delivery vehicles to the loading space.

(Ord. No. 2017-436 , § 1, 10-10-2017)

Editor's note(s)—See Editor's Note § 14.50.150.

14.50.190 Signs (CT).

As provided in Chapter 14.68 of this code.

(Ord. 04-259 § 1 (part); Ord. No. 2015-414, § 12, 9-8-2015; Ord. No. 2017-436 , § 1, 10-10-2017)

Editor's note(s)—See Editor's Note § 14.50.150.

14.50.200 Fences (CT).

As provided in Chapter 14.72 of this title.

(Ord. 04-259 § 1 (part))

(Ord. No. 2017-436 , § 1, 10-10-2017)

Editor's note(s)—See Editor's Note § 14.50.150.

14.50.210 Nonconforming use regulations (CT).

As provided in Chapter 14.66 of this title.

(Ord. 04-259 § 1 (part))

(Ord. No. 2017-436 , § 1, 10-10-2017)

Editor's note(s)—See Editor's Note § 14.50.150.

CHAPTER 14.63 – SPECIALIZED HOUSING REGULATIONS

Article 1. Supportive and Transitional Housing

Section 14.63.010 – Purpose

The purpose of this Section is to establish provisions for the review of supportive and transitional housing. The established provisions of this chapter shall allow for all proposed supportive and transitional housing to be a use by right in zones where multifamily and mixed uses are permitted, including nonresidential zones permitting multifamily uses.

Section 14.63.020 – Definitions

“Supportive housing” shall mean a housing development project as defined in Government Code section 65582(g), as may be amended or renumbered from time to time, as being housing with no limit on length of stay, that is occupied by the target population, and that is linked to an on-site or off-site service that assists the supportive housing resident 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 is a residential use and is subject to only those restrictions that apply to other residential uses of the same type in the same zone. “Target population” means persons with low incomes who have one or more disabilities as described in section 65582(i) of the Government Code.

“Transitional housing” shall mean a housing development project as defined in Government Code section 65582(j), as may be amended or renumbered from time to time, as being building(s) configured as a rental housing development, but operated under program requirements that require the termination of assistance and recirculating of the assisted unit to another eligible program recipient at a predetermined future point in time that shall be no less than six (6) months from the beginning of the assistance. Transitional housing is a residential use and is subject to only those restrictions that apply to other residential uses of the same type in the same zone.

Section 14.63.030 – Allowed Zoning

The districts established by this section shall allow supportive and transitional housing and are designated as follows:

- Multiple-Family District (R3-4.5)
- Multiple-Family District (R3-5)
- Multiple-Family District (R3-3)
- Multiple-Family District (R3.1.8)
- Multiple-Family District (R3-1)
- Commercial Downtown/Multiple-Family District (CD/R3)
- Commercial Thoroughfare District (CT)

Section 14.63.040 – Development Standards

Development Standards shall be the same for supportive and transitional housing as they are for any residential housing development located within the zoning district. Additional standards specific for supportive and transitional housing developments are as follows:

- A. Units within the development are subject to a recorded affordability restriction for fifty-five (55) years.
- B. One hundred percent (100%) of the units, excluding managers’ units, within the development are dedicated to lower income households and are receiving public funding to ensure affordability of the housing to lower income residents. For purposes of this paragraph, “lower income households” has the same meaning as defined in section 50079.5 of the Health and Safety Code.
- C. At least twenty-five percent (25%) of the units in the development or 12 units, whichever is greater, are restricted to residents in supportive housing who meet the criteria of the target population. If the development consists of fewer than 12 units, then one hundred percent (100%) of the units, excluding managers’ units, in the development shall be restricted to residents in supportive housing.
- D. The developer provides the planning agency with the information required by Section 65652 of the Government Code.
- E. Nonresidential floor area shall be used for onsite supportive services in the following amounts:
 - 1. For a development with twenty (20) or fewer total units, at least 90 square feet shall be provided for onsite supportive services.
 - 2. For a development with more than twenty (20) units, at least three percent (3%) of the total nonresidential floor area shall be provided for onsite supportive services that are limited to tenant use, including, but not limited to, community rooms, case management offices, computer rooms, and community kitchens.
- F. The developer replaces any dwelling units on the site of the supportive housing development in the manner provided in paragraph (3) of subdivision (c) of Section 65915 of the Government Code.
- G. Units within the development, excluding managers’ units, include at least one bathroom and a kitchen or other cooking facilities, including, at minimum, a stovetop, a sink, and a refrigerator.
- H. Parking.
 - 1. Parking stall requirement shall be one-half (0.5) per unit and one (1) for each onsite management/staff.
 - 2. No Parking shall be required within one half mile of a public transit stop.

Section 14.63.050 – Application Review

- 1. The Development Services Department shall notify the project applicant whether the application is complete within thirty (30) days of receipt of an application.
- 2. After the application is deemed complete, the Development Services Department shall complete its review of the application within sixty (60) days for projects of fifty (50) or

fewer units and one hundred and twenty (120) days for projects of fifty-one (51) and greater.

Article 2. Low-Barrier Navigation Center

Section 14.63.060 – Purpose

The purpose of this chapter is to establish development standards for low-barrier navigation centers and to ensure this use is constructed and operated in a manner that is consistent with the requirements and allowances of state law, specifically Article 12 of Chapter 3 of Division 1 of Planning and Zoning Law commencing with Government Code Section 65660.

Section 14.63.070 – Definitions

“Low-barrier navigation center” means a housing-first, low-barrier, service-enriched shelter focused on moving people into permanent housing that provides temporary living facilities while case managers connect individuals experiencing homelessness to income, public benefits, health services, shelter, and housing. “Low barrier” means best practices to reduce barriers to entry, and may include, but is not limited to, the following:

1. The presence of partners if it is not a population-specific site, such as for survivors of domestic violence or sexual assault, women, or youth.
2. Pets.
3. The storage of possessions.
4. Privacy, such as partitions around beds in a dormitory setting or in larger rooms containing more than two beds, or private rooms.

Section 14.63.080 – Applicability & Review

The provisions of this chapter shall apply to all low-barrier navigation center projects.

The permit shall be a ministerial action without discretionary review or a hearing. The city will notify a developer whether the developer’s application is complete within 30 days, pursuant to Government Code section 65943. Action shall be taken within 60 days of a complete application being filed.

Section 14.63.090 – Permit Required

A planning permit is required prior to the establishment of any low-barrier navigation center project meeting the following criteria:

1. It offers services to connect people to permanent housing through a services plan that identifies services staffing.
2. It is linked to a coordinated entry system, so that staff in the interim facility or staff who co-locate in the facility may conduct assessments and provide services to connect people to permanent housing. “Coordinated entry system” means a centralized or coordinated assessment system developed pursuant to Section 576.400(d) or Section 578.7(a)(8), as applicable, of Title 24 of the Code of Federal Regulations, as those sections read on January

- 1, 2020, and any related requirements, designed to coordinate program participant intake, assessment, and referrals.
- 3. It complies with Chapter 6.5 (commencing with Section 8255) of Division 8 of the Welfare and Institutions Code.
- 4. It has a system for entering information regarding client stays, client demographics, client income, and exit destination through the local Homeless Management Information System as defined by Section 578.3 of Title 24 of the Code of Federal Regulations.

14.63.100 – Allowed Zoning

The districts established by this Section shall allow low-barrier navigation centers and are designated as follows:

- Commercial Downtown/Multiple-Family District (CD/R3)
- Commercial Neighborhood District (CN)
- Commercial Downtown District (CD)
- Commercial Retail Sales District (CRS)
- Commercial Thoroughfare District (CT)
- Commercial Retail Sales/Office District (CRS/OAD)

14.63.110 – Development Standards

All low-barrier navigation center development shall meet the following requirements:

- A. **Connected Services.** It offers services to connect people to permanent housing through a services plan that identifies services staffing.
- B. **Coordinated Entry System.** It is linked to a coordinated entry system, so that staff in the interim facility or staff who co-locate in the facility may conduct assessments and provide services to connect people to permanent housing. “Coordinated entry system” means a centralized or coordinated assessment system developed pursuant to Section 576.400(d) or Section 578.7(a)(8), as applicable, of Title 24 of the Code of Federal Regulations, as those sections read on January 1, 2020, and any related requirements, designed to coordinate program participant intake, assessment, and referrals.
- C. **Code Compliant.** It complies with Chapter 6.5 (commencing with Section 8255) of Division 8 of the Welfare and Institutions Code.
- D. **Homeless Management Information System.** It has a system for entering information regarding client stays, client demographics, client income, and exit destination through the local Homeless Management Information System, as defined by Section 578.3 of Title 24 of the Code of Federal Regulations.

Article 3. Reasonable Accommodation

Section 14.63.120 – Purpose

The purpose of reasonable accommodations is to provide provisions in accordance with federal and state fair housing laws (42 USC § 3600 et seq. and Government Code §§ 65008 and 12900 et seq., together referred to as “Fair Housing Laws”) for persons with disabilities seeking fair access

to housing in the application of the city's zoning laws. The term "disability" as used in this article shall have the same meaning as the term's "disability", "handicapped", or similar terms, as defined in the Fair Housing Laws, as may be amended from time to time. The purpose of this article is to establish the procedure by which a request for a reasonable accommodation shall be made and processed.

Section 14.63.130 – Applicability

- A. A request for reasonable accommodation may be made by any individual with a disability, his or her representative, or a developer or provider of housing for individuals with disabilities, when the application of a land use, zoning or building regulation, policy, practice, or procedure acts as a barrier to housing opportunities.
- B. A request for reasonable accommodation may include a modification or exception to the rules, standards, development, and use of housing-related facilities that would eliminate regulatory barriers and provide a person with a disability equal opportunity for the housing of their choice.
- C. A request for reasonable accommodation in regulations, policies, practices, and procedures may be filed at any time that the accommodation may be necessary to ensure equal access to housing. Reasonable accommodation does not affect the obligations of an individual or a developer of housing for an individual with disabilities to comply with other applicable regulations not necessary to achieve the purposes set forth in paragraph (B).
- D. If a request for reasonable accommodation is granted, the request shall be granted to an individual and shall not run with the land unless it is determined that (1) the modification is physically integrated into the residential structure and cannot easily be removed or altered to comply with applicable city or state codes, or (2) the accommodation is to be used by another individual with a disability.

Section 14.63.140 – Request for Reasonable Accommodation

- A. Application for a request for reasonable accommodation shall be made in writing on a form provided by the Development Services Department. The form shall be signed by the property owner or authorized agent. The application shall state the circumstances and conditions relied upon as grounds for the application and shall be accompanied by adequate plans and all other materials as specified by the Development Services Director. The application shall include the zoning, land use and/or building code provision, regulation, policy or practice from which modification or exception for reasonable accommodation is being requested, including an explanation of how application of the existing zoning, land use or building code provision, regulation, policy or practice would preclude the provision of reasonable accommodation, along with documentation that demonstrates the reason that the requested accommodation may be necessary for the individual(s) with the disability to use and enjoy the dwelling.
- B. If any information provided is identified by an applicant as confidential then the city shall endeavor to withhold that information from copying and inspection by members of the public, to the extent reasonably determined by the city to be authorized or required by applicable law, including Government Code sections 7926.000 to 7926.500 and 7927.705, and Section 1 of Article 1 of the California Constitution.

Section 14.63.150 – Review Authority and Procedure

- A. Within 60 days of receipt of a completed application, the Development Services Director, or designee, shall issue a written determination to approve, conditionally approve, or deny a request for reasonable accommodation, and the modification or revocation thereof in compliance with this chapter. The request shall be processed independently of any other required development permits. However, approval of reasonable accommodation may be conditioned upon approval of other related permits.
- B. The filing of an application for request for reasonable accommodation shall not require public notice.
- C. If necessary to reach a determination on the request for reasonable accommodation, the Development Services Director, or designee, may request further information from the applicant consistent with Fair Housing Laws, specifying in detail the information that is required.
- D. The decision on a request for reasonable accommodation shall be final and not appealable.

Section 14.63.160 – Findings

- A. The written decision to grant or deny a request for reasonable accommodation will be consistent with the Fair Housing Laws and shall be based on consideration of the following factors:
 - 1. The housing which is the subject of the request for reasonable accommodation will be occupied by an individual, or individuals, with a disability protected under Fair Housing Laws;
 - 2. The requested accommodation is necessary to make specific housing available and/or accessible to an individual with a disability protected under the Fair Housing Laws;
 - 3. The requested accommodation would not impose an undue financial or administrative burden on the City; and
 - 4. The requested accommodation would not require a fundamental alteration in the nature of the city’s land use and zoning and building regulations, policies, practices, and procedures.
- B. In granting a request for reasonable accommodation, the Development Services Director, or designee may impose any conditions of approval deemed reasonably necessary to ensure that the reasonable accommodation would comply with the findings required above.

Article 4. Qualified Employee Housing

Section 14.63.180 – Purpose

The Employee Housing Act allows for flexibility in housing types for employee housing, including conventional and nonconventional structures, such as: living quarters, boardinghouse, tent, bunkhouse, mobilehome, manufactured home, recreational vehicle, and travel trailers. The laws and regulations governing these structures depend on the housing type; however, all qualified employee housing must comply with: the Employee Housing Act (Health and Safety Code Section 17000 et seq.) and the Employee Housing Regulations (California Code of Regulations Title 25, Division 1, Chapter 1, Subchapter 3—Employee Housing), which outline specific requirements

for the construction of housing, maintenance of grounds, buildings, sleeping space and facilities, sanitation and heating; and the provisions of this section.

Section 14.63.190 – Definitions

“Qualified employee housing” means employee housing defined in Health & Safety Code section 17008, even if the housing accommodations or property are not located in a rural area, as defined by Health & Safety Code section 50101. Any housing development project approved pursuant to Health & Safety Code section 17021.8 is also “qualified employee housing,” and shall be a permitted use notwithstanding anything to the contrary in this code.

Section 14.63.200 – Review Authority and Procedure

- A. Qualified employee housing for seven (7) or more employees shall be considered an agricultural use and shall not require any discretionary approval not required of other agricultural activity in the same zone, provided that:
 - 1. The qualified employee housing should not consist of more than thirty-six (36) beds in a group quarters or twelve (12) units or spaces designed for use by a single family or household.
 - 2. All temporary or permanent structures that contain qualified employee housing shall meet the setback, lot coverage, height, and other development standards applicable to the zone in which it is located.
 - 3. Parking shall be provided in accordance with chapters 14.74 and 14.75 of this code, unless the applicant provides substantial evidence demonstrating that the actual parking need is lower, subject to the approval of the Development Services Director.
 - 4. Qualified employee housing shall comply, as applicable, with the following: (1) Employee Housing Act (California Health and Safety Code Sections 17000—17062); (2) Mobilehome Parks Act (California Health and Safety Code Sections 18200—18700); and Special Occupancy Parks Act (California Health and Safety Code Sections 18860—18874), as may be amended from time to time.
 - 5. Qualified employee housing shall be reviewed and approved subject to the same requirements as other agricultural uses within the same zone.
 - 6. If an existing agriculture use does not have any required permit, a permit for both the agricultural use and qualified employee housing must be obtained.
 - a. The property owner shall obtain and maintain any required permit to operate pursuant to Health & Safety Code section 17030 et seq.
 - 7. The property owner shall: (1) complete and submit to the Development Services Director a verification form no later than thirty (30) days after receiving a permit to operate from HCD; (2) a verification form shall be submitted to the Development Services Director annually to ensure compliance with this Chapter 14.63; and (3) the verification form shall include: information regarding the agricultural use, housing type, number of dwelling units or beds, number of occupants, occupants’ employment information, and proof that a permit to operate has been obtained and maintained.

8. Qualified employee housing – seven or more employees shall be removed or converted to another permitted use at such time as the agricultural activity to which it relates ceases operation for more than twelve (12) consecutive months.

B. Qualified employee housing providing accommodations for six (6) or fewer employees, pursuant to Health and Safety Code section 17021.5, shall be deemed a single-family dwelling and is allowed in residential zones. Qualified employee housing for six (6) or fewer employees is subject to all municipal codes, regulations, and other standards generally applicable to other residential dwellings of the same type in the same zone.

Article 5. Manufactured Homes and Factory-Built Housing

14.63.200 – General Provisions

The City of Los Altos shall allow the installation of manufactured homes certified under the National Manufactured Housing Construction and Safety Standards Act of 1974 (42 U.S.C. Secs. 5401 et seq.) on a foundation system, pursuant to Section 18551 of the Health and Safety Code, on lots zoned for conventional single-family residential dwellings. Except with respect to architectural requirements, the city shall only subject the manufactured home and the lot on which it is placed to the same development standards to which a conventional single-family residential dwelling on the same lot would be subject, including, but not limited to, building setback standards, side and rear yard requirements, standards for enclosures, access, and vehicle parking, aesthetic requirements, and minimum square footage requirements. Any architectural requirements imposed on the manufactured home structure itself, exclusive of any requirement for any and all additional enclosures, shall be limited to its roof overhang, roofing material, and siding material. These architectural requirements may be imposed on manufactured homes even if similar requirements are not imposed on conventional single-family residential dwellings. However, any architectural requirements for roofing and siding material shall not exceed those which would be required of conventional single-family dwellings constructed on the same lot. In no case may the city apply any development standards that will have the effect of precluding manufactured homes from being installed as permanent residences.

14.63.210 – Review Authority

Manufactured Homes and Factory-Built Housing shall be reviewed and approved in accordance with the provisions of all single-family housing development within the City of Los Altos.

Article 6. Residential Care Facilities

Section 14.63.220 – Purpose

The purpose of this section is to establish provisions for the review of residential care facilities. The established provisions of this chapter shall allow for all proposed residential care facilities to be a use by right in zones where residential structure(s) and use(s) are allowed or existing at the time this code was established.

Section 14.63.230 – Definitions

“Residential Care Facility” or “Residential Care Facilities” shall be defined consistent with the California Health & Safety Code Section 1502 which may be amended from time to time. The following shall constitute a Residential Care Facility within the City of Los Altos:

1. “Community care facility” means any facility, place, or building that is maintained and operated to provide nonmedical residential care, day treatment, adult day care, or foster family agency services for children, adults, or children and adults, including, but not limited to, the physically handicapped, mentally impaired, incompetent persons, and abused or neglected children, and includes the following:
 - a. “Residential facility” means any family home, group care facility, or similar facility determined by the director, for 24-hour nonmedical care of persons in need of personal services, supervision, or assistance essential for sustaining the activities of daily living or for the protection of the individual.
 - b. “Adult day program” means any community-based facility or program that provides care to persons 18 years of age or older in need of personal services, supervision, or assistance essential for sustaining the activities of daily living or for the protection of these individuals on less than a 24-hour basis.
 - c. “Therapeutic day services facility” means any facility that provides nonmedical care, counseling, educational or vocational support, or social rehabilitation services on less than a 24-hour basis to persons under 18 years of age who would otherwise be placed in foster care or who are returning to families from foster care. Program standards for these facilities shall be developed by the department, pursuant to Section 1530, in consultation with therapeutic day services and foster care providers.
 - d. “Foster family agency” means any public agency or private organization engaged in the recruiting, certifying, and training of, and providing professional support to, foster parents, or in finding homes or other places for placement of children for temporary or permanent care who require that level of care. Private foster family agencies shall be organized and operated on a nonprofit basis.
 - e. “Foster family home” means any residential facility providing 24-hour care for six or fewer foster children that is owned, leased, or rented and is the residence of the foster parent or parents, including their family, in whose care the foster children have been placed. The placement may be by a public or private child placement agency or by a court order, or by voluntary placement by a parent, parents, or guardian. It also means a foster family home described in Section 1505.2.
 - f. “Small family home” means any residential facility, in the licensee’s family residence, that provides 24-hour care for six or fewer foster children who have mental disorders or developmental or physical disabilities and who require special care and supervision as a result of their disabilities. A small family home may accept children with special health care needs, pursuant to subdivision (a) of Section 17710 of the Welfare and Institutions Code. In addition to placing children with special health care needs, the department may approve placement of children without special health care needs, up to the licensed capacity.

- g. “Social rehabilitation facility” means any residential facility that provides social rehabilitation services for no longer than 18 months in a group setting to adults recovering from mental illness who temporarily need assistance, guidance, or counseling. Program components shall be subject to program standards pursuant to Article 1 (commencing with Section 5670) of Chapter 2.5 of Part 2 of Division 5 of the Welfare and Institutions Code.
- h. “Community treatment facility” means any residential facility that provides mental health treatment services to children in a group setting and that has the capacity to provide secure containment. Program components shall be subject to program standards developed and enforced by the State Department of Health Care Services pursuant to Section 4094 of the Welfare and Institutions Code.

14.63.240 – Allowed Zoning

The districts established by this section shall allow residential care facilities by-right and are designated as follows:

- Single-Family District (R1-10);
- Single-Family District (R1-H);
- Single-Family District (R1-20);
- Single-Family District (R1-40);
- Single-Story Single-Family Overlay District (R1-S);
- Multiple-Family District (R3-4.5);
- Multiple-Family District (R3-5);
- Multiple-Family District (R3-3);
- Multiple-Family District (R3.1.8);
- Multiple-Family District (R3-1);
- Office-Administrative District (OA);
- Office-Administrative District (OA-1 and OA-4.5);
- Commercial Downtown/Multiple-Family District (CD/R3);
- Commercial Neighborhood District (CN);
- Commercial Downtown District (CD);
- Commercial Retail Sales District (CRS);
- Commercial Thoroughfare District (CT);
- Commercial Retail Sales/Office District (CRS/OAD);
- Planned Community (PC);
- Planned Unit Development (PUD).

Section 14.63.250 – Permit Required

- A. No Residential Care Facility regardless of size shall require discretionary review to establish use and operation within the City of Los Altos. This provision is only applicable to the allowed use and does not apply to any discretionary review required by other chapters within the code for the establishment or modification of any structure within the City of Los Altos.

- B. Any required building permit shall be obtained from the Development Services Department prior to establishing the use and operation within the City of Los Altos.
- C. Any required license or permit by the California Department of Social Services (CDSS) or the California Department of Health Care Services (DHCS) that is required shall be obtained prior to establishing use and operation within the City of Los Altos.

14.63.260 – Development Standards

All residential care facilities shall meet the standard development standards for the zone in which it is located. No additional or special development standards shall be imposed on any residential care facility.

ORDINANCE NO. 2023-__

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LOS ALTOS REPEALING IN ITS ENTIRETY THE LOYOLA CORNERS SPECIFIC PLAN, CHAPTER 14.42 OF THE LOS ALTOS MUNICIPAL CODE, AND CITY COUNCIL RESOLUTION NO. 2017-41 AND REINSTATING THE UNDERLYING ZONING DISTRICTS TO ALL AFFECTED PARCELS TO IMPLEMENT PROGRAM 1.E OF THE SIXTH CYCLE HOUSING ELEMENT UPDATE

WHEREAS, the City Council is empowered pursuant to Article XI, Section 7 of the California Constitution to make and enforce within the City all local, police, sanitary, and other ordinances and regulations not in conflict with general laws; and

WHEREAS, on January 24, 2023, the City Council approved the City’s Sixth Cycle Housing Element Update; and

WHEREAS, the City Council held a duly noticed public hearing on November 14, 2023, and November 28, 2023; and

WHEREAS, Program 1.E of the Housing Element Update calls for Update of the Loyola Corners Specific Plan; and

WHEREAS, Program 1.E of the Housing Element Update requires the City of Los Altos to rescind and revert to underlying zoning districts to facilitate housing production; and

WHEREAS, Program 1.E of the Housing Element Update requires the City of Los Altos repeal all conflicting land use regulations present in the Loyola Corner area; and

WHEREAS, Program 1.E of the Housing Element Update requires the City of Los Altos repeal all land use regulations that are in opposition to Housing law; and

WHEREAS, the City Council repeals in its entirety the Loyola Corners Specific Plan; and

WHEREAS, Upon repeal of the Loyola Corners Specific Plan all effected parcels shall return to the underlying zoning districts as identified on the adopted City of Los Altos Zoning Map; and

WHEREAS, the City Council repeals in its entirety City Council Resolution 2017-41 which enacted development standards which violate the Housing Crisis Act and are not enforceable; and

WHEREAS, the City Council repeals in its entirety Chapter 14.42 – LC/SPZ Loyola Corners Specific Plan Zone District; and

WHEREAS, this Ordinance is exempt from environmental review pursuant to Section 15061(b)(3) of the State Guidelines implementing the California Environmental Quality Act of 1970, as amended; and

NOW, THEREFORE, the City Council of the City of Los Altos does hereby ordain as follows:

SECTION 1. AMENDMENT OF CHAPTER 14.42 OF THE MUNICIPAL CODE. Chapter 14.42 of the Los Altos Municipal Code is hereby amended as set forth in Appendix A to this Ordinance, underline indicating addition, and strikethrough indicating deletion.

SECTION 2. CONSTITUTIONALITY; AMBIGUITIES. If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions hereof. Any ambiguities in the Los Altos Municipal Code created by this Ordinance shall be resolved by the Director of Development Services, in their reasonable discretion, after consulting the City Attorney.

SECTION 3. PUBLICATION. This Ordinance shall be published as provided in Government Code Section 36933.

SECTION 4. EFFECTIVE DATE. This Ordinance shall be effective upon the commencement of the thirty-first day following the adoption hereof.

The foregoing Ordinance was duly and properly introduced at a regular meeting of the City Council of the City of Los Altos held on __, 2023, and was thereafter, at a regular meeting held on __, 2023, passed and adopted by the following vote:

- AYES:
- NOES:
- ABSENT:
- ABSTAIN:

Sally Meadows, MAYOR

Attest:

Melissa Thurman, MMC, CITY CLERK

**APPENDIX A
AMENDMENTS TO CHAPTER 14.42**

Chapter 14.42 ~~RESERVED LC/SPZ LOYOLA CORNERS SPECIFIC PLAN ZONE DISTRICT~~

Sections:

~~14.42.010 RESERVED FOR FUTURE USE LC/SPZ District.~~

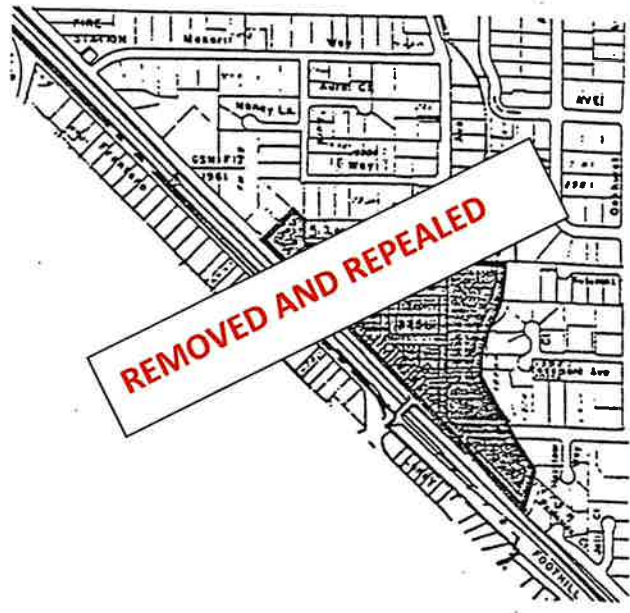
~~The regulations, general provisions, and exceptions set forth in this chapter, Chapter 14.40, and Chapter 14.66 shall apply in the LC/SPZ District. The zoning district regulations implement the Loyola District. The zoning district regulations implement the Loyola Corners neighborhood commercial center specific plan. These district regulations incorporate by reference Chapter 14.40 — Neighborhood Commercial District Regulations except as indicated below. Where a conflict occurs between this chapter and Chapter 14.40, this chapter shall take precedence.~~

~~{Prior code § 10-2.1701}~~

~~14.42.020 Specific purposes (LC/SPZ).~~

~~Specific purposes for LC/SPZ Districts are as follows:~~

- ~~A. — To maintain a neighborhood convenience commercial orientation supplemented on a limited basis with retail service and office-administrative services uses;~~
- ~~B. — To implement the objectives, policies and commercial center specific plan;~~
- ~~C. — To assist in the re-establishment of business momentum for Loyola Corners;~~
- ~~D. — To protect nearby residents from unreasonable intrusions from the shopping area;~~
- ~~E. — To apply to the area delineated below:~~



~~(Prior code § 10-2-1702)~~

~~(Ord. No. 2015-406, § 2, 2-10-2015)~~

~~**14.42.030 Limited permitted uses (LC/SPZ).**~~

- ~~A.— Re-establishment of business momentum in the Loyola Corners Neighborhood Commercial Center is important to retain its economic vitality. Long term vacancies can significantly adversely impact the area's success.~~
- ~~B.— For those properties in the LC/SPC Zoning District a use permit for office use in the above described area may be permitted for a period of up to ten (10) years to be determined on a case by case basis provided the city council can make a positive finding to each of the following issues:~~
 - ~~1.— That the space proposed to be occupied by the office use is developed space which has been vacant for the previous twelve (12) months;~~
 - ~~2.— That the property owner has demonstrated to the satisfaction of the city council that during the previous twelve (12) months the space to be occupied has been actively but unsuccessfully marketed as retail space at fair market value;~~
 - ~~3.— That the proposed office is of a type that receives significant clientele visitations;~~
 - ~~4.— That the owner of the proposed office use has agreed to maintain a pedestrian friendly exterior by maintaining visual access into the building interior through windows which are not permanently blocked during business hours; and~~
 - ~~5.— Such use does not significantly remove the area from an ideal cost/benefit ratio of seventy (70) percent retail and thirty (30) percent office which is determined necessary to (i) provide a retail center whose function it is to provide retail services to the surrounding community; (ii) provide a lively, active and diversified shopping experience; and (iii) ensure that a reasonable portion of the commercial activities are generating taxable retail sales.~~

C. Voluntary discontinuance of the office use shall require conversion of such use to a permitted use, a conditionally permitted use found to meet the criteria of Chapter 14.80 of this title of the Los Altos Municipal Code, or a limited permitted use based on the findings of this section.

D. Any request for an extension of time shall be subject to the provisions outlined in Chapter 14.80 of this title.
(Prior code § 10-2.1703)

14.42.040 Conditional expansion.

A. In order to allow moderate expansion to enhance economic vitality, twenty three thousand (23,000) square feet of expansion (over and above the approximately ninety one thousand (91,000) square feet, one hundred ten thousand (110,000) including the Post Office, of existing square feet in December 1990) shall be permitted subject to a use permit pursuant to Chapter 14.80 of this title of the Los Altos Municipal Code. The additional square footage shall be aggregated as follows:

- 1. New ground level retail fifteen thousand (15,000) square feet;
- 2. Second level retail service four thousand (4,000) square feet;
- 3. Second level office use four thousand (4,000) square feet.

B. The following definitions apply in allocating space for expansion;

- 1. Retail stores are commercial establishments which predominantly sell products rather than services, directly to the general public, generally for household use, on a daily basis. Examples include groceries, produce markets, liquor stores, furniture stores, sporting goods and gas stations and other types of establishments which tend to draw other people into the area.
- 2. Retail services are commercial establishments which predominantly sell services directly to the general public, generally for household use, on a daily basis. Examples include beauty and barber shops, banks, dry cleaners and repair shops.
- 3. Office administrative services are commercial establishments which predominantly sell to the general public or to businesses and other customers as well. The contact with the general public is not as frequent as with retail services and a significant portion of the business may take place at other locations, Examples include law offices, accountants, medical, advertising and software computer programming.

C. This section shall apply to all properties within the Loyola Corners planning area except for those defined in the specific plan as "specific parcels" which have policies contrary to this section, as approved by the city.

(Prior code § 10-2.1704)

(Ord. No. 2015-406, § 2, 2-10-2015)

14.42.050 Off street parking (LC/SPZ).

Not less than one parking space for each three hundred (300) square feet of gross floor area shall be required. Properties whose existing ground floor space is occupied by a nonconforming use shall not be permitted second level office use expansion based upon a parking ratio of one space for each three hundred (300) square feet of gross floor area unless an amount of ground floor space equivalent to the second floor addition is converted to a conforming permitted or conditionally permitted use, unless the nonconforming use is found by the city council to be an undesirable retail location, and there is a parking study from which the city council may determine that on site parking is adequate.

{Prior code § 10-2.1705}

{Ord. No. 10-348, § 9, 4-13-2010}

ORDINANCE NO. 2023-__

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LOS ALTOS
AMENDING CHAPTER 14.88 OF THE LOS ALTOS MUNICIPAL CODE
PERTAINING TO REZONING OF A PARCEL LOCATED AT 4546 EL CAMINO REAL
(APN: 16712042) FROM R1-10 TO COMMERCIAL THOROUGHFARE (CT) AND
REPEALING IN ITS ENTIRETY PLANNED UNIT DEVELOPMENT (62-PUD/C7) TO
IMPLEMENT PROGRAM 1.F REZONE VILLAGE COURT PARCEL OF THE SIXTH
CYCLE HOUSING ELEMENT UPDATE**

WHEREAS, the City Council is empowered pursuant to Article XI, Section 7 of the California Constitution to make and enforce within the City all local, police, sanitary, and other ordinances and regulations not in conflict with general laws; and

WHEREAS, on January 24, 2023, the City Council approved the City’s Sixth Cycle Housing Element Update; and

WHEREAS, the City Council held a duly noticed public hearing on November 14, 2023, and November 28, 2023; and

WHEREAS, Program 1.F of the Housing Element Update calls for Rezone Village Court Parcel; and

WHEREAS, Program 1.F of the Housing Element Update requires the City of Los Altos to rezone the Village Court Parcel from R1-10 to Commercial Thoroughfare (CT); and

WHEREAS, Program 1.F of the Housing Element Update requires the City of Los Altos to remove modifications made by Planned Unit Development (62-PUD/C7) for consistency with the Commercial Thoroughfare (CT) District; and

WHEREAS, the City Council amends the Zoning Designation of the property located at 4546 El Camino Real, APN: 16712042, commonly referred to as “Village Court” from R1-10 to Commercial Thoroughfare (CT);

WHEREAS, the City Council repeals in its entirety the Planned Unit Development (62-PUD/C7) and reverts to the underlying zoning district of Commercial Thoroughfare (CT) District; and

WHEREAS, this Ordinance is exempt from environmental review pursuant to Section 15061(b)(3) of the State Guidelines implementing the California Environmental Quality Act of 1970, as amended; and

NOW, THEREFORE, the City Council of the City of Los Altos does hereby ordain as follows:

SECTION 1. AMENDMENT OF CHAPTER 14.88 OF THE MUNICIPAL CODE. Chapter 14.88 of the Los Altos Municipal Code are hereby amended as set forth in Appendix A to this Ordinance, underline indicating addition, and strikethrough indicating deletion.

SECTION 2. AMENDMENT OF CHAPTER 14.88 OF THE MUNICIPAL CODE. Chapter 14.88 of the Los Altos Municipal Code is hereby amended as set forth in Exhibit A to this Ordinance, underline indicating addition, and strikethrough indicating deletion.

SECTION 3. CONSTITUTIONALITY; AMBIGUITIES. If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions hereof. Any ambiguities in the Los Altos Municipal Code created by this Ordinance shall be resolved by the Director of Development Services, in their reasonable discretion, after consulting the City Attorney.

SECTION 4. PUBLICATION. This Ordinance shall be published as provided in Government Code Section 36933.

SECTION 5. EFFECTIVE DATE. This Ordinance shall be effective upon the commencement of the thirty-first day following the adoption hereof.

The foregoing Ordinance was duly and properly introduced at a regular meeting of the City Council of the City of Los Altos held on __, 2023, and was thereafter, at a regular meeting held on __, 2023, passed and adopted by the following vote:

- AYES:
- NOES:
- ABSENT:
- ABSTAIN:

Sally Meadows, MAYOR

Attest:

Melissa Thurman, MMC, CITY CLERK

EXHIBIT A
AMENDMENTS TO CHAPTER 14.88

ORDINANCE #3, APPENDIX A

14.88.730 – Zoning map amended.

- A. The property located at 4546 El Camino Real, APN: 16712042 also known as “Village Court”, as delineated on Rezoning Map No. 23-Z-01, attached hereto and incorporated herein by reference, are hereby included within the Commercial Thoroughfare (CT) Zoning District.
- B. The zoning map is amended in accordance with the provisions of the section and the district boundaries are so designated.

Exhibit to Ordinance No. TBD



APN# 167-12-042



DRAWN	VW
CHECKED	NZ
APPROVED	NZ
DATE	10/12/2023
SCALE	1" = 150'
DWG NO.	23-Z-01

PLANNING DIVISION
 CITY OF LOS ALTOS SANTA CLARA COUNTY, CALIFORNIA

Rezoning Map No. 23-Z-01
APN 167-12-042 - R1-10 to CT

ORDINANCE NO. 2023-501

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LOS ALTOS
AMENDING CHAPTER 14.16, 14.18, 14.20, 14.22, 14.24, 14.40, 14.44, 14.48, 14.52, 14.54,
14.80 OF THE LOS ALTOS MUNICIPAL CODE TO IMPLEMENT PROGRAM 3.B,
PROGRAM 3.C, PROGRAM 3.F, PROGRAM 3.G, AND PROGRAM 3.N OF THE
SIXTH CYCLE HOUSING ELEMENT UPDATE**

WHEREAS, the City Council is empowered pursuant to Article XI, Section 7 of the California Constitution to make and enforce within the City all local, police, sanitary, and other ordinances and regulations not in conflict with general laws; and

WHEREAS, on January 24, 2023, the City Council approved the City's Sixth Cycle Housing Element Update; and

WHEREAS, the City Council held a duly noticed public hearing on September 26, 2023, and October 10, 2023; and

WHEREAS, Program 3.B of the Housing Element Update calls for Modify building height in mixed-use zoning districts; and

WHEREAS, Program 3.B of the Housing Element Update to facilitate housing development in mixed-use zoning districts, the City will amend the Zoning Code to increase allowed building heights as referenced in the Downtown Vision Plan height recommendation section at minimum if not greater; and

WHEREAS, Program 3.C of the Housing Element Update calls for Remove floor-to-area ratio (FAR) restriction at Rancho Shopping Center and Woodland Plaza; and

WHEREAS, Program 3.C of the Housing Element Update expressly requires the removal of site-specific 0.35 floor-to-area ratio (FAR) limitation applicable to the Rancho Shopping Center and Woodland Plaza; and

WHEREAS, Program 3.F of the Housing Element Update calls for the reduction of Conditional Use Permit requirements for residential mixed-use and multi-family; and

WHEREAS, Program 3.F of the Housing Element Update expressly allows residential and mixed use zoning in the CN, CD, CRS, CT, and CRS/OAD districts; and

WHEREAS, Program 3.G of the Housing Element Update calls for amending the Conditional Use Permits findings applicable to housing developments; and

WHEREAS, Program 3.G of the Housing Element Update expressly requires CUP findings will be amended so that only objective findings and standards are applicable to housing developments; and

WHEREAS, Program 3.N of the Housing Element Update calls for Modifying standards in the R3 zoning districts; and

ORDINANCE NO. 2023-501

WHEREAS, Program 3.N of the Housing Element Update expressly requires the City to increase allowed site coverage in the R3 zoning districts to ensure maximum densities can be achieved; and

WHEREAS, having committed itself to implement Housing Element Update in its entirety, the City Council now desires to adopt this Ordinance; and

WHEREAS, this Ordinance is exempt from environmental review pursuant to Section 15061(b)(3) of the State Guidelines implementing the California Environmental Quality Act of 1970, as amended; and

NOW, THEREFORE, the City Council of the City of Los Altos does hereby ordain as follows:

SECTION 1. AMENDMENT OF CHAPTER 14.16 OF THE MUNICIPAL CODE. Chapter 14.16 of the Los Altos Municipal Code are hereby amended as set forth in Appendix A to this Ordinance, underline indicating addition, strikethrough indicating deletion.

SECTION 2. AMENDMENT OF CHAPTER 14.18 OF THE MUNICIPAL CODE. Chapter 14.18 of the Los Altos Municipal Code are hereby amended as set forth in Appendix B to this Ordinance, underline indicating addition, strikethrough indicating deletion.

SECTION 3. AMENDMENT OF CHAPTER 14.20 OF THE MUNICIPAL CODE. Chapter 14.20 of the Los Altos Municipal Code are hereby amended as set forth in Appendix C to this Ordinance, underline indicating addition, strikethrough indicating deletion.

SECTION 4. AMENDMENT OF CHAPTER 14.22 OF THE MUNICIPAL CODE. Chapter 14.22 of the Los Altos Municipal Code are hereby amended as set forth in Appendix D to this Ordinance, underline indicating addition, strikethrough indicating deletion.

SECTION 5. AMENDMENT OF CHAPTER 14.24 OF THE MUNICIPAL CODE. Chapter 14.24 of the Los Altos Municipal Code are hereby amended as set forth in Appendix E to this Ordinance, underline indicating addition, strikethrough indicating deletion.

SECTION 6. AMENDMENT OF CHAPTER 14.40 OF THE MUNICIPAL CODE. Chapter 14.40 of the Los Altos Municipal Code are hereby amended as set forth in Appendix F to this Ordinance, underline indicating addition, strikethrough indicating deletion.

SECTION 7. AMENDMENT OF CHAPTER 14.44 OF THE MUNICIPAL CODE. Chapter 14.44 of the Los Altos Municipal Code are hereby amended as set forth in Appendix G to this Ordinance, underline indicating addition, strikethrough indicating deletion.

SECTION 8. AMENDMENT OF CHAPTER 14.48 OF THE MUNICIPAL CODE. Chapter 14.48 of the Los Altos Municipal Code are hereby amended as set forth in Appendix H to this Ordinance, underline indicating addition, strikethrough indicating deletion.

SECTION 9. AMENDMENT OF CHAPTER 14.52 OF THE MUNICIPAL CODE. Chapter 14.52 of the Los Altos Municipal Code are hereby amended as set forth in Appendix I to this Ordinance, underline indicating addition, strikethrough indicating deletion.

SECTION 10. AMENDMENT OF CHAPTER 14.54 OF THE MUNICIPAL CODE. Chapter 14.54 of the Los Altos Municipal Code are hereby amended as set forth in Appendix J to this Ordinance, underline indicating addition, strikethrough indicating deletion.

SECTION 11. AMENDMENT OF CHAPTER 14.80 OF THE MUNICIPAL CODE. Chapter 14.80 of the Los Altos Municipal Code are hereby amended as set forth in Appendix K to this Ordinance, underline indicating addition, strikethrough indicating deletion.

SECTION 12. CONSTITUTIONALITY; AMBIGUITIES. If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions hereof. Any ambiguities in the Los Altos Municipal Code created by this Ordinance shall be resolved by the Director of Development Services, in their reasonable discretion, after consulting the City Attorney.

SECTION 13. PUBLICATION. This Ordinance shall be published as provided in Government Code Section 36933.

SECTION 14. EFFECTIVE DATE. This Ordinance shall be effective upon the commencement of the thirty-first day following the adoption hereof.

The foregoing Ordinance was duly and properly introduced at a regular meeting of the City Council of the City of Los Altos held on September 26, 2023, and was thereafter, at a regular meeting held on October 10, 2023, passed and adopted by the following vote:

AYES: Dailey, Fligor, Meadows, Weinberg
NOES:
ABSENT:
ABSTAIN: Lee Eng



Sally Meadows, MAYOR

Attest:



Melissa Thurman, MMC
CITY CLERK



AGENDA REPORT SUMMARY

Meeting Date: October 10, 2023
Subject: Housing Element Implementing Ordinance
Prepared by: Nick Zornes, Development Services Director
Reviewed by: Jon Maginot, Assistant City Manager
Reviewed by: Jolie Houston, City Attorney
Approved by: Gabe Engeland, City Manager

Attachment(s):

- 1. Draft Ordinance
- 2. Appendix A – Chapter 14.16
- 3. Appendix B – Chapter 14.18
- 4. Appendix C – Chapter 14.20
- 5. Appendix D – Chapter 14.22
- 6. Appendix E – Chapter 14.24
- 7. Appendix F – Chapter 14.40
- 8. Appendix G – Chapter 14.44
- 9. Appendix H – Chapter 14.48
- 10. Appendix I – Chapter 14.52
- 11. Appendix J – Chapter 14.54
- 12. Appendix K – Chapter 14.80
- 13. City Council Memo – 9-26-2023

Initiated by:

City of Los Altos adopted 6th Cycle Housing Element, Program 3.B, 3.C, 3.F, 3.G, and 3.N.

Fiscal Impact:

No fiscal impacts are associated with the adoption of these implementing regulations.

Environmental Review:

This Ordinance is exempt from environmental review pursuant to Section 15061(b)(3) of the State Guidelines implementing the California Environmental Quality Act of 1970.

Summary:

The draft ordinance incorporates regulations implementing Program 3.B: Modify building height in mixed-use zoning districts, Program 3.C: Remove floor-to-area ratio (FAR) restriction at

City Manager
GE

Reviewed By:
City Attorney
JH



Subject: Housing Element Implementing Ordinance

Rancho Shopping Center and Woodland Plaza, Program 3.F: Reduce Conditional Use Permit requirement for residential mixed-use and multi-family, Program 3.G: Amend Conditional Use Permits findings applicable to housing Developments, Program 3.N: Modify standards in the R3 zoning districts of the adopted Housing Element.

Staff Recommendation:

Adopt Zoning Ordinance Text Amendments which implement programs identified in the adopted housing element, Program 3.B: Modify building height in mixed-use zoning districts, Program 3.C: Remove floor-to-area ratio (FAR) restriction at Rancho Shopping Center and Woodland Plaza, Program 3.F: Reduce Conditional Use Permit requirement for residential mixed-use and multi-family, Program 3.G: Amend Conditional Use Permits findings applicable to housing Developments, Program 3.N: Modify standards in the R3 zoning districts and consideration of the City of Los Altos Planning Commission’s September 7, 2023 decisions; Action (1) on Program 3.C, PASSED (4-Yes, 1-No, 1-Rescue, 1-Absent); Action (2) on Program 3.B, 3.F, 3.G, 3.N, PASSED (6-Yes, 1-Absent) both recommendations approved the proposed amendments with minor modifications. The proposed amendments are exempt from environmental review pursuant to Section 15061(b)(3) of the California Environmental Quality Act (CEQA) Guidelines since there would be no possibility of a significant effect on the environment.

Background:

On January 24, 2023, the Los Altos City Council adopted the City’s 6th Cycle Housing Element 2023-2031. As required by law, the adopted housing element has several housing programs contained within. The City of Los Altos identified specific programs in its housing element that will allow it to implement the stated policies and achieve the stated goals and objectives. Programs must include specific action steps the City will take to implement its policies and achieve its goals and objectives. Programs must also include a specific timeframe for implementation, identify the agencies or officials responsible for implementation, describe the city’s specific role in implementation, and (whenever possible) identify specific, measurable outcomes.

Programs 3.B, 3.C, 3.F, 3.G, and 3.N are prescribed under Goal 3 in the adopted Housing Element which is intended to remove constraints to the development of housing. The proposed amendments contained in the draft ordinance help to further Policy 3.1 promote housing through city regulation, and Policy 3.2 modify zoning code to assist in meeting housing needs.

The draft ordinance under consideration implementing Programs 3.B, 3.C, 3.F, 3.G, and 3.N are required to be adopted at various times within the planning cycle. Due to the various requirements and deliverables of the 6th Cycle Housing Element the draft ordinance was prepared early to help ensure that ample time is available to execute several other adopted programs. By providing additional time in amending each chapter of the draft ordinance the city helps to provide additional buffer in creating the regulatory environment to allow for the approval and creation of housing units.



Subject: Housing Element Implementing Ordinance

Analysis:

The City’s adopted 6th Cycle Housing Element 2023-2031, included Program 3.B. The housing program requires the proposed ordinance amendments to *Modify building height in mixed-use zoning districts*. The draft ordinance included in this agenda packet effectively completes these deliverables as explicitly called out within the housing program.

Program 3.B: Modify building height in mixed-use zoning districts.

Various mixed-use zoning districts limit development to 30 feet or no more than two stories. To facilitate housing development in mixed-use zoning districts, the City will amend the Zoning Code to increase allowed building heights as referenced in the Downtown Vision Plan height recommendation section, at minimum if not greater, than the following:

- *First Street and San Antonio District*
 - *Standalone Residential: 40 feet, 4-stories*
 - *Mixed-Use: 45 feet, 4-stories*
- *Edith District*
 - *Standalone Residential: 40 feet, 4-stories*
- *Main and State Street District*
 - *Mixed-Use: 36 feet, 3-stories*

The City will then evaluate and update allowed heights in the Commercial Neighborhood (CN) District at minimum allowing an additional 10 feet and one story to maintain first floor commercial uses and accommodate residential uses on upper floors to be provided as mixed-use development. This effort will include modifying existing objective design standards as necessary to accommodate anticipated housing capacity while addressing community design goals.

Responsible Body: *Development Services Department, Planning Commission, City Council*

Funding Source: *General Fund*

Time Frame: *Amendments to Zoning Code for increased building heights in downtown by December 2023; zoning code amendments to increase allowed heights in Commercial Neighborhood (CN) District by December 2024*

The City’s adopted 6th Cycle Housing Element 2023-2031, included Program 3.C. The housing program requires the proposed ordinance amendments to *Remove floor-to-area ratio (FAR) restriction at Rancho Shopping Center and Woodland Plaza*. The draft ordinance included in this agenda packet effectively completes these deliverables as explicitly called out within the housing program.



Subject: Housing Element Implementing Ordinance

Program 3.C: Remove floor-to-area ratio (FAR) restriction at Rancho Shopping Center and Woodland Plaza.

The City will remove the site-specific 0.35 floor-to-area ratio (FAR) limitation applicable to the Rancho Shopping Center and Woodland Plaza, as the FAR limit presents a constraint to housing and is more restrictive than the FAR standard in the Commercial Neighborhood (CN) District. The City will create new development standards reflective of a mixed-use zone that requires both commercial and residential uses for the Rancho Shopping Center and Woodland Plaza properties.

Responsible Body: Development Services Department, Planning Commission, City Council

Funding Source: General Fund

Time Frame: December 2024

Objective: Remove site-specific 0.35 floor-to-area ratio (FAR) and create development standards that require both commercial and residential uses for the Rancho Shopping Center and Woodland Plaza properties to incorporate needed housing units and preserve essential shopping services.

The City’s adopted 6th Cycle Housing Element 2023-2031, included Program 3.F. The housing program requires the proposed ordinance amendments to *Reduce Conditional Use Permit requirement for residential mixed-use and multi-family*. The draft ordinance included in this agenda packet effectively completes these deliverables as explicitly called out within the housing program.

Program 3.F: Reduce Conditional Use Permit requirement for residential mixed-use and multi-family.

To facilitate housing, the City will amend the Zoning Code to allow the following as permitted uses (and no longer requiring a conditional use permit):

- *Residential mixed-use in the CN, CD, CRS, CT, and CRS/OAD districts; and*
- *Multi-family in appropriate areas of mixed-use districts (e.g., not on the ground floor, etc.).*

Responsible Body: Development Services Department, Planning Commission, City Council

Funding Source: General Fund

Time Frame: September 2024

Objective: By allowing the residential use by-right the time for City review of and action on residential mixed-use and multi-family developments will be shortened compared to typical processing times of a conditional use permit (see Appendix C, Table C-8).



Subject: Housing Element Implementing Ordinance

The City’s adopted 6th Cycle Housing Element 2023-2031, included Program 3.G. The housing program requires the proposed ordinance amendments to *Amend Conditional Use Permits findings applicable to housing developments*. The draft ordinance included in this agenda packet effectively completes these deliverables as explicitly called out within the housing program.

Program 3.G: Amend Conditional Use Permits findings applicable to housing developments.

Conditional Use Permit (CUP) approval is subject to findings listed in Zoning Code Section 14.80.060. CUP findings will be amended so that only objective findings and standards are applicable to housing developments, including single-room occupancy units, consistent with State law. Additionally, the City will designate the review and approval of conditional use permits for housing developments to the Authority of the Development Services Director.

Responsible Body: Development Services Department, Planning Commission, City Council

Funding Source: General Fund

Time Frame: March 2024

The City’s adopted 6th Cycle Housing Element 2023-2031, included Program 3.N. The housing program requires the proposed ordinance amendments to *Modify standards in the R3 zoning districts*. The draft ordinance included in this agenda packet effectively completes these deliverables as explicitly called out within the housing program.

Program 3.N: Modify standards in the R3 zoning districts.

The City will amend its Zoning Ordinance to allow building heights of 35 feet and three stories in all R3 zoning districts. The City will also increase allowed site coverage in the R3 zoning districts to ensure maximum densities can be achieved.

Responsible Body: Development Services Department, Planning Commission, City Council

Funding Source: General Fund

Time Frame: December 2026

Discussion:

The actions included within the attached draft ordinance are requirements pursuant to the City’s adopted 6th Cycle Housing Element. Once a jurisdiction takes final action by adopting its housing element this requires immediate action in order to remain compliant with State housing law. The City of Los Altos Housing Element contains **26** major action items or milestones that must be



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completed within the first 12-months post adoption. The draft ordinance will effectively accomplish multiple components of the required housing programs within the adopted housing element.

September 26, 2023 – City Council Public Hearing

At the September 26, 2023, City Council Public Hearing based on community input Staff presented the Councilmembers with suggested changes to the proposed ordinance to address the primary concerns of residents. The City Council accepted the suggested changes which are included as Attachment #13. Additionally, the City Council modified the proposed ordinance to include a minimum 20% nonresidential floor area ratio with a maximum of 33% nonresidential floor area ratio for all Commercial Neighborhood (CN) zoned sites. The intent of this requirement is to help create the regulatory framework which requires commercial type uses in the CN District, while also ensuring that the allowed use qualifies for the protections under the Housing Accountability Act.

Housing Element Noncompliance:

Should the Los Altos City Council vote not to proceed with the implementing actions discussed in this report the City will be vulnerable to penalties and consequences of housing element noncompliance. HCD is authorized to review any action or failure to act by a local government that it determines is inconsistent with an adopted housing element or housing element law. This includes failure to implement program actions included in the housing element. HCD may revoke housing element compliance if the local governments actions do not comply with state law. Examples of penalties and consequence of housing element noncompliance:

- **General Plan Inadequacy:** the housing element is a mandatory element of the General Plan. When a jurisdictions housing element is found to be out of compliance, its General Plan could be found inadequate, and therefore invalid. Local governments with an invalid General Plan can no longer make permitting decisions.
- **Legal Suites and Attorney Fees:** local governments with noncompliant housing elements are vulnerable to litigation from housing rights’ organization, developers, and HCD. If a jurisdiction faces a court action stemming from its lack of compliance and either loses or settles the case, it often must pay substantial attorney fees to the plaintiff’s attorneys in addition to the fees paid by its own attorneys. Potential consequences of lawsuits include: mandatory compliance within 120 days, suspension of local control on building matters, and court approval of housing developments.
- **Loss of Permitting Authority:** courts have authority to take local government residential and nonresidential permit authority to bring the jurisdiction’s General Plan and housing



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element into substantial compliance with State law. The court may suspend the locality’s authority to issue building permits or grant zoning changes, variances, or subdivision map approvals – giving local governments a strong incentive to bring its housing element into compliance.

- **Financial Penalties:** court-issued judgement directing the jurisdictions to bring its housing element into substantial compliance with state housing element law. If a jurisdictions housing element continues to be found out of compliance, courts can multiply financial penalties by a factor of six.
- **Court Receivership:** courts may appoint an agent with all powers necessary to remedy identified housing element deficiencies and bring the jurisdiction’s housing element into substantial compliance with housing element law.

Petition for Writ of Mandate – California Housing Defense Fund, Yes In My Back Yard v. City of Cupertino.

So that the City Council and public are well-informed the City of Los Altos has included this information with this agenda item so that all circumstances are understood as housing law is rapidly evolving.

Early this year Californians for Homeownership, California Housing Defense Fund, and YIMBY Law had filed 12 lawsuits in Contra Costa, Santa Clara, Marin, and San Mateo County Superior Courts with the intention to file more in the coming weeks. The cities and counties sued include: Belvedere, Burlingame, Cupertino, Daly City, Fairfax, Martinez, Novato, Palo Alto, Pinole, Pleasant Hill, Richmond, and Santa Clara County. Each municipality has been sued by one or two of the non-profits.

With the Bay Area’s 109 cities and counties at widely varied stages in the process of Housing Element adoption and compliance, these twelve lawsuits mark the first round of what will likely be many rounds of judicial review for noncompliance with state housing law in the Bay Area. The initial lawsuits focus on cities with a long history of exclusionary housing practices, cities that adopted housing elements unlawfully, and localities that have made little progress in developing their draft housing elements. The organizations will continue to file suits in the coming weeks, prioritizing cities with the most egregious violations in each organization’s judgment.

A Petition for Writ of Mandate in the State of California is used by superior courts, courts of appeal and the Supreme Court to command lower bodies (such as lower level of government agencies, in this case a city) to do or not do specific actions. In this case, a Writ of Mandate can result in the city being directed to adopt a compliant housing element or other associated actions in order to



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comply with State law. A Writ of Mandate could also be petitioned for and direct a city to specifically implement programs that were included in their adopted housing element.

Given the current and ongoing legal climate around housing element law it is vital for the City of Los Altos to expeditiously implement the adopted 6th Cycle Housing Element 2023-2031. As noted above the potential legal risks associated with housing element noncompliance could be further enforced by similar legal actions.

ORDINANCE NO. 2023-__

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LOS ALTOS AMENDING CHAPTER 14.16, 14.18, 14.20, 14.22, 14.24, 14.40, 14.44, 14.48, 14.52, 14.54, 14.80 OF THE LOS ALTOS MUNICIPAL CODE TO IMPLEMENT PROGRAM 3.B, PROGRAM 3.C, PROGRAM 3.F, PROGRAM 3.G, AND PROGRAM 3.N OF THE SIXTH CYCLE HOUSING ELEMENT UPDATE

WHEREAS, the City Council is empowered pursuant to Article XI, Section 7 of the California Constitution to make and enforce within the City all local, police, sanitary, and other ordinances and regulations not in conflict with general laws; and

WHEREAS, on January 24, 2023, the City Council approved the City’s Sixth Cycle Housing Element Update; and

WHEREAS, the City Council held a duly noticed public hearing on September 26, 2023, and October 10, 2023; and

WHEREAS, Program 3.B of the Housing Element Update calls for Modify building height in mixed-use zoning districts; and

WHEREAS, Program 3.B of the Housing Element Update to facilitate housing development in mixed-use zoning districts, the City will amend the Zoning Code to increase allowed building heights as referenced in the Downtown Vision Plan height recommendation section at minimum if not greater; and

WHEREAS, Program 3.C of the Housing Element Update calls for Remove floor-to-area ratio (FAR) restriction at Rancho Shopping Center and Woodland Plaza; and

WHEREAS, Program 3.C of the Housing Element Update expressly requires the removal of site-specific 0.35 floor-to-area ratio (FAR) limitation applicable to the Rancho Shopping Center and Woodland Plaza; and

WHEREAS, Program 3.F of the Housing Element Update calls for the reduction of Conditional Use Permit requirements for residential mixed-use and multi-family; and

WHEREAS, Program 3.F of the Housing Element Update expressly allows residential and mixed use zoning in the CN, CD, CRS, CT, and CRS/OAD districts; and

WHEREAS, Program 3.G of the Housing Element Update calls for amending the Conditional Use Permits findings applicable to housing developments; and

WHEREAS, Program 3.G of the Housing Element Update expressly requires CUP findings will be amended so that only objective findings and standards are applicable to housing developments; and

WHEREAS, Program 3.N of the Housing Element Update calls for Modifying standards in the R3 zoning districts; and

WHEREAS, Program 3.N of the Housing Element Update expressly requires the City to increase allowed site coverage in the R3 zoning districts to ensure maximum densities can be achieved; and

WHEREAS, having committed itself to implement Housing Element Update in its entirety, the City Council now desires to adopt this Ordinance; and

WHEREAS, this Ordinance is exempt from environmental review pursuant to Section 15061(b)(3) of the State Guidelines implementing the California Environmental Quality Act of 1970, as amended; and

NOW, THEREFORE, the City Council of the City of Los Altos does hereby ordain as follows:

SECTION 1. AMENDMENT OF CHAPTER 14.16 OF THE MUNICIPAL CODE. Chapter 14.16 of the Los Altos Municipal Code are hereby amended as set forth in Appendix A to this Ordinance, underline indicating addition, strikethrough indicating deletion.

SECTION 2. AMENDMENT OF CHAPTER 14.18 OF THE MUNICIPAL CODE. Chapter 14.18 of the Los Altos Municipal Code are hereby amended as set forth in Appendix B to this Ordinance, underline indicating addition, strikethrough indicating deletion.

SECTION 3. AMENDMENT OF CHAPTER 14.20 OF THE MUNICIPAL CODE. Chapter 14.20 of the Los Altos Municipal Code are hereby amended as set forth in Appendix C to this Ordinance, underline indicating addition, strikethrough indicating deletion.

SECTION 4. AMENDMENT OF CHAPTER 14.22 OF THE MUNICIPAL CODE. Chapter 14.22 of the Los Altos Municipal Code are hereby amended as set forth in Appendix D to this Ordinance, underline indicating addition, strikethrough indicating deletion.

SECTION 5. AMENDMENT OF CHAPTER 14.24 OF THE MUNICIPAL CODE. Chapter 14.24 of the Los Altos Municipal Code are hereby amended as set forth in Appendix E to this Ordinance, underline indicating addition, strikethrough indicating deletion.

SECTION 6. AMENDMENT OF CHAPTER 14.40 OF THE MUNICIPAL CODE. Chapter 14.40 of the Los Altos Municipal Code are hereby amended as set forth in Appendix F to this Ordinance, underline indicating addition, strikethrough indicating deletion.

SECTION 7. AMENDMENT OF CHAPTER 14.44 OF THE MUNICIPAL CODE. Chapter 14.44 of the Los Altos Municipal Code are hereby amended as set forth in Appendix G to this Ordinance, underline indicating addition, strikethrough indicating deletion.

SECTION 8. AMENDMENT OF CHAPTER 14.48 OF THE MUNICIPAL CODE. Chapter 14.48 of the Los Altos Municipal Code are hereby amended as set forth in Appendix H to this Ordinance, underline indicating addition, strikethrough indicating deletion.

SECTION 9. AMENDMENT OF CHAPTER 14.52 OF THE MUNICIPAL CODE. Chapter 14.52 of the Los Altos Municipal Code are hereby amended as set forth in Appendix I to this Ordinance, underline indicating addition, strikethrough indicating deletion.

SECTION 10. AMENDMENT OF CHAPTER 14.54 OF THE MUNICIPAL CODE. Chapter 14.54 of the Los Altos Municipal Code are hereby amended as set forth in Appendix J to this Ordinance, underline indicating addition, strikethrough indicating deletion.

SECTION 11. AMENDMENT OF CHAPTER 14.80 OF THE MUNICIPAL CODE. Chapter 14.80 of the Los Altos Municipal Code are hereby amended as set forth in Appendix K to this Ordinance, underline indicating addition, strikethrough indicating deletion.

SECTION 12. CONSTITUTIONALITY; AMBIGUITIES. If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions hereof. Any ambiguities in the Los Altos Municipal Code created by this Ordinance shall be resolved by the Director of Development Services, in their reasonable discretion, after consulting the City Attorney.

SECTION 13. PUBLICATION. This Ordinance shall be published as provided in Government Code Section 36933.

SECTION 14. EFFECTIVE DATE. This Ordinance shall be effective upon the commencement of the thirty-first day following the adoption hereof.

The foregoing Ordinance was duly and properly introduced at a regular meeting of the City Council of the City of Los Altos held on __, 2023, and was thereafter, at a regular meeting held on __, 2023, passed and adopted by the following vote:

- AYES:
- NOES:
- ABSENT:
- ABSTAIN:

Sally Meadows, MAYOR

Attest:

Melissa Thurman, MMC, CITY CLERK

**APPENDIX A
AMENDMENTS TO CHAPTER 14.29**

Chapter 14.16 R3-4.5 MULTIPLE-FAMILY DISTRICT¹

Sections:

14.16.010 R3-4.5 Districts.

The regulations, general provisions, and exceptions set forth in this chapter and in Chapter 14.66 shall apply in the R3-4.5 District.

(Ord. No. 2019-467 , § 1, 2-11-20)

14.16.020 Specific purpose.

The specific purpose of the R3-4.5 District is to retain and enhance the character of the Stevens Place and Marshall Court area ~~as a two family dwelling unit neighborhood.~~

(Ord. No. 2019-467 , § 1, 2-11-20)

14.16.030 Permitted uses (R3-4.5).

The following uses shall be permitted in the R3-4.5 District:

- A. Two-family dwelling units, ~~with not more than one two family dwelling unit for each nine thousand (9,000) square feet of lot area;~~
- B. ~~Home occupations~~
- ~~C. Animals as provided in Chapter 5.10 of this code; and~~
- ~~D. Small family day care.~~

(Ord. No. 2019-467 , § 1, 2-11-20)

14.16.040 Site area (R3-4.5).

The minimum site area shall be ~~nineseven~~ thousand (97,000) square feet ~~for each two family dwelling unit.~~

(Ord. No. 2019-467 , § 1, 2-11-20)

¹Editor's note(s)—Ord. No. 2019-467 , § 1, adopted February 11, 2020, amended Chapter 14.16 its entirety to read as set out herein. Former Chapter 14.16, §§ 14.16.010—14.16.110 pertained to similar subject matter and derived from Prior Code § 10-2.701—10-2.709; Ord. No. 2015-414, § 12, adopted September 8, 2015 and Ord. No. 2018-440 , , § 3, March 13, 2018.

14.16.050 Coverage (R3-4.5).

- ~~A. The maximum coverage for all structures in excess of six feet in height shall be forty (40) percent of the total gross site area where the height of one-story development does not exceed twenty (20) feet.~~
- ~~B. On sites where the lot coverage exceeds thirty (35) percent, two-story structures shall not be allowed.~~
- A. The maximum coverage for all structures in excess of six feet in height shall be sixty (60) percent of the total gross site area.

(Ord. No. 2019-467 , § 1, 2-11-20)

14.16.060 Floor area ratio (R3-4.5).

- ~~A. For lots with a gross site area not exceeding eleven thousand (11,000) square feet, ~~t~~The maximum floor area shall be ~~thir~~ifty five (355) percent of the gross lot area.~~
- ~~B. For lots with a gross site area exceeding eleven thousand (11,000) square feet, the maximum floor area shall be three thousand eight hundred fifty (3,850) square feet plus ten (10) percent times the lot area minus eleven thousand (11,000) square feet.~~

(Ord. No. 2019-467 , § 1, 2-11-20)

14.16.070 Unit Size.

~~The floor area of the smaller of the two units can be no less than 900 square feet.~~

No minimum or maximum unit size shall be applicable, except for accessory dwelling units as allowed in Chapter 14.14 of the Los Altos Municipal Code.

(Ord. No. 2019-467 , § 1, 2-11-20)

14.16.080 Setbacks (R3-4.5).

A. The minimum setbacks shall be as follows:

Property line abutting Fallen Leaf Lane	30 feet
Property line abutting Homestead Road, Stevens Place or Marshall Court frontage	20 feet
Property lines abutting to an R1-10 District	20 feet
Abutting to Stevens Creek property line (measured from top of creek bank)	20 feet
Other Interior property line not listed above	
First story	5 feet
Second story	10 feet

B. The second story setback shall be measured from the wall of the second story, or in the case of a sloping ceiling or roof where there is no exterior wall, from the point the second story ceiling has a height of five feet or greater from the finished floor.

- C. When a unit has an existing nonconforming setback and fifty (50) percent or more of the floor area of that unit is voluntarily being rebuilt or replaced, the entire unit shall be brought into conformance with current setback requirements. This threshold is applied to each unit within a two-family dwelling and does not require both units to be brought into conformance when only one unit is being modified under the threshold above. For the purposes of this section, the garage portion of the structure shall be considered a separate unit.

(Ord. No. 2019-467 , § 1, 2-11-20)

14.16.090 Height of structures (R3-4.5).

- A. No structure shall exceed ~~one-three storyies~~ or ~~twenty-thirty-six (236)~~ feet in height as measured from the existing natural grade immediately adjacent to the proposed structure. ~~from the natural grade, except for those structures indicated in Subsection B.~~

~~B. On lots with two-story structures as of December 10, 2019, no structure shall exceed two stories or twenty-seven (27) feet in height from the natural grade.~~

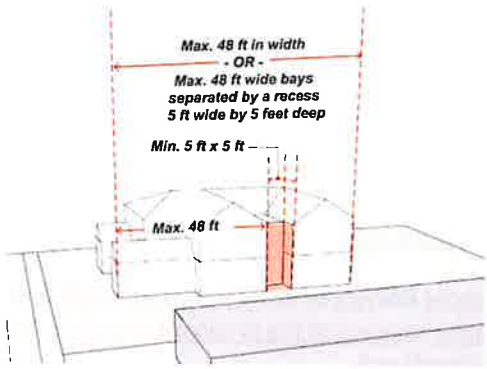
(Ord. No. 2019-467 , § 1, 2-11-20)

14.16.100 Design control (R3-4.5).

- A. Building Massing and Articulation.

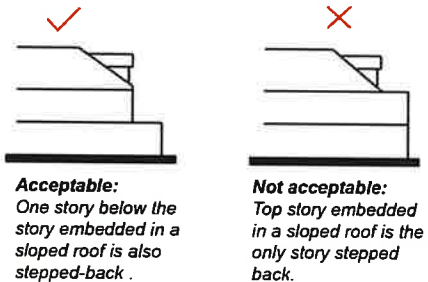
1. For buildings exceeding the height limit established in the applicable base and overlay zone, the right-of-way-facing façades of the uppermost floor must be embedded in a sloped roof form as allowed by Section 14.16.1100.A.4.
2. Vertical Articulation.
 - a. Each building volume shall be defined according to one of the following classifications:
 - i. Main body (one per building): The widest volume of the structure, containing main entrances and the most public interior spaces.
 - ii. Wing (optional, multiple per main body allowed): A narrower volume attached to a main body volume.
 - b. Each main body volume shall contain at least one entrance.
 - c. Street-facing wings shall be recessed by no less than three feet relative to the front façade of the Main body.
 - d. The eave/roof of a wing shall be no higher than the corresponding elements of the main body.
3. R-1 Adjacencies.
 - a. Building façade planes abutting an R-1 district may not exceed forty-eight (48) feet in width.
 - b. When a building façade abutting an R-1 district exceeds forty-eight (48) feet in width, it must be separated into façade bays no greater than forty-eight (48) feet by a recess five feet wide and five feet deep.
 - c. Balconies, roof decks and other habitable outdoor space is not allowed on upper-story façades abutting R-1 zones.

- d. Sliding glass doors, French doors, and floor-to-ceiling windows are not allowed on upper-story façades abutting R-1 zones.



4. Roofline and Roof Design.

- a. Acceptable roof forms are limited to:
 - i. Hipped.
 - ii. Gable.
 - iii. Dormer.
- b. When the top story is stepped back and embedded in a sloped roof form, the floor below must (and other floors may) be stepped back to meet the slope of the top floor.

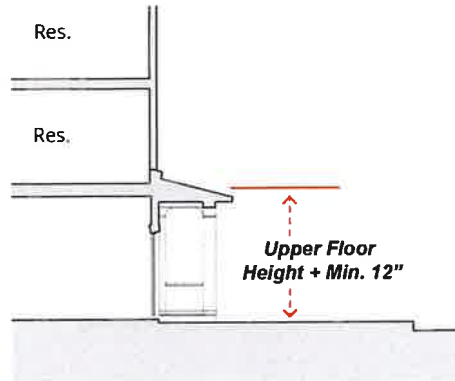


- c. Façade facing R-1 Zone must utilize a hipped or gable roof and may incorporate dormers.
- d. Roofline at corners shall not exceed roofline of adjacent wallplanes by more than twenty-four (24) inches.

B. Building Design.

- 1. Façade Composition. Building façades shall be arranged in an orderly composition of bays, defined by vertically aligned openings alternating horizontally with solid walls or columns. The pattern shall be visually expressed through the spacing of openings, recesses, eaves, cornices, overhangs, trellises, exposed rafters, columns, or bay windows.
- 2. Building Entrances. Building entrances must incorporate one of the following entry features. See Section 14.66.275 (Entrance Type Standards) for design standards applicable to each entrance type listed.
 - a. Stoop.

- b. Porch.
- c. Dooryard.
- 3. Primary Entrance Location(s). Locate primary entrance along the front right-of-way and/or interior courtyard.
- 4. Ground Floor Floor-to-Ceiling Height. Minimum twelve (12) inches taller than typical upper floor floor-to-ceiling height.



C. Window Design.

- 1. All windows must have a sill.
- 2. Vinyl sliding windows are prohibited on façades visible from a right-of-way.

D. Building Materials.

- 1. Primary shall mean fifty (50) percent or more of a façade surface area excluding transparent surfaces. Permitted primary cladding materials are limited to:
 - a. Stucco (minimum two-coat stucco; synthetic stucco or EIFS not allowed).
 - b. Siding (lap, vertical, or shingle).
 - i. All siding shall be wood, composite wood, or cement fiberboard.
 - ii. Wood siding shall be painted or stained.
 - iii. Vinyl and aluminum are not permitted.
 - c. Stone.
 - d. Brick.
- 2. Secondary shall mean less than fifty (50) percent of a façade surface area excluding transparent surfaces. Permitted secondary cladding materials are limited to:
 - a. Stucco (minimum two-coat stucco; synthetic stucco not allowed, EIFS not allowed).
 - b. Siding (lap, vertical, or shingle).
 - i. All siding shall be wood, composite wood, or cement fiberboard.
 - ii. Wood siding shall be painted or stained.
 - iii. Vinyl and aluminum siding are not permitted.
 - c. Stone (watertable and building base only).

- d. Brick (watertable and building base only).
 - e. Tile.
 - f. Concrete (watertable and building base only, board-form only, cast concrete not permitted).
- E. Screening.
- 1. Service, trash, and utility areas must be screened from view of the right-of-way.
 - 2. Screening must be architecturally consistent with primary building in terms of materials, colors, and style.
- F. Topography and Grading.
- 1. A stepped foundation is required where the average slope beneath the proposed structure exceeds ten (10) percent.
 - 2. Terracing and plantings must reflect the shape of the natural terrain.
- G. Additional Design Standards. See Section 14.66.280 for additional design standards applicable to all multi-family development in the R3-4.5 District.

(Ord. No. 2019-467 , § 1, 2-11-2020; Ord. No. 2021-478 , § 1, 9-14-2021)

14.16.110 Off-street parking (R3-4.5).

As provided in Chapter 14.74 of this title.

(Ord. No. 2019-467 , § 1, 2-11-20)

14.06.120 Basements (R3-4.5).

Basements shall be regulated as follows:

- A. Basements shall not extend beyond the floor area of the first floor of the main or accessory structure above;
- B. Light wells, ingress and egress wells, patio wells, and other similar elements shall not be permitted within a required front or exterior side yard setback. These elements may be permitted within an interior side or rear yard setback, but in no event closer than five feet to a property line;
- C. Light wells, ingress and egress wells, patio wells, and other similar elements shall utilize vertical retaining walls. Contour graded slopes, which expose the basement as a story, are prohibited.
- D. Light wells, ingress and egress wells, patio wells, and other similar elements shall be at least seventy-five (75) percent open in area to light and air above.

(Ord. No. 2019-467 , § 1, 2-11-20)

14.16.130 Signs (R3-4.5).

As provided in Chapter 14.68 of this title.

(Ord. No. 2019-467 , § 1, 2-11-20)

14.16.140 Fences (R3-4.5).

As provided in Chapter 14.72 of this title.

(Ord. No. 2019-467 , § 1, 2-11-20)

14.16.150 Nonconforming use regulations (R3-4.5).

As provided in Chapter 14.66 of this title.

(Ord. No. 2019-467 , § 1, 2-11-20)

14.16.160 Accessory structures.

As provided in Chapter 14.15 of this title, and with the following parameters:

- A. Yard areas adjacent to Homestead Road or an R1 District shall be treated as the rear yards for the purposes of this section.
- B. Accessory structures will not be permitted in any other setback area.

(Ord. No. 2019-467 , § 1, 2-11-20)

Chapter 14.18 R3-5 MULTIPLE-FAMILY DISTRICT

Sections:

14.18.010 R3-5 District.

The regulations, general provisions, and exceptions set forth in this chapter and in Chapter 14.66 shall apply in the R3-5 District.

(Prior code § 10-2.801)

14.18.020 Permitted uses (R3-5).

The following uses shall be permitted in the R3-5 District:

- A. ~~Apartments, two family units or more per building with not more than one dwelling unit for each five thousand (5,000) square feet of lot area; provided, however, if after dividing the area of the site by five thousand (5,000), a remainder of less than five thousand (5,000) square feet but more than three thousand nine hundred ninety nine (3,999) square feet is obtained, one additional dwelling unit may be located on the site Residential Housing Developments with two (2) or more units; and~~
- B. ~~For affordable housing requirements, see Chapter 14.28 of this title;~~
- C. ~~For density bonus provisions, see Chapter 14.30 of this title; and~~
- D. Animals as provided in Chapter 5.10 of this code.

(Prior code § 10-2.802)

14.18.030 Maximum density development requirement.

The maximum density permitted shall be constructed unless it is determined by the city council that a less dense project would be in the best interests of the community. In approving a less dense project, the city council shall make at least one of the following findings:

- A. That a maximum density project would be detrimental to the health, safety, comfort, convenience, prosperity, or welfare of persons residing or working in the vicinity or injurious to property or improvements in the vicinity;
- B. That the development of fewer units would enhance opportunities for the development of affordable housing within the project.

(Prior code § 10-2.802.1)

14.18.040 Site area (R3-5).

The minimum site area shall be ~~five thousand (5,000) square feet, one acre. (See Section 14.18.020(A) of this chapter.)~~

(Prior code § 10-2.803)

14.18.050 Coverage (R3-5).

~~The maximum coverage for all structures shall be thirty (30) percent of the total area of the site.~~

- A. The maximum coverage for all structures in excess of six feet in height shall be sixty (60) percent of the total gross site area.

(Prior code § 10-2.804)

14.18.060 Front yard (R3-5).

~~The minimum depth of front yards shall be forty (40) feet, landscaped according to a plan approved by the building and planning department, and shall be permanently maintained by the property owner.~~

(Prior code § 10-2.805)

14.18.070 Side yards (R3-5).

- A. The minimum width of side yards shall be fifteen (15) feet, except that on a corner lot, the minimum width of the side yard adjoining the street shall be twenty-five (25) feet. ~~The five feet abutting the property line on all side yards shall be landscaped according to a plan approved by the building and planning department and shall be permanently maintained by the property owner. Five feet shall be added to each minimum side yard for each story above the first story or for each ten (10) feet of height, or fraction thereof, above the lowest twelve (12) feet of the structure, whichever requires the lesser addition.~~
- B. Where a side yard abuts on an R1-10 District, the minimum side yard shall be twenty-five (25) feet, of which the ten (10) feet abutting the property in the R1-10 District shall have a six-foot solid fence or wall outside a planting screen of evergreen trees or bushes of a variety, height, and spacing as required and approved by the Zoning Administrator building and planning department, all of which shall be permanently maintained by the property owner. ~~Such ten (10) foot planting strip shall be used exclusively for landscaping purposes.~~

(Prior code § 10-2.806)

14.18.080 Rear yard (R3-5).

~~The minimum depth of rear yards shall be thirty (30) feet. The five feet abutting the rear property line shall be landscaped according to a plan approved by the building and planning department and shall be permanently maintained by the property owner. When the rear yard abuts on an R1-10 District, the minimum depth shall be forty (40) feet, of which the first ten (10) feet abutting the property in the R1-10 District shall have a six-foot solid fence or wall outside a planting screen of evergreen trees or bushes of a variety, height, and spacing as required and approved by the Zoning Administrator building and planning department, all of which shall be permanently maintained by the property owner. Such ten (10) foot planting strip shall be used exclusively for landscaping purposes. No structure shall be placed within the required rear yard.~~

(Prior code § 10-2.807)

14.18.090 Distances between structures (R3-5).

The requirements set forth in Section 14.66.210 shall apply to this chapter.

(Prior code § 10-2.808)

14.18.100 Off-street parking (R3-5).

(As provided in Chapter 14.74 of this title.)

(Prior code § 10-2.809)

14.18.110 Height of structures (R3-5).

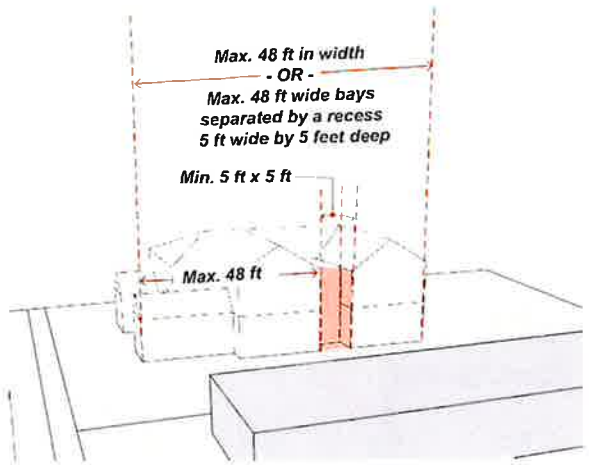
No structure shall exceed ~~two-three~~ stories or thirty-~~six~~ (306) feet in height as measured from the existing natural grade immediately adjacent to the proposed structure, whichever is the lesser. ~~No structure shall exceed one story or fifteen (15) feet in height if located within one hundred (100) feet of the R-10 District. In no case shall this preclude a basement when used for parking and/or storage.~~

(Prior code § 10-2.810)

14.18.120 Design control (R3-5).

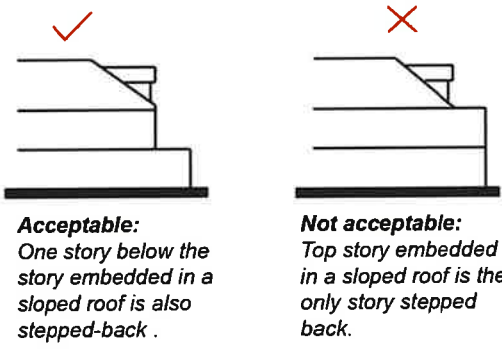
A. Building Massing and Articulation.

1. For buildings exceeding the height limit established in the applicable base and overlay zone, the right-of-way-facing façades of the uppermost floor must be embedded in a sloped roof form as allowed by Section 14.18.120.A.4.
2. Vertical Articulation.
 - a. Each building volume shall be defined according to one of the following classifications:
 - i. Main body (one per building): The widest volumes of the structure, containing main entrances and the most public interior spaces.
 - ii. Wing (optional, multiple per main body allowed): A narrower volume attached to a main body volume.
 - b. Each main body volume shall contain at least one entrance.
 - c. Street-facing wings shall be recessed by no less than three feet relative to the front façade of the main body.
 - d. The eave/roof of a wing shall be no higher than the corresponding elements of the main body.
3. R-1 Adjacencies.
 - a. Building façade planes abutting an R-1 district may not exceed forty-eight (48) feet in width.
 - b. When a building façade abutting an R-1 district exceeds forty-eight (48) feet in width, it must be separated into façade bays no greater than forty-eight (48) feet by a recess five feet wide and five feet deep.
 - c. Balconies, roof decks and other habitable outdoor space is not allowed on upper-story façades abutting R-1 zones.
 - d. Sliding glass doors, French doors, and floor-to-ceiling windows are not allowed on upper-story façades abutting R-1 zones.



4. Roofline and Roof Design.

- a. Acceptable roof forms:
 - i. Hipped.
 - ii. Gable.
 - iii. Dormer.
- b. When the top story is stepped back and embedded in a sloped roof form such as a mansard roof or a hipped and/or gabled roof with dormers, the floor below must (and other floors may) be stepped back to meet the slope of the top story.

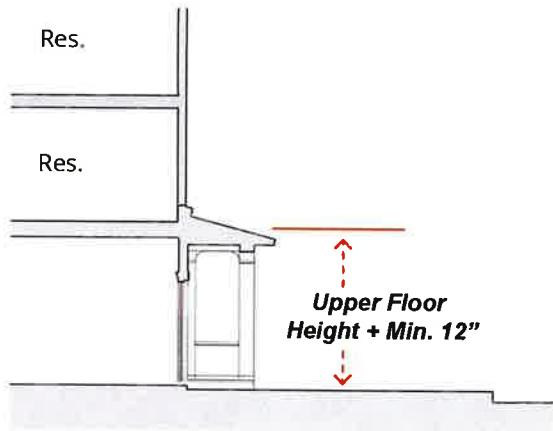


- c. Façade facing R-1 Zone must utilize a hipped or gable roof and may incorporate dormers.
- d. Roofline at corners shall not exceed roofline of adjacent wallplanes by more than twenty-four (24) inches.

B. Building Design.

- 1. Façade Composition. Building façades shall be arranged in an orderly composition of bays, defined by vertically aligned openings alternating horizontally with solid walls or columns. The pattern shall be visually expressed through the spacing of openings, recesses, eaves, cornices, overhangs, trellises, exposed rafters, columns, or bay windows.
- 2. Building Entrances. Building entrances must incorporate one of the following entry features. See Section 14.66.275 (Entrance Type Standards) for design standards applicable to each entrance type listed.

- a. Stoop.
 - b. Porch.
 - c. Dooryard.
3. Primary Entrance Location(s). Locate primary entrance on the front ROW and/or interior courtyard.
 4. Ground Floor Floor-to-Ceiling Height. Minimum twelve (12) inches taller than typical upper floor floor-to-ceiling height.



C. Window Design.

1. All windows must have a sill.
2. Vinyl sliding windows are prohibited on façades visible from a right-of-way.

D. Building Materials.

1. Primary shall mean fifty (50) percent or more of a façade surface area excluding transparent surfaces. Permitted primary cladding materials are limited to:
 - a. Stucco (minimum two-coat stucco; synthetic stucco or EIFS not allowed).
 - b. Siding (lap, vertical, or shingle).
 - i. All siding shall be wood, composite wood, or cement fiberboard.
 - ii. Wood siding shall be painted or stained.
 - iii. Vinyl and aluminum siding are not permitted.
 - c. Stone.
 - d. Brick.
2. Secondary shall mean less than fifty (50) percent of a façade surface area excluding transparent surfaces. Permitted secondary cladding materials are limited to:
 - a. Stucco (minimum two-coat stucco; synthetic stucco not allowed, EIFS not allowed).
 - b. Siding (lap, vertical, or shingle).
 - i. All siding shall be wood, composite wood, or cement fiberboard.
 - ii. Wood siding shall be painted or stained.
 - iii. Vinyl and aluminum siding are not permitted.

- c. Stone (watertable and building base only).
- d. Brick (watertable and building base only).
- e. Tile.
- f. Concrete (watertable and building base only, board-form only, cast concrete not permitted).

E. Landscaping.

- 1. Landscaping must be placed on each side of a driveway at grade or in raised planters.
- 2. Low walls and/or hedges must screen the parking along the sidewalk. When walls are used, the materials and design must be compatible with and not obscure the architectural style of the building.

F. Screening.

- 1. Service, trash, and utility areas must be screened from view of the right-of-way.
- 2. Screening must be architecturally consistent with primary building in terms of materials, colors, and style.

G. Additional Design Standards. See Section 14.66.280 for additional design standards applicable to all multi-family development in the R3-5 District.

(Amended during 2/06 supplement; prior code § 10-2.812)

(Ord. No. 2021-478 , § 1, 9-14-2021)

14.18.130 Signs (R3-5).

(As provided in Chapter 14.68 of this code.)

(Prior code § 10-2.813; Ord. No. 2015-414 , § 12, 9-8-2015)

14.18.140 Fences (R3-5).

(As provided in Chapter 14.72 of this title.)

(Prior code § 10-2.814)

14.18.150 Nonconforming use regulations (R3-5).

(As provided in Chapter 14.66 of this title.)

(Prior code § 10-2.815)

14.18.160 Accessory structures.

As provided in Chapter 14.15 of this title.

(Ord. No. 2018-440 , § 3, 3-13-2018)

Chapter 14.20 R3-3 MULTIPLE-FAMILY DISTRICT

Sections:

14.20.010 R3-3 District.

The regulations, general provisions, and exceptions set forth in this chapter and in Chapter 14.66 shall apply in all R3-3 Districts.

(Prior code § 10-2.901)

14.20.020 Permitted uses (R3-3).

The following uses shall be permitted in R3-3 Districts:

- A. ~~Apartments, two family or more, with not more than one dwelling unit for each three thousand (3,000) square feet of lot area; Residential Housing Developments with two (2) or more units; and~~
- B. ~~For affordable housing requirements, see Chapter 14.28 of this title;~~
- C. ~~For density bonus provisions, see Chapter 14.30 of this title; and~~
- D. ~~Animals as provided in Chapter 5.10 of this code.~~

(Prior code § 10-2.902)

14.20.030 Maximum density development requirement.

The maximum density permitted shall be constructed unless it is determined by the city council that a less dense project would be in the best interests of the community. In approving a less dense project, the city council shall make at least one of the following findings:

- A. That a maximum density project would be detrimental to the health, safety, comfort, convenience, prosperity, or welfare of persons residing or working in the vicinity or injurious to property or improvements in the vicinity;
- B. That the development of fewer units would enhance opportunities for the development of affordable housing within the project.

(Prior code § 10-2.902.1)

14.20.040 Site area (R3-3).

The minimum site area shall be ~~three thousand (3,000) square feet. twenty-one thousand (21,000) square feet.~~

(Prior code § 10-2.903)

14.20.050 Coverage (R3-3).

~~The maximum coverage for all structures shall be thirty (30) percent of the total area of the site.~~

- A. The maximum coverage for all structures in excess of six feet in height shall be sixty (60) percent of the total gross site area.

(Prior code § 10-2.904)

14.20.060 Front yard (R3-3).

~~The minimum depth of front yards shall be forty (40) feet, landscaped according to a plan approved by the building and planning department, and shall be permanently maintained by the property owner.~~

(Prior code § 10-2.905)

14.20.070 Side yards (R3-3).

- A. The minimum width of side yards shall be fifteen (15) feet, except that on a corner lot, the minimum width of the side yard adjoining the street shall be twenty-five (25) feet. ~~The five feet abutting the property line on all side yards shall be landscaped according to a plan approved by the building and planning department and shall be permanently maintained by the property owner. Five feet shall be added to each minimum side yard for each story above the first story or for each ten (10) feet of height, or fraction thereof, above the lowest twelve (12) feet of the structure, whichever requires the lesser addition.~~
- B. Where a side yard abuts on an R1-10 District, the minimum side yard shall be twenty-five (25) feet, of which the ten (10) feet abutting the property in the R1-10 District shall have a six-foot solid fence or wall outside a planting screen of evergreen trees or bushes of a variety, height, and spacing as required and approved by the Zoning Administrator ~~building and planning department, all of which shall be permanently maintained by the property owner. Such ten (10) foot planting strip shall be used exclusively for landscaping purposes. No structure shall be placed within the required rear yard.~~

(Prior code § 10-2.906)

14.20.080 Rear yard (R3-3).

~~The minimum depth of rear yards shall be thirty (30) feet. The five feet abutting the rear property line shall be landscaped according to a plan approved by the building and planning department and shall be permanently maintained by the property owner. When~~ en ~~the rear yard abuts on an R1-10 District, the minimum depth shall be forty (40) feet, of which the first~~ ten (10) feet ~~abutting the property in the R1-10 District shall have a six-foot solid fence or wall outside a planting screen of evergreen trees or bushes of a variety, height, and spacing as required and approved by the Zoning Administrator building and planning department, all of which shall be permanently maintained by the property owner. Such ten (10) foot planting strip shall be used exclusively for landscaping purposes. No structure shall be placed within the required rear yard.~~

(Prior code § 10-2.907)

14.20.090 Distances between structures (R3-3).

The requirements set forth in Section 14.66.210 shall apply to this chapter.

(Prior code § 10-2.908)

14.20.100 Off-street parking (R3-3).

(As provided in Chapter 14.74 of this title for the R3-5 District.)

(Prior code § 10-2.909)

14.20.110 Height of structures (R3-3).

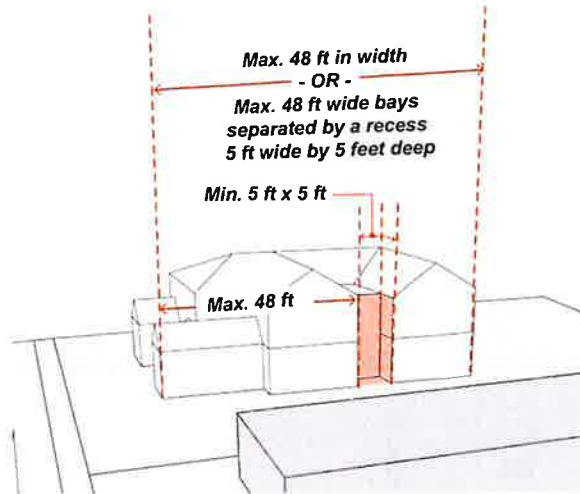
No structure shall exceed ~~two-three~~ stories or thirty-six (306) feet in height as measured from the existing natural grade immediately adjacent to the proposed structure, whichever is the lesser. ~~No structure shall exceed one story or fifteen (15) feet in height if located within one hundred (100) feet of an R1-10 District. In no case shall this preclude a basement when used for parking and/or storage.~~

(Prior code § 10-2.910)

14.20.120 Design control (R3-3).

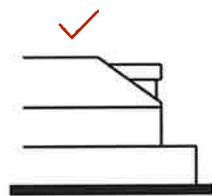
A. Building Massing and Articulation.

1. For buildings exceeding the height limit established in the applicable base and overlay zone, the right-of-way-facing façades of the uppermost floor must be embedded in a sloped roof form as allowed by Section 14.20.120.A.4.
2. Vertical Articulation.
 - a. Each building volume shall be defined according to one of the following classifications:
 - i. Main body (one per building): The widest volumes of the structure, containing main entrances and the most public interior spaces.
 - ii. Wing (optional, multiple per main body allowed): A narrower volume attached to a main body volume.
 - b. Each main body volume shall contain at least one entrance.
 - c. Street-facing wings shall be recessed by no less than three feet relative to the front façade of the main body.
 - d. The eave/roof of a wing shall be no higher than the corresponding elements of the main body.
3. R-1 Adjacencies.
 - a. Building façade planes abutting an R-1 district may not exceed forty-eight (48) feet in width.
 - b. When a building façade abutting an R-1 district exceeds forty-eight (48) feet in width, it must be separated into façade bays no greater than forty-eight (48) feet by a recess five feet wide and five feet deep.
 - c. Balconies, roof decks and other habitable outdoor space is not allowed on upper-story façades abutting R-1 zones.
 - d. Sliding glass doors, French doors, and floor-to-ceiling windows are not allowed on upper-story façades abutting R-1 zones.

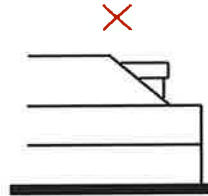


4. Roofline and Roof Design.

- a. Acceptable roof forms:
 - i. Hipped.
 - ii. Gable.
 - iii. Dormer.
- b. When the top story is stepped back and embedded in a sloped roof form such as a mansard roof or a hipped and/or gabled roof with dormers, the floor below must (and other floors may) be stepped back to meet the slope of the top story.
- c. Façade facing R-1 Zone must utilize a hipped or gable roof and may incorporate dormers.



Acceptable:
One story below the story embedded in a sloped roof is also stepped-back .



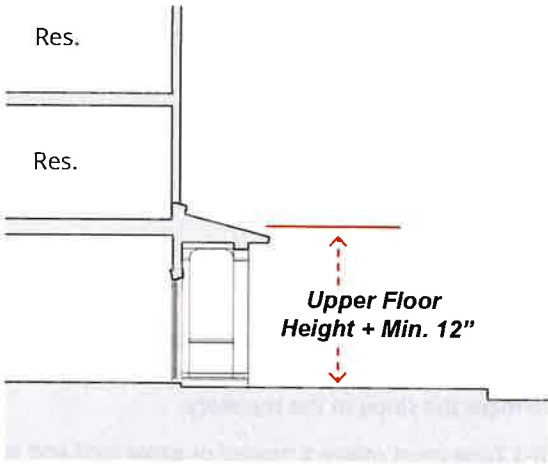
Not acceptable:
Top story embedded in a sloped roof is the only story stepped back.

- d. Roofline at corners shall not exceed roofline of adjacent wallplanes by more than twenty-four (24) inches.

B. Building Design.

- 1. Façade Composition. Building façades shall be arranged in an orderly composition of bays, defined by vertically aligned openings alternating horizontally with solid walls or columns. The pattern shall be visually expressed through the spacing of openings, recesses, eaves, cornices, overhangs, trellises, exposed rafters, columns, or bay windows.

- 2. **Building Entrances.** Building entrances must incorporate one of the following entry features. See Section 14.66.275 (Entrance Type Standards) for design standards applicable to each entrance type listed.
 - a. Stoop.
 - b. Porch.
 - c. Dooryard.
- 3. **Primary Entrance Location(s).** Locate primary entrance along the front right-of-way and/or interior courtyard.
- 4. **Ground Floor Floor-to-Ceiling Height.** Minimum twelve (12) inches taller than typical upper floor floor-to-ceiling height.



- C. **Window Design.**
 - 1. All windows must have a sill.
 - 2. Vinyl sliding windows are prohibited on façades visible from a right-of-way.
- D. **Building Materials.**
 - 1. Primary shall mean fifty (50) percent or more of a façade surface area excluding transparent surfaces. Permitted primary cladding materials are limited to:
 - a. Stucco (minimum two-coat stucco; synthetic stucco or EIFS not allowed).
 - b. Siding (lap, vertical, or shingle).
 - i. All siding shall be wood, composite wood, or cement fiberboard.
 - ii. Wood siding shall be painted or stained.
 - iii. Vinyl and aluminum siding are not permitted.
 - c. Stone.
 - d. Brick.
 - 2. Secondary shall mean less than fifty (50) percent of a façade surface area excluding transparent surfaces. Permitted secondary cladding materials are limited to:
 - a. Stucco (minimum two-coat stucco; synthetic stucco not allowed, EIFS not allowed).

- b. Siding (lap, vertical, or shingle).
 - i. All siding shall be wood, composite wood, or cement fiberboard.
 - ii. Wood siding shall be painted or stained.
 - iii. Vinyl and aluminum siding are not permitted.
- c. Stone (watertable and building base only).
- d. Brick (watertable and building base only).
- e. Tile.
- f. Concrete (watertable and building base only, board-form only, cast concrete not permitted).

E. Landscaping.

- 1. Landscaping must be placed on each side of a driveway at grade or in raised planters.
- 2. Low walls and/or hedges must screen the parking along the sidewalk. When walls are used, the materials and design must be compatible with and not obscure the architectural style of the building.

F. Screening.

- 1. Service, trash, and utility areas must be screened from view of the right-of-way.
- 2. Screening must be architecturally consistent with primary building in terms of materials, colors, and style.

G. Additional Design Standards. See Section 14.66.280 for additional design standards applicable to all multi-family development in the R3-3 District.

(Amended during 2/06 supplement; prior code § 10-2.912)

(Ord. No. 2021-478 , § 1, 9-14-2021)

14.20.130 Signs (R3-3).

(As provided in Chapter 14.68 of this code.)

(Prior code § 10-2.913; Ord. No. 2015-414 , § 12, 9-8-2015)

14.20.140 Fences (R3-3).

(As provided in Chapter 14.72 of this title.)

(Prior code § 10-2.914)

14.20.150 Nonconforming use regulations (R3-3).

(As provided in Chapter 14.66 of this title.)

(Prior code § 10-2.915)

14.20.160 Accessory structures.

As provided in Chapter 14.15 of this title.

(Ord. No. 2018-440 , § 3, 3-13-2018)

Chapter 14.22 R3-1.8 MULTIPLE-FAMILY DISTRICT

Sections:

14.22.010 R3-1.8 District.

The regulations, general provisions, and exceptions set forth in this chapter and in Chapter 14.66 shall apply in the R3-1.8 District.

(Prior code § 10-2.1001)

14.22.020 Permitted uses (R3-1.8).

The following uses shall be permitted in the R3-1.8 District:

- A. Multi-family residential dwelling units ~~with not more than one dwelling unit for each one thousand eight hundred (1,800) square feet of lot area; and~~
- B. ~~For affordable housing requirements, see Chapter 14.28 of this title;~~
- C. ~~For density bonus provisions, see Chapter 14.30 of this title; and~~
- D. ~~Animals as provided in Chapter 5.10 of this code.~~

(Ord. 02-410 § 2; prior code § 10-2.1002)

14.22.030 Maximum density development requirement.

The maximum density permitted shall be constructed unless it is determined by the city council that a less dense project would be in the best interests of the community. In approving a less dense project, the city council shall make at least one of the following findings:

- A. That a maximum density project would be detrimental to the health, safety, comfort, convenience, prosperity, or welfare of persons residing or working in the vicinity or injurious to property or improvements in the vicinity;
- B. That the development of fewer units would enhance opportunities for the development of affordable housing within the project.

(Prior code § 10-2.1002.1)

~~**14.22.040 Site area (R3-1.8).**~~

~~The minimum site area shall be seven thousand one hundred (7,100) square feet on vacant property and fourteen thousand (14,000) square feet on properties with existing structures.~~

(Prior code § 10-2.1003)

14.22.059040 Coverage (R3-1.8).

The maximum coverage for all structures shall be ~~fortysixty-five (4065)~~ percent of the total gross site area of the site, including garages (not including driveways or off-street parking areas).

(Prior code § 10-2.1004)

14.22.069050 Front yard (R3-1.8).

The minimum depth of front yards shall be twenty (20) feet. ~~The minimum width on a public street shall be fifty (50) feet on vacant property and one hundred (100) feet on property with existing structures.~~

(Prior code § 10-2.1005)

14.22.079060 Side yards (R3-1.8).

The minimum width of side yards shall be seven and one-half feet, except that on a corner lot, the minimum width of the side yard adjoining the street shall be fifteen (15) feet. ~~Five feet shall be added to each side yard for each story above the first story or for each ten (10) feet of height, or fraction thereof, above the lowest twelve (12) feet of the height of the structure, whichever is the lesser, except on the secondary setback on a corner lot. When a garage or carport faces a side yard adjoining a street, the minimum setback to the face of the structure shall be twenty (20) feet. Where R3-1.8 District property abuts on R1-10 District property, the minimum side yard shall be twenty-five (25) feet for one-story structures, of which the ten (10) feet abutting the property in the R1-10 District shall have a six-foot solid fence or wall outside a planting screen of evergreen trees or bushes of a variety, height, and spacing as approved by the building and planning department, all of which shall be permanently maintained by the property owner. Such ten-foot planting strip shall be used exclusively for landscaping purposes.~~

(Prior code § 10-2.1006)

(Ord. No. 2012-375, § 5, 1-24-2012)

14.22.089070 Rear yard (R3-1.8).

The minimum depth of rear yards shall be twenty-five (25) feet, ~~and no structure shall be placed within the required rear yard. When the rear yard Where R3-1.8 District property abuts on R1-10 District property, the minimum depth of rear yards shall be thirty (30) feet, of which the first ten (10) feet abutting on the property in the R1-10 District shall have a six-foot solid fence or wall outside a planting screen of evergreen trees or bushes of a variety, height, and spacing as approved by the Zoning Administrator, building and planning department, all of which shall be permanently maintained by the property owner. Such ten (10) foot planting strip shall be used exclusively for landscaping purposes.~~

(Prior code § 10-2.1007)

14.22.099080 Off-street parking (R3-1.8).

(As provided in Chapter 14.74 of this title.)

(Prior code § 10-2.1008)

14.22.100090 Height of structures (R3-1.8).

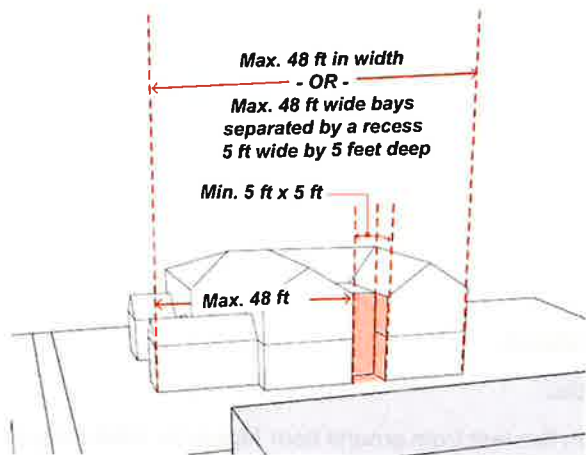
No structure shall exceed ~~two~~three stories or thirty-six (~~30~~36) feet in height as measured from the existing natural grade immediately adjacent to the proposed structure, whichever is the lesser. No structure shall exceed one story or fifteen (15) feet in height if located within one hundred (100) feet of the R1-10 District. In no case shall this preclude a basement when used for parking and/or storage.

(Prior code § 10-2.1009)

14.22.110100 Design control (R3-1.8).

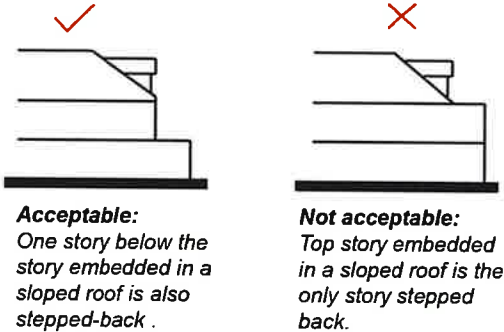
A. Building Massing and Articulation.

1. Upper-story step-backs.
 - a. Front: Minimum five feet from ground floor façade for third story and above for building façades fifty (50) feet or greater in width.
 - b. Street side: Minimum five feet from ground floor façade for third story and above for building façades fifty (50) feet or greater in width.
 - c. For buildings exceeding the height limit established in the applicable base and overlay zone, the right-of-way-facing façades of the uppermost floor must be embedded in a sloped roof form as allowed by Section 14.22.110.A.4.
2. Vertical Articulation.
 - a. Each building volume shall be defined according to one of the following classifications:
 - i. Main body (one per building): The widest volumes of the structure, containing main entrances and the most public interior spaces.
 - ii. Wing (optional, multiple per main body allowed): A narrower volume attached to a main body volume.
 - b. Each main body volume shall contain at least one entrance.
 - c. Street-facing wings shall be recessed by no less than three feet relative to the front façade of the main body.
 - d. The eave/roof of a wing shall be no higher than the corresponding elements of the main body.
3. R-1 Adjacencies.
 - a. Building façade planes abutting an R-1 district may not exceed forty-eight (48) feet in width.
 - b. When a building façade abutting an R-1 district exceeds forty-eight (48) feet in width, it must be separated into façade bays no greater than forty-eight (48) feet by a recess five feet wide and five feet deep.
 - c. Balconies, roof decks and other habitable outdoor space is not allowed on upper-story façades abutting R-1 zones.
 - d. Sliding glass doors, French doors, and floor-to-ceiling windows are not allowed on upper-story façades abutting R-1 zones.



4. Roofline and Roof Design.

- a. Acceptable roof forms:
 - i. Hipped.
 - ii. Gable.
 - iii. Dormer.
- b. When the top story is stepped back and embedded in a sloped roof form such as a mansard roof or a hipped and/or gabled roof with dormers, the floor below must (and other floors may) be stepped back to meet the slope of the top story.

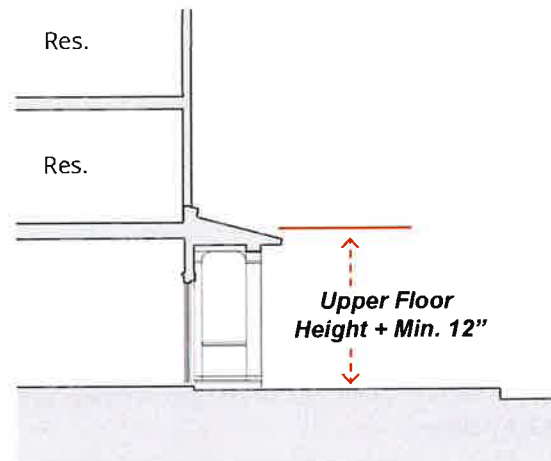


- c. Façade facing R-1 Zone must utilize a hipped or gable roof and may incorporate dormers.
- d. Roofline at corners shall not exceed roofline of adjacent wallplanes by more than twenty-four (24) inches.

B. Building Design.

- 1. Façade Composition. Building façades shall be arranged in an orderly composition of bays, defined by vertically aligned openings alternating horizontally with solid walls or columns. The pattern shall be visually expressed through the spacing of openings, recesses, eaves, cornices, overhangs, trellises, exposed rafters, columns, or bay windows.

- 2. **Building Entrances.** Building entrances must incorporate one of the following entry features. See Section 14.66.275 (Entrance Type Standards) for design standards applicable to each entrance type listed.
 - a. Stoop.
 - b. Porch.
 - c. Dooryard.
- 3. **Primary Entrance Location(s).** Locate primary entrance on the front ROW and/or interior courtyard.
- 4. **Ground Floor Floor-to-Ceiling Height.** Minimum twelve (12) inches taller than typical upper floor floor-to-ceiling height.



- C. **Storage.** Each multi-family residential dwelling unit shall have a minimum of ninety-six (96) cubic feet of enclosed storage, excluding closet and garage areas.
- D. **Window Design.**
 - 1. All windows must have a sill.
 - 2. Vinyl sliding windows are prohibited on façades visible from a right-of-way.
- E. **Building Materials.**
 - 1. Primary shall mean fifty (50) percent or more of a façade surface area excluding transparent surfaces. Permitted primary cladding materials are limited to:
 - a. Stucco (minimum two-coat stucco; synthetic stucco or EIFS not allowed).
 - b. Siding (lap, vertical, or shingle).
 - i. All siding shall be wood, composite wood, or cement fiberboard.
 - ii. Wood siding shall be painted or stained.
 - iii. Vinyl and aluminum siding are not permitted.
 - c. Stone.
 - d. Brick.
 - 2. Secondary shall mean less than fifty (50) percent of a façade surface area excluding transparent surfaces. Permitted secondary cladding materials are limited to:

- a. Stucco (minimum two-coat stucco; synthetic stucco not allowed, EIFS not allowed).
 - b. Siding (lap, vertical, or shingle).
 - i. All siding shall be wood, composite wood, or cement fiberboard.
 - ii. Wood siding shall be painted or stained.
 - iii. Vinyl and aluminum siding are not permitted.
 - c. Stone (watertable and building base only).
 - d. Brick (watertable and building base only).
 - e. Tile.
 - f. Concrete (watertable and building base only, board-form only, cast concrete not permitted).
- F. Landscaping.
- 1. Landscaping must be placed on each side of a driveway at grade or in raised planters.
 - 2. Low walls and/or hedges must screen the parking along the sidewalk. When walls are used, the materials and design must be compatible with and not obscure the architectural style of the building.
- G. Screening.
- 1. Service, trash, and utility areas must be screened from view of the right-of-way.
 - 2. Screening must be architecturally consistent with primary building in terms of materials, colors, and style.
- H. Additional Design Standards. See Section 14.66.280 for additional design standards applicable to all multi-family development in the R3-1.8 District.

(Amended during 2/06 supplement; Ord. 02-410 § 3; prior code § 10-2.1011)

(Ord. No. 2021-478 , § 1, 9-14-2021)

14.22.120110 Exceptions (R3-1.8).

On lots facing on Gabilan Street and known as Lots 4 through 14 and Lot 24 of Block 34, Map No. 3, town of Los Altos, the side yard abutting the R1-10 District shall be not less than ten (10) feet for a one-story building, of which five feet shall be landscaped as provided in Section 14.22.070 of this chapter, and no structure shall exceed one story or fifteen (15) feet in height if located within fifty (50) feet of the R1-10 District.

(Prior code § 10-2.1012)

14.22.130120 Signs (R3-1.8).

(As provided in Chapter 14.68 of this code.)

(Prior code § 10-2.1013; Ord. No. 2015-414 , § 12, 9-8-2015)

14.22.140130 Fences (R3-1.8).

(As provided in Chapter 14.72 of this title.)

(Prior code § 10-2.1014)

14.22.150140 Nonconforming use regulations (R3-1.8).

(As provided in Chapter 14.66 of this title.)

(Prior code § 10-2.1015)

14.22.160150 Accessory structures.

As provided in Chapter 14.15 of this title.

(Ord. No. 2018-440 , § 3, 3-13-2018)

Chapter 14.24 R3-1 MULTIPLE-FAMILY DISTRICT

Sections:

14.24.010 R3-1 Districts.

The regulations, general provisions, and exceptions set forth in this chapter and Chapter 14.66 shall apply in all R3-1 Districts.

(Prior code § 10-2.1101)

14.24.020 Permitted uses (R3-1).

The following uses shall be permitted in R3-1 Districts:

- ~~A. Multi-family residential dwelling units, with not more than four dwelling units for the first seven thousand one hundred (7,100) square feet of lot area, plus six units for the next additional seven thousand one hundred (7,100) square feet of lot area and not more than one additional dwelling unit for each one thousand (1,000) square feet of lot area thereafter, not to exceed thirty-eight (38) units per acre. Lands within the Hetch Hetchy Aqueduct right-of-way shall not be counted as lot area for the purpose of determining the number of units allowed on a site;~~
- ~~B. For affordable housing requirements, see Chapter 14.28 of this title;~~
- ~~C. For density bonus provisions, see Chapter 14.30 of this title; and~~
- A. Residential Only Development(s); and
- ~~D.B.~~ Animals as provided in Chapter 5.10 of this code.

(Prior code § 10-2.1102)

14.24.030 Maximum density development requirement.

The maximum density permitted shall be constructed unless it is determined by the city council that a less dense project would be in the best interests of the community. In approving a less dense project, the city council shall make at least one of the following findings:

- A. That a maximum density project would be detrimental to the health, safety, comfort, convenience, prosperity, or welfare of persons residing or working in the vicinity or injurious to property or improvements in the vicinity;
- B. That the development of fewer units would enhance opportunities for the development of affordable housing within the project.

(Prior code § 10-2.1102.1)

14.24.040 Site area (R3-1).

The minimum site area shall be ~~seven-five~~ thousand one hundred (7,100,000) square feet.

(Prior code § 10-2.1103)

14.24.050 Coverage (R3-1).

The maximum coverage for all structures shall be ~~forty-sixty-five~~ (4065) percent of the total area of the site, including garages (not including driveways or off-street parking areas).

(Prior code § 10-2.1104)

14.24.060 Front yard (R3-1).

The minimum depth of front yards shall be twenty (20) feet. ~~The minimum width on a public street shall be fifty (50) feet.~~

(Prior code § 10-2.1105)

14.24.070 Side yards (R3-1).

The minimum width of side yards shall be seven and one-half feet, except that on a corner lot, the minimum width of the side yard adjoining the street shall be fifteen (15) feet. ~~Five feet shall be added to each side yard for each story above the first story or for each ten (10) feet of height, or fraction thereof, above the lowest twelve (12) feet of the height of the structure, whichever is the lesser, except on the secondary setback on a corner lot.~~

(Prior code § 10-2.1106)

14.24.080 Rear yard (R3-1).

The minimum depth of rear yards shall be twenty-five (25) feet, ~~and no structure shall be placed within the required rear yard.~~

(Prior code § 10-2.1107)

14.24.090 Off-street parking (R3-1).

(As provided in Chapter 14.74 of this title.)

(Prior code § 10-2.1108)

14.24.100 Height of structures (R3-1).

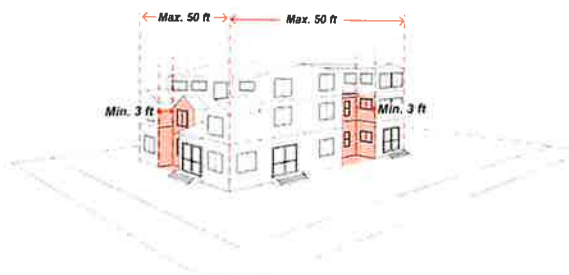
~~No structure shall exceed three stories or thirty-five (35) feet in height, whichever is the lesser. No structure located within one hundred (100) feet of an R1-10 District shall exceed two stories or thirty (30) feet in height. In no case shall this preclude a basement when used for parking and/or storage.~~

- a. Residential Only Development(s) building height shall be a maximum of forty (40) feet and four (4) stories as measured from the existing natural grade immediately adjacent to the proposed structure.

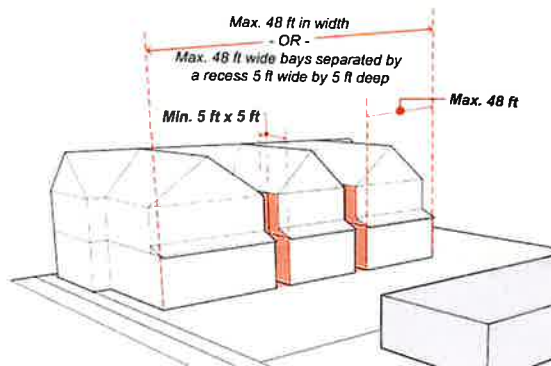
(Prior code § 10-2.1109)

14.24.110 Design control (R3-1).

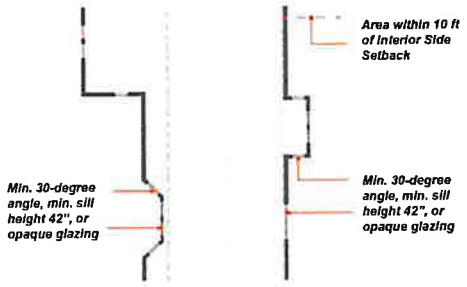
- A. Building Placement. A minimum eighty-five (85) percent of the building frontage must be built at the minimum setback line. This standard applies to the building frontage only (exclusive of side setbacks).
- B. Building Massing and Articulation.
 - 1. Upper-story step-backs.
 - a. Front: Minimum five feet from ground floor façade for fourth story and above for building façades fifty (50) feet or greater in width.
 - b. Street Side: Minimum five feet from ground floor façade for fourth story and above for building façades fifty (50) feet or greater in width.
 - c. Interior Side and Rear Abutting an R-1 District: Minimum five feet from ground floor façade for fourth story and above.
 - d. For buildings exceeding the height limit established in the applicable base and overlay zone, the right-of-way-facing façades of the uppermost floor must be embedded in a sloped roof form as allowed by Section 14.24.110.A.5.
 - 2. Vertical Articulation. When a building façade exceeds fifty (50) feet in length along a right-of-way, it must be separated into primary façade bays no greater than fifty (50) feet and secondary façade bays defined by a recess a minimum three feet deep and ten (10) feet wide.



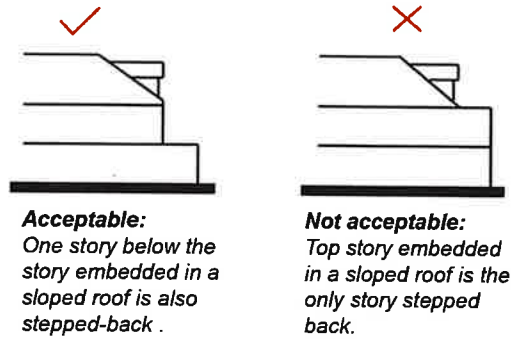
- 3. R-1 Adjacencies.
 - a. Building façade planes abutting an R-1 district may not exceed forty-eight (48) feet in width.
 - b. When a building façade abutting an R-1 district exceeds forty-eight (48) feet in width, it must be separated into façade bays no greater than forty-eight (48) feet by a recess five feet wide and five feet deep.



- c. Balconies, roof decks and other habitable outdoor space is not allowed on upper-story façades abutting R-1 zones.
 - d. Sliding glass doors, French doors, and floor-to-ceiling windows are not allowed on upper-story façades abutting R-1 zones.
4. Privacy and Line of Sight.
- a. Primary living spaces and balconies located along a side setback shall orient principal windows and balconies toward the front and rear of the building.
 - b. Where windows are within ten (10) feet of and oriented toward an interior side setback, glazing shall either be a minimum thirty (30) degree angle measured perpendicular to the adjacent side setback line, have minimum sill height of forty-two (42) inches, or be opaque.
 - c. The maximum sill height for an ingress/egress window is forty-four (44) inches from finished floor.



5. Roofline and Roof Design.
- a. Roof designs shall be limited to:
 - i. Hipped.
 - ii. Gable.
 - iii. Dormer.
 - iv. Parapet.
 - (a) When used on the first or second floor, a parapet longer than twenty-five (25) feet in length must include at least one but not more than two of the following design elements to break up the length of the parapet:
 - (1) Steps.
 - (2) Curves.
 - (3) Angled surfaces.
 - (b) Parapet limited to twenty-five (25) percent of cumulative roof perimeter on the third floor and above.
 - (c) The length of a parapet segment on the third floor and above may not exceed twenty-five (25) feet.
 - b. When the top story is stepped back and embedded in a sloped roof form such as a mansard roof or a hipped and/or gabled roof with dormers, the floor below must (and other floors may) be stepped back to meet the slope of the top story.



- c. Façade facing R-1 Zone must utilize a hipped or gable roof and may incorporate dormers.
- d. Corner Treatment. Roofline/parapet at corners shall not exceed roofline/parapet of adjacent wallplanes by more than twenty-four (24) inches.

C. Building Design.

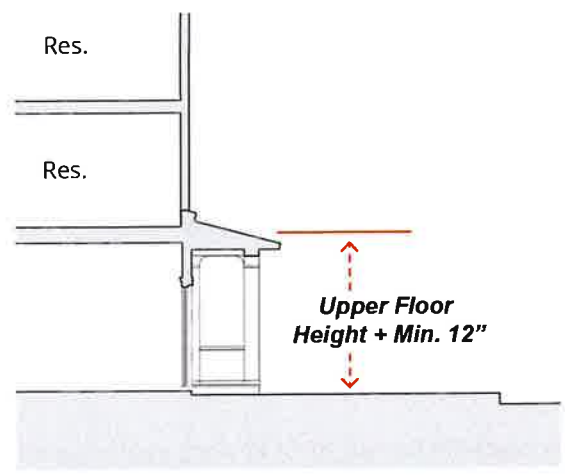
1. Façade Composition.

- a. Building façades must continue the pattern established by existing buildings in Downtown Los Altos by reinforcing the underlying maximum twenty-five (25) foot module along all street frontages through the use of the following techniques:
 - i. Building façades shall be arranged in an orderly composition of bays, defined by vertically aligned openings alternating horizontally with solid walls or columns.
 - ii. The pattern shall be visually expressed through the spacing of openings, recesses, eaves, cornices, overhangs, trellises, exposed rafters, columns, or bay windows.
 - iii. Façades shall incorporate at least one element that signals habitation, such as porches, bay windows, or balconies.
 - iv. Non-glazed wall areas (blank walls) must be enhanced with architectural details, landscaping, and/or landscaped trellises or lattices.
- b. At least two of the following strategies must be used in a manner that reinforces the maximum twenty-five (25) foot module:
 - i. Change in roof parapet height or shape.
 - ii. Change in roof style.
 - iii. Change in materials palette.
 - iv. Change in building height, minimum eight-foot difference.
 - v. Change in frontage type or change in details of shopfront frontage type if used.
 - vi. Use of upper floor projections such as bay windows or balconies.

2. Building Entrances. Building entrances must incorporate one of the following entry features. See Section 14.66.275 (Entrance Type Standards) for design standards applicable to each entrance type listed.

- a. Stoop.
- b. Porch.
- c. Dooryard.

- d. Gallery.
 - e. Arcade.
 - f. Forecourt.
 - i. Forecourts must feature at least one entry to a shop and/or second floor use.
 - ii. Forecourts for buildings more than seventy (70) feet in length along a right-of-way must have a minimum width and depth of fifteen (15) feet from front façade. Width of forecourt shall be equal to or greater than depth.
 - iii. The size of the forecourt must be appropriate relative to the size of the building. The maximum ratio of building height to forecourt is 2:1 (height < 2 x width).
 - iv. Forecourt must be enclosed on at least three sides by buildings.
 - v. Forecourt must remain open to the sky (arbors and trellises are allowed).
 - g. Terrace.
3. Primary Entrance Location(s). Locate primary entrance on the front ROW and/or interior courtyard.
 4. Individual Entries. Ground floor residential units facing a street must provide individual entries along the street frontage.
 5. Interior Courtyard. Interior courtyards must be:
 - a. Enclosed on at least two sides by buildings.
 - b. Open to the sky (arbors and trellises are allowed).
 - c. A minimum width of twenty (20) feet and a minimum area of four hundred (400) square feet.
 6. Paseos. Paseos must be:
 - a. A minimum width of ten (10) feet for through-block paseos.
 - b. A minimum width of four feet for entries to courtyards or individual single businesses.
 7. Ground Floor Floor-to-Ceiling Height. Minimum twelve (12) inches taller than typical upper floor floor-to-ceiling height.



D. Window Design.

- 1. All windows must have a sill.
 - 2. Vinyl sliding windows are prohibited on façades visible from a right-of-way.
- E. Building Materials.
- 1. Primary shall mean fifty (50) percent or more of a façade surface area excluding transparent surfaces. Permitted primary cladding materials are limited to:
 - a. Stucco (minimum two-coat stucco; synthetic stucco or EIFS not allowed).
 - b. Siding (lap, vertical, or shingle).
 - i. All siding shall be wood, composite wood, or cement fiberboard.
 - ii. Wood siding shall be painted or stained.
 - iii. Vinyl and aluminum siding are not permitted.
 - c. Stone.
 - d. Brick.
 - 2. Secondary shall mean less than fifty (50) percent of a façade surface area excluding transparent surfaces. Permitted secondary cladding materials are limited to:
 - a. Stucco (minimum two-coat stucco; synthetic stucco not allowed, EIFS not allowed).
 - b. Siding (lap, vertical, or shingle).
 - i. All siding shall be wood, composite wood, or cement fiberboard.
 - ii. Wood siding shall be painted or stained.
 - iii. Vinyl and aluminum siding are not permitted.
 - c. Stone (watertable and building base only).
 - d. Brick (watertable and building base only).
 - e. Tile.
 - f. Metal (matte finish or Cor-ten).
 - i. Ribbed metal, titanium, and mirrored finishes not allowed.
 - g. Concrete Masonry Units (watertable and building base only, and not allowed on any façade facing a right-of-way or a single-family zone).
 - h. Concrete (watertable and building base only, board-form only, cast concrete not permitted).
- F. Landscaping and Paving.
- 1. Landscaping must be placed on each side of a driveway at grade or in raised planters.
 - 2. Low walls and/or hedges must screen the parking along the sidewalk. When walls are used, the materials and design must be compatible with and not obscure the architectural style of the building.
 - 3. A minimum seventy-five (75) percent of on-site paving material must be pervious/permeable.
- G. Screening.
- 1. Service areas must be located at the rear of lot or along a parking plaza.
 - 2. Screening must be architecturally consistent with primary building in terms of materials, colors, and style.

H. Additional Design Standards. See Section 14.66.280 for additional design standards applicable to all multi-family development in the R3-1 District.

(Amended during 2/06 supplement; prior code § 10-2.1110)

(Ord. No. 2021-478 , § 1, 9-14-2021)

14.24.120 Signs (R3-1).

(As provided in Chapter 14.68 of this code.)

(Prior code § 10-2.1111; Ord. No. 2015-414 , § 12, 9-8-2015)

14.24.130 Fences (R3-1).

(As provided in Chapter 14.72 of this title.)

(Prior code § 10-2.1112)

14.24.140 Nonconforming use regulations (R3-1).

(As provided in Chapter 14.66 of this title.)

(Prior code § 10-2.1113)

14.24.150 Conditional uses (R3-1).

Upon the granting of a use permit in accord with Chapter 14.80 of this title, hotels shall be permitted in the R3-1 District.

(Prior code § 10-2.1115)

14.24.160 Accessory structures.

As provided in Chapter 14.15 of this title.

(Ord. No. 2018-440 , § 3, 3-13-2018)

Chapter 14.40 CN COMMERCIAL NEIGHBORHOOD DISTRICT

Sections:

14.40.010 CN District.

The regulations, general provisions, and exceptions set forth in this chapter and in Chapter 14.66 shall apply in the CN District.

(Prior code § 10-2.1601)

14.40.020 Specific purposes (CN).

The specific purposes of the CN District are as follows:

- A. To retain and enhance the neighborhood convenience character;
- B. To preserve and improve the existing character by encouraging pedestrian-scale development and amenities, circulation, and landscaping;
- C. To retain an emphasis on retail uses, including service and limited office uses;
- D. To allow for mixed uses of commercial and residential; and
- E. To buffer the impacts of commercial development on neighboring residential properties.

(Ord. 03-256 § 1 (part): prior code § 10-2.1601.1)

14.40.030 Permitted uses (CN).

The following uses shall be permitted in the CN District:

- A. Office-administrative services located above the ground floor;
- B. Office-administrative services uses located on the ground floor on Sherwood Avenue within the Sherwood Gateway specific plan area, and in existing commercial buildings constructed before February 22, 2013, on Grant Road between Newcastle Drive and Farndon Avenue within the Woodland Plaza area, provided that any site with over five thousand (5,000) square feet of existing retail or restaurant space on the ground floor shall retain an equal or greater amount of its existing retail and/or restaurant space on the ground floor;
- C. Parking spaces and loading areas;
- D. Recycling facilities: (i) small collection facilities, and (ii) reverse vending machines, as provided for in Chapter 14.68 of this title;
- E. Restaurants, excluding drive-through services;
- F. Retail and personal service establishments; ~~and~~
- G. Medical and dental offices that are less than five thousand (5,000) gross square feet;

I. Mixed Use Development(s) which shall consist of residential uses and a minimum floor area ratio of twenty (20) percent nonresidential uses or a maximum thirty-three (33) percent nonresidential uses; and

G. Uses which are determined by the Zoning Administrator ~~city planner~~ to be of the same general character.

(Ord. 07-306 § 3 (part); Ord. 05-280 § 4 (part); Ord. 03-256 § 1 (part); prior code § 10-2.1602)

(Ord. No. 2012-389, § 1, 1-22-2013; Ord. No. 2015-406 , § 2, 2-10-2015)

14.40.040 Conditional uses (CN).

Upon the granting of a use permit in accordance with the provisions of Chapter 14.80 of this title, the following uses shall be permitted in the CN District:

A. Day care centers ~~that do not displace a retail business. If the space had been a retail business, but that use was vacated for a minimum of one hundred twenty (120) days, it would not be considered to be displacing a retail business;~~

B. Office-administrative services uses ~~located on the ground floor as part of a new development constructed after February 22, 2013, on Grant Road between Newcastle Drive and Farndon Avenue within the Woodland Plaza area;~~

~~C. Housing located above the ground floor;~~

~~D. Medical and dental clinics;~~

E-C. Medical and dental offices that are five thousand (5,000) gross square feet or more;

~~F. Mixed-use projects, including a combination of retail, service, office, and/or residential uses, which are found to be compatible with the intent of the CN District and surrounding uses and consistent with the provisions of Section 14.02.020 of Article 1 of Chapter 14.02;~~

~~G-D.~~ Nurseries or garden supplies provided all equipment, supplies, and merchandise, other than plants, shall be kept within an enclosed structure; and

H-F. Uses which are determined by the planning commission ~~and the city council~~ to be of the same general character.

(Ord. 07-306 § 3 (part); Ord. 05-280 § 4 (part); Ord. 03-256 § 1 (part); prior code § 10-2.1603)

(Ord. No. 2012-389, § 2, 1-22-2013; Ord. No. 2015-406 , §§ 2—4, 2-10-2015)

14.40.050 Limited conditional uses (CN).

Upon the granting of a use permit in accordance with the provisions of Chapter 14.80, the following uses shall be permitted except within fifty (50) feet of an R1 District:

- A. Animal clinics;
- B. Cocktail lounges;
- C. Commercial recreation;
- D. Drive-through facilities, except car washes;

- E. Laundry and dry cleaning establishments, including self-serve dry cleaning;
- F. Printing shops;
- G. Recycling facilities: large collection facilities as provided for in Chapter 14.68;
- H. Service stations provided the site has at least one hundred (100) feet of frontage on a street with a minimum site area of twenty thousand (20,000) square feet. The setback of structures shall be determined by the [planning commission](#); and
- I. Upholstery shops.

(Ord. 07-312 § 8: Ord. 03-256 § 1 (part): prior code § 10-2.1604)

14.40.060 Required conditions (CN).

The following conditions shall be required of all uses in the CN District:

- A. All businesses, services, and processes shall be conducted entirely within a completely enclosed structure, except for recycling facilities, parking and loading spaces, outdoor dining areas, nurseries, the sale of gasoline and oil at service stations, or as permitted under the terms of a permit issued pursuant to Section 4.24.020 of Chapter 4.24 of Title 4 of this code.
- B. All products produced on the site of any of the permitted uses shall be sold at retail only and on the site where produced.
- C. No use shall be permitted and no process, equipment, or materials shall be employed which are found by the commission to be objectionable by reason of odor, dust, noise, vibration, illumination, glare, unsightliness, or electrical disturbances which are manifested beyond the premises in which the permitted use is located.

No property owner, business owner and/or tenant shall suffer, permit, or allow the operation of a business on his or her property or on property upon which his or her business operates to violate the required conditions of this chapter. Enforcement shall be as provided for in Chapter 1.10 of this code.

- 1. General screening standard. Every development shall provide sufficient screening to reasonably protect the privacy, safety, and environment of neighboring residential properties and shield them from adverse external effects of that development.

Walls up to twelve (12) feet in height shall be required for the purpose of attenuating noise (as determined by an acoustical analysis), odor, air pollution, artificial light, mitigation for grade differential between properties and providing privacy and safety.

- 2. Sites for screening of refuse collection. Every development will be required to provide suitable space for solid waste separation, collection, and storage and shall provide sites for such that are located so as to facilitate collection and minimize any negative impact on persons occupying the development site, neighboring properties, or public rights-of-way.
- 3. Lighting. Lighting within any lot that unnecessarily illuminates any other lot and/or substantially interferes with the use or enjoyment of such other lot is prohibited. Lighting unnecessarily illuminates another lot if (i) it clearly exceeds the minimum illumination necessary to provide for security of property and the safety of persons using such roads, driveways, sidewalks, parking lots, and other common areas and facilities, or (ii) if the illumination could reasonably be achieved in a manner that would not substantially interfere with the use or enjoyment of neighboring properties.

4. Air pollution. Any use that emits any "air contaminant" as defined by the Bay Area air quality management district shall comply with applicable state standards concerning air pollution.
5. Maintenance of common areas, improvements, and facilities. Maintenance of all common areas, improvements, or facilities required by this chapter or any permit issued in accordance with its provisions shall be required except those areas, improvements, or facilities with respect to which an offer of dedication to the public has been accepted by the appropriate public authority.
6. Odors. No use may generate any odor that may be found reasonably objectionable as determined by an appropriate agency such as the Santa Clara County health department and the Bay Area air quality management district beyond the boundary occupied by the enterprise generating the odor.
7. Noise. No person shall operate, or cause to be operated, any source of sound at any location within the city or allow the creation of any noise on property owned, leased, occupied, or otherwise controlled by such person, which causes the noise level when measured on any other property either incorporated or unincorporated, to exceed standards as set forth in Chapter 6.16 of the Los Altos Municipal Code.

In order to attenuate noise associated with commercial development, walls up to twelve (12) feet in height shall be required at a commercial/residential interface. Other conditions may be applied such as, but not limited to, muffling of exterior air conditioning facilities.

- D. No building or structure designed for, or intended to be used, or which has been used, or which is presently being used as a dwelling shall be used for the conduct of any business, store, shop, or other permitted use in the CN District unless and until such structure and the property on which it is located comply with the applicable provisions of this chapter, the Uniform Building Code (Chapter 12.08 of this code), and the Fire Code (Chapter 12.24 of this code).
- E. No use shall be permitted in setbacks immediately adjacent to single-family residential land uses which can not adequately be mitigated.

(Prior code § 10-2.1605)

14.40.070 Floor area ratio (CN).

~~The maximum floor area ratio shall be as follows:~~

District	Maximum Floor Area Ratio
Foothill Plaza	None
Woodland Plaza	35 percent of total area of site
Rancho Shopping Center	35 percent of total area of site
Loyola Corners	None
Sherwood Triangle	None

- a. Mixed Use Development(s) shall have no maximum floor area ratio within the Commercial Neighborhood (CN) Zoning District.
- b. Non-Residential Use Only Development(s) shall have a maximum floor area ratio of thirty-five (35) percent of the total area of the site.

(Prior code § 10-2.1605.1)

14.40.080 Front yard (CN).

No front yard shall be required, ~~except where the front property line is across a street or alley from property in an R District, in which instance the minimum depth of front yards shall be forty (40) feet, of which a five-foot strip adjoining the public way, except at access driveways, shall be a landscaped strip. The required front yard may be used for parking spaces; provided, however, access to the street or alley may be by driveway only.~~

(Prior code § 10-2.1606)

14.40.090 Side yards (CN).

No side yards shall be required, ~~except where a side property line of the site is across a street or alley from property in an R District, in which instance the minimum width of side yards shall be forty (40) feet, and where a side property line of the sites abuts on property in an R District, in which instance the minimum width of side yard shall be fifty (50) feet, of which the ten (10) feet abutting on the property in the R District shall be a landscaped strip. A required side yard may be used for parking, except for the area required to be planted.~~

(Prior code § 10-2.1607)

14.40.100 Rear yard (CN).

The minimum depth of rear yards shall be twenty (20) feet. ~~Where the rear property line abuts on property in an R District, an appropriate buffer shall be provided, including a noise attenuating fence or wall.~~ The required rear yard may be used for off-street parking, except for the area required to be planted.

(Prior code § 10-2.1608)

14.40.110 Off-street parking (CN).

(As provided in Chapter 14.74 of this title.)

(Prior code § 10-2.1609)

14.40.120 Common parking facilities (CN).

(As provided in Chapter 14.74 of this title.)

(Prior code § 10-2.1610)

14.40.130 Off-street loading.

(As provided in Chapter 14.74 of this title.)

(Prior code § 10-2.1611)

14.40.140 Height of structures (CN).

~~No structure shall exceed thirty (30) feet in height.~~

- a. Mixed Use Development(s) building height shall be a maximum of forty-five (45) feet and four (4) stories.

b. Non-Residential Use Only Development(s) building height shall be a maximum of thirty (30) feet and three (3) stories.

(Prior code § 10-2.1612)

(Ord. No. 10-349, § 1, 4-27-2010)

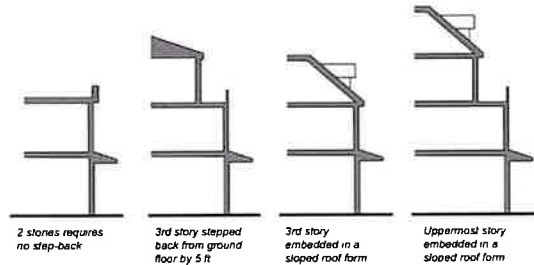
14.40.150 Design control (CN).

A. Building Placement. A minimum seventy-five (75) percent of ground-floor building frontages facing El Camino Real must be built at the minimum setback line. This standard applies to the building frontage only (exclusive of side setbacks).

B. Building Massing and Articulation.

1. Upper-story Step-backs, Front and Street Side.

- a. Along all frontages except El Camino Real, the third story must be either stepped back a minimum five feet from the ground floor façade or embedded in a sloped roof form such as a mansard roof or a hipped and/or gabled roof with dormers, as allowed by standards in Section 14.40.150.B.7.
- b. For buildings over three stories along all frontages except El Camino Real, the uppermost story must be embedded in a sloped roof form.



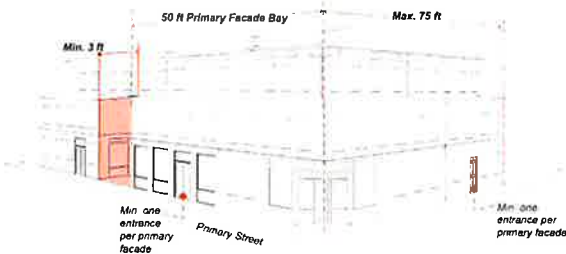
c. There are no upper-story step-back requirements for building frontages along El Camino Real in the CN district.

2. Upper Story Step-backs, Side Interior and Rear where Abutting an R-1 District.

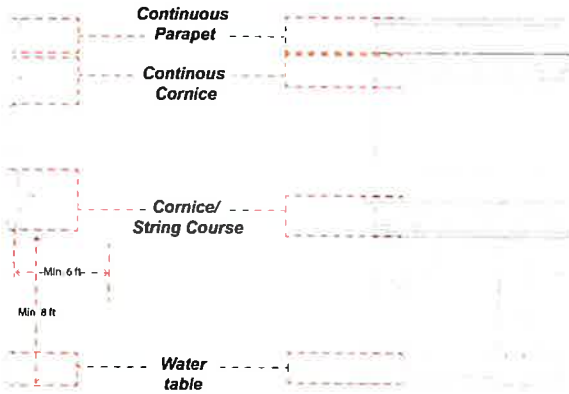
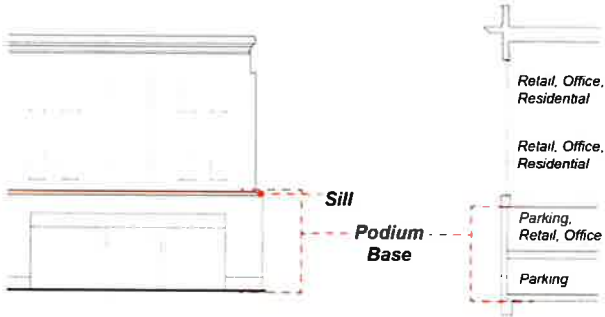
- a. The third story must be either stepped back a minimum ten (10) feet from ground floor façade or embedded in a sloped roof form.
- b. For buildings over three stories, the uppermost story must be embedded in a sloped roof form.

3. Vertical Articulation.

- a. When a building façade exceeds seventy-five (75) feet in length along a right-of-way, it must be separated into primary façade bays no greater than fifty (50) feet and secondary façade bays defined by a recess a minimum three feet deep and ten (10) feet wide.
- b. A minimum one entrance shall be provided per primary façade bay.
- c. The eave/roof of a secondary façade bay shall be no higher than the corresponding elements of the primary façade bay.



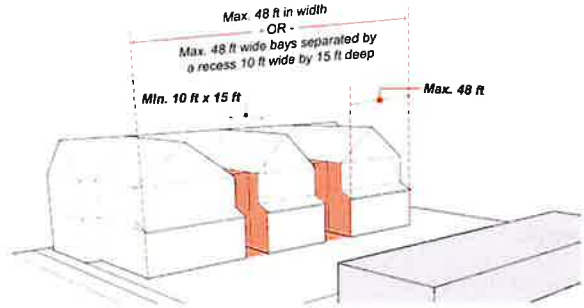
4. Horizontal Articulation. New façades and façade modifications along a street or civic space shall be designed to visually express a base, middle, and top.
- a. One or more of the following patterns shall be used to define the base:
 - i. Watertable: Base material extends from grade to between eight and fifty-four (54) inches above grade.
 - ii. Podium: The base material encompasses the lowest story (or stories) of the building, with or without mezzanine(s), and terminates in a sill, string course, or cornice at its upper bound (multi-story buildings only).
 - iii. Watertable and Cornice/String Course: A watertable using the base material is combined with a cornice or string course at the lowest story's upper bound, including any mezzanine (multi-story buildings only).
 - b. The top of each building mass/bay shall be defined by elements spanning the full length of the façade of the mass/bay. Such elements may include a cornice, eave and/or gable(s), or other elements listed under Section 17.40.150.B.7. These elements shall be consistent with the overall architectural style of the building mass/bay.



5. Adjacencies.

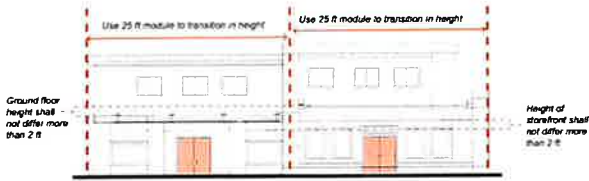
a. Façades adjacent to an R-1 District.

- i. Building façade planes abutting an R-1 district may not exceed forty-eight (48) feet in width.
- ii. When a building façade abutting an R-1 district exceeds forty-eight (48) feet in width, it must be separated into façade bays no greater than forty-eight (48) feet by a recess ten (10) feet wide and fifteen (15) feet deep.
- iii. Balconies, roof decks and other habitable outdoor space is not allowed on upper-story façades abutting R-1 zones.
- iv. Sliding glass doors, French doors, and floor-to-ceiling windows are not allowed on upper-story façades abutting R-1 zones.



b. Storefront Façades Adjacent to Storefront Façades.

- i. The height of a storefront shall not differ from the height of any adjacent storefront by more than two feet.
- ii. The height of ground story shall not differ from height of any adjacent ground story by more than two feet.
- iii. Storefronts may transition in height using a module of twenty-five (25) feet in length along a right-of-way.

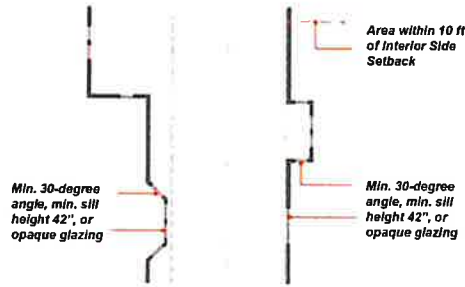


c. Compatibility with Adjacent Shorter Buildings with Height Difference of One Story or More. When adjacent to an existing shorter building with a height difference of one story or more, a proposed building must utilize two or more of the following strategies:

- i. Incorporate the uppermost floor into the roof form.
- ii. Break the mass of the building into smaller modules through changes in wall plane, setbacks, and/or height.
- iii. Match window heights and/or proportions.
- iv. Relate roof cornices and moldings at floor lines.

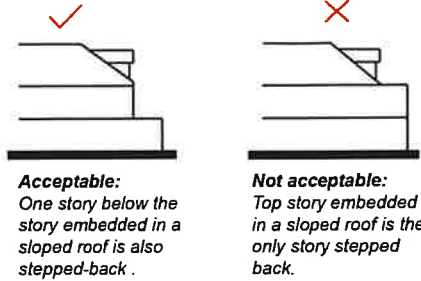
6. Privacy and Line of Sight.

- a. Primary living spaces and balconies located along a side setback shall orient principal windows and balconies toward the front and rear of the building.
- b. Where windows are within ten (10) feet of and oriented toward an interior side setback, glazing shall either be a minimum thirty (30) degree angle measured perpendicular to the adjacent side setback line, have minimum sill height of forty-two (42) inches, or be opaque.
- c. The maximum sill height for an ingress/egress window is forty-four (44) inches from finished floor.

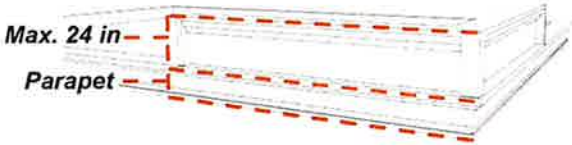


7. Roofline and Roof Design.

- a. Roof designs shall be limited to:
 - i. Hipped.
 - ii. Gable.
 - iii. Shed.
 - iv. Dormer.
 - v. Parapet.
 - (a) Not allowed on frontages facing Fremont Avenue.
 - (b) When used on the first or second floor, a parapet longer than twenty-five (25) feet in length must include at least one but not more than two of the following design elements to break up the length of the parapet:
 - (1) Steps.
 - (2) Curves.
 - (3) Angled surfaces.
 - (c) The length of a parapet segment on the third floor and above may not exceed twenty-five (25) feet.
- b. When the top story is stepped back and embedded in a sloped roof form such as a mansard roof or a hipped and/or gabled roof with dormers, the floor below must (and other floors may) be stepped back to meet the slope of the top story.



- c. Building façades facing an R-1 district must have a hipped or gable roof and may incorporate dormers.
- d. Roofline/parapet at corners shall not exceed roofline/parapet of adjacent wallplanes by more than twenty-four (24) inches.



C. Building Design.

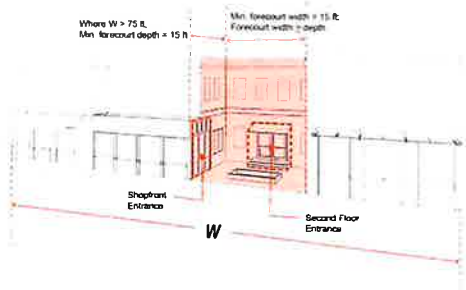
1. Façade Design.

- a. Building façades shall be arranged in an orderly composition of bays, defined by vertically aligned openings alternating horizontally with solid walls or columns. The pattern shall be visually expressed through the spacing of openings, recesses, eaves, inset panels, cornices, overhangs, trellises, exposed rafters, columns, or bay windows.
- b. The pattern may be shared between the ground floor and upper stories provided the ground floor exhibits enhanced detail or modulation.
- c. Residential façades shall incorporate at least one element that signals habitation, such as bay windows, or balconies.
- d. Non-glazed wall areas (blank walls) must be enhanced with architectural details, landscaping, and/or landscaped trellises or lattices.

2. Pedestrian-Scaled Entrances.

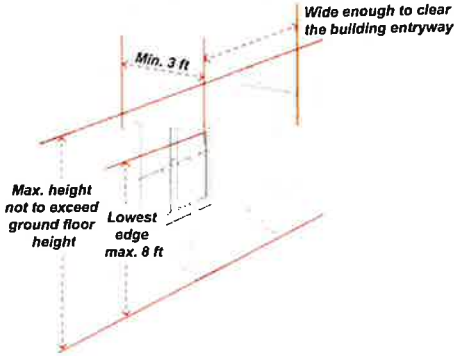
- a. Building entrances must incorporate at least one of the following entry features. See Section 14.66.275 (Entrance Type Standards) for design standards applicable to each entrance type listed.
 - i. Stoop.
 - ii. Dooryard.
 - iii. Shopfront.
 - (a) Shopfronts more than twenty-five (25) feet in width must incorporate variations in bulkhead, awnings, materials and/or color to visually articulate the shopfront into modules not to exceed twenty-five (25) continuous feet.

- iv. Gallery.
- v. Arcade.
- vi. Forecourt.
 - (a) Forecourts must feature at least one entry to a shop and/or second floor use.
 - (b) Forecourts for buildings more than seventy (70) feet in length along a right-of-way must have a minimum width and depth of fifteen (15) feet from front façade. Width of forecourt shall be equal to or greater than depth.
 - (c) The size of the forecourt must be appropriate relative to the size of the building. The maximum ratio of building height to forecourt is 2:1 (height < 2 x width).
 - (d) Forecourt must be enclosed on at least three sides by buildings.
 - (e) Forecourt must remain open to the sky (arbors and trellises are allowed).

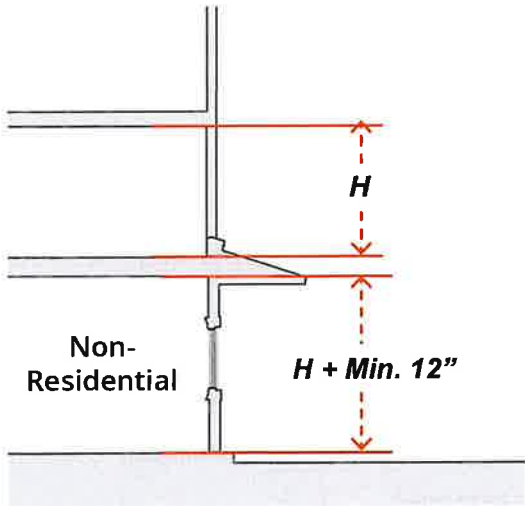


- b. Primary Entrance Location(s). The building entrance shall be located along the primary right-of-way.
- c. Corner Entrances. Chamfered corners must incorporate a building entrance. Any required entrances may be provided on the corner of the building assuming one of the intersecting sides is a primary frontage.
- d. Street-facing Entries to Upper Floors. Street-facing entries to upper floors shall be equal in quality and detail to storefronts. This standard may be satisfied through two or more of the following:
 - i. Dedicated awning, canopy, or other roof element.
 - ii. Stairs with a single color applied to treads and a contrasting color or pattern applied to risers.
 - iii. Dedicated light fixture(s).
 - iv. Decorative street address numbers or tiles.
 - v. Plaque signs for upper-floor business tenants.
- e. Entry Protection. Primary street-facing entrances shall be protected by a recess in the building frontage at least three feet deep or by a projection extending outward at least three feet measured horizontally from the entrance, and wide enough to clear the building entryway on both sides.
 - i. Protection may be coterminous with an accent element.

- ii. Protection may take the form of an extended eave, overhang, awning, door canopy, gallery, arcade frontage, or other element that provides shade and shelter from the elements.
- iii. The lowest edge of a projecting awning or door canopy shall have a vertical clearance of no more than eight feet.
- iv. Recessed entries shall differentiate pavement within the recess through the use of a dedicated paving material or pattern.



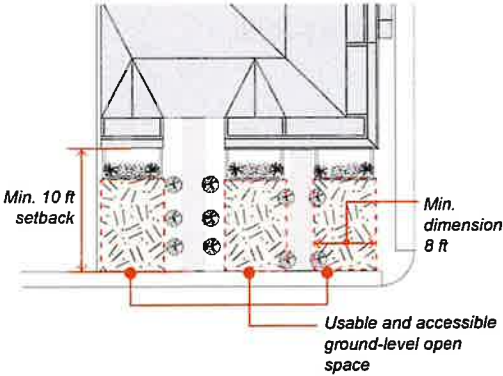
- f. Accent elements demarcating building frontage, entrance, and common open space areas shall not exceed the height of the ground floor story. Roof elements are excepted.
3. Ground Floor Floor-to-Ceiling Height. Minimum twelve (12) inches taller than typical upper floor floor-to-ceiling.



4. Interior Courtyard. Interior courtyards must be:
- a. Partially visible from the street and linked to the street by a clear accessible path of travel.
 - b. Enclosed on at least two sides by buildings.
 - c. Open to the sky (arbors and trellises are allowed).

- d. A minimum width of twenty (20) feet and a minimum area of four hundred (400) square feet.
- 5. Paseos. Paseos must be:
 - a. A minimum width of ten (10) feet for through-block paseos.
 - b. A minimum width of four feet for entries to courtyards or individual single businesses.
- D. Window Design.
 - 1. Window frames, backbands, and sills.
 - a. All windows shall have a sill.
 - i. The sill shall extend horizontally beyond the window opening or frame/casing (if present) at each end.
 - ii. The sill shall be sloped toward the outside.
 - iii. The sill shall have a drip at its outer edge.
 - 2. Vinyl windows are prohibited on façades visible from a right-of-way.
 - 3. Tinted glass is not allowed.
- E. Building Materials.
 - 1. Primary shall mean fifty (50) percent or more of a façade surface area excluding transparent surfaces. Permitted primary cladding materials are limited to:
 - a. Stucco (minimum two-coat stucco; synthetic stucco or EIFS not allowed).
 - b. Siding (lap, vertical, panelized, or shingle).
 - i. All siding shall be wood, composite wood, or cement fiberboard.
 - ii. Wood siding shall be painted or stained.
 - iii. Vinyl and aluminum not permitted.
 - c. Stone.
 - d. Brick.
 - 2. Secondary shall mean less than fifty (50) percent of a façade surface area excluding transparent surfaces. Permitted secondary cladding materials are limited to:
 - a. Stucco (minimum two-coat stucco; synthetic stucco not allowed, EIFS not allowed).
 - b. Siding (lap, vertical, panelized, or shingle).
 - i. All siding shall be wood, composite wood, or cement fiberboard.
 - ii. Wood siding shall be painted or stained.
 - iii. Vinyl and aluminum siding are not permitted.
 - c. Stone (building base only).
 - d. Brick (building base only).
 - e. Tile (for bulkheads below display windows and decorative accents only).
 - f. Metal (matte finish or Cor-ten).
 - i. Ribbed metal, titanium, and mirrored finishes are not permitted.

- g. Concrete Masonry Units (watertable and building base only, and not allowed on any façade facing a right-of-way or a single-family zone).
 - h. Concrete (building base only, board-form only, cast concrete not permitted).
- F. Ground Level Open Space. Where any required front, rear, or side yard setback is ten (10) feet or greater, on-site ground-level open space shall be provided within the setback.
- 1. The ground level open space shall be usable and accessible.
 - 2. The minimum dimension for ground level open space shall be eight feet.



- G. Landscaping, Paving and Pedestrian Amenities.
- 1. Landscape elements shall be integrated with the building architecture, parking, and streetscape. Recommended patterns shall include, but are not limited to:
 - a. Planters for flowers and shrubs within street frontage.
 - b. Landscape buffers between parking spaces and building façades.
 - c. Landscaping within and/or on walls adjacent to courtyards, open spaces, and setbacks.
 - 2. Within the Loyola Corners Specific Plan Overlay district, landscaping, paving and pedestrian amenities shall be as specified in the Loyola Corners Specific Plan.
 - 3. See Sections 14.66.180 (Maintenance of Landscaped Areas) and 14.70.070 (Landscaped Strips) for additional landscaping standards.
- H. Site Circulation and Access.
- 1. New development on abutting lots shall be designed to allow cross-access for internal pedestrian, bicycle, and vehicular circulation systems.
 - 2. Bicycle racks shall be provided:
 - a. In or within fifty (50) feet of every parking area; and
 - b. Within twenty (20) feet of at least one building entrance.
- I. Service Areas and Screening.
- 1. Service areas must be located at the rear of lot.
 - 2. Service areas must be enclosed in enclosures that are architecturally consistent with primary building in terms of materials, colors, and style.

J. Additional Design Standards. See Section 14.66.280 for additional design standards applicable to all residential mixed-use development in the CN District.

(Amended during 2/06 supplement; prior code § 10-2.1613)

(Ord. No. 2021-478 , § 1, 9-14-2021)

14.40.160 Signs (CN).

(As provided in Chapter 14.68 of this code.)

(Prior code § 10-2.1614; Ord. No. 2015-414 , § 12, 9-8-2015)

14.40.170 Fences (CN).

(As provided in Chapter 14.72 of this title.)

(Prior code § 10-2.1615)

14.40.180 Nonconforming use regulations (CN).

(As provided in Chapter 14.66 of this title.)

(Prior code § 10-2.1616)

Chapter 14.44 CD COMMERCIAL DOWNTOWN DISTRICT*

Sections:

14.44.010 CD District.

The regulations, general provisions, and exceptions set forth in Chapter 14.66 of this title shall apply in the CD District.

(Ord. 06-295 § 1 (part))

14.44.020 Specific purposes (CD).

Specific purposes for CD Districts are as follows:

- A. Promote the implementation of the downtown urban design plan;
- B. Retain and enhance the downtown Los Altos village atmosphere;
- C. Allow latitude for creative design and architectural variety within limits established;
- D. Preserve and improve the character of the area immediately surrounding the existing downtown pedestrian district;
- E. Provide pedestrian amenities such as paseos, outdoor public spaces and outdoor seating;
- F. Establish a sense of entry into the downtown;
- G. Encourage historic preservation for those buildings listed on the city's historic resources inventory;
- H. Encourage the upgrading of building exteriors, signs, passageways and rear entries;
- I. Provide for a full range of retail, office, and service uses appropriate to downtown;
- J. Develop a landscaped strip along the back of properties that abut Foothill Expressway between Edith Avenue and San Antonio Road;
- K. Improve the visual appeal and pedestrian orientation of the downtown; and
- L. Encourage the use of solar, photovoltaic, and other energy conserving devices.

(Ord. 06-295 § 1 (part))

14.44.030 Permitted uses (CD).

The following uses shall be permitted in the CD District, provided that any site with over five thousand (5,000) square feet of existing retail or restaurant space on the ground floor shall retain an equal or greater amount of retail and/or restaurant space on the ground floor:

- A. Business, professional, and trade schools;
- ~~B. Maintenance and repair services;~~
- ~~C. B.~~ Office-administrative services, excluding drive-through facilities;

- ~~D.C.~~ Parking spaces and loading areas;
- ~~E.D.~~ Restaurants, excluding drive-through facilities;
- ~~F.E.~~ Retail and personal services; ~~and~~
- ~~F.~~ Residential Only Development(s);
- ~~G.~~ Mixed Use Development(s); and
- ~~G.H.~~ Uses which are determined by the Zoning Administrator ~~city planner~~ to be of the same general character.

(Ord. 06-295 § 1 (part))

(Ord. No. 10-349, § 2, 4-27-2010; Ord. No. 2015-406 , § 2, 2-10-2015)

14.44.040 Conditional uses (CD).

Upon the granting of a use permit in accordance with the provisions of Chapter 14.80 of this title, the following uses shall be permitted in the CD District:

- A. Animal clinics and hospitals;
- B. Cocktail lounges;
- C. Commercial recreation;
- D. Day care centers;
- ~~E. Housing located above the ground floor;~~
- ~~F.E.~~ Medical and dental offices ~~clinics~~;
- ~~G. Medical and dental offices that are five thousand (5,000) gross square feet or more;~~
- ~~H.F.~~ Service stations provided the site has at least one hundred (100) feet of frontage on a street with a minimum site area of twenty thousand (20,000) square feet; and
- ~~I.G.~~ Uses which are determined by the planning commission and the city council to be of the same general character.

(Ord. 06-295 § 1 (part))

(Ord. No. 2015-406 , §§ 3, 4, 2-10-2015)

14.44.050 Required conditions (CD).

The following conditions shall be required of all uses in the CD District:

- A. All businesses, services, and processes shall be conducted within a completely enclosed structure, except for parking and loading spaces, sale of gasoline and oil at service stations, incidental sales and display of plant materials and garden supplies occupying no more than one thousand five hundred (1,500) square feet of exterior sales and display area, outdoor eating areas operated incidental to permitted eating and drinking services.
- B. No use shall be permitted and no process, equipment, or materials shall be employed which are found by the commission to be objectionable by reason of odor, dust, smoke, noise, vibration, illumination,

glare, unsightliness, or electrical disturbances which are manifested beyond the premises in which the permitted use is located.

C. No property owner, business owner and/or tenant shall permit or allow operation of a business which violates the required conditions of this chapter, including the following general criteria:

1. Refuse collection. Every development, including applications for tenant improvements, shall be required to provide suitable space for solid waste separation, collection, and storage and shall provide sites for such that are located so as to facilitate collection and minimize any negative impact on persons occupying the development site, neighboring properties, or public rights-of-way. Refuse collection areas are encouraged to be shared, centralized, facilities whenever possible.
2. Lighting. Lighting within any lot that unnecessarily illuminates any other lot and/or substantially interferes with the use or enjoyment of such other lot is prohibited. Lighting unnecessarily illuminates another lot if: (i) it clearly exceeds the minimum illumination necessary to provide for security of property and the safety of persons using such roads, driveways, sidewalks, parking lots, and other common areas and facilities, or (ii) if the illumination could reasonably be achieved in a manner that would not substantially interfere with the use or enjoyment of neighboring properties.
3. Air pollution. Any use that emits any "air contaminant" as defined by the Bay Area air quality management district shall comply with applicable state standards concerning air pollution.
4. Maintenance of common areas, improvements, and facilities. Maintenance of all common areas, improvements, facilities, and public sidewalks adjacent to the subject property shall be required. In the case of public sidewalks, maintenance shall be limited to keeping the sidewalk clean and free of debris, markings, and food and drink stains by means of sweeping, cleaning with water and/or steam cleaning.
5. Odors. No use may generate any odor that may be found reasonably objectionable as determined by an appropriate agency such as the Santa Clara County health department and the Bay Area air quality management district beyond the boundary occupied by the enterprise generating the odor.
6. Noise. No person shall operate, or cause to be operated, any source of sound at any location within the city or allow the creation of any noise on property owned, leased, occupied or otherwise controlled by such person, which causes the noise level when measured on any other property either incorporated or unincorporated, to exceed standards as set forth in Chapter 6.16 of the Los Altos Municipal Code.

In order to attenuate noise associated with commercial development, walls up to twelve (12) feet in height may be required at a commercial/residential interface. Other conditions may be applied such as, but not limited to, muffling of exterior air conditioning facilities.

(Ord. 06-295 § 1 (part))

14.44.060 Front yard (CD).

The minimum depth of front yards shall be two feet and shall be landscaped.

(Ord. 06-295 § 1 (part))

14.44.070 Side yards (CD).

No side yards shall be required, except when the side property line of a site abuts a public street or a public parking plaza, in which case the minimum width of the side yard shall be two feet and shall be landscaped.

(Ord. 06-295 § 1 (part))

14.44.080 Rear yard (CD).

Structures above fifteen (15) feet in height must have a minimum rear yard of fifteen (15) feet. Otherwise, no rear yard shall be required except as follows:

- A. Where the rear property line of a site abuts a public parking plaza, the minimum depth of the rear yard shall be two feet and shall be landscaped.
- B. Where the rear property line of a site abuts a public street or alley, the minimum depth of the rear yard shall be ten (10) feet of which the rear two feet shall be landscaped.
- C. A required rear yard may be used for parking, except for the area required to be landscaped.

(Ord. 06-295 § 1 (part))

14.44.090 Off-street parking (CD).

Parking facilities shall be provided in accordance with Chapter 14.74 of this title. In addition, parking facilities shall:

- A. Reduce the visual impact of parking structures and parking lots by locating them at the rear or interior portions of building sites;
- B. Minimize the street frontage of the lot or structure by placing its shortest horizontal edge along the street;
- C. When parking structures must be located at street frontage because other locations are proven infeasible, the ground level frontage shall either be used for commercial space or shall provide a landscaped area not less than five feet in width between the parking area and the public right-of-way;
- D. Keep the number of direct entrances to parking facilities from streets to a minimum;
- E. Provide a landscaped buffer not less than five feet in width between a parking lot or structure and street frontage or buildings. Where the landscaped strip adjoins a public street or pedestrian walkway, the landscaped strip may be required to include a fence, wall, berm, or equivalent feature;
- F. Provide a minimum of interior landscaping for unenclosed parking facilities as follows: where the total parking provided is located on one site and is fourteen thousand nine hundred ninety-nine (14,999) square feet or less, five percent of total parking area; where the parking is fifteen thousand (15,000) through twenty-nine thousand nine hundred ninety-nine (29,999) square feet, seven and one-half percent of total parking area; and where the facility is thirty thousand (30,000) square feet or greater, ten (10) percent of total parking area.

Parking Area (in square feet)	Minimum Landscaping (% of Parking Area)
< 15,000	5
15,000 — 29,999	7.5

> 30,000	10
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- G. Trees in reasonable number shall be provided; ground cover alone is not acceptable. Interior landscaping shall be distributed throughout the paved area as evenly as possible. Provision shall be made for automatically irrigating all planted area. All landscaping shall be protected with concrete curbs or other acceptable barriers. All landscaping shall be continuously maintained.

(Ord. 08-320 § 1 (part); Ord. 06-295 § 1 (part))

14.44.100 Common parking facilities (CD).

(As provided in Chapter 14.74 of this title.)

(Ord. 08-320 § 1 (part); Ord. 06-295 § 1 (part))

14.44.110 Off-street loading and refuse collection (CD).

- A. Where buildings are served by alleys, all service-delivery entrances, loading docks, and refuse collection facilities shall be located to be accessed from the alley. No loading area shall be located at the street frontage or building façade.
- B. A minimum of thirty-two (32) square feet of covered refuse collection area shall be provided and shall not be located in any front or street side yard. Where an alley exists, the refuse collection area shall be accessed from the alley. Refuse collection areas shall be on site, but are encouraged to be shared, centralized, facilities whenever possible.
- C. On sites not served by an alley, service areas shall be located to the rear, side, or at an internal location where visibility from public streets, public parking plazas and neighboring properties will be minimized.
- D. Refuse collection areas shall be enclosed by a screen wall of durable material and planting as necessary to screen views from streets, public parking plazas and neighboring properties.

(Ord. 08-320 § 1 (part); Ord. 06-295 § 1 (part))

14.44.120 Height of structures (CD).

~~No commercial or mixed use structure shall exceed thirty (30) feet in height. The first story shall have a minimum interior ceiling height of twelve (12) feet to accommodate retail use, and the floor level of the first story shall be no more than one foot above sidewalk level.~~

- a. Residential Only Development(s) building height shall be a maximum of forty (40) feet and four (4) stories.
- b. Mixed Use Development(s) building height shall be a maximum of forty-five (45) feet and four (4) stories.
- c. Non-Residential Use Only Development(s) building height shall be a maximum of thirty (30) feet and three (3) stories.

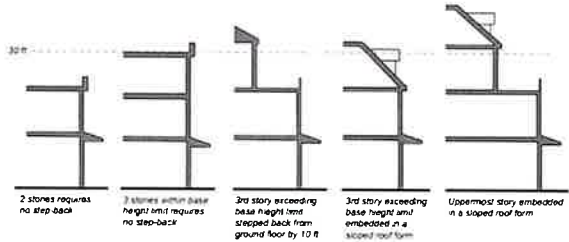
(Ord. 08-321 § 1: Ord. 08-320 § 1 (part); Ord. 06-295 § 1 (part))

(Ord. No. 10-349, § 3, 4-27-2010; Ord. No. 2016-428 , § 1, 11-8-2016)

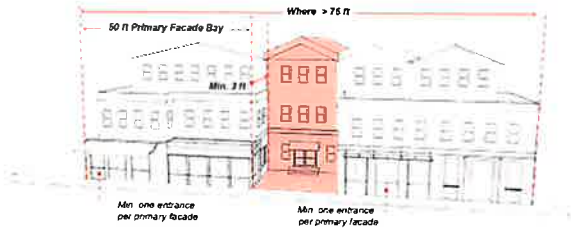
14.44.130 Design control (CD).

A. Building Massing and Articulation.

- 1. Upper-story Step-backs.
 - a. Front: Minimum ten (10) feet from ground floor façade for stories above thirty (30) feet in height as shown in the diagram

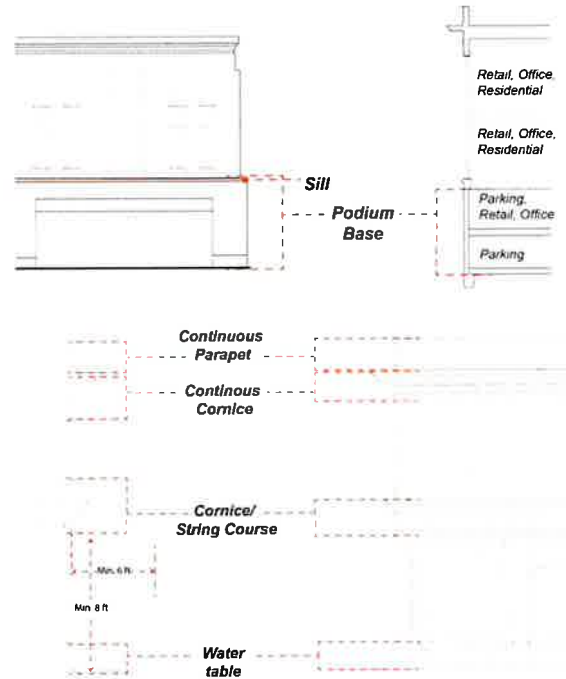


- b. Street Side: Minimum ten (10) feet from ground floor façade for stories above thirty (30) feet in height, as shown in the diagram
 - c. For buildings over three stories in height, the uppermost story must be embedded in a sloped roof form such as a mansard roof or a hipped and/or gabled roof with dormers, as allowed by standards in Section 14.44.130.A.6.
- 2. Vertical Articulation.
 - a. When a building façade exceeds seventy-five (75) feet in length along a right-of-way, it must be separated into primary façade bays no greater than fifty (50) feet and secondary façade bays defined by a recess a minimum three feet deep and ten (10) feet wide.
 - b. A minimum one entrance shall be provided per primary façade bay.
 - c. The eave/roof of a secondary façade bay shall be no higher than the corresponding elements of the primary façade bay.



- 3. Horizontal Articulation. New façades and façade modifications along a street or civic space shall be designed to visually express a base, middle, and top.
 - a. One or more of the following patterns shall be used to define the base:
 - i. Watertable: Base material extends from grade to between eight and fifty-four (54) inches above grade.
 - ii. Podium: The base material encompasses the lowest story (or stories) of the building, with or without mezzanine(s), and terminates in a sill, string course, or cornice at its upper bound (multi-story buildings only).

- iii. **Watertable and Cornice/String Course:** A watertable using the base material is combined with a cornice or string course at the lowest story's upper bound, including any mezzanine (multi-story buildings only).
- b. The top of each building mass/bay shall be defined by elements spanning the full length of the façade of the mass/bay. Such elements may include a cornice, eave and/or gable(s), or other elements listed under Section 17.44.130.A.6. These elements shall be consistent with the overall architectural style of the building mass/bay.



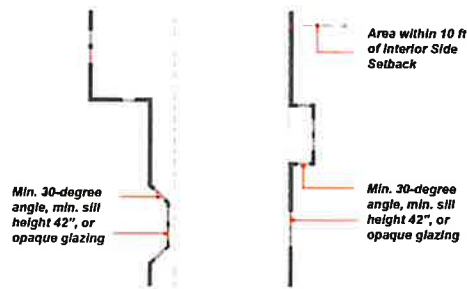
4. Adjacencies.

- a. **Storefront Façades Adjacent to Storefront Façades.**
 - i. The height of a storefront shall not differ from the height of any adjacent storefront by more than two feet.
 - ii. The height of ground story shall not differ from height of any adjacent ground story by more than two feet.
 - iii. Storefronts may transition in height using a module of twenty-five (25) feet in length along a right-of-way.

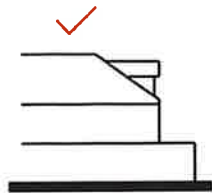


- b. **Compatibility with Adjacent Shorter Buildings with Height Difference of One Story or More.** When adjacent to an existing shorter building with a height difference of one story or more, a proposed building must utilize two or more of the following strategies:
 - i. Incorporate the uppermost floor into the roof form.

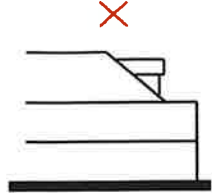
- ii. Break the mass of the building into smaller modules through changes in wall plane, setbacks, and/or height.
 - iii. Match window heights and/or proportions.
 - iv. Relate roof cornices and moldings at floor lines.
5. Privacy and Line of Sight.
- a. Primary living spaces and balconies located along a side setback shall orient principal windows and balconies toward the front and rear of the building.
 - b. Where windows are within ten (10) feet of and oriented toward an interior side setback, glazing shall either be a minimum thirty (30) degree angle measured perpendicular to the adjacent side setback line, have minimum sill height of forty-two (42) inches, or be opaque glazing.
 - c. The maximum sill height for an ingress/egress window is forty-four (44) inches from finished floor.



6. Roofline and Roof Design.
- a. Roof designs shall be limited to:
 - i. Hipped.
 - ii. Gable.
 - iii. Mansard.
 - (a) Applicable for buildings three or more stories.
 - iv. Dormer.
 - v. Parapet.
 - (a) When used on the first or second floor, a parapet longer than twenty-five (25) feet in length must include at least one but not more than two of the following design elements to break up the length of the parapet:
 - (1) Steps.
 - (2) Curves.
 - (3) Angled surfaces.
 - (b) The length of a parapet segment on the third floor and above may not exceed twenty-five (25) feet.
 - b. When the top story is stepped back and embedded in a sloped roof form such as a mansard roof or a hipped and/or gabled roof with dormers, the floor below must (and other floors may) be stepped back to meet the slope of the top story.

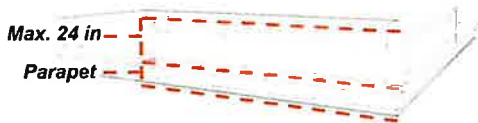


Acceptable:
 One story below the story embedded in a sloped roof is also stepped-back .



Not acceptable:
 Top story embedded in a sloped roof is the only story stepped back.

- c. Building façades facing an R-1 district must have a hipped or gable roof and may incorporate dormers.
- d. Roofline/parapet at corners shall not exceed roofline/parapet of adjacent wallplanes by more than twenty-four (24) inches.

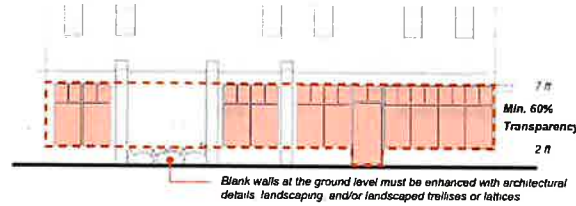


B. Building Design.

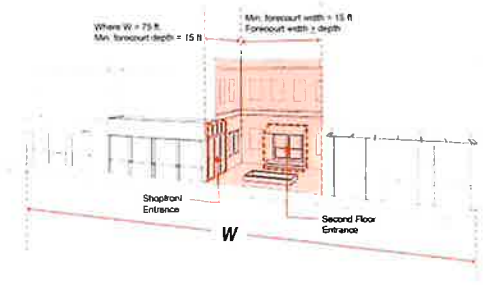
1. Façade Design.

- a. Building façades must continue the pattern established by existing buildings in Downtown Los Altos by reinforcing the underlying maximum fifty (50) foot module along all street frontages through the use of the following techniques:
 - i. Building façades shall be arranged in an orderly composition of bays, defined by vertically aligned openings alternating horizontally with solid walls or columns. The pattern shall be visually expressed through the spacing of openings, recesses, eaves, inset panels, cornices, overhangs, trellises, exposed rafters, columns, or bay windows.
 - ii. The pattern may be shared between the ground floor and upper stories provided the ground floor exhibits enhanced detail or modulation.
 - iii. Residential façades shall incorporate at least one element that signals habitation, such as bay windows, or balconies.
 - iv. Non-glazed wall areas (blank walls) must be enhanced with architectural details, landscaping, and/or landscaped trellises or lattices.
- b. At least two of the following strategies must be used in a manner that reinforces the maximum fifty (50) foot module:
 - i. Change in roof parapet height or shape.
 - ii. Change in roof style.
 - iii. Change in materials palette.
 - iv. Change in building height, minimum eight-foot difference.

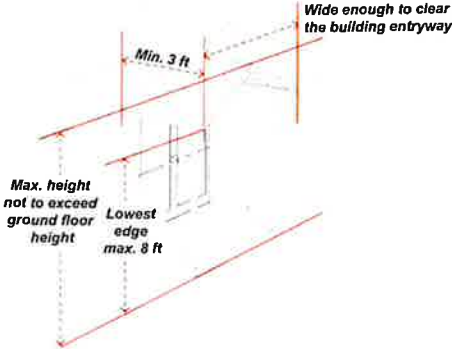
- v. Change in frontage type or change in details of shopfront frontage type if used.
 - vi. Use of upper floor projections such as bay windows or balconies.
2. Ground Level Transparency. A minimum sixty (60) percent of commercial ground floor street-facing façades between two and seven feet in height shall be transparent window surface. Opaque, reflective, or dark tinted glass is not allowed.



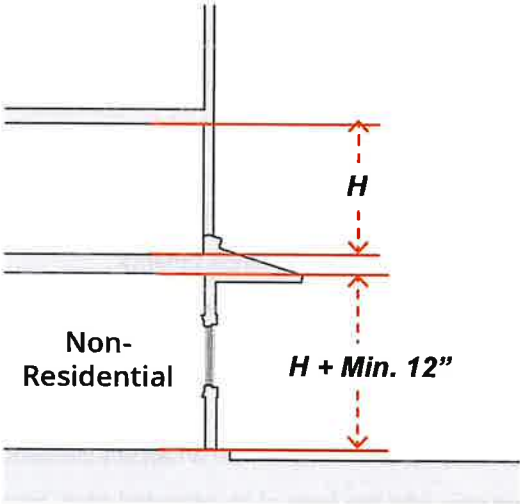
3. Pedestrian-Scaled Entrances.
- a. Building entrances must incorporate at least one of the following entry features. See Section 14.66.275 (Entrance Type Standards) for design standards applicable to each entrance type listed.
 - i. Stoop.
 - ii. Dooryard.
 - iii. Shopfront.
 - (a) Shopfronts more than twenty-five (25) feet in width must incorporate variations in bulkhead, awnings, materials and/or color to visually articulate the shopfront into modules not to exceed twenty-five (25) continuous feet.
 - iv. Gallery.
 - v. Arcade.
 - vi. Forecourt.
 - (a) Forecourts must feature at least one entry to a shop and/or second floor use.
 - (b) Forecourts for buildings more than seventy (70) feet in length along a right-of-way must have a minimum width and depth of fifteen (15) feet from front façade. Width of forecourt shall be equal to or greater than depth.
 - (c) The size of the forecourt must be appropriate relative to the size of the building. The maximum ratio of building height to forecourt is 2:1 (height < 2 x width).
 - (d) Forecourt must be enclosed on at least three sides by buildings.
 - (e) Forecourt must remain open to the sky (arbors and trellises are allowed).



- vii. Terrace.
- b. Primary Entrance Location(s). Locate primary entrance on the front right-of-way and/or in the interior courtyard.
- c. Corner Entrances. Chamfered corners must incorporate a building entrance. Any required entrances may be provided on the corner of the building assuming one of the intersecting sides is a primary frontage.
- d. Street-facing Entries to Upper Floors. Street-facing entries to upper floors shall be equal in quality and detail to storefronts. This standard may be satisfied through two or more of the following:
 - i. Dedicated awning, canopy, or other roof element.
 - ii. Stairs with a single color applied to treads and a contrasting color or pattern applied to risers.
 - iii. Dedicated light fixture(s).
 - iv. Decorative street address numbers or tiles.
 - v. Plaque signs for upper-floor business tenants.
- e. Entry Protection. Primary street-facing entrances shall be protected by a recess in the building frontage at least three feet deep or by a projection extending outward at least three feet measured horizontally from the entrance, and wide enough to clear the building entryway on both sides.
 - i. Protection may be coterminous with an accent element.
 - ii. Protection may take the form of an extended eave, overhang, awning, door canopy, gallery, arcade frontage, or other element that provides shade and shelter from the elements.
 - iii. The lowest edge of a projecting awning or door canopy shall have a vertical clearance of no more than eight feet.
 - iv. Recessed entries shall differentiate pavement within the recess through the use of a dedicated paving material or pattern.



- f. Accent elements demarcating building frontage, entrance, and common open space areas shall not exceed the height of the ground floor story. Roof elements are excepted.
- 4. Ground Floor Floor-to-Ceiling Height. Minimum twelve (12) inches taller than typical upper floor floor-to-ceiling.



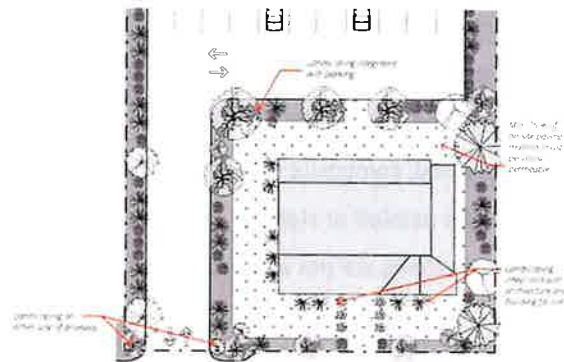
- 5. Interior Courtyard. Interior courtyards must be:
 - a. Partially visible from the street and linked to the street by a clear accessible path of travel.
 - b. Enclosed on at least two sides by buildings.
 - c. Open to the sky (arbors and trellises are allowed)
 - d. A minimum width of twenty (20) feet and a minimum area of four hundred (400) square feet.
- 6. Paseos. Paseos must be:
 - a. A minimum width of ten (10) feet for through-block paseos.
 - b. A minimum width of four feet for entries to courtyards or individual single businesses.

C. Window Design.

- 1. Window frames, backbands, and sills.
 - a. All windows shall have a sill.

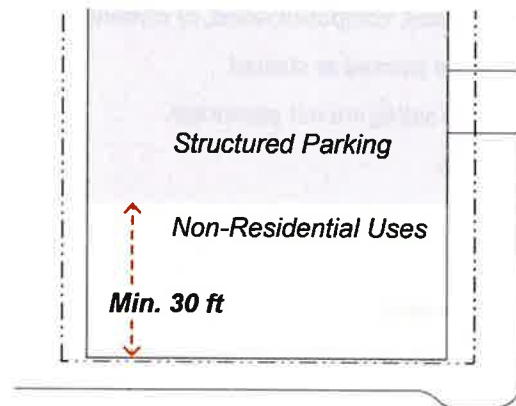
- i. The sill shall extend horizontally beyond the window opening or frame/casing (if present) at each end.
 - ii. The sill shall be sloped toward the outside.
 - iii. The sill shall have a drip at its outer edge.
 - 2. Vinyl windows are prohibited on façades visible from a right-of-way.
- D. Building Materials.
 - 1. Primary shall mean fifty (50) percent or more of a façade surface area excluding transparent surfaces. Permitted primary cladding materials are limited to:
 - a. Stucco (minimum two-coat stucco; synthetic stucco or EIFS not allowed)
 - b. Siding (lap, vertical, panelized, or shingle)
 - i. All siding shall be wood, composite wood, or cement fiberboard.
 - ii. Wood siding shall be painted or stained.
 - iii. Vinyl and aluminum siding are not allowed.
 - c. Stone.
 - d. Brick.
 - 2. Secondary shall mean less than fifty (50) percent of a façade surface area excluding transparent surfaces. Permitted secondary cladding materials are limited to:
 - a. Stucco (minimum two-coat stucco; synthetic stucco not allowed, EIFS not allowed).
 - b. Siding (lap, vertical, panelized, or shingle).
 - i. All siding shall be wood, composite wood, or cement fiberboard.
 - ii. Wood siding shall be painted or stained.
 - iii. Vinyl and aluminum siding are not permitted.
 - c. Stone (building base only).
 - d. Brick (building base only).
 - e. Tile.
 - f. Metal (matte finish or Cor-ten).
 - i. Ribbed metal, titanium, and mirrored finishes are not permitted.
 - g. Concrete Masonry Units (watertable and building base only, and not allowed on any façade facing a right-of-way or a single-family zone).
 - h. Concrete (building base only, board-form only, cast concrete not permitted).
- E. Landscaping, Paving, and Pedestrian Amenities.
 - 1. Landscaping must be placed on each side of a driveway at grade or in raised planters.
 - 2. All paving located adjacent to a sidewalk must be textured (decorative or permeable).
 - 3. A minimum seventy-five (75) percent of on-site paving material must be pervious/permeable.
 - 4. Landscape elements shall be integrated with the building architecture, parking, and streetscape. Recommended patterns shall include, but are not limited to:

- a. Planters for flowers and shrubs within street frontage.
 - b. Landscape buffers between parking spaces and building façades.
 - c. Landscaping within and/or on walls adjacent to courtyards, open spaces, and setbacks. A publicly visible and accessible pedestrian amenity such as benches, a fountain, a rain garden, decorative paving, and/or public art.
5. See Sections 14.66.180 (Maintenance of Landscaped Areas) and 14.70.070 (Landscaped Strips) for additional landscaping standards.

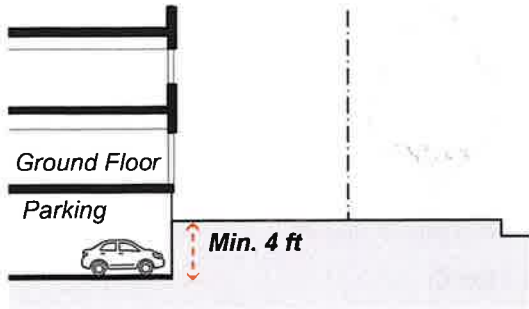


F. Parking Design and Access.

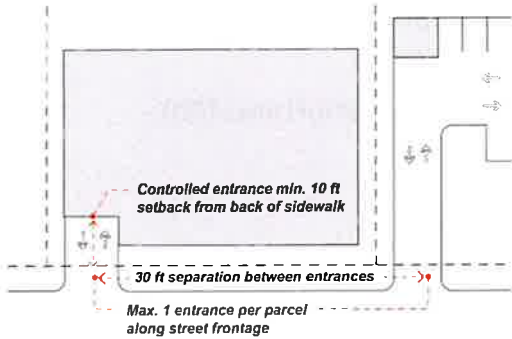
- 1. Where structured parking is provided, the parking area must be either:
 - a. "Lined" with ground-floor non-residential uses at least thirty (30) feet deep as measured from the front façade; or



- b. Designed such that the floor elevation is a minimum four vertical feet below the elevation of the adjacent sidewalk.



2. Visible structured parking must be screened from view from the right-of-way by at least one of the following features:
 - a. Regular punched openings designed to resemble windows of habitable spaces.
 - b. Trellis/living wall.
 - c. Custom textured or decorative screening.
3. Entrances to Parking Facilities.
 - a. A maximum of two curb cuts for one-way traffic and one curb cut for two-way traffic may be permitted per street frontage per lot.
 - b. Controlled entrances to parking facilities (gates, doors, etc.) shall be located a minimum ten (10) feet from the back of sidewalk.
 - c. Entrances to parking facilities along a street frontage shall be separated by a minimum of forty (40) feet, excluding access to parking plazas.
 - d. Where possible, curb cuts serving adjacent parking facilities shall be shared.



- G. Site Circulation and Access.
1. A clearly defined, lighted and landscaped pedestrian route shall be provided between all parking areas and primary pedestrian entrance.
 2. New development on abutting lots shall be designed to allow cross-access for internal pedestrian, bicycle, and vehicular circulation systems.
 3. Bicycle racks shall be provided:
 - a. In or within fifty (50) feet of every parking area; and
 - b. Within twenty (20) feet of at least one building entrance.

H. Service Areas and Screening.

1. Service areas must be located at the rear of lot or along a parking plaza.
2. Service areas must be enclosed in enclosures that are architecturally consistent with primary building in terms of materials, colors, and style.

I. Additional Design Standards. See Section 14.66.280 for additional design standards applicable to all residential mixed-use development in the CD District.

(Ord. 08-320 § 1 (part); Ord. 06-295 § 1 (part))

(Ord. No. 2021-478 , § 1, 9-14-2021)

14.44.140 Nonconforming use regulations (CD).

(As provided in Chapter 14.66 of this title.)

(Ord. 08-320 § 1 (part); Ord. 06-295 § 1 (part))

14.44.150 Signs (CD).

(As provided in Chapter 14.68 of this code.)

(Ord. 08-320 § 1 (part); Ord. 06-295 § 1 (part); Ord. No. 2015-414 , § 12, 9-8-2015)

14.44.160 Fences (CD).

(As provided in Chapter 14.72 of this title.)

(Ord. 08-320 § 1 (part); Ord. 06-295 § 1 (part))

14.44.170 Restoration of nonconforming structures (CD).

(As provided in Chapter 14.66 of this title.)

(Ord. 08-320 § 1 (part); Ord. 06-295 § 1 (part))

14.44.180 Exceptions for public benefit (CD).

A. To implement the downtown urban design plan, exceptions from the provisions of this chapter may be granted provided the following findings are made:

1. The granting of the exception will not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the area;
2. The benefit to the city derived from granting the exception is an appropriate mitigation when considered against the cost to the developer;
3. The project and mitigation will result in a public benefit to the downtown;
4. The resultant project and mitigation are consistent with the general plan and promote or accomplish objectives of the downtown urban design plan.

B. For the purposes of this chapter, exceptions may include, but are not limited to setbacks, on-site parking, and development or building standards.

(Ord. 08-320 § 1 (part); Ord. 06-295 § 1 (part))

(Ord. No. 10-349, § 4, 4-27-2010)

Chapter 14.48 CRS COMMERCIAL RETAIL SALES DISTRICT*

Sections:

14.48.010 CRS District.

The regulations, general provisions, and exceptions set forth in this chapter and in Chapter 14.66 of this title shall apply in the CRS District.

(Ord. 05-294 § 2 (part): Ord. 05-289 § 2 (part): prior code § 10-2.1901)

14.48.020 Vision statement and specific purposes (CRS).

The city shall retain and enhance the downtown Los Altos village atmosphere and shall seek to attract businesses to the village. The primary characteristics of the desired village atmosphere include:

- A. A mix of uses emphasizing retail businesses and services that meet the needs of community residents and visitors, and with housing located aboveground floor businesses;
- B. Buildings and streetscape elements that enhance the pedestrian experience, reflect quality design, present a diversity of appearances, and contribute to the architectural and historical interest of the village;
- C. An attractive, pedestrian-oriented shopping environment that encourages social interaction, with substantial landscaping and open space, and adequate public parking;
- D. Business and specialty stores that will attract customers from the local community and surrounding region; and
- E. Encouragement of activities that enhance and extend commercial vitality, including nighttime activities.

In addition to the vision statement, the specific purposes for the CRS District are as follows:

- A. Promote the implementation of the downtown urban design plan;
- B. Encourage pedestrian-scale design and minimize blank walls and other dead spaces at the ground level;
- C. Continue the pattern and scale established by existing buildings by requiring building designs that express the underlying twenty-five (25) foot frontages originally established, either by building structure or by architectural design;
- D. Create continuous building frontage without major interruption by disallowing driveways and parking lots on shopping street frontages;
- E. Allow latitude for creative design and architectural variety within limits established;
- F. Provide pedestrian amenities such as paseos, outdoor public spaces and outdoor seating;
- G. Establish a sense of entry into the downtown;
- H. Encourage historic preservation for those buildings listed on the city's historic resources inventory;
- I. Encourage the upgrading of building exteriors, signs, passageways, and rear entries; and

J. Encourage the use of solar, photovoltaic, and other energy conserving devices.

(Ord. 05-294 § 2 (part): Ord. 05-289 § 2 (part): Ord. 01-397 § 4: prior code § 10-2.1902)

14.48.030 Permitted uses (CRS).

The following uses shall be permitted in the CRS District:

- A. Business, professional, and trade schools located above the ground floor;
- B. Office-administrative services, which include medical and dental clinics or offices having less than 5,000 gross square feet of floor area and animal clinics having less than 5,000 gross square feet of floor area, except when located in a ground floor building space that fronts directly onto Main Street or State Street;
- C. Parking spaces and loading areas incidental to a permitted use;
- D. Personal services;
- E. Private clubs, lodges, or fraternal organizations located above the ground floor;
- F. Restaurants, excluding drive-through services;
- G. Retail; ~~and~~
- H. Residential Only Development(s) except when main building frontage is on Main Street and/or State Street;
- I. Mixed Use Development(s); and
- H. Uses which are determined by the Zoning Administrator ~~community development director~~ to be of the same general character;
- I. Cocktail lounges.

(Ord. 05-294 § 2 (part): Ord. 05-289 § 2 (part): Ord. 05-280 § 7 (part): Ord. 05-270 § 2: Ord. 04-268 § 1)

(Ord. No. 10-348, § 4, 4-13-2010; Ord. No. 2015-406 , § 2, 2-10-2015; Ord. No. 2019-462 , § 1, 9-10-19)

14.48.040 Conditional uses and structures (CRS).

Upon the granting of a conditional use permit in accordance with the provisions of Chapter 14.80 of this title, the following uses shall be permitted in the CRS District:

- A. Any new building that has an area greater than seven thousand (7,000) gross square feet, and any addition to an existing building which would result in the total building area exceeding seven thousand (7,000) gross square feet, including additions to buildings which presently exceed seven thousand (7,000) gross square feet in area;
- B. Commercial recreation;
- C. Day care centers, except when located in a ground floor building space that fronts directly onto Main Street or State Street;
- D. Hotels;
- E. ~~Housing located above the ground floor;~~

F-E. Medical and dental clinics or offices having five thousand (5,000) gross square feet of floor area or more and animal clinics having five thousand (5,000) gross square feet of floor area or more, except when located in a ground floor building that fronts directly onto Main Street or State Street; and

G-F. Uses which are determined by the planning commission to be of the same general character.

(Ord. 05-294 § 2 (part): Ord. 05-289 § 2 (part): Ord. 05-280 § 7 (part): Ord. 05-270 § 3: Ord. 04-268 § 3)

(Ord. No. 2012-375, § 6, 1-24-2012; Ord. No. 2015-406 , §§ 3, 4, 2-10-2015; Ord. No. 2015-414 , § 8, 9-8-2015; Ord. No. 2019-462 , § 1, 9-10-19)

14.48.050 Required conditions (CRS).

The following conditions shall be required of all uses in the CRS District:

- A. Any ground floor office that is voluntarily discontinued pursuant to Section 14.66.110 of this title shall be converted to a conforming use, or receive a conditional use permit to maintain an office at that location pursuant to Section 14.80.060(H) of this title.
- B. All businesses, services, and processes shall be conducted within a completely enclosed structure, except for parking and loading spaces, sale of gasoline and oil at service stations, incidental sales and display of plant materials and garden supplies occupying no more than one thousand five hundred (1,500) square feet of exterior sales and display area, outdoor eating areas operated incidental to permitted eating and drinking services, and as otherwise allowed upon the issuance of an outdoor display permit. Exterior storage is prohibited.
- C. No use shall be permitted and no process, equipment, or materials shall be employed which are found by the commission to be objectionable by reason of odor, dust, noise, vibration, illumination, glare, unsightliness or electrical disturbances which are manifested beyond the premises in which the permitted use is located.
- D. No property owner, business owner and/or tenant shall permit or allow operation of a business which violates the required conditions of this chapter, including the following general criteria:
 - 1. Refuse collection. Every development, including applications for tenant improvements, shall be required to provide suitable space for solid waste separation, collection, and storage and shall provide sites for such that are located so as to facilitate collection and minimize any negative impact on persons occupying the development site, neighboring properties, or public rights-of-way. Refuse collection areas are encouraged to be shared, centralized, facilities whenever possible.
 - 2. Lighting. Lighting within any lot that unnecessarily illuminates any other lot and/or substantially interferes with the use or enjoyment of such other lot is prohibited. Lighting unnecessarily illuminates another lot if: (i) it clearly exceeds the minimum illumination necessary to provide for security of property and the safety of persons using such roads, driveways, sidewalks, parking lots, and other common areas and facilities, or (ii) if the illumination could reasonably be achieved in a manner that would not substantially interfere with the use or enjoyment of neighboring properties.
 - 3. Air pollution. Any use that emits any "air contaminant" as defined by the Bay Area air quality management district shall comply with applicable state standards concerning air pollution.
 - 4. Maintenance of common areas, improvements, and facilities. Maintenance of all common areas, improvements, facilities, and public sidewalks adjacent to the subject property shall be required. In the case of public sidewalks, maintenance shall be limited to keeping the sidewalk clean and

free of debris, markings, and food and drink stains by means of sweeping, cleaning with water and/or steam cleaning.

- 5. Odors. No use may generate any odor that may be found reasonably objectionable as determined by an appropriate agency such as the Santa Clara County health department and the Bay Area air quality management district beyond the boundary occupied by the enterprise generating the odor.
- 6. Noise. No person shall operate, or cause to be operated, any source of sound at any location within the city or allow the creation of any noise on property owned, leased, occupied or otherwise controlled by such person, which causes the noise level when measured on any other property either incorporated or unincorporated, to exceed standards as set forth in Chapter 6.16 of the Los Altos Municipal Code.

In order to attenuate noise associated with commercial development, walls up to twelve (12) feet in height may be required at a commercial/residential interface. Other conditions may be applied such as, but not limited to, muffling of exterior air conditioning facilities.

(Ord. 05-294 § 2 (part): Ord. 05-289 § 2 (part): Ord. 05-287 § 3; Ord. 04-268 § 2 (part); prior code § 10-2.1905)

14.48.060 Front yard (CRS).

With the exception of landscaping, all development in the CRS District must be built to the back of the sidewalk.

(Ord. 05-294 § 2 (part): Ord. 05-289 § 2 (part): Ord. 04-268 § 2 (part); prior code § 10-2.1907)

14.48.070 Side yards (CRS).

No side yards shall be required, and none shall be allowed, except where the side property line of a site abuts a public parking plaza, the minimum width of the side yard shall be two feet which shall be landscaped. A required side yard may be used for parking except for the area required to be landscaped.

(Ord. 05-294 § 2 (part): Ord. 05-289 § 2 (part): Ord. 04-268 § 2 (part); prior code § 10-2.1908)

14.48.080 Rear yard (CRS).

No rear yard shall be required except as follows:

- A. Where the rear property line of a site abuts a public parking plaza, the minimum depth of the rear yard shall be two feet, which shall be landscaped.
- B. Where the rear property line of a site abuts an existing alley, the minimum depth of the rear yard shall be ten (10) feet, of which the rear two feet shall be landscaped. A required rear yard may be used for parking, except for the area required to be landscaped.

(Ord. 05-294 § 2 (part): Ord. 05-289 § 2 (part): Ord. 04-268 § 2 (part); prior code § 10-2.1909)

14.48.090 Off-street parking (CRS).

Parking facilities shall be provided in accordance with Chapter 14.74 of this title. In addition, parking facilities shall:

- A. Reduce the visual impact of parking structures and parking lots by locating them at the rear or interior portions of building sites;
- B. Minimize the street frontage of the lot or structure by placing its shortest horizontal edge along the street;
- C. When parking structures must be located at street frontage because other locations are proven infeasible, the ground level frontage shall either be used for commercial space or shall provide a landscaped area not less than five feet in width between the parking area and the public right-of-way;
- D. Not be accessed from State or Main Streets unless no other access is feasible, in which case the number of direct entrances to parking facilities from streets shall be kept to a minimum;
- E. Provide a landscaped buffer not less than five feet in width between a parking lot or structure and street frontage or buildings. Where the landscaped strip adjoins a public street or pedestrian walkway, the landscaped strip may be required to include a fence, wall, berm, or equivalent feature;
- F. Provide a minimum of interior landscaping for unenclosed parking facilities as follows: where the total parking provided is located on one site and is fourteen thousand nine hundred ninety-nine (14,999) square feet or less, five percent of total parking area; where the parking is fifteen thousand (15,000) through twenty-nine thousand nine hundred ninety-nine (29,999) square feet, seven and one-half percent of total parking area; and where the facility is thirty thousand (30,000) square feet or greater, ten (10) percent of total parking area;

Parking Area (in square feet)	Minimum Landscaping (% of Parking Area)
< 15,000	5
15,000 — 29,999	7.5
> 30,000	10

- G. Trees in reasonable number shall be provided; ground cover alone is not acceptable. Interior landscaping shall be distributed throughout the paved area as evenly as possible. Provision shall be made for automatically irrigating all planted area. All landscaping shall be protected with concrete curbs or other acceptable barriers. All landscaping shall be continuously maintained.

(Ord. 08-320 § 3 (part); Ord. 05-294 § 2 (part); Ord. 05-289 § 2 (part); Ord. 04-268 § 2 (part); prior code § 10-2.1910)

14.48.100 Common parking facilities (CRS).

(As provided in Chapter 14.74 of this title.)

(Ord. 08-320 § 3 (part); Ord. 05-294 § 2 (part); Ord. 05-289 § 2 (part); Ord. 04-268 § 2 (part); prior code § 10-2.1911)

14.48.110 Off-street loading and refuse collection (CRS).

- A. Where buildings are served by alleys, all service-delivery entrances, loading docks, and refuse collection facilities shall be located to be accessed from the alley. No loading area shall be located at the street frontage or building façade.
- B. A minimum of thirty-two (32) square feet of covered refuse collection area shall be provided and shall not be located in any front or street side yard. Where an alley exists, the refuse collection area shall be accessed

from the alley. Refuse collection areas shall be on site, but are encouraged to be shared, centralized, facilities whenever possible.

- C. On sites not served by an alley, service areas shall be located to the rear, side, or at an internal location where visibility from public streets, public parking plazas and neighboring properties will be minimized.
- D. Refuse collection areas shall be enclosed by a screen wall of durable material and planting as necessary to screen views from streets, public parking plazas and neighboring properties.

(Ord. 08-320 § 3 (part); Ord. 05-294 § 2 (part); Ord. 05-289 § 2 (part); Ord. 04-268 § 2 (part); prior code § 10-2.1912)

14.48.120 Height of structures (CRS).

~~No structure shall exceed thirty (30) feet in height. The first story shall have a minimum interior ceiling height of twelve (12) feet to accommodate retail use, and the floor level of the first story shall be no more than one foot above sidewalk level.~~

- a. Residential Only Development(s) building height shall be a maximum of forty (40) feet and four (4) stories.
- b. Mixed Use Development(s) building height shall be a maximum of forty-five (45) feet and four (4) stories.
- c. Non-Residential Use Only Development(s) building height shall be a maximum of thirty (30) feet and three (3) stories.

(Ord. 08-331 § 1; Ord. 08-321 § 2; Ord. 08-320 § 3 (part); Ord. 05-294 § 2 (part); Ord. 05-289 § 2 (part); Ord. 04-268 § 2 (part); prior code § 10-2.1913)

(Ord. No. 10-349, § 5, 4-27-2010)

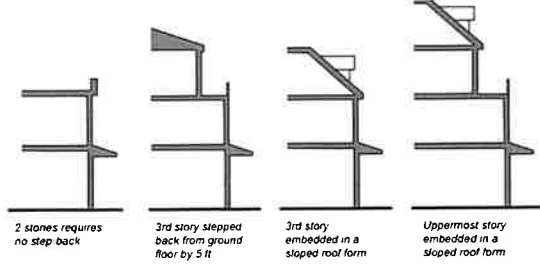
14.48.130 Design control (CRS).

A. Building Massing and Articulation.

1. Upper-story Step-backs, Front and Street Side.

- a. The third story must be either stepped back a minimum five feet from the ground floor façade or embedded in a sloped roof form such as a mansard roof or a hipped and/or gabled roof with dormers, as allowed by standards in Section 14.48.130.A.6.
- b. For buildings over three stories, the uppermost story must be embedded in a sloped roof form such as a mansard roof or a hipped and/or gabled roof with dormers, as allowed by standards in Section 14.48.130.A.6.

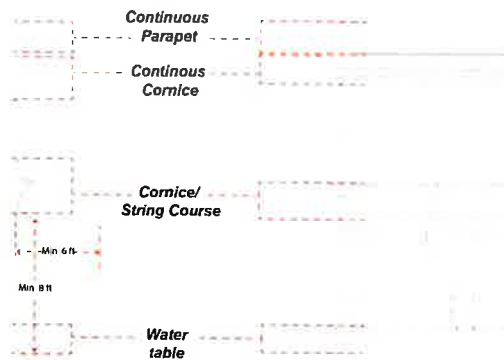
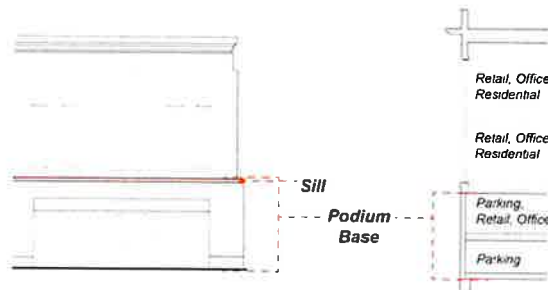
2. Vertical Articulation.



- a. When a building façade exceeds fifty (50) feet in length along a right-of-way, it must be separated into primary façade bays no greater than fifty (50) feet and secondary façade bays defined by a recess a minimum five feet deep and ten (10) feet wide.
- b. The building shall include at least one ground-floor entrance every twenty-five (25) feet.



- 3. Horizontal Articulation. New façades and façade modifications along a street or civic space shall be designed to visually express a base, middle, and top.
 - a. One or more of the following patterns shall be used to define the base:
 - i. Watertable: Base material extends from grade to between eight and fifty-four (54) inches above grade.
 - ii. Podium: The base material encompasses the lowest story (or stories) of the building, with or without mezzanine(s), and terminates in a sill, string course, or cornice at its upper bound (multi-story buildings only).
 - iii. Watertable and Cornice/String Course: A watertable using the base material is combined with a cornice or string course at the lowest story's upper bound, including any mezzanine (multi-story buildings only).



- b. The top of each building mass/bay shall be defined by elements spanning the full length of the façade of the mass/bay. Such elements may include a cornice, eave and/or gable(s), or other elements listed under Section 17.48.130.B.7. These elements shall be consistent with the overall architectural style of the building mass/bay.

4. Adjacencies.

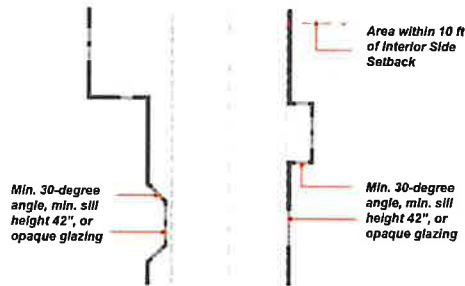
- a. Storefront Façades Adjacent to Storefront Façades.
 - i. The height of a storefront shall not differ from the height of any adjacent storefront by more than two feet.
 - ii. The height of ground story shall not differ from height of any adjacent ground story by more than two feet.
 - iii. Storefronts may transition in height using a module of twenty-five (25) feet in length along a right-of-way.



- b. Compatibility with Adjacent Shorter Buildings with Height Difference of One Story or More. When adjacent to an existing shorter building with a height difference of one story or more, a proposed building must utilize two or more of the following strategies:
 - i. Incorporate the uppermost floor into the roof form.
 - ii. Break the mass of the building into smaller modules through changes in wall plane, setbacks, and/or height.
 - iii. Match window heights and/or proportions.
 - iv. Relate roof cornices and moldings at floor lines.

5. Privacy and Line of Sight.

- a. Primary living spaces and balconies located along a side setback shall orient principal windows and balconies toward the front and rear of the building.
- b. Where windows are within ten (10) feet of and oriented toward an interior side setback, glazing shall either be a minimum thirty (30) degree angle measured perpendicular to the adjacent side setback line, have minimum sill height of forty-two (42) inches, or be opaque.
- c. The maximum sill height for an ingress/egress window is forty-four (44) inches from finished floor.



6. Roofline and Roof Design.

a. Roof designs shall be limited to:

- i. Hipped.
- ii. Gable.
- iii. Dormer.
- iv. Parapet.

(a) When used on the first or second floor, a parapet longer than twenty-five (25) feet in length must include at least one but not more than two of the following design elements to break up the length of the parapet:

- (1) Steps.
- (2) Curves.
- (3) Angled surfaces.

(b) The length of a parapet segment on the third floor and above may not exceed twenty-five (25) feet.

b. Building façades facing an R-1 district must have a hipped or gable roof and may incorporate dormers.

c. Roofline/parapet at corners shall not exceed roofline/parapet of adjacent wallplanes by more than twenty-four (24) inches.



B. Building Design.

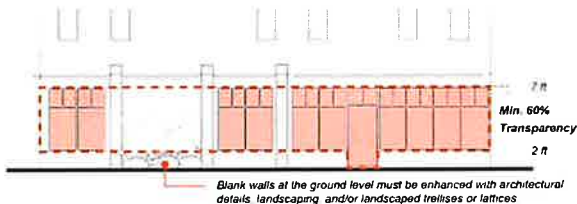
1. Façade Design.

a. Building façades must continue the pattern established by existing buildings in Downtown Los Altos by reinforcing the underlying maximum twenty-five (25) foot module along all street frontages through the use of the following techniques:

i. Building façades shall be arranged in an orderly composition of bays, defined by vertically aligned openings alternating horizontally with solid walls or columns. The pattern shall be

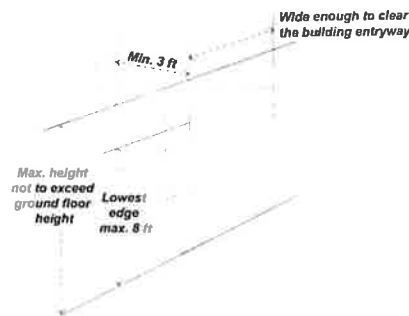
visually expressed through the spacing of openings, recesses, eaves, inset panels, cornices, overhangs, trellises, exposed rafters, columns, or bay windows.

- ii. The pattern may be shared between the ground floor and upper stories provided the ground floor exhibits enhanced detail or modulation.
 - iii. Residential façades shall incorporate at least one element that signals habitation, such as bay windows, or balconies.
 - iv. Non-glazed wall areas (blank walls) must be enhanced with architectural details, landscaping, and/or landscaped trellises or lattices.
- b. At least two of the following strategies must be used in a manner that reinforces the maximum twenty-five (25) foot module:
- i. Change in roof parapet height or shape.
 - ii. Change in roof style.
 - iii. Change in materials palette.
 - iv. Change in building height, minimum eight-foot difference.
 - v. Change in frontage type or change in details of shopfront frontage type if used.
 - vi. Use of upper floor projections such as bay windows or balconies.
2. Ground Level Transparency. A minimum sixty (60) percent of commercial ground floor street-facing façades between two and seven feet in height shall be transparent window surface. Opaque, reflective, or dark tinted glass is not allowed.

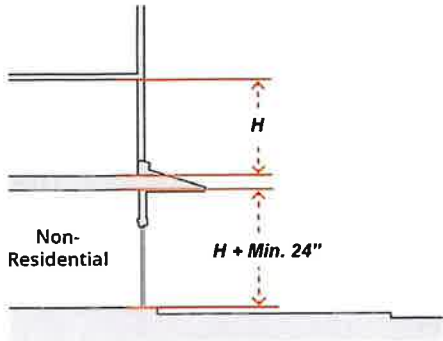


3. Pedestrian-Scaled Entrances.
- a. Building entrances must incorporate at least one of the following entry features. See Section 14.66.275 (Entrance Type Standards) for design standards applicable to each entrance type listed.
 - i. Stoop.
 - ii. Shopfront.
 - (a) The maximum width of single shopfront shall be twenty-five (25) feet.
 - iii. Gallery.
 - iv. Arcade with shopfront frontage.
 - b. Primary Entrance Location(s). Locate primary entrance on the front right-of-way.
 - c. Corner Entrances. Chamfered corners must incorporate a building entrance. Any required entrances may be provided on the corner of the building assuming one of the intersecting sides is a primary frontage.

- d. **Street-facing Entries to Upper Floors.** Street-facing entries to upper floors shall be equal in quality and detail to storefronts. This standard may be satisfied through two or more of the following:
 - i. Dedicated awning, canopy, or other roof element.
 - ii. Stairs with a single color applied to treads and a contrasting color or pattern applied to risers.
 - iii. Dedicated light fixture(s).
 - iv. Decorative street address numbers or tiles.
 - v. Plaque signs for upper-floor business tenants.
- e. **Entry Protection.** Primary street-facing entrances shall be protected by a recess in the building frontage at least three feet deep or by a projection extending outward at least three feet measured horizontally from the entrance, and wide enough to clear the building entryway on both sides.
 - i. Protection may be coterminous with an accent element.
 - ii. Protection may take the form of an extended eave, overhang, awning, door canopy, gallery, arcade frontage, or other element that provides shade and shelter from the elements.
 - iii. The lowest edge of a projecting awning or door canopy shall have a vertical clearance of no more than eight feet.
 - iv. Recessed entries shall differentiate pavement within the recess through the use of a dedicated paving material or pattern.



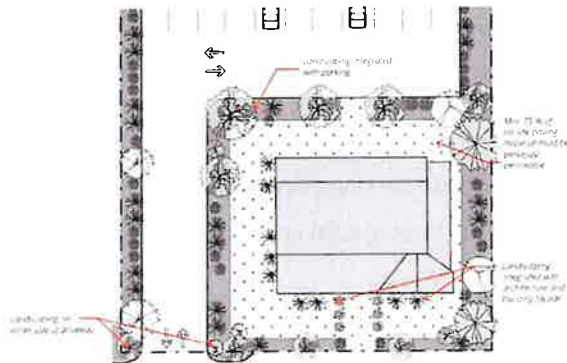
- f. Accent elements demarcating building frontage, entrance, and common open space areas shall not exceed the height of the ground floor story. Roof elements are excepted.
4. **Ground Floor Floor-to-Ceiling Height.** Minimum twenty-four (24) inches taller than typical upper floor floor-to-ceiling height.



- 5. Interior Courtyard. Interior courtyards must be:
 - a. Partially visible from the street and linked to the street by a clear accessible path of travel.
 - b. Enclosed on at least two sides by buildings.
 - c. Open to the sky (arbors and trellises are allowed).
 - d. A minimum width of twenty (20) feet and a minimum area of four hundred (400) square feet.
 - 6. Paseos. Paseos must be:
 - a. A minimum width of ten (10) feet for through-block paseos.
 - b. A minimum width of four feet for entries to courtyards or individual single businesses.
- C. Window Design.
- 1. Window frames, backbands, and sills.
 - a. All windows shall have a sill.
 - i. The sill shall extend horizontally beyond the window opening or frame/casing (if present) at each end.
 - ii. The sill shall be sloped toward the outside.
 - iii. The sill shall have a drip at its outer edge.
 - 2. Vinyl windows are prohibited on façades visible from a right-of-way.
 - 3. Tinted glass is not allowed.
- D. Building Materials.
- 1. Primary shall mean fifty (50) percent or more of a façade surface area excluding transparent surfaces. Permitted primary cladding materials are limited to:
 - a. Stucco (minimum two-coat stucco; synthetic stucco or EIFS not allowed).
 - b. Siding (lap, vertical, or shingle).
 - i. All siding shall be wood, composite wood, or cement fiberboard.
 - ii. Wood siding shall be painted or stained.
 - iii. Vinyl and aluminum siding are not permitted.
 - c. Stone.
 - d. Brick.

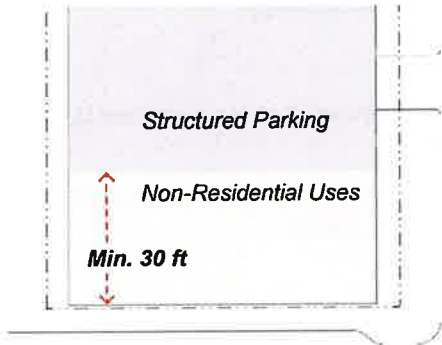
2. Secondary shall mean less than fifty (50) percent of a façade surface area excluding transparent surfaces. Permitted secondary cladding materials are limited to:
 - a. Stucco (minimum two-coat stucco; synthetic stucco not allowed, EIFS not allowed).
 - b. Siding (lap, vertical, or shingle).
 - i. All siding shall be wood, composite wood, or cement fiberboard.
 - ii. Wood siding shall be painted or stained.
 - iii. Vinyl and aluminum siding are not permitted.
 - c. Stone (building base only).
 - d. Brick (building base only).
 - e. Tile (for bulkheads below display windows and decorative accents only).
 - f. Metal (Matte finish or Cor-ten).
 - i. Ribbed metal, titanium, and mirrored finishes are not permitted.
 - g. Concrete Masonry Units (building base only, and not allowed on any façade facing a right-of-way or a single-family zone).
 - h. Concrete (watertable and building base only, board-form only, cast concrete not permitted).
- E. Downtown Gateways. A downtown gateway is located at the intersection of Foothill Expressway at Main Street.
1. Building design at gateway intersection shall include:
 - a. Façade lighting; and
 - b. Overhangs or sloped roof forms.
 2. Ground-floor design at gateway intersections must address both street frontages through:
 - a. Entrances that are visible and directly accessible from both streets;
 - b. Building transparency beyond the required minimum for the first fifteen (15) feet of building frontage from the corner;
 - c. Landscaped area with a minimum dimension of six feet; and
 - d. A usable public space with pedestrian-scaled features.
- F. Landscaping and Paving, and Pedestrian Amenities.
1. Landscaping must be placed on each side of a driveway at grade or in raised planters.
 2. All paving located adjacent to a sidewalk must be textured (decorative or permeable).
 3. A minimum seventy-five (75) percent of on-site paving material must be pervious/permeable.
 4. Landscape elements shall be integrated with the building architecture, parking, and streetscape. Recommended patterns shall include, but are not limited to:
 - a. Planters for flowers and shrubs within street frontage.
 - b. Landscape buffers between parking spaces and building façades.
 - c. Landscaping within and/or on walls adjacent to courtyards, open spaces, and setbacks.

- d. A publicly visible and accessible pedestrian amenity such as benches, a fountain, a rain garden, decorative paving, and/or public art.
- 5. See Sections 14.66.180 (Maintenance of Landscaped Areas) and 14.70.070 (Landscaped Strips) for additional landscaping standards.

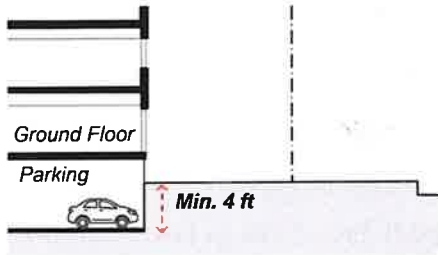


G. Parking Design and Access.

- 1. Where structured parking is provided, the parking area must be either:
 - a. "Lined" with ground-floor non-residential uses at least thirty (30) feet deep as measured from the front façade; or

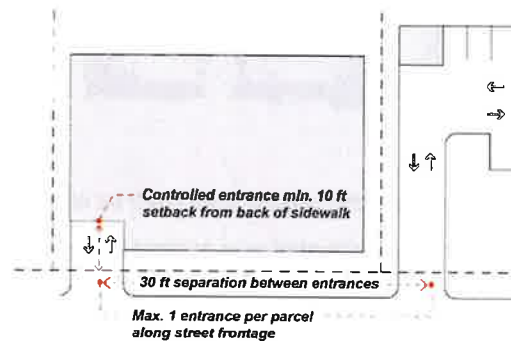


- b. Designed such that the floor elevation is a minimum four vertical feet below the elevation of the adjacent sidewalk.



- 2. Visible structured parking must be screened from view from the right-of-way by at least one of the following features:
 - a. Regular punched openings designed to resemble windows of habitable spaces.
 - b. Trellis/living wall.

- c. Custom textured or decorative screening.
- 3. Entrances to Parking Facilities.
 - a. Curb cuts are not permitted along State Street and Main Street, except those providing direct access to parking plazas. On all other street frontages, a maximum of two curb cuts for one-way traffic and one curb cut for two-way traffic may be permitted per street frontage per lot.
 - b. Controlled entrances to parking facilities (gates, doors, etc.) shall be located a minimum ten (10) feet from the back of sidewalk.
 - c. Entrances to parking facilities along a street frontage shall be separated by a minimum of forty (40) feet, excluding access to parking plazas.
 - d. Where possible, curb cuts serving adjacent parking facilities shall be shared.



- H. Site Circulation and Access.
 - 1. A clearly defined, lighted and landscaped pedestrian route shall be provided between all parking areas and primary pedestrian entrance.
 - 2. New development on abutting lots shall be designed to allow cross-access for internal pedestrian, bicycle, and vehicular circulation systems.
 - 3. Bicycle racks shall be provided:
 - a. In or within fifty (50) feet of every parking area; and
 - b. Within twenty (20) feet of at least one building entrance.
- I. Service Areas and Screening.
 - 1. Service areas must be located at the rear of lot or along a parking plaza.
 - 2. Service areas must be enclosed in enclosures that are architecturally consistent with primary building in terms of materials, colors, and style.
- J. Additional Design Standards. See Section 14.66.280 for additional design standards applicable to all residential mixed-use development in the CRS District.

(Ord. 08-320 § 3 (part); Ord. 05-294 § 2 (part); Ord. 05-289 § 2 (part): amended during 2/06 supplement; Ord. 04-268 § 2 (part); Ord. 01-397 §§ 10, 11, 12; prior code § 10-2.1914)

(Ord. No. 2021-478 , § 1, 9-14-2021)

14.48.140 Nonconforming use regulations (CRS).

(As provided in Chapter 14.66 of this title.)

(Ord. 08-320 § 3 (part); Ord. 05-294 § 2 (part); Ord. 05-289 § 2 (part); Ord. 04-268 § 2 (part); prior code § 10-2.1915)

14.48.150 Signs (CRS).

(As provided in Chapter 11.04 of this code.)

(Ord. 08-320 § 3 (part); Ord. 05-294 § 2 (part); Ord. 05-289 § 2 (part); Ord. 04-268 § 2 (part); Ord. 01-397 § 13: prior code § 10-2.1916; Ord. No. 2015-414 , § 12, 9-8-2015)

14.48.160 Fences (CRS).

(As provided in Chapter 14.72 of this title.)

(Ord. 08-320 § 3 (part); Ord. 05-294 § 2 (part); Ord. 05-289 § 2 (part); Ord. 04-268 § 2 (part); prior code § 10-2.1917)

14.48.170 Restoration of nonconforming structures (CRS).

(As provided in Chapter 14.66 of this title.)

(Ord. 08-320 § 3 (part); Ord. 05-294 § 2 (part); Ord. 05-289 § 2 (part); Ord. 04-268 § 2 (part); prior code § 10-2.1918)

14.48.180 Exceptions for public benefit (CRS).

- A. To implement the downtown design plan, minor exceptions from the provisions of this chapter may be granted in the context of the project's benefit relative to its location. Since these are not required by law, they are to be allowed at the complete discretion of the city, provided the following findings are made:
 - 1. The benefits to the downtown will be significant;
 - 2. The benefits to the city derived from granting the exception is an appropriate mitigation when considered against the cost to the developer;
 - 3. The project and mitigation will result in a public benefit to the downtown; and
 - 4. The resultant project and mitigation are consistent with the general plan and promote or accomplish objectives of the downtown design plan.
- B. For the purposes of this chapter, such exceptions may include, but are not limited to, setbacks, height of structure, height of the first floor, on-site parking, and other zoning regulations. "Height of structure" shall only apply to building height exceptions that support the project's architectural integrity.
- C. For the purposes of this section, significant public benefits identified in the downtown design plan, include, but are not limited to, projects that accomplish the following:
 - 1. Provide for additional public parking, beyond minimum code requirement project needs;

2. Provide additional public outdoor plazas and gathering and eating spaces, visible from the public right-of-way, to enhance the ambiance of the downtown;
3. Create prominent, recognizable, entry points into the downtown area;
4. Preserve the historic character of downtown by renovating existing historic buildings;
5. Create strong pedestrian linkages to the Civic Center and residential areas adjacent to downtown; and
6. Develop pedestrian walkways or "paseo" passage ways where they are needed, to better link rear parking plazas to the businesses along State and Main Streets.

(Ord. 08-320 § 3 (part); Ord. 05-294 § 2 (part); Ord. 05-289 § 2 (part); Ord. 04-268 § 2 (part); prior code § 10-2.1919)

(Ord. No. 10-348, § 5, 4-13-2010; Ord. No. 2012-388, § 1, 11-13-2012)

Chapter 14.52 CD/R3 COMMERCIAL DOWNTOWN/MULTIPLE FAMILY DISTRICT¹

Sections:

14.52.010 CD/R3 District.

The regulations, general provisions, and exceptions set forth in Chapter 14.66 of this title shall apply in the CD/R3 District.

(Ord. No. 10-346, § 2, 3-9-2010)

14.52.020 Specific purposes (CD/R3).

Specific purposes for CD/R3 Districts are as follows:

- A. Promote the implementation of the downtown urban design plan;
- B. Retain and enhance the downtown Los Altos village atmosphere;
- C. Allow latitude for creative design and architectural variety within limits established;
- D. Preserve and improve the character of the area immediately surrounding the existing downtown pedestrian district;
- E. Provide pedestrian amenities such as paseos, outdoor public spaces and outdoor seating;
- F. Establish a sense of entry into the downtown;
- G. Encourage historic preservation for those buildings listed on the city's historic resources inventory;
- H. Encourage the upgrading of building exteriors, signs, passageways and rear entries;
- I. Provide for a full range of retail, office, and service uses appropriate to downtown;
- J. Develop a landscaped strip along the back of properties that abut Foothill Expressway between Edith Avenue and San Antonio Road;
- K. Improve the visual appeal and pedestrian orientation of the downtown; and
- L. Encourage the use of solar, photovoltaic, and other energy conserving devices.

(Ord. No. 10-346, § 2, 3-9-2010)

14.52.030 Permitted uses (CD/R3).

The following uses shall be permitted in the CD/R3 District:

- A. Business, professional, and trade schools;

¹Editor's note(s)—Prior to the reenactment of ch. 14.52 by Ord. No. 10-346, Ord. No. 09-336, § 3, adopted April 28, 2009, repealed ch. 14.52, §§ 14.52.010—14.52.050, which pertained to the AH/MU affordable housing/mixed use overlay district and derived from §§ 10-20501—10-20505 of the prior code.

- B. ~~Housing Residential Only Development(s);~~
- C. ~~Maintenance and repair services-Mixed Use Development(s);~~
- D. Office-administrative services, excluding drive-through facilities;
- E. Parking spaces and loading areas;
- F. Restaurants, excluding drive-through facilities;
- G. Retail and personal services; and
- H. Uses which are determined by the Zoning Administrator ~~city planner~~ to be of the same general character.

(Ord. No. 10-346, § 2, 3-9-2010; Ord. No. 2015-406 , § 2, 2-10-2015)

14.52.040 Conditional uses (CD/R3).

Upon the granting of a use permit in accordance with the provisions of Chapter 14.80 of this title, the following uses shall be permitted in the CD/R3 District:

- A. Animal clinics and hospitals;
- B. Cocktail lounges;
- C. Commercial recreation;
- D. Day care centers;
- E. Medical and dental clinics;
- F. Medical and dental offices that are five thousand (5,000) gross square feet or more; and
- ~~G. Service stations provided the site has at least one hundred (100) feet of frontage on a street with a minimum site area of twenty thousand (20,000) square feet; and~~
- H.G. Uses which are determined by the planning commission and the city council to be of the same general character.

(Ord. No. 10-346, § 2, 3-9-2010; Ord. No. 2015-406 , §§ 3, 4, 2-10-2015)

14.52.050 Required conditions (CD/R3).

The following conditions shall be required of all uses in the CD/R3 District:

- A. All businesses, services, and processes shall be conducted within a completely enclosed structure, except for parking and loading spaces, sale of gasoline and oil at service stations, incidental sales and display of plant materials and garden supplies occupying no more than one thousand five hundred (1,500) square feet of exterior sales and display area, and outdoor eating and community facility play areas operated incidental to those services.
- B. No use shall be permitted and no process, equipment, or materials shall be employed which are found by the planning commission to be objectionable by reason of odor, dust, smoke, noise, vibration, illumination, glare, unsightliness, or electrical disturbances which are manifested beyond the premises in which the permitted use is located.
- C. No property owner, business owner and/or tenant shall permit or allow operation of a business which violates the required conditions of this chapter, including the following general criteria:

1. Refuse collection. Every development, including applications for tenant improvements, shall be required to provide suitable space for solid waste separation, collection, and storage and shall provide sites for such that are located so as to facilitate collection and minimize any negative impact on persons occupying the development site, neighboring properties, or public rights-of-way. Refuse collection areas are encouraged to be shared, centralized, facilities whenever possible.
2. Lighting. Lighting within any lot that unnecessarily illuminates any other lot and/or substantially interferes with the use or enjoyment of such other lot is prohibited. Lighting unnecessarily illuminates another lot if: (1) it clearly exceeds the minimum illumination necessary to provide for security of property and the safety of persons using such roads, driveways, sidewalks, parking lots, and other common areas and facilities, or (ii) if the illumination could reasonably be achieved in a manner that would not substantially interfere with the use or enjoyment of neighboring properties.
3. Air pollution. Any use that emits any "air contaminant" as defined by the Bay Area air quality management district shall comply with applicable state standards concerning air pollution.
4. Maintenance of common areas, improvements, and facilities. Maintenance of all common areas, improvements, facilities, and public sidewalks adjacent to the subject property shall be required. In the case of public sidewalks, maintenance shall be limited to keeping the sidewalk clean and free of debris, markings, and food and drink stains by means of sweeping, cleaning with water and/or steam cleaning.
5. Odors. No use may generate any odor that may be found reasonably objectionable as determined by an appropriate agency such as the Santa Clara County health department and the Bay Area air quality management district beyond the boundary occupied by the enterprise generating the odor.
6. Noise. No person shall operate, or cause to be operated, any source of sound at any location within the city or allow the creation of any noise on property owned, leased, occupied or otherwise controlled by such person, which causes the noise level when measured on any other property either incorporated or unincorporated, to exceed standards as set forth in Chapter 6.16 of the Los Altos Municipal Code.

In order to attenuate noise associated with commercial development, walls up to twelve (12) feet in height may be required at a commercial/residential interface. Other conditions may be applied such as, but not limited to, muffling of exterior air conditioning facilities.

D. For affordable housing requirements, see Chapter 14.28 of this title.

(Ord. No. 10-346, § 2, 3-9-2010)

14.52.060 Required building setbacks (CD/R3).

For entirely residential projects:

- A. The minimum depth of the front yard shall be ten (10) feet, all of which shall be landscaped. For purposes of this section, "landscaped" shall mean any combination of plant material (soft surfaces) and decorative paving, seating, seat-walls, fountains, etc., (hard surfaces) where the soft surface comprises at least sixty (60) percent of the total landscaped area. Stair cases and building entry landings may be located in the required front yard.
- B. No side yards shall be required, except when the side property line of a site abuts a public street or a public parking plaza, in which case the minimum width of the side yard shall be two feet and shall be landscaped.
- C. The minimum depth of the rear yard shall be ten (10) feet, all of which shall be landscaped. For purposes of this section, "landscaped" shall mean any combination of plant material (soft surfaces) and decorative paving, seating, seat-walls, fountains, etc., (hard surfaces) where the soft surface comprises

at least sixty (60) percent of the total landscaped area. Stair cases and building entry landings may be located in the required rear yard.

For mixed-use and commercial projects:

- A. The minimum depth of front yards shall be two feet and shall be landscaped.
- B. No side yards shall be required, except when the side property line of a site abuts a public street or a public parking plaza, in which case the minimum width of the side yard shall be two feet and shall be landscaped.
- C. Where the rear property line of a site abuts a public parking plaza, public street, or alley, the minimum depth of the rear yard shall be two feet and shall be landscaped.

(Ord. No. 10-346, § 2, 3-9-2010)

14.52.070 Off-street parking (CD/R3).

Parking facilities shall be provided in accordance with Chapter 14.74 of this title. In addition, parking facilities shall:

- A. Reduce the visual impact of parking structures and parking lots by locating them at the rear or interior portions of building sites;
- B. Minimize the street frontage of the lot or structure by placing its shortest horizontal edge along the street;
- C. When parking structures must be located at street frontage because other locations are proven infeasible, the ground level frontage shall either be used for commercial space or shall provide a landscaped area not less than five feet in width between the parking area and the public right-of-way;
- D. Keep the number of direct entrances to parking facilities from streets to a minimum;
- E. Provide a landscaped buffer not less than five feet in width between a parking lot or structure and street frontage or buildings. Where the landscaped strip adjoins a public street or pedestrian walkway, the landscaped strip may be required to include a fence, wall, berm, or equivalent feature;
- F. Provide a minimum of interior landscaping for unenclosed parking facilities as follows: where the total parking provided is located on one site and is fourteen thousand nine hundred ninety-nine (14,999) square feet or less, five percent of total parking area; where the parking is fifteen thousand (15,000) through twenty-nine thousand nine hundred ninety-nine (29,999) square feet, seven and one-half percent of total parking area; and where the facility is thirty thousand (30,000) square feet or greater, ten (10) percent of total parking area.

Parking Area (in square feet)	Minimum Landscaping (% of Parking Area)
< 15,000	5
15,000 29,999	7.5
> 30,000	10

- G. Trees in reasonable number shall be provided; ground cover alone is not acceptable. Interior landscaping shall be distributed throughout the paved area as evenly as possible. Provision shall be made for automatically irrigating all planted area. All landscaping shall be protected with concrete curbs or other acceptable barriers. All landscaping shall be continuously maintained.

(Ord. No. 10-346, § 2, 3-9-2010)

14.52.080 Common parking facilities (CD/R3).

(As provided in Chapter 14.74 of this title.)

(Ord. No. 10-346, § 2, 3-9-2010)

14.52.090 Off-street loading and refuse collection (CD/R3).

- A. Where buildings are served by alleys, all service-delivery entrances, loading docks, and refuse collection facilities shall be located to be accessed from the alley. No loading area shall be located at the street frontage or building façade.
- B. A minimum of thirty-two (32) square feet of covered refuse collection area shall be provided and shall not be located in any front or street side yard. Where an alley exists, the refuse collection area shall be accessed from the alley. Refuse collection areas shall be on site, but are encouraged to be shared, centralized, facilities whenever possible.
- C. On sites not served by an alley, service areas shall be located to the rear, side, or at an internal location where visibility from public streets, public parking plazas and neighboring properties will be minimized.
- D. Refuse collection areas shall be enclosed by a screen wall of durable material and planting as necessary to screen views from streets, public parking plazas and neighboring properties.

(Ord. No. 10-346, § 2, 3-9-2010)

14.52.100 Height of structures (CD/R3).

~~No commercial or mixed use structure shall exceed thirty (30) feet in height and no entirely residential structure shall exceed thirty five (35) feet in height. Commercial and mixed use projects that include ground floor commercial floor area shall provide a ground floor with a minimum interior ceiling height of twelve (12) feet.~~

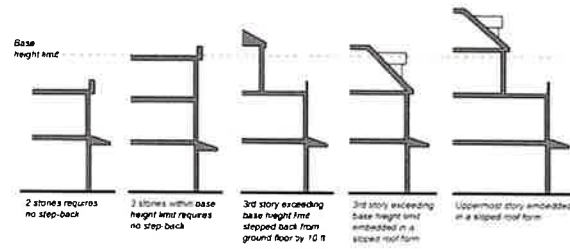
- a. Residential Only Development(s) building height shall be a maximum of forty (40) feet and four (4) stories.
- b. Mixed Use Development(s) building height shall be a maximum of forty-five (45) feet and four (4) stories.
- c. Non-Residential Use Only Development(s) building height shall be a maximum of thirty (30) feet and three (3) stories.

(Ord. No. 10-346, § 2, 3-9-2010; Ord. No. 2016-428 , § 1, 11-8-2016)

14.52.110 Design control (CD/R3).

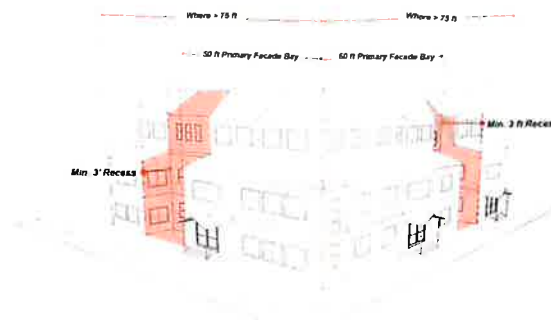
- A. Building Massing and Articulation.
 - 1. Upper-story Step-backs.
 - a. Front: Minimum ten (10) feet from ground floor façade for stories above thirty (30) feet in height (commercial or mixed use) or thirty-five (35) feet (residential only) as shown in the diagram.
 - b. Street Side: Minimum ten (10) feet from ground floor façade for stories above thirty (30) feet in height (commercial or mixed use) or thirty-five (35) feet (residential only) as shown in the diagram.

- c. For buildings over three stories, the uppermost story must be embedded in a sloped roof form such as a mansard roof or a hipped and/or gabled roof with dormers, as allowed by standards in Section 14.52.110.A.6.



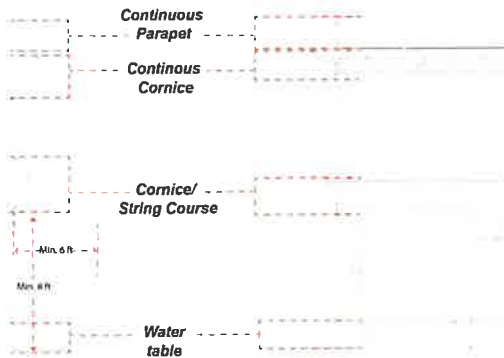
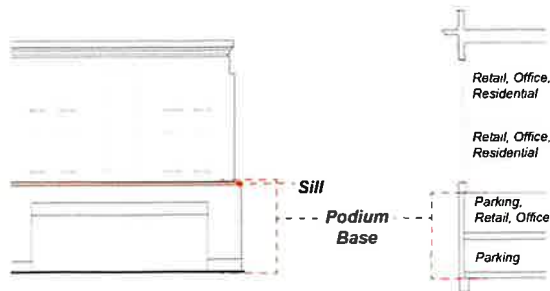
2. Vertical Articulation.

- a. When a building façade exceeds seventy-five (75) feet in length along a right-of-way, it must be separated into primary façade bays no greater than fifty (50) feet and secondary façade bays defined by a recess a minimum three feet deep and ten (10) feet wide.
- b. The building shall include at least one ground-floor entrance every twenty-five (25) feet.
- c. The eave/roof of a secondary façade bay shall be no higher than the corresponding elements of the primary façade bay.



3. Horizontal Articulation. New façades and façade modifications along a street or civic space shall be designed to visually express a base, middle, and top.

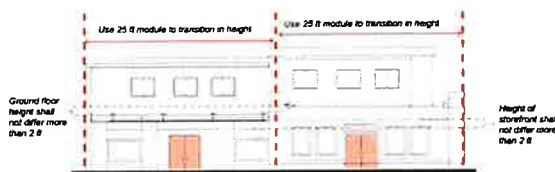
- a. One or more of the following patterns shall be used to define the base:
 - i. Watertable: Base material extends from grade to between eight and fifty-four (54) inches above grade.
 - ii. Podium: The base material encompasses the lowest story (or stories) of the building, with or without mezzanine(s), and terminates in a sill, string course, or cornice at its upper bound (multi-story buildings only).
 - iii. Watertable and Cornice/String Course: A watertable using the base material is combined with a cornice or string course at the lowest story's upper bound, including any mezzanine (multi-story buildings only).
- b. The top of each building mass/bay shall be defined by elements spanning the full length of the façade of the mass/bay. Such elements may include a cornice, eave and/or gable(s), or other elements listed under Section 17.52.110.A.6. These elements shall be consistent with the overall architectural style of the building mass/bay.



4. Adjacencies.

a. Storefront Façades Adjacent to Storefront Façades.

- i. The height of a storefront shall not differ from the height of any adjacent storefront by more than two feet.
- ii. The height of ground story shall not differ from height of any adjacent ground story by more than two feet.
- iii. Storefronts may transition in height using a module of twenty-five (25) feet in length along a right-of-way.

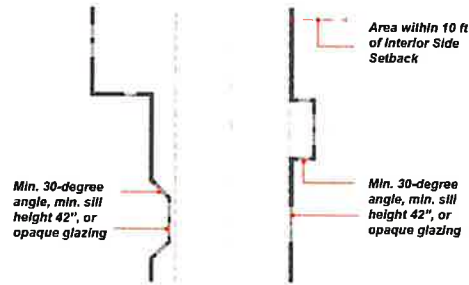


b. Compatibility with Adjacent Shorter Buildings with Height Difference of One Story or More. When adjacent to an existing shorter building with a height difference of one story or more, a proposed building must utilize two or more of the following strategies:

- i. Incorporate the uppermost floor into the roof form.
- ii. Break the mass of the building into smaller modules through changes in wall plane, setbacks, and/or height.
- iii. Match window heights and/or proportions.
- iv. Relate roof cornices and moldings at floor lines.

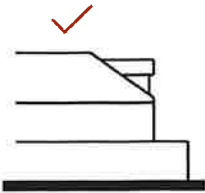
5. Privacy and Line of Sight.

- a. Primary living spaces and balconies located along a side setback shall orient principal windows and balconies toward the front and rear of the building.
- b. Where windows are within ten (10) feet of and oriented toward an interior side setback, glazing shall either be a minimum thirty (30) degree angle measured perpendicular to the adjacent side setback line, have minimum sill height of forty-two (42) inches, or be opaque.
- c. The maximum sill height for an ingress/egress window is forty-four (44) inches from finished floor.

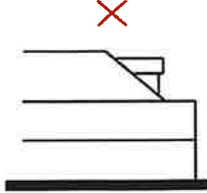


6. Roofline and Roof Design.

- a. Roof designs shall be limited to:
 - i. Hipped.
 - ii. Gable.
 - iii. Mansard.
 - (a) Applicable for buildings three or more stories.
 - iv. Dormer.
 - v. Parapet.
 - (a) Allowed only along First Street frontages.
 - (b) When used on the first or second floor, a parapet longer than twenty-five (25) feet in length must include at least one but not more than two of the following design elements to break up the length of the parapet:
 - (1) Steps.
 - (2) Curves.
 - (3) Angled surfaces.
 - (c) The length of a parapet segment on the third floor and above may not exceed twenty-five (25) feet.
- b. When the top story is stepped back and embedded in a sloped roof form such as a mansard roof or a hipped and/or gabled roof with dormers, the floor below must (and other floors may) be stepped back to meet the slope of the top story.

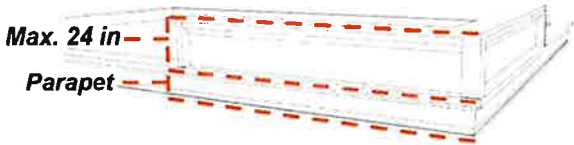


Acceptable:
One story below the story embedded in a sloped roof is also stepped-back .



Not acceptable:
Top story embedded in a sloped roof is the only story stepped back.

- c. Building façades facing an R-1 district must have a hipped or gable roof and may incorporate dormers.
- d. Roofline/parapet at corners shall not exceed roofline/parapet of adjacent wallplanes by more than twenty-four (24) inches.

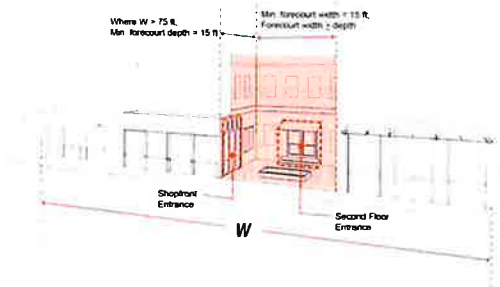


B. Building Design.

1. Façade Design.

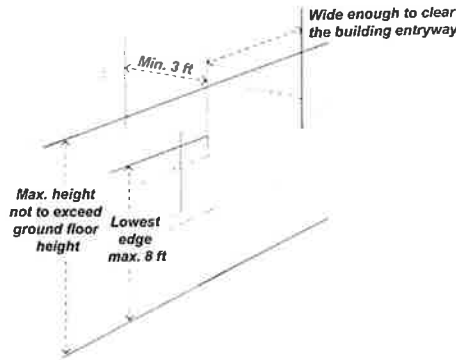
- a. Building façades must continue the pattern established by existing buildings in Downtown Los Altos by reinforcing the underlying maximum fifty (50) foot module along all street frontages through the use of the following techniques:
 - i. Building façades shall be arranged in an orderly composition of bays, defined by vertically aligned openings alternating horizontally with solid walls or columns. The pattern shall be visually expressed through the spacing of openings, recesses, eaves, inset panels, cornices, overhangs, trellises, exposed rafters, columns, or bay windows.
 - ii. The pattern may be shared between the ground floor and upper stories provided the ground floor exhibits enhanced detail or modulation.
 - iii. Residential façades shall incorporate at least one element that signals habitation, such as bay windows, or balconies.
 - iv. Non-glazed wall areas (blank walls) must be enhanced with architectural details, landscaping, and/or landscaped trellises or lattices.
- b. At least two of the following strategies must be used in a manner that reinforces the maximum fifty (50) foot module:
 - i. Change in roof parapet height or shape.
 - ii. Change in roof style
 - iii. Change in materials palette

- iv. Change in building height, minimum eight-foot difference.
 - v. Change in frontage type or change in details of shopfront frontage type if used.
 - vi. Use of upper floor projections such as bay windows or balconies.
2. Pedestrian-Scaled Entrances.
- a. Buildings more than seventy-five (75) feet in frontage length along a right-of-way and First Street must incorporate at least one forecourt with a minimum depth of twenty (20) feet from front façade. Required forecourts must also comply with the standards of Section 14.52.110.B.2.b.vi. below.
 - b. Building entrances must incorporate at least one of the following entry features. See Section 14.66.275 (Entrance Type Standards) for design standards applicable to each entrance type listed.
 - i. Stoop.
 - ii. Dooryard.
 - iii. Shopfront.
 - (a) The maximum width of single shopfront shall be twenty-five (25) feet.
 - iv. Gallery.
 - v. Arcade.
 - vi. Forecourt
 - (a) Forecourts must feature at least one entry to a shop and/or second floor use.
 - (b) Forecourts for buildings more than seventy (70) feet in length along a right-of-way must have a minimum width and depth of fifteen (15) feet from front façade. Width of forecourt shall be equal to or greater than depth.
 - (c) The size of the forecourt must be appropriate relative to the size of the building. The maximum ratio of building height to forecourt is 2:1 (height < 2 x width).
 - (d) Forecourt must be enclosed on at least three sides by buildings.
 - (e) Forecourt must remain open to the sky (arbors and trellises are allowed).



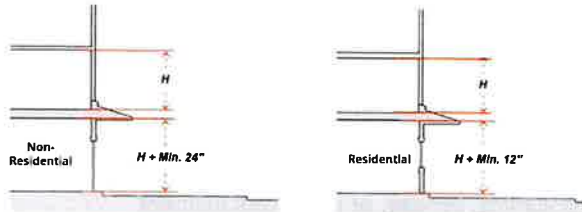
- vii. Terrace.
- c. Primary Entrance Location(s). Locate primary entrance on the front right-of-way and/or in the interior courtyard.

- d. **Individual Entries.** Ground floor residential units facing a street must provide individual entries along the street frontage.
- e. **Corner Entrances.** Chamfered corners must incorporate a building entrance. Any required entrances may be provided on the corner of the building assuming one of the intersecting sides is a primary frontage.
- f. **Street-facing Entries to Upper Floors.** Street-facing entries to upper floors shall be equal in quality and detail to storefronts. This standard may be satisfied through two or more of the following:
 - i. Dedicated awning, canopy, or other roof element.
 - ii. Stairs with a single color applied to treads and a contrasting color or pattern applied to risers.
 - iii. Dedicated light fixture(s).
 - iv. Decorative street address numbers or tiles.
 - v. Plaque signs for upper-floor business tenants.
- g. **Entry Protection.** Primary street-facing entrances shall be protected by a recess in the building frontage at least three feet deep or by a projection extending outward at least three feet measured horizontally from the entrance, and wide enough to clear the building entryway on both sides.
 - i. Protection may be coterminous with an accent element.
 - ii. Protection may take the form of an extended eave, overhang, awning, door canopy, gallery, arcade frontage, or other element that provides shade and shelter from the elements.
 - iii. The lowest edge of a projecting awning or door canopy shall have a vertical clearance of no more than eight feet.
 - iv. Recessed entries shall differentiate pavement within the recess through the use of a dedicated paving material or pattern.



- h. Accent elements demarcating building frontage, entrance, and common open space areas shall not exceed the height of the ground floor story. Roof elements are excepted.
3. **Ground Floor Floor-to-Ceiling Height.**
- a. Minimum twenty-four (24) inches taller than typical upper floor floor-to-ceiling height where ground floor is non-residential.

- b. Minimum twelve (12) inches taller than typical upper floor floor-to-ceiling where ground floor is residential.



- 4. Interior Courtyard. Interior courtyards must be:
 - a. Partially visible from the street and linked to the street by a clear accessible path of travel.
 - b. Enclosed on at least two sides by buildings.
 - c. Open to the sky (arbors and trellises are allowed).
 - d. A minimum width of twenty (20) feet and a minimum area of four hundred (400) square feet.
- 5. Paseos. Paseos must be:
 - a. A minimum width of ten (10) feet for through-block paseos.
 - b. A minimum width of four feet for entries to courtyards or individual single businesses.

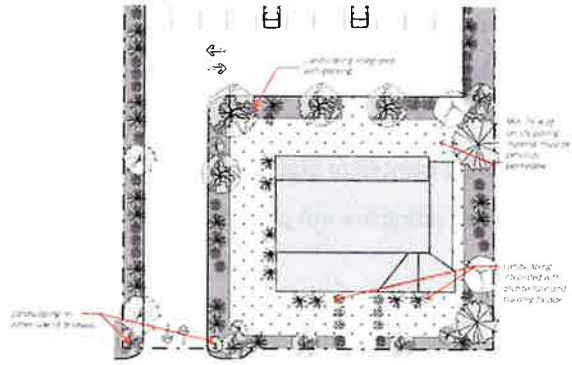
C. Window Design.

- 1. Window frames, backbands, and sills.
 - a. All windows shall have a sill.
 - i. The sill shall extend horizontally beyond the window opening or frame/casing (if present) at each end.
 - ii. The sill shall be sloped toward the outside.
 - iii. The sill shall have a drip at its outer edge.
- 2. Vinyl windows are prohibited on façades visible from a right-of-way.

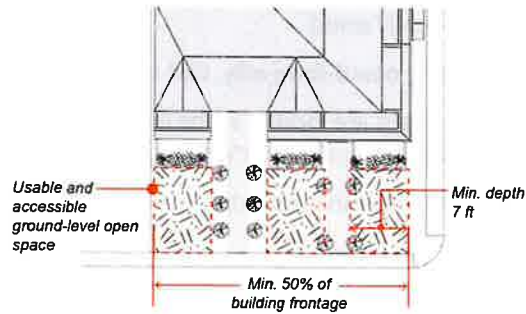
D. Building Materials.

- 1. Primary shall mean fifty (50) percent or more of a façade surface area excluding transparent surfaces. Permitted primary cladding materials are limited to:
 - a. Stucco (minimum two-coat stucco; synthetic stucco or EIFS not allowed).
 - b. Siding (lap, vertical, panelized, or shingle).
 - i. All siding shall be wood, composite wood, or cement fiberboard.
 - ii. Wood siding shall be painted or stained.
 - iii. Vinyl and aluminum siding are not permitted.
 - c. Stone.
 - d. Brick.
- 2. Secondary shall mean less than fifty (50) percent of a façade surface area excluding transparent surfaces. Permitted secondary cladding materials are limited to:

- a. Stucco (minimum two-coat stucco; synthetic stucco not allowed, EIFS not allowed).
 - b. Siding (lap, vertical, panelized, or shingle).
 - i. All siding shall be wood, composite wood, or cement fiberboard.
 - ii. Wood siding shall be painted or stained.
 - iii. Vinyl and aluminum siding are not permitted.
 - c. Stone (building base only).
 - d. Brick (building base only).
 - e. Tile.
 - f. Metal (matte finish or Cor-ten).
 - i. Ribbed metal, titanium, and mirrored finishes are not permitted.
 - g. Concrete masonry units (watertable and building base only, and not allowed on any façade facing a right-of-way or a single-family zone).
 - h. Concrete (building base only, board-form only, cast concrete not permitted).
- E. Downtown Gateways. Downtown gateways are located at the intersection of Foothill Expressway and Edith Avenue and the intersection of Foothill Expressway and San Antonio Road.
- 1. Building design at gateway intersection shall include:
 - a. Façade lighting; and
 - b. Overhangs or sloped roof forms.
 - 2. Ground-floor design at gateway intersections must address both street frontages through:
 - a. Entrances that are visible and directly accessible from both streets;
 - b. Building transparency beyond the required minimum for the first fifteen (15) feet of building frontage from the corner;
 - c. Landscaped area with a minimum dimension of six feet; and
 - d. A usable public space with pedestrian-scaled features.
- F. Landscaping and Paving.
- 1. Landscaping must be placed on each side of a driveway at grade or in raised planters.
 - 2. All paving located adjacent to a sidewalk must be textured (decorative or permeable).
 - 3. A minimum seventy-five (75) percent of on-site paving material must be pervious or permeable.
 - 4. Landscape elements shall be integrated with the building architecture, parking, and streetscape. Recommended patterns shall include, but are not limited to:
 - a. Planters for flowers and shrubs within street frontage.
 - b. Landscape buffers between parking spaces and building façades.
 - c. Landscaping within and/or on walls adjacent to courtyards, open spaces, and setbacks.
 - 5. See Sections 14.66.180 (Maintenance of Landscaped Areas) and 14.70.070 (Landscaped Strips) for additional landscaping standards.

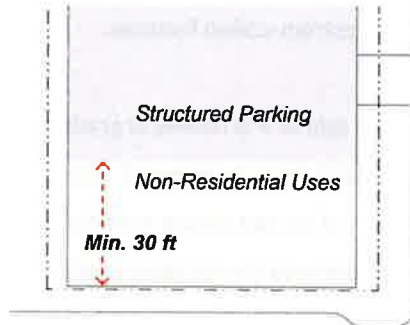


G. **Ground Level Open Space.** The required front setback area for residential-only development must be improved with a usable open space a minimum of seven feet in depth for a minimum fifty (50) percent of the building frontage.

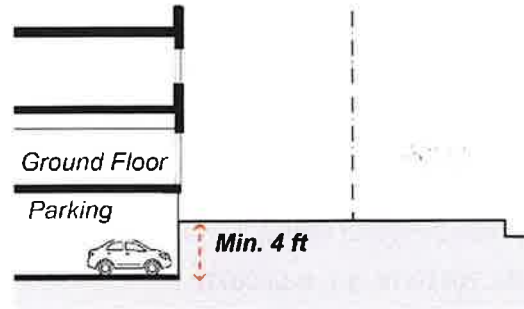


H. **Parking Design and Access.**

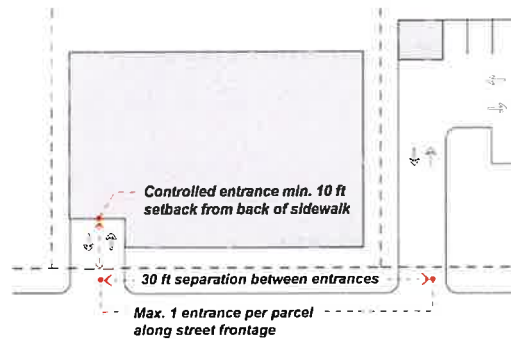
- 1. Where structured parking is provided, the parking area must be either:
 - a. "Lined" with ground floor non-residential uses at least thirty (30) feet deep as measured from the front façade; or



- b. Designed such that the floor elevation is a minimum four vertical feet below the elevation of the adjacent sidewalk.



2. Visible structured parking must be screened from view from the right-of-way by at least one of the following features:
 - a. Regular punched openings designed to resemble windows of habitable spaces.
 - b. Trellis/living wall.
 - c. Custom textured or decorative screening.
3. Entrances to Parking Facilities.
 - a. A maximum of two curb cuts for one-way traffic and one curb cut for two-way traffic may be permitted per street frontage per lot.
 - b. Controlled entrances to parking facilities (gates, doors, etc.) shall be located a minimum ten (10) feet from the back of sidewalk.
 - c. Entrances to parking facilities along a street frontage shall be separated by a minimum of thirty (30) feet.
 - d. Where possible, curb cuts serving adjacent parking facilities shall be shared.



- i. Site Circulation and Access.
 1. A clearly defined, lighted and landscaped pedestrian route shall be provided between all parking areas and primary pedestrian entrance.
 2. New development on abutting lots shall be designed to allow cross-access for internal pedestrian, bicycle, and vehicular circulation systems.
 3. Bicycle racks shall be provided:
 - a. In or within fifty (50) feet of every parking area; and
 - b. Within twenty (20) feet of at least one building entrance.

- J. Service Areas and Screening.
 - 1. Service areas must be located at the rear of lot or along a parking plaza.
 - 2. Service areas must be enclosed in enclosures that are architecturally consistent with primary building in terms of materials, colors, and style.
- K. Additional Design Standards. See Section 14.66.280 for additional design standards applicable to all residential mixed-use development in the CD/R3 District.

(Ord. No. 10-346, § 2, 3-9-2010; Ord. No. 2021-478, § 1, 9-14-2021)

14.52.120 Nonconforming use regulations (CD/R3).

(As provided in Chapter 14.66 of this title.)

(Ord. No. 10-346, § 2, 3-9-2010)

14.52.130 Signs (CD/R3).

(As provided in Chapter 14.68 of this code.)

(Ord. No. 10-346, § 2, 3-9-2010; Ord. No. 2015-414, § 12, 9-8-2015)

14.52.140 Fences (CD/R3).

(As provided in Chapter 14.72 of this title.)

(Ord. No. 10-346, § 2, 3-9-2010)

14.52.150 Restoration of nonconforming structures (CD/R3).

(As provided in Chapter 14.66 of this title.)

(Ord. No. 10-346, § 2, 3-9-2010)

14.52.160 Exceptions for public benefit (CD/R3).

- A. To implement the downtown urban design plan, exceptions from the provisions of this chapter may be granted provided the following findings are made:
 - 1. The granting of the exception will not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the area;
 - 2. The benefit to the city derived from granting the exception is an appropriate mitigation when considered against the cost to the developer;
 - 3. The project and mitigation will result in a public benefit to the downtown;
 - 4. The resultant project and mitigation are consistent with the general plan and promote or accomplish objectives of the downtown urban design plan.
- B. For the purposes of this chapter, exceptions may include, but are not limited to, setbacks, on-site parking, and development or building standards.

(Ord. No. 10-346, § 2, 3-9-2010)

(Supp. No. 40, Update 2)

Chapter 14.54 CRS/OAD COMMERCIAL RETAIL SALES/OFFICE-ADMINISTRATIVE DISTRICT¹

Sections:

14.54.010 CRS/OAD District.

The regulations, general provisions, and exceptions set forth in this chapter and in Chapter 14.66 of this title shall apply in the CRS/OAD District.

(Ord. 08-331 § 2 (part))

14.54.020 Specific purposes (CRS/OAD).

Specific purposes for CRS/OAD Districts are as follows:

- A. Provide for a full range of retail, office, and service uses appropriate to downtown;
- B. Promote the implementation of the downtown urban design plan;
- C. Encourage pedestrian-scale design and minimize blank walls and other dead spaces at the ground level;
- D. Create continuous building frontage without major interruption by disallowing driveways and parking lots on shopping street frontages;
- E. Allow latitude for creative design and architectural variety within limits established;
- F. Provide pedestrian amenities such as paseos, outdoor public spaces and outdoor seating;
- G. Establish a sense of entry into the downtown;
- H. Encourage the upgrading of building exteriors, signs, passageways, and rear entries; and
- I. Encourage the use of solar, photovoltaic, and other energy conserving devices.

(Ord. 08-331 § 2 (part))

14.54.030 Permitted uses (CRS/OAD).

The following uses shall be permitted in the CRS/OAD District:

- A. Business, professional, and trade schools located above the ground floor;
- B. Office-administrative services;
- C. Parking spaces and loading areas incidental to a permitted use;

¹Editor's note(s)—Ord. No. 10-346, § 4, adopted March 9, 2010, changed the title of ch. 14.54 from "CRS/OAD Commercial Office District" to "CRS/OAD Commercial Retail Sales/Office-Administrative District." Prior code history: prior code §§ 10-2.2101—10-2.2106.

- D. Personal services;
- E. Private clubs, lodges, or fraternal organizations located above the ground floor;
- F. Restaurants, excluding drive-through services;
- G. Retail;~~and~~
- H. Medical and dental offices that are less than five thousand (5,000) gross square feet;
- I. Residential Only Development(s);
- J. Mixed Use Development(s); and
- ~~H.K.~~ Uses which are determined by the Zoning Administrator ~~city planner~~ to be of the same general character.

(Ord. 08-331 § 2 (part))

(Ord. No. 2015-406 , § 2, 2-10-2015)

14.54.040 Conditional uses and structures (CRS/OAD).

Upon the granting of a use permit in accordance with the provisions of Chapter 14.80 of this title, the following uses shall be permitted in the CRS/OAD District:

- A. Any new building that has an area greater than seven thousand (7,000) gross square feet, and any addition to an existing building which would result in the total building area exceeding seven thousand (7,000) gross square feet, including additions to buildings which presently exceed seven thousand (7,000) gross square feet in area;
- B. Cocktail lounges;
- C. Commercial recreation;
- D. Hotels;
- ~~E. Housing located above the ground floor;~~
- F.E. Medical and dental offices clinics; and
- ~~G. Medical and dental offices that are five thousand (5,000) gross square feet or more; and~~
- H.F. Uses which are determined by the planning commission to be of the same general character.

(Ord. 08-331 § 2 (part))

(Ord. No. 2015-406 , §§ 3, 4, 2-10-2015)

14.54.050 Required conditions (CRS/OAD).

The following conditions shall be required of all uses in the CRS/OAD District:

- A. All businesses, services, and processes shall be conducted within a completely enclosed structure, except for parking and loading spaces, incidental sales and display of plant materials and garden supplies occupying no more than one thousand five hundred (1,500) square feet of exterior sales and display area, outdoor eating areas operated incidental to permitted eating and drinking services, and as otherwise allowed upon the issuance of an outdoor display permit. Exterior storage is prohibited.

- B. No use shall be permitted and no process, equipment, or materials shall be employed which are found to be objectionable by reason of odor, dust, noise, vibration, illumination, glare, unsightliness or electrical disturbances which are manifested beyond the premises in which the permitted use is located.
- C. No property owner, business owner and/or tenant shall permit or allow operation of a business which violates the required conditions of this chapter, including the following general criteria:
 - 1. Refuse collection. Every development, including applications for tenant improvements, shall provide suitable space for solid waste separation, collection, and storage and shall provide sites for such that are located so as to facilitate collection and minimize any negative impact on persons occupying the development site, neighboring properties, or public rights-of-way. Refuse collection areas are encouraged to be shared, centralized, facilities whenever possible.
 - 2. Lighting. Lighting within any lot that unnecessarily illuminates any other lot and/or substantially interferes with the use or enjoyment of such other lot is prohibited. Lighting unnecessarily illuminates another lot if (i) it clearly exceeds the minimum illumination necessary to provide for security of property and the safety of persons using such roads, driveways, sidewalks, parking lots, and other common areas and facilities, or (ii) if the illumination could reasonably be achieved in a manner that would not substantially interfere with the use or enjoyment of neighboring properties.
 - 3. Air pollution. Any use that emits any "air contaminant" as defined by the Bay Area air quality management district shall comply with applicable state standards concerning air pollution.
 - 4. Maintenance of common areas, improvements, and facilities. Maintenance of all common areas, improvements, facilities, and public sidewalks adjacent to the subject property shall be required. In the case of public sidewalks, maintenance shall be limited to keeping the sidewalk clean and free of debris, markings, and food and drink stains by means of sweeping, cleaning with water and/or steam cleaning.
 - 5. Odors. No use may generate any odor that may be found reasonably objectionable as determined by an appropriate agency such as the Santa Clara County health department and the Bay Area air quality management district beyond the boundary occupied by the enterprise generating the odor.
 - 6. Noise. No person shall operate, or cause to be operated, any source of sound at any location within the city or allow the creation of any noise on property owned, leased, occupied or otherwise controlled by such person, which causes the noise level when measured on any other property either incorporated or unincorporated, to exceed standards as set forth in Chapter 6.16 of the Los Altos Municipal Code. In order to attenuate noise associated with commercial development, walls up to twelve (12) feet in height may be required at a commercial/residential interface. Other conditions may be applied such as, but not limited to, muffling of exterior air conditioning facilities.

(Ord. 08-331 § 2 (part))

14.54.060 Front yard (CRS/OAD).

With the exception of landscaping, all development in the CRS/OAD District must be built to the back of the sidewalk.

(Ord. 08-331 § 2 (part))

14.54.070 Side yards (CRS/OAD).

No side yards shall be required, and none shall be allowed, except where the side property line of a site abuts a public parking plaza, the minimum width of the side yard shall be two feet which shall be landscaped. A required side yard may be used for parking except for the area required to be landscaped.

(Ord. 08-331 § 2 (part))

14.54.080 Rear yard (CRS/OAD).

No rear yard shall be required except as follows:

- A. Where the rear property line of a site abuts a public parking plaza, the minimum depth of the rear yard shall be two feet, which shall be landscaped.
- B. Where the rear property line of a site abuts an existing alley, the minimum depth of the rear yard shall be ten (10) feet, of which the rear two feet shall be landscaped. A required rear yard may be used for parking, except for the area required to be landscaped.

(Ord. 08-331 § 2 (part))

14.54.090 Off-street parking (CRS/OAD).

Parking facilities shall be provided in accordance with Chapter 14.74 of this title. In addition, parking facilities shall:

- A. Reduce the visual impact of parking structures and parking lots by locating them at the rear or interior portions of building sites;
- B. Minimize the street frontage of the lot or structure by placing its shortest horizontal edge along the street;
- C. When parking structures must be located at street frontage because other locations are proven infeasible, the ground level frontage shall either be used for commercial space or shall provide a landscaped area not less than five feet in width between the parking area and the public right-of-way;
- D. Not be accessed from state or Main Streets unless no other access is feasible, in which case the number of direct entrances to parking facilities from streets shall be kept to a minimum;
- E. Provide a landscaped buffer not less than five feet in width between a parking lot or structure and street frontage or buildings. Where the landscaped strip adjoins a public street or pedestrian walkway, the landscaped strip may be required to include a fence, wall, berm, or equivalent feature;
- F. Provide a minimum of interior landscaping for unenclosed parking facilities as follows: where the total parking provided is located on one site and is fourteen thousand nine hundred ninety-nine (14,999) square feet or less, five percent of total parking area; where the parking is fifteen thousand (15,000) through twenty-nine thousand nine hundred ninety-nine (29,999) square feet, seven and one-half percent of total parking area; and where the facility is thirty thousand (30,000) square feet or greater, ten (10) percent of total parking area;

Parking Area (in square feet)	Minimum Landscaping (% of Parking Area)
< 15,000	5
15,000 — 29,999	7.5

> 30,000	10
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- G. Trees in reasonable number shall be provided; ground cover alone is not acceptable. Interior landscaping shall be distributed throughout the paved area as evenly as possible. Provision shall be made for automatically irrigating all planted area. All landscaping shall be protected with concrete curbs or other acceptable barriers. All landscaping shall be continuously maintained.

(Ord. 08-331 § 2 (part))

14.54.100 Common parking facilities (CRS/OAD).

(As provided in Chapter 14.74 of this title.)

(Ord. 08-331 § 2 (part))

14.54.110 Off-street loading and refuse collection (CRS/OAD).

- A. Where buildings are served by alleys, all service-delivery entrances, loading docks, and refuse collection facilities shall be located to be accessed from the alley. No loading area shall be located at the street frontage or building façade.
- B. A minimum of thirty-two (32) square feet of covered refuse collection area shall be provided and shall not be located in any front or street side yard. Where an alley exists, the refuse collection area shall be accessed from the alley. Refuse collection areas shall be on site, but are encouraged to be shared, centralized, facilities whenever possible.
- C. On sites not served by an alley, service areas shall be located to the rear, side, or at an internal location where visibility from public streets, public parking plazas and neighboring properties will be minimized.
- D. Refuse collection areas shall be enclosed by a screen wall of durable material and planting as necessary to screen views from streets, public parking plazas and neighboring properties.

(Ord. 08-331 § 2 (part))

14.54.120 Height of structures (CRS/OAD).

~~No structure shall exceed thirty (30) feet in height. The first story shall have a minimum interior ceiling height of twelve (12) feet to accommodate retail use, and the floor level of the first story shall be no more than one foot above sidewalk level.~~

- a. Residential Only Development(s) building height shall be a maximum of forty (40) feet and four (4) stories.
- b. Mixed Use Development(s) building height shall be a maximum of forty-five (45) feet and four (4) stories.
- c. Non-Residential Use Only Development(s) building height shall be a maximum of thirty (30) feet and three (3) stories.

(Ord. 08-331 § 2 (part))

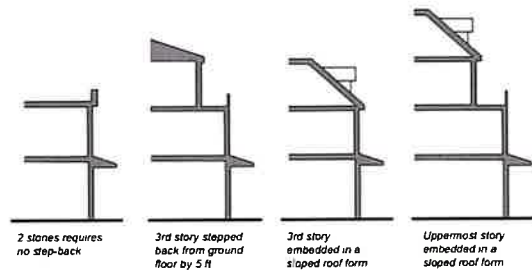
(Ord. No. 10-349, § 6, 4-27-2010)

14.54.130 Design control (CRS/OAD).

A. Building Massing and Articulation.

1. Upper-story Step-backs, Front and Street Side.

- a. The third story must be either stepped back a minimum five feet from the ground floor façade or embedded in a sloped roof form such as a mansard roof or a hipped and/or gabled roof with dormers, as allowed by standards in Section 14.54.130.A.6.
- b. For buildings over three stories, the uppermost story must be embedded in a sloped roof form such as a mansard roof or a hipped and/or gabled roof with dormers, as allowed by standards in Section 14.54.130.A.6.



2. Vertical Articulation.

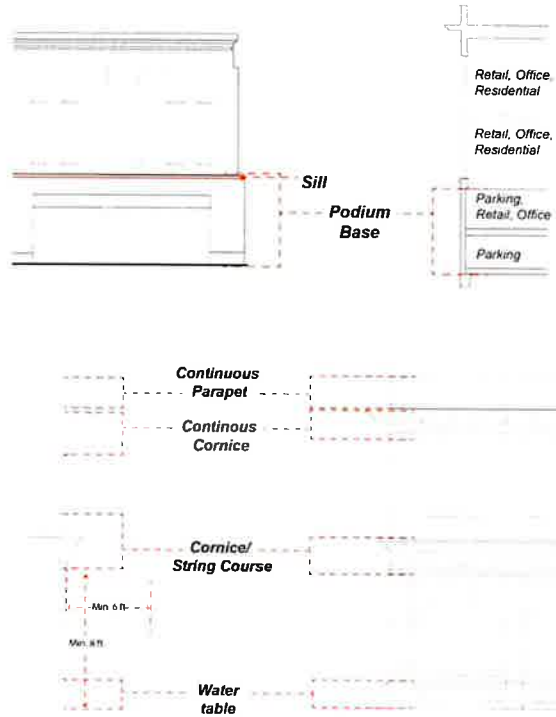
- a. When a building façade exceeds fifty (50) feet in length along a right-of-way, it must be separated into primary façade bays no greater than fifty (50) feet and secondary façade bays defined by a recess a minimum three feet deep and ten (10) feet wide.
- b. A minimum one entrance shall be provided per primary façade bay.
- c. The eave/roof of a secondary façade bay shall be no higher than the corresponding elements of the primary façade bay.



3. Horizontal Articulation. New façades and façade modifications along a street or civic space shall be designed to visually express a base, middle, and top.

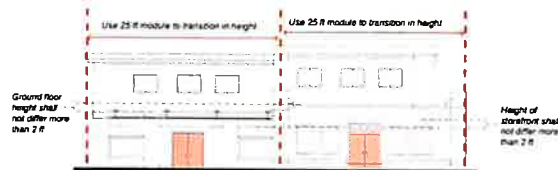
- a. One or more of the following patterns shall be used to define the base:
 - i. Watertable: Base material extends from grade to between eight and fifty-four (54) inches above grade.
 - ii. Podium: The base material encompasses the lowest story (or stories) of the building, with or without mezzanine(s), and terminates in a sill, string course, or cornice at its upper bound (multi-story buildings only).

- iii. Watertable and Cornice/String Course: A watertable using the base material is combined with a cornice or string course at the lowest story's upper bound, including any mezzanine (multi-story buildings only).
- b. The top of each building mass/bay shall be defined by elements spanning the full length of the façade of the mass/bay. Such elements may include a cornice, eave and/or gable(s), or other elements listed under Section 17.54.130.A.6. These elements shall be consistent with the overall architectural style of the building mass/bay.



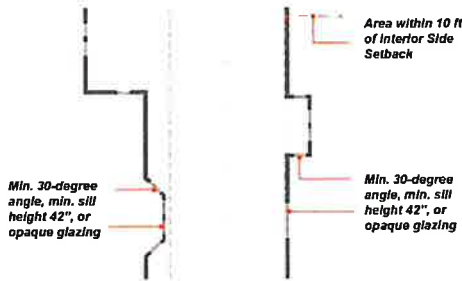
4. Adjacencies.

- a. Storefront Façades Adjacent to Storefront Façades.
 - i. The height of a storefront shall not differ from the height of any adjacent storefront by more than two feet.
 - ii. The height of ground story shall not differ from height of any adjacent ground story by more than two feet.
 - iii. Storefronts may transition in height using a module of twenty-five (25) feet in length along a right-of-way.



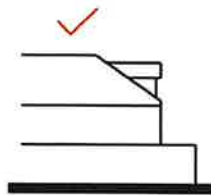
- b. Compatibility with Adjacent Shorter Buildings with Height Difference of One Story or More. When adjacent to an existing shorter building with a height difference of one story or more, a proposed building must utilize two or more of the following strategies:

- i. Incorporate the uppermost floor into the roof form.
 - ii. Break the mass of the building into smaller modules through changes in wall plane, setbacks, and/or height.
 - iii. Match window heights and/or proportions.
 - iv. Relate roof cornices and moldings at floor lines.
5. Privacy and Line of Sight.
- a. Primary living spaces and balconies located along a side setback shall orient principal windows and balconies toward the front and rear of the building.
 - b. Where windows are within ten (10) feet of and oriented toward an interior side setback, glazing shall either be a minimum thirty (30) degree angle measured perpendicular to the adjacent side setback line, have minimum sill height of forty-two (42) inches, or be opaque.
 - c. The maximum sill height for an ingress/egress window is forty-four (44) inches from finished floor.

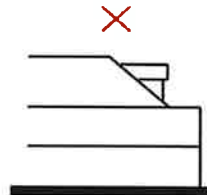


6. Roofline and Roof Design.
- a. Roof designs shall be limited to:
 - i. Hipped.
 - ii. Gable.
 - iii. Mansard.
 - (a) Applicable for buildings three or more stories.
 - iv. Dormer.
 - v. Parapet.
 - (a) When used on the first or second floor, a parapet longer than twenty-five (25) feet in length must include at least one but not more than two of the following design elements to break up the length of the parapet:
 - (1) Steps.
 - (2) Curves.
 - (3) Angled surfaces.
 - (b) The length of a parapet segment on the third floor and above may not exceed twenty-five (25) feet.

- b. When the top story is stepped back and embedded in a sloped roof form such as a mansard roof or a hipped and/or gabled roof with dormers, the floor below must (and other floors may) be stepped back to meet the slope of the top story.



Acceptable:
One story below the story embedded in a sloped roof is also stepped-back .



Not acceptable:
Top story embedded in a sloped roof is the only story stepped back.

- c. Building façades facing an R-1 district must have a hipped or gable roof and may incorporate dormers.
- d. Roofline/parapet at corners shall not exceed roofline/parapet of adjacent wallplanes by more than twenty-four (24) inches.

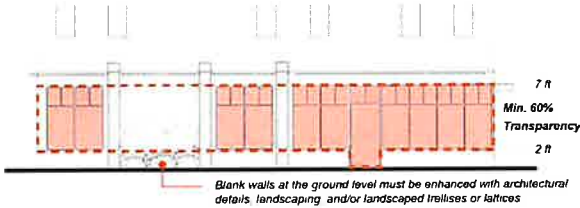


B. Building Design.

1. Façade Design.

- a. Building façade must continue the pattern established by existing buildings in Downtown Los Altos by reinforcing the underlying maximum twenty-five (25) foot module along all street frontages through the use of the following techniques:
 - i. Building façades shall be arranged in an orderly composition of bays, defined by vertically aligned openings alternating horizontally with solid walls, columns, or other structural elements. The pattern shall be visually expressed through the spacing of openings, recesses, eaves, inset panels, cornices, overhangs, trellises, exposed rafters, columns, or bay windows.
 - ii. The pattern may be shared between the ground floor and upper stories provided the ground floor exhibits enhanced detail or modulation.
 - iii. Residential façades shall incorporate at least one element that signals habitation, such as bay windows, or balconies.
 - iv. Non-glazed wall areas (blank walls) must be enhanced with architectural details, landscaping, and/or landscaped trellises or lattices.
- b. At least two of the following strategies must be used in a manner that reinforces the maximum twenty-five (25) foot module:

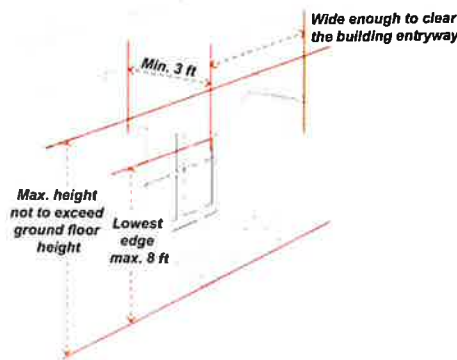
- i. Change in roof parapet height or shape.
 - ii. Change in roof style.
 - iii. Change in materials palette.
 - iv. Change in building height, minimum eight-foot difference.
 - v. Change in frontage type or change in details of shopfront frontage type if used.
 - vi. Use of upper floor projections such as bay windows or balconies.
2. Ground Level Transparency. A minimum sixty (60) percent of commercial ground floor street-facing façades between two and seven feet in height shall be transparent window surface. Opaque, reflective, or dark tinted glass is not allowed.



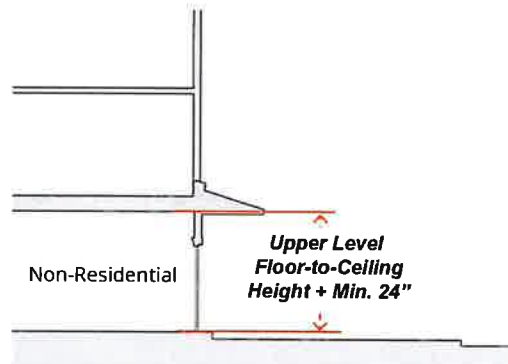
3. Pedestrian-Scaled Entrances.
- a. Building entrances must incorporate at least one of the following entry features. See Section 14.66.275 (Entrance Type Standards) for design standards applicable to each entrance type listed.
 - i. Shopfront
 - (a) Shopfronts more than twenty-five (25) feet in width must incorporate variations in bulkhead, awnings, materials and/or color to visually articulate the shopfront into modules not to exceed twenty-five (25) continuous feet.
 - ii. Gallery
 - iii. Arcade with shopfront frontage.
 - b. Primary Entrance Location(s). Locate primary entrance on the front right-of-way.
 - c. Corner Entrances. Chamfered corners must incorporate a building entrance. Any required entrances may be provided on the corner of the building assuming one of the intersecting sides is a primary frontage.
 - d. Street-facing Entries to Upper Floors. Street-facing entries to upper floors shall be equal in quality and detail to storefronts. This standard may be satisfied through two or more of the following:
 - i. Dedicated awning, canopy, or other roof element.
 - ii. Stairs with a single color applied to treads and a contrasting color or pattern applied to risers.
 - iii. Dedicated light fixture(s).
 - iv. Decorative street address numbers or tiles.
 - v. Plaque signs for upper-floor business tenants.
 - e. Entry Protection. Primary street-facing entrances shall be protected by a recess in the building frontage at least three feet deep or by a projection extending outward at least three feet

measured horizontally from the entrance, and wide enough to clear the building entryway on both sides.

- i. Protection may be coterminous with an accent element.
- ii. Protection may take the form of an extended eave, overhang, awning, door canopy, gallery, arcade frontage, or other element that provides shade and shelter from the elements.
- iii. The lowest edge of a projecting awning or door canopy shall have a vertical clearance of no more than eight feet.
- iv. Recessed entries shall differentiate pavement within the recess through the use of a dedicated paving material or pattern.



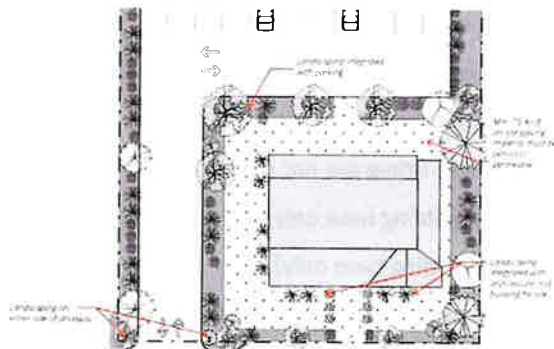
- f. Accent elements demarcating building frontage, entrance, and common open space areas shall not exceed the height of the ground floor story. Roof elements are excepted.
4. Ground Floor Floor-to-Ceiling Height. Minimum twenty-four (24) inches taller than typical upper floor floor-to-ceiling height.



5. Interior Courtyard. Interior courtyards must be:
- a. Partially visible from the street and linked to the street by a clear accessible path of travel.
 - b. Enclosed on at least two sides by buildings.
 - c. Open to the sky (arbors and trellises are allowed).

- d. A minimum width of twenty (20) feet and a minimum area of four hundred (400) square feet.
- 6. Paseos. Paseos must be:
 - a. A minimum width of ten (10) feet for through-block paseos.
 - b. A minimum width of four feet for entries to courtyards or individual single businesses.
- C. Window Design.
 - 1. Window frames, backbands, and sills.
 - a. All windows shall have a sill.
 - i. The sill shall extend horizontally beyond the window opening or frame/casing (if present) at each end.
 - ii. The sill shall be sloped toward the outside.
 - iii. The sill shall have a drip at its outer edge.
 - 2. Vinyl are prohibited on façades visible from a right-of-way.
 - 3. Tinted glass is not allowed.
- D. Building Materials.
 - 1. Primary shall mean fifty (50) percent or more of a façade surface area excluding transparent surfaces. Permitted primary cladding materials are limited to:
 - a. Stucco (minimum two-coat stucco; synthetic stucco or EIFS not allowed).
 - b. Siding (lap, vertical, or shingle).
 - i. All siding shall be wood, composite wood, or cement fiberboard.
 - ii. Wood siding shall be painted or stained.
 - iii. Vinyl and aluminum are not permitted.
 - c. Stone.
 - d. Brick.
 - 2. Secondary shall mean less than fifty (50) percent of a façade surface area excluding transparent surfaces. Permitted secondary cladding materials are limited to:
 - a. Stucco (minimum two-coat stucco; synthetic stucco not allowed, EIFS not allowed).
 - b. Siding (lap, vertical, or shingle).
 - i. All siding wood, composite wood, or cement fiberboard.
 - ii. Wood siding shall be painted or stained.
 - iii. Vinyl and aluminum siding are not permitted.
 - c. Stone (watertable and building base only).
 - d. Brick (watertable and building base only).
 - e. Tile (for bulkheads below display windows and decorative accents only).
 - f. Metal (matte finish or Cor-ten).
 - i. Ribbed metal, titanium, and mirrored finishes not allowed.

- g. Concrete masonry units (watertable and building base only, and not allowed on any façade facing a right-of-way or a single-family zone).
 - h. Concrete (watertable and building base only, board-form only, cast concrete not permitted).
- E. Downtown Gateway. A downtown gateway is located at the intersection of Edith Avenue, State Street, and San Antonio Road.
- 1. Building design at gateway intersection shall include:
 - a. Façade lighting; and
 - b. Overhangs or sloped roof forms.
 - 2. Ground-floor design at gateway intersections must address both street frontages through:
 - a. Entrances that are visible and directly accessible from both streets;
 - b. Building transparency beyond the required minimum for the first fifteen (15) feet of building frontage from the corner;
 - c. Landscaped area with a minimum dimension of six feet; and
 - d. A usable public space with pedestrian-scaled features.
- F. Landscaping and Paving, and Pedestrian Amenities.
- 1. Landscaping must be placed on each side of a driveway at grade or in raised planters.
 - 2. All paving located adjacent to a sidewalk must be textured (decorative or permeable).
 - 3. A minimum seventy-five (75) percent of on-site paving material must be pervious/permeable.
 - 4. Landscape elements shall be integrated with the building architecture, parking, and streetscape. Recommended patterns shall include, but are not limited to:
 - a. Planters for flowers and shrubs within street frontage.
 - b. Landscape buffers between parking spaces and building façades.
 - c. Landscaping within and/or on walls adjacent to courtyards, open spaces, and setbacks.
 - d. A publicly visible and accessible pedestrian amenity such as benches, a fountain, a rain garden, decorative paving, and/or public art.
 - 5. See Sections 14.66.180 (Maintenance of Landscaped Areas) and 14.70.070 (Landscaped Strips) for additional landscaping standards.

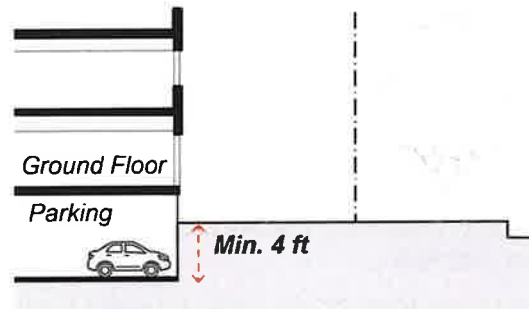


G. Parking Design and Access.

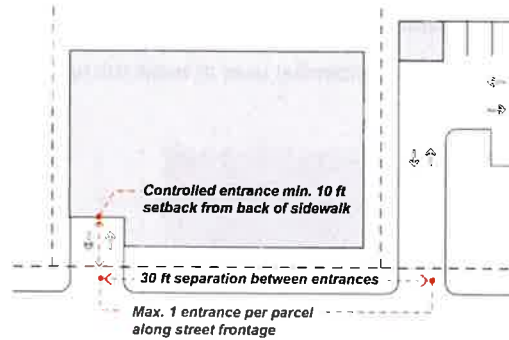
- 1. Where structured parking is provided, the parking area must be either:
 - a. "Lined" with ground floor non-residential uses at least thirty (30) feet deep as measured from the front façade; or



- b. Designed such that the floor elevation is a minimum four vertical feet below the elevation of the adjacent sidewalk.



- 2. Visible structured parking must be screened from view from the right-of-way by at least one of the following features:
 - a. Regular punched openings designed to resemble windows of habitable spaces.
 - b. Trellis/living wall.
 - c. Custom textured or decorative screening.
- 3. Entrances to Parking Facilities.
 - a. Controlled entrances to parking facilities (gates, doors, etc.) shall be located a minimum ten (10) feet from the back of sidewalk.
 - b. Entrances to parking facilities along a street frontage shall be separated by a minimum of forty (40) feet, excluding access to parking plazas.
 - c. Where possible, curb cuts serving adjacent parking facilities shall be shared.



H. Site Circulation and Access.

1. A clearly defined, lighted and landscaped pedestrian route shall be provided between all parking areas and primary pedestrian entrance.
2. New development on abutting lots shall be designed to allow cross-access for internal pedestrian, bicycle, and vehicular circulation systems.
3. Bicycle racks shall be provided:
 - a. In or within fifty (50) feet of every parking area; and
 - b. Within twenty (20) feet of at least one building entrance.

I. Service Areas and Screening.

1. Service areas must be located at the rear of lot or along a parking plaza.
2. Service areas must be enclosed in enclosures that are architecturally consistent with primary building in terms of materials, colors, and style.

J. Additional Design Standards. See Section 14.66.280 for additional design standards applicable to all residential mixed-use development in the CRS/OAD District.

(Ord. 08-331 § 2 (part))

(Ord. No. 2021-478 , § 1, 9-14-2021)

14.54.140 Nonconforming use regulations (CRS/OAD).

(As provided in Chapter 14.66 of this title.)

(Ord. 08-331 § 2 (part))

14.54.150 Signs (CRS/OAD).

(As provided in Chapter 14.68 of this code.)

(Ord. 08-331 § 2 (part); Ord. No. 2015-414, § 12, 9-8-2015)

14.54.160 Fences (CRS/OAD).

(As provided in Chapter 14.72 of this title.)

(Ord. 08-331 § 2 (part))

14.54.170 Restoration of nonconforming structures (CRS/OAD).

(As provided in Chapter 14.66 of this title.)

(Ord. 08-331 § 2 (part))

14.54.180 Exceptions for public benefit (CRS/OAD).

- A. To implement the downtown urban design plan, exceptions from the provisions of this chapter may be granted provided the following findings are made:
 - 1. The granting of the exception will not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the area;
 - 2. The benefit to the city derived from granting the exception is an appropriate mitigation when considered against the cost to the developer;
 - 3. The project and mitigation will result in a public benefit to the downtown; and
 - 4. The resultant project and mitigation are consistent with the general plan and promote or accomplish objectives of the downtown urban design plan.
- B. For the purposes of this chapter, exceptions may include, but are not limited to setbacks, on-site parking, and development or building standards.

(Ord. 08-331 § 2 (part))

(Ord. No. 10-349, § 7, 4-27-2010)

Chapter 14.80 USE PERMITS¹

Sections:

14.80.010 Conditional uses.

Uses which are permitted in certain districts upon the granting of a use permit shall be deemed conditional uses. Such uses, because of their unusual characteristics, shall be given special consideration to the end that they be located properly with respect to the objectives of the zoning general plan, and municipal code and with respect to their effects upon surrounding properties. The specific conditions under which each such use is permitted shall be considered in the light of general public interests and the interests of persons residing or working in the vicinity of the use.

(Prior code § 10-2.2801)

14.80.020 Initial application review.

All applications filed with the community development services department in compliance with this zoning code shall be accompanied by the payment of a processing fee in such amount as established by resolution of the city council and initially processed as follows.

- A. Review for completeness. The community development services director or their designee shall review all applications for completeness and accuracy before accepting them as complete. The determination of completeness shall be based on the city's list of required application contents as proscribed in the "submittal requirements" documents provided by the community development services department.
- B. Notification of applicant. The community development services director or their designee shall notify the applicant in writing within thirty (30) days of the filing of the application with the community development services department that either the application is complete and has been accepted for processing, or that the application is incomplete and that additional information, as specified in the letter, shall be provided. If subsequent written comments from the community development services director or their designee identify deficiencies not initially raised within thirty (30) days of the filing of the application, then this subsequent letter will be considered the notification of incompleteness for the purposes of determining the application expiration date.
- C. ~~Appeals of administrative decisions. Determinations of incompleteness or denials of an extension request may be appealed to the city council pursuant to Chapter 1.12 (Appeals).~~
- D. Expiration of application. If the applicant does not provide the information and materials necessary for a complete application within one hundred eighty (180) days after notification of incompleteness, the application shall be deemed expired. After expiration of the application or extension, if granted, a new application, including fees, plans, exhibits, and other materials will be required to commence processing of any project on the same property.
- E-D. Extensions. The applicant may request, in writing, within the one hundred eighty (180) day time period, an extension of up to one hundred eighty (180) days to the community development services director

¹Editor's note(s)—Ord. No. 2012-383, § 3, adopted May 22, 2012, changed all references to the "planning commission" within Ch. 14.80 to the "planning and transportation commission."

or their designee. Approval of the extension is contingent on the applicant demonstrating that there are extenuating circumstances that have caused a delay in the submittal of the required information. An application may only be granted an extension of time once.

F.E. Environmental information. After an application has been accepted as complete, the community development services director or their designee may require additional information as necessary for the project's environmental review.

(Ord. No. 2016-423 , § 11, 9-27-2016)

14.80.030 Public meeting notification requirements.

Notice of public meetings before the zoning administrator or planning commission ~~and/or city council~~ shall be given at least ten (10) days prior to the date of the meeting by all of the following methods:

- A. Mailing of notices via first-class mail to all property owners within one thousand three hundred (1,0300) feet of the project site at the mailing address on record with the county assessor; and
- B. Mailing of notices via first-class mail to all commercial business tenants within one thousand three hundred (1,0300) feet of the project site at the addresses shown on the latest city business license records; and
- C. Posting of a notice on the project site in accordance with the standards set by the community development services director or their designee; and
- D. All meetings before the planning commission ~~and/or city council conducted under this section, excluding study sessions,~~ shall be ~~noticed separately and~~ conducted as public hearings and shall satisfy all notification requirements applicable to public hearings, including a notice published in a newspaper of general circulation within the city.

(Ord. 00-382 § 4: prior code § 10-2.2803; Ord. No. 2019-457 , § 4, 1-28-2020)

14.80.040 Hearings—Procedure.

At the public hearing the planning commission shall review the application and statements, plans, and drawings submitted therewith and shall receive pertinent evidence concerning the proposed use and the proposed conditions under which it would be operated or maintained, and make the required findings particularly with respect to the issues set forth in Section 14.80.060 ~~of this chapter on which the commission is required to make findings prior to transmitting its report to the council.~~

(Prior code § 10-2.2804)

~~14.80.045 Authority of the Development Services Director. Hearings—Procedures for office and commercial districts.~~

~~In the event that a particular application or proposed use is determined to be sensitive in nature the development services director shall be authorized to require any application to be reviewed by the City Council.~~

~~Notwithstanding the provisions of Section 14.80.040 of this chapter, the planning commission shall be the decision-making body for conditional use permit applications in all OA and C districts for businesses proposed in existing structures. This section shall not apply to conditional use permit applications that are subject to the requirements of Chapter 14.78 of this title. All other applicable provisions of this chapter shall remain in effect. The~~

~~action of the planning commission shall be final unless it is appealed in writing to the city council, and the appropriate fee is paid, within fifteen (15) days of the date of the action.~~

~~(Ord. 07-312 § 11; Ord. 01-394 § 6; Ord. No. 2016-423 , § 12, 9-27-2016; Ord. No. 2019-457 , § 5, 1-28-2020)~~

14.80.050 Hearings—Procedures for personal wireless communication facilities.

- A. Notwithstanding the provisions of Section 14.80.040 of this chapter, hearings for personal wireless services and facilities shall be conducted in accordance with the provisions of this chapter, except as follows:
 - 1. Administrative review. The ~~community~~ development services director or their designee shall be the approving authority for all distributed, repeater, or microcell antenna systems and building-mounted antennas that comply with applicable zoning regulations.
 - 2. Planning commission review. The planning commission shall be the approving authority for all monopole antennas that comply with applicable zoning regulations.
 - 3. Planning commission ~~and city council~~ review. The planning commission ~~and city council~~ shall be the approving authority for all antennas that require a variance to the applicable zoning regulations.
- B. Notice of public hearings shall be in accord with Sections 14.80.030(C) and (D) of this chapter. The action of the ~~community~~ development services director or their designee may be appealed to the planning commission. The action of the planning commission may be appealed to the city council. Actions of the ~~community~~ development services director or their designee and planning commission are final unless appealed in writing within ~~fifteen~~ fourteen (154) days of the date of action.

(Ord. 06-304 § 2; Ord. 05-277 § 2; prior code § 10-2.2804.1; Ord. No. 2016-423 , § 1, 9-27-2016; Ord. No. 2019-457 , § 5, 1-28-2020)

14.80.060 Findings~~Commission and council action.~~

The ~~planning commission and council shall make a specific finding on each of the following issues~~ may only approve a conditional use permit application upon making the following findings:

- A. That the proposed location of the conditional use is desirable or essential to the public health, safety, comfort, convenience, prosperity, or welfare;
- B. That the proposed location of the conditional use is in accordance with the objectives of the zoning plan as stated in Chapter 14.02 of this title;
- C. That the proposed location of the conditional use, under the circumstances of the particular case, will not be detrimental to the health, safety, comfort, convenience, prosperity, or welfare of persons residing or working in the vicinity or injurious to property or improvements in the vicinity;
- D. That the proposed conditional use will comply with the regulations prescribed for the district in which the site is located and the general provisions of Chapter 14.02;
- E. ~~When the proposed conditional use and/or structure is located in the CRS-District, the commission and council shall make a specific finding on each of the following issues:~~
 - 1. ~~That the proposed use and/or structure is in scale with the existing development and it enhances the unique village character of the CRS-District; and~~
 - 2. ~~That the proposed use and/or structure will not cause degradation in the level of service of the streets and intersections within the CRS-District;~~

- F. When the proposed conditional use is a flag lot, the commission ~~and council~~ shall make a specific finding on each of the following issues. Any negative findings may result in denial of the use permit or in conditions of approval which alter the minimum development standards, e.g., height, floor area, and setbacks, for the district in which the property is located.
1. That the size of the proposed flag lot is sufficient to mitigate development impacts and is compatible with the existing lots in the immediate neighborhood;
 2. That the proposed flag lot will not result in unreasonable noise impacts for neighbors adjoining the access corridor;
 3. That the proposed flag lot will not result in unreasonable privacy invasion or unreasonable massing as a result of building height;
 4. That the proposed flag lot will not result in incompatible setbacks from neighboring properties;
 5. That the allowed floor area ratio in accordance with district regulations will not result in adverse impacts on neighboring properties;
- G. ~~When the proposed conditional use is a large family day care home as defined by the California Health and Safety Code, the commission and council shall make a specific finding on each of the following issues:~~
- ~~1. That the day care home provides a minimum of four off street parking spaces;~~
 - ~~2. That the day care home provides staggered drop off and pick up times in order to minimize traffic impacts;~~
 - ~~3. That the day care home provides noise mitigation measures in order to minimize the noise levels generated by outdoor play areas, and that children's outdoor play only occurs between the hours of 8:00 a.m. and 7:00 p.m.;~~
 - ~~4. That the day care home is not located within one thousand five hundred (1,500) feet of another large family day care home, as measured following the street, or within five hundred (500) feet of another large family day care home as measured from any property line;~~
 - ~~5. That the day care home is visually incidental and secondary to the residential use of the property;~~
 - ~~6. That the day care home is the principal residence of the child care provider;~~
 - ~~7. That if the day care home is located on a flag lot, that lot shall be a minimum of fifteen thousand (15,000) square feet;~~
- H.F. When the proposed conditional use is a nonconforming ground floor office use, the planning ~~and transportation~~ commission ~~and city council~~ shall make one or more of the following findings:
1. That access to the space to be occupied can only be reached through another business;
 2. That there is no direct frontage to the space to be occupied from the street or parking plaza; and/or
 3. That the building to be occupied is constructed in such a manner that its conversion to retail is infeasible or would cause unreasonable economic hardship due to the type of construction, the structural remodeling required to convert to retail, lack of window display, or other constraint identified with the findings;
- I.G. When a conditional use permit is required ~~for a medical or dental office, or medical, dental or animal clinic or hospital~~, the planning ~~and transportation~~ commission shall make a specific finding that there is adequate on-site parking to support the facility, including staff, patients, visitors and other ancillary support services. This determination shall be based on a parking demand analysis prepared by a

qualified professional and presented to the planning ~~and transportation~~ commission at a public hearing;

- J- ~~When conditional expansion in the LC/SPZ District is requested as provided for in Section 14.42.040, the commission and council shall make a specific finding on each of the following issues:~~
 - 1. ~~That the proposed construction is found to meet the specific purposes of the district pursuant to Section 14.42.020 of the Los Altos Municipal Code;~~
 - 2. ~~That the proposed square footage contributes to expansion potential pursuant to Section 14.42.040 of the Los Altos Municipal Code in the following order:~~
 - i. ~~The square footage contributes to the permitted fifteen thousand (15,000) square foot new ground-level retail until such total square footage is achieved, at which time;~~
 - ii. ~~The square footage contributes to the permitted four thousand (4,000) square foot second-level retail services until such total square footage is achieved, at which time;~~
 - iii. ~~The square footage contributes to the permitted four thousand (4,000) square foot second-level office;~~
 - 3. ~~That the use occupying the proposed square footage builds upon the existing strengths of the Loyola Corners Neighborhood Commercial Center and adds business which is appropriate in terms of use, physical scale, and size of the site.~~

~~Notwithstanding the above findings, the planning and transportation commission and city council may find that a use which meets all code criteria may not be in the best interest of the Loyola Corners Commercial Neighborhood Center;~~

- K- ~~When an extension of time is requested for an office use in the LC/SPZ District as provided for in Section 14.42.030 of this chapter, the commission and council may in its sole discretion make a determination as to the length of the term, provided findings on each of the following issues can be made:~~
 - 1. ~~That there is a five percent or greater vacancy rate (excluding the space in question) in the LC/SPZ zoning district;~~
 - 2. ~~That the property owner has demonstrated to the satisfaction of the commission and council that the use has been economically beneficial to the Loyola Corners Neighborhood Commercial Center;~~
 - 3. ~~That the use has proven to be of a type that receives significant on-site clientele visitations;~~
 - 4. ~~That the use has maintained a pedestrian-friendly exterior by maintaining visual access into the building interior through windows which are not permanently blocked during business hours; and~~
 - 5. ~~That continuance of the use would not further move the area from an ideal cost/benefit ratio of seventy (70) percent retail and thirty (30) percent office which is determined necessary to: (i) provide a retail center whose function it is to provide retail services to the surrounding community; (ii) provide a lively, active, and diversified shopping experience; and (iii) ensure that a reasonable portion of the commercial activities are generating taxable retail sales.~~

(Ord. 07-312 § 12; Ord. 05-294 § 4; Ord. 05-271 § 3; prior code § 10-2.2805)

(Ord. No. 2015-406 , § 6, 2-10-2015)

14.80.070 Appeals.

- A. Within ~~fifteen~~ fourteen (14) days of any action on a use permit by the planning commission, the decision may be appealed to the city council by any interested party.
- B. Within ~~fifteen~~ fourteen (14) days of any action (approval or denial) on a use permit by the planning commission may be called up for review by the city council if two members of the city council submit requests to the city clerk pursuant to Section 1.12.040.

(Prior code § 10-2.2806; Ord. No. 2019-457 , § 6, 1-28-2020)

14.80.080 Revocation.

A use permit may be revoked by the planning commission ~~and/or city council~~, or whichever body initially approved the permit, based upon a determination by the ~~community~~ development services director or their designee that the holder of the permit has failed to comply with any condition thereof or has violated any applicable provision of this chapter. The revocation procedure shall be the same as prescribed in this chapter for the initial use permit.

(Prior code § 10-2.2807)

(Ord. No. 2011-368, § 3, 7-26-2011; Ord. No. 2016-423 , § 1, 9-27-2016; Ord. No. 2019-457 , § 7, 1-28-2020)

14.80.090 New applications.

Following the denial of a use permit application or the revocation of a use permit by the planning commission ~~or council~~, no application for a use permit for the same or substantially the same conditional use on the same or substantially the same site shall be filed within six (6) months after the date of the denial or revocation of the use permit.

(Prior code § 10-2.2808; Ord. No. 2019-457 , § 8, 1-28-2020)

14.80.100 Expiration of use permit approval—Extensions.

- A. Use permit approvals granted pursuant to this chapter shall expire twenty-four (24) months from the date on which the approval became effective, unless prior to such expiration date, a building permit is issued for the improvements constituting the subject of the use permit approval, and construction thereof is commenced and prosecuted diligently toward completion.
- B. Use permit approvals may be extended for a period of time not exceeding twelve (12) months. The application for extension shall be filed prior to the expiration date and shall be accompanied by the payment of a fee in such amount as established from time to time by resolution of the city council. Extensions of use permit approval are contingent on the ~~community~~ development services director or their designee finding that the project complies with all current zoning ordinance regulations.

(Ord. 05-279 § 1: prior code § 10-2.2809; Ord. No. 2016-423 , § 1, 9-27-2016)

14.80.110 Modification of a use permit.

For modifications to an approved use permit, the planning commission shall be the decision-making body. The action of the planning commission shall be final unless:

(Supp. No. 40, Update 2)

A. It is appealed in writing to the city council, and the appropriate fee is paid, within ~~fifteen~~ fourteen (154) days of the date of the action;

~~B. Two members of the city council submit requests to the city clerk pursuant to Section 1.12.040.~~

(Ord. No. 2016-423 , § 13, 9-27-2016; Ord. No. 2019-457 , § 8, 1-28-2020)



1 North San Antonio Road
Los Altos, California 94022-3087

MEMORANDUM

DATE: September 26, 2023
TO: City Council
FROM: Nick Zornes, Development Services Director
SUBJECT: **AGENDA ITEM #4**
SUGGESTED CHANGES TO PROPOSED ORDINANCE

Based on recent Public Comment received, staff suggests the following changes to the proposed ordinance (Agenda Item #4).

- Remove the allowance of “Residential Only Development(s)” from the Permitted Uses of Section 14.40.030.
- Modify the Permitted Use of “Mixed Use Development(s)” to include language consistent with SB 167, the Housing Accountability Act. The modified Permitted Use would read as follows:
 - *Mixed Use Development(s) which shall consist of residential and non-residential uses with one-third of the square footage designated for non-residential use and the remaining two-thirds of the square footage designated for residential use.*
- Remove the allowance of “Residential Only Development(s) building height shall be a maximum of forty (40) feet and four (4) stories.
- Modify Floor Area Ratio requirements of Section 14.40.070 to read as follows:
 - *a. Mixed Use Development(s) shall have no maximum floor area ratio within the Commercial Neighborhood (CN) Zoning District.*
 - *b. Non-Residential Use Only Development(s) shall have a maximum floor area ratio of thirty-five (35) percent of the total area of the site.*

Lastly, any necessary renumbering shall be incorporated as appropriate and is non substantive in nature if the above suggestions are accepted by the City Council.

