



CITY COUNCIL MEETING AGENDA

7:00 PM - Tuesday, October 10, 2023
via Videoconference and In Person

Please Note: The City Council will meet in person as well as via Telephone/Video Conference

Telephone: 1-669-444-9171 / Webinar ID: 820 8894 6128

<https://losaltosca-gov.zoom.us/j/82088946128?pwd=mS0ebap1sxEOVEkwZE6uLzJa4FeduK.1>

Passcode: 752214

Vice Mayor Jonathan Weinberg will be attending the meeting remotely via the following location:
3400 S. Las Vegas Blvd.
Las Vegas, NV 89109

TO PARTICIPATE IN-PERSON: Members of the public may also participate in person by being present at the Los Altos Council Chamber at Los Altos City Hall located at 1 N. San Antonio Rd, Los Altos, CA.

TO PARTICIPATE VIA VIDEO: Follow the link above. Members of the public will need to have a working microphone on their device and **must have the latest version of ZOOM installed** (available at <https://zoom.us/download>). To request to speak, please use the “Raise hand” feature located at the bottom of the screen.

TO PARTICIPATE VIA TELEPHONE: Members of the public may also participate via telephone by calling the number listed above. To request to speak, press *9 on your telephone.

TO SUBMIT WRITTEN COMMENTS: Prior to the meeting, comments on matters listed on the agenda may be emailed to PublicComment@losaltosca.gov. Emails sent to this email address are sent to/received immediately by the City Council. Please include a subject line in the following format:

PUBLIC COMMENT AGENDA ITEM ## - MEETING DATE

Correspondence submitted in hard copy/paper must be received by 2:00 PM on the day of the meeting to ensure distribution prior to the meeting. Correspondence received prior to the meeting will be included in the public record. .

Public testimony will be taken at the direction of the Mayor, and members of the public may only comment during times allotted for public comments.

AGENDA

CALL MEETING TO ORDER

ESTABLISH QUORUM**PLEDGE ALLEGIANCE TO THE FLAG****REPORT ON CLOSED SESSION****CHANGES TO THE ORDER OF THE AGENDA****PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA**

Members of the audience may bring to the Council's attention any item that is not on the agenda. Speakers are generally given two or three minutes, at the discretion of the Mayor. Please be advised that, by law, the City Council is unable to discuss or take action on issues presented during the Public Comment Period. According to State Law (also known as "The Brown Act") items must first be noted on the agenda before any discussion or action.

[Written](#) Public Comment

SPECIAL ITEMS

Issue proclamation recognizing the week of October 7 - 15, 2023 as Compassion Week

Issue proclamation recognizing Hispanic Heritage Month

Swearing-In Ceremony for Incoming Commissioners

CONSENT CALENDAR

These items will be considered by one motion unless any member of the Council or audience wishes to remove an item for discussion. Any item removed from the Consent Calendar for discussion will be handled at the discretion of the Mayor.

- [1.](#) Adopt Regular Meeting Minutes for the Meeting of September 26, 2023
- [2.](#) Waive second reading and adopt an ordinance and the resolution of bidding procedures under the California Uniform Public Construction Cost Accounting Act; find that the adoption of the ordinance is exempt from review under the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines Section 15061
- [3.](#) Authorize the Mayor to sign a letter of support for the Stanford Community Plan Update
- [4.](#) 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

DISCUSSION ITEMS

5. Waive first reading and introduce an ordinance amending Los Altos Municipal Code Section 9.25 "Special Events" and "Special Events Appendix A" and adopt a resolution adjusting the Special Events fees
6. Discussion and Appointments to the Joint Community Volunteer Service Awards Committee and the Parks, Arts, Recreation and Cultural Commission

INFORMATIONAL ITEMS ONLY

7. Tentative Council Calendar and Housing Element Update Calendar

COUNCIL/STAFF REPORTS AND DIRECTIONS ON FUTURE AGENDA ITEMS

ADJOURNMENT

(Council Norms: It will be the custom to have a recess at approximately 9:00 p.m. Prior to the recess, the Mayor shall announce whether any items will be carried over to the next meeting. The established hour after which no new items will be started is 11:00 p.m. Remaining items, however, may be considered by consensus of the Council.)

SPECIAL NOTICES TO THE PUBLIC

In compliance with the Americans with Disabilities Act, the City of Los Altos will make reasonable arrangements to ensure accessibility to this meeting. If you need special assistance to participate in this meeting, please contact the City Clerk 72 hours prior to the meeting at (650) 947-2610.

Agendas Staff Reports and some associated documents for City Council items may be viewed on the Internet at <http://www.losaltosca.gov/citycouncil/online/index.html>.

All public records relating to an open session item on this agenda, which are not exempt from disclosure pursuant to the California Public Records Act, and that are distributed to a majority of the legislative body, will be available for public inspection at the Office of the City Clerk's Office, City of Los Altos, located at One North San Antonio Road, Los Altos, California at the same time that the public records are distributed or made available to the legislative body.

If you wish to provide written materials, please provide the City Clerk with 10 copies of any document that you would like to submit to the City Council for the public record.

Public Comment - Not on the Agenda Opposition to 5g node on San Juan Ct

Joan Zhang <joanzhang@yahoo.com>

Mon 10/2/2023 10:45 PM

To:Administration <administration@losaltosca.gov>;Public Comment <publiccomment@losaltosca.gov>;City Council <council@losaltosca.gov>;Gabriel Engeland <gengelnd@losaltosca.gov>

City Manager Gabe Engeland, Honorable Mayor Sally Meadows, and Esteemed Members of the City Council,

I am hereby submitting this public comment to outline the reasons for my opposition to the installation of a 5g small cellular node on my Cul de sac.

1. Deceptive Information: This letter was sent in a form that looked like junk mail. Notices of this kind should be labeled on the envelope exterior clearly with "Urgent: Need your input on by !" Moreover, there was no real information in the letter to explain to us why our street was chosen, or whether other small cell nodes will be installed nearby, or in the near future. There should have been included in this letter a local map.
2. Health concerns for residents on the street: It is very close to our houses and goes on 24-7. They put our health and lives in an unsafe situation. While there are public places like churches etc nearby more open and suitable, why did they choose a very small, quiet Cul de sac? Are they trying to take advantage of that this is a small street and our voice is small? This is not a fair action.
3. Property value will be greatly negatively impacted, It is visual and Auditory Blight: Impact property value will be very negative, particularly if you foresee selling your house in the next 10 years, which is likely how long it will take to really miniaturize 5g nodes and deploy a fully functional network. Whether allowed as a valid objection or not, the fears of potential buyers about health risks will lower interest in our homes. Additionally, this equipment is ugly and hangs too low on the pole (probably required else the pole would be top-heavy). The equipment is obtrusive and interferes with one's regular line-of-site on our street. Our street wires are bad enough. Having this bulky thing so visible is sure to sway buyers away from our homes. This is not a taller housing development across San Antonio (if LASD builds teacher housing at Egan); this is right in our faces. If you look at the pictures in the letter, that big box and the other ancillary components just above our resident's mailbox are in scale. They will be bigger and taller than her mailbox pole! They will be what Pat, Bonnie, Marie, and Al immediately see when they look out their windows and walk out their doors. The rest of us will all see them every day. The fans will be audible 24-7. Clearly, ATT lied, and what this really betrays is that 5g remains "not ready for prime time." It's still clunky and hot.
4. San Juan Court is too small: Right in front of one's home is NOT the place for a 5g node - atop one's home is NOT the place - one's backyard is NOT the place. Our street is too small for this level of intrusion. There is no lack of AT&T coverage on our quiet, narrow cul de sac. We have no lights, no curbs, no sidewalks, and parking on the street prevents easy two-way traffic - as a result, maintenance trucks have a major negative impact. San Juan Ct is neither a main thoroughfare nor a collector street. Why, then, is our street's pole a target for a small cell node?
5. We Don't Need It: The reason ATT and other telecom companies are so hyped up about 5g is because it will enable them to charge customers lots of money for advanced services like gaming, high-data-content transmissions, and more data processing-oriented services like surveillance, customer tracking, self-driving cars, etc. It will also allow ATT and other providers to charge people more money for different levels of access to the internet (keep in mind the internet (the web) was designed to be free and available to ALL; 5g likely kills that principle). There may be other residents or neighborhoods that want these nodes

on their streets; the City should conduct surveys to ID these neighborhoods and put these small nodes there. But the most important reality here is that the 5g that ATT is currently deploying is not really 5g. It's a rebranded 4g. But ATT is rushing to install to lay claim to the pole as theirs for future technology.

6. Safety Risks: ATT is also using bogus justifications like improving Public Safety (Police and fire) communications during fires and natural disasters. That's poppycock. 5g waves are tiny and are easily disrupted by obstructions like trees, buildings, smoke, clouds, etc. Besides, our telephone poles are flammable. Say goodbye to those poles during a fire. In my house, we are totally satisfied with our cellular and satellite services. Our Wi-Fi routers and repeaters can sense almost all your Wi-Fi networks (of course we have no passwords!), so there is no service gap or hole we can see. We'd highly prefer fiber to the curb for more bandwidth, NOT 5g, which is unreliable. We also hope that someday, our street will agree to underground our ugly and dangerous sky wires. Undergrounding is the best way to maximize public safety during a natural disaster.

7. Environmental Waste: For many people, and this may apply to you, you will need to buy a new phone to really get the services offered by 5g. Studies have shown that transitioning to 5g-ready handheld devices will create an enormous world-wide amount of environmental waste. 8) Where ATT sits, other companies will follow: Another reason this tech is not ready for prime time in neighborhoods is because the equipment is still all proprietary. So, when Verizon comes along, they'll need just as much pole real estate to attach their equipment. Then when T-Mobile came along, the same thing. We're a small street and this much intrusion is ridiculous.

Respectfully,
Joan Ma
42 San Juan Ct
Los Altos, CA 94022

[External Sender]PUBLIC COMMENT AGENDA ITEM 4 - OCTOBER 10, 2023

jerrywrice@fabnexus.com <jerrywrice@fabnexus.com>

Mon 10/9/2023 5:36 PM

To:Public Comment <publiccomment@losaltosca.gov>

Jerry W. Rice
660 Arboleda Drive
Los Altos, CA 94024
(650) 207-8235 (mobile)

Los Altos homeowner and full-time resident since 1985.

Having read the Oct. 10, 2023 meeting packet sections titled '**Housing Element Noncompliance**' and '**Petition for Writ of Mandate – California Housing Defense Fund, Yes In My Back Yard v. City of Cupertino**', I now have a somewhat better understanding of why the Council is rushing to complete this Housing Plan application.

As a long-time Los Altos home-owner and full-time resident, I do not agree that the city should passively submit to these ill-conceived and very likely unconstitutional State housing mandates. The idea that a municipality with most of its real-estate priced well above average as compared to the overall Bay Area region, with virtually no undeveloped lots available, should be forced to generate/conjure-up low cost (affordable) housing is ludicrous. While I certainly understand the city doesn't have funds available to pursue independent legal action to have these mandates ruled invalid, I would like to hear/understand/learn what options are available for the city to collaborate/team-up with other similarly situated cities and municipalities in a possible 'class action' type legal challenge.

These housing mandates and other poorly conceived State policies will result in more long-time residents moving out of the state, as has been the trend over the past few years.

I would like to hear more about how our city government, with support from the residents and property owners, can address this issue without pursuing a plan that blindly and passively follows these terrible mandates.

Thank you.

October 5, 2023

Dear Mayor Meadows and Members of the Los Altos City Council,

Congratulations and kudos to City staff, especially Nick Zornes and his team on the recent certification of our City's 6th cycle housing element by the California Department of Housing and Community Development (HCD).

We also very much appreciate your efforts as the Council to advance the changes required by HCD and thus keeping control local to the extent possible. As we see it your options were

1. To upzone where you thought possible and best,
2. To do away with R-1 zoning, or
3. To run afoul of the State by not following the law.

As noted above, we believe that you have chosen the most appropriate option and thank you for that.

Best regards,

Robin Abrams, Kim Cranston, Cathy Lazarus, Bill Sheppard, Marie Young
Los Altos Community Voices Steering Committee

PUBLIC COMMENT AGENDA ITEM 4 - 10/10/23 MEETING

Cheryl Reicker <cheryl.reicker@gmail.com>

Tue 10/10/2023 11:42 AM

To:Public Comment <publiccomment@losaltosca.gov>

To Mayor Meadows and Los Altos City Council Members:

I understand the intent of Los Altos' current Housing Element (adopted 1/23, revised 8/23). I am, however, extremely concerned about forced housing development coming at the expense of the city's residents and the current business owners who support our community. I would like to comment on several of the items relating to the proposed adoption of Zoning Text Ordinance Amendments (Item 4 on the 10/10/23 agenda):

- **Program 3.B: Modify building height in mixed-use zoning districts.** I believe building height should be limited to 36 feet, and 3 stories. With current zoning in mixed-use zoning districts allowing no more than two stories, moving to 3 stories still increases the property's potential use by 50%. The proposed 40-45 feet limit (4 stories in some districts) is excessive.
- **Program 3.C: Remove floor-to-area ratio (FAR) restriction at Rancho Shopping Center and Woodland Plaza:**
 - Potential for redevelopment of the two main shopping/business centers along the Foothill Expressway and southern part of Los Altos should be staggered. If the FAR is removed simultaneously for both locations and developers submit acceptable proposals, redevelopment could eliminate (at least temporarily) the full-service grocery stores many Los Altos residents, commuters, and workers rely on each and every day. With possible concurrent redevelopment of the four corners at Mary and Fremont in Sunnyvale (Smart & Final and Zanotto's), and expressed interest in redeveloping Foothill Crossing Shopping Center (pg. 136, Housing Element), residents could have to travel for miles just to take care of basic shopping and service needs. This possibility runs counter to creating a walkable/bikeable community. Along these same lines, if and when FAR is removed at these two locations, mixed use should be required for any redevelopment to provide essential/desired businesses within walking/biking distance of as many residents as possible.
 - The Housing Element lists the time frame for this action as December, 2024. A more prudent approach of initially removing FAR on only one of these sites would better balance meeting State mandates and serving the needs of the existing community. With interest already having been expressed in redeveloping the Foothill Crossing Shopping Center, combined with elimination of building restrictions at Loyola Corners (unenforceable density cap through at least 2030; ref. pg. 171 Housing Element, and proposed elimination of Section 14.80.060, item J of the Municipal Code), it seems The Rancho Shopping Center would be a more appropriate candidate to be first in line. Otherwise, the current approach appears poised to make the residential areas of South Los Altos/Grant Park take the brunt of much of the development outside the downtown and El Camino corridor areas (i.e., Lucky's and surrounding businesses, Foothill Crossing, Loyola Corners).
- **Program 3.G: Amend Conditional Use Permits findings applicable to housing Developments:**
Re: 14.80.060, Item G: Large Family Daycares (up to 14 children) should continue to be required to obtain Conditional Use Permits. Within residential areas, such large in-home business enterprises can have adverse impacts to surrounding residents related to noise, traffic, privacy, visual impact, property value, etc. At a minimum, there should be notice to surrounding

neighbors and ability for them to weigh in on whether or not a proposed large family daycare should be approved at a given location. On a related note, the proposed updates to permitted use in R3 – 4.5 districts multiple family district removes the ability to even have small family daycares (14.16.030). It makes no sense to disallow small family daycares in one residential area while allowing large family daycares in another without any oversight. Finally, home daycares are unrelated to generating additional housing, so it seems inappropriate to modify 14.80.060, Item G, as part of the Housing Element.

- **Program 3.N: Modify standards in the R3 zoning district:** The stated plan in the Housing Element is to "increase allowed site coverage in all R3 zoning districts to ensure maximum densities can be achieved". At the same time, section 14.16.020 of the Municipal Code indicates the "specific purpose of the R3-4.5 District is to retain and enhance the character of the Stevens Place and Marshall Court area. I fail to understand how achieving maximum density can enhance anything! And, though this comment pertains to program 3.N, it carries well beyond that specific program. Overall, the Housing Element seems designed to cram as many residences as possible into a given space with little regard for existing residents. Let's also not forget we are stewards of our environment. Green space (and by this I do not mean artificial turf), plants, trees, etc., are needed not only for our mental well-being, but also to support nature (wildlife, insects, etc.) and clean the air. All development should balance meeting a variety of housing needs while providing a good and healthy quality of life for current and future residents and visitors, as well as creating a hospitable business environment.

In summary, I understand the objective of working to meet the State's requirement to build additional housing. Additionally, I agree with the City's efforts to primarily utilize existing spaces outside of purely residential areas to meet requirements. I would venture to say most others also don't want to see condos, apartments buildings, or multiple small homes being built on what is now a single (or double, for properties with ADUs) family property. However, I ask City Council and City employees related to implementing the Housing Element to take a holistic approach to the overall process, making concerted efforts to add to our housing stock while simultaneously protecting and enhancing the environment and the lives of those who work, live, and pass through our wonderful town.

Regards,
Cheryl Reicker
Christina Drive, Los Altos

PUBLIC COMMENT AGENDA ITEM 4 - 10/10/23

Payal B <pbhaduri01@gmail.com>

Tue 10/10/2023 1:49 PM

To:Public Comment <publiccomment@losaltosca.gov>

As per Program 3.B, building height restrictions for medical offices along Altos Oaks Drive may be subjected to change. Those offices are well integrated into our neighborhood and the height limit on them should not be changed to more than 30 feet and they should be limited to 2 stories. If it is any more than 2 stories, it will pose serious issues for residents nearby in terms of traffic and privacy.

Thanks,
Payal Bhaduri
Resident of Los Altos



**CITY OF LOS ALTOS
CITY COUNCIL MEETING MINUTES
TUESDAY, SEPTEMBER 26, 2023
7:00 p.m.
1 N. San Antonio Rd. ~ Los Altos, CA**

Agenda Item # 1.

*Sally Meadows, Mayor
Jonathan Weinberg, Vice Mayor
Pete Dailey, Councilmember
Neysa Fligor, Councilmember
Lynette Lee Eng, Councilmember*

CALL MEETING TO ORDER – Sally Meadows, Mayor, called the meeting to order at 7:00 p.m.

ESTABLISH QUORUM – All Councilmembers were present and in person.

PLEDGE ALLEGIANCE TO THE FLAG – **Neysa Fligor, Councilmember**, led the Pledge of Allegiance.

REPORT ON CLOSED SESSION – There was no Closed Session meeting.

CHANGES TO THE ORDER OF THE AGENDA

There were no changes to the order of the agenda.

PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

The following member of the public spoke during Public Comment:

- Eric Steinle

CONSENT CALENDAR

Motion by Fligor and Seconded by Dailey to approve the Consent Calendar. **Motion carried unanimously by roll call vote.**

1. Approve Meeting Minutes for the Regular Meeting of September 12, 2023
2. Treasurer’s Report – Month Ended June 30, 2023

PUBLIC HEARINGS

3. Appeal of the Planning Commission’s Decision on the Design Review and Variance Applications SC22-0029 & V23-0002 at 5790 Arboretum Drive
This item was continued from the Regular Meeting of June 27, 2023

Jia Liu, presented the report.

Tom Carruba, Project Architect, presented the appellant report.

Sally Meadows, Mayor, opened the Public Hearing.

There were no speakers during the Public Hearing.

Sally Meadows, Mayor, closed the Public Hearing.

Bill McClure, Appellant Attorney, provided rebuttal statements to the City Council.

Motion by Weinberg and Seconded by Meadows to uphold the Planning Commission’s denial of Design Review and Variance Applications SC22- 0029 & V23-0002 at 5790 Arboretum Drive and find no environmental review is required under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15270 (“Projects Which are Disapproved”) because CEQA does not apply to projects which are disapproved. **Motion carried 3-2 by roll call vote with Councilmembers Fligor and Lee Eng opposed.**

4. Introduce and Waive Further Reading of 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.

Nick Zornes, Development Services Director, presented the report.

The City Council took a recess at 9:24 p.m.

The City Council reconvened at 9:38 p.m.

Sally Meadows, Mayor, opened the Public Hearing.

The following members of the public spoke during the Public Hearing:

• Alice Shyu	• Shirin Cooper
• Jennifer Griffin	• Jon Baer
• Gina Atkinson	• Anne Paulson
• Ajay Saproo	• Russ Nord
• Jon Daseking	• Daphne Ross
• Nancy Martin	• San R
• Teresa Morris	• Samsung SM

Sally Meadows, Mayor, closed the Public Hearing.

The City Council provided the following amendment:

- Require a minimum of 20% floor area ratio for nonresidential uses and a maximum of 33% floor area ratio for nonresidential uses in the Community Neighborhood (CN) Zoning District

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City Council Regular Meeting Minutes
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Motion by Dailey and Seconded by Weinberg to waive first reading and introduce the ordinance, as amended. **Motion carried 4-0-1 by roll call vote with Councilmember Lee Eng abstained.**

The City Council took a recess at 11:35 p.m.

The City Council reconvened at 11:44 p.m.

DISCUSSION ITEMS

5. Confirmation of City Council Appointments to City Commissions and Committee

Melissa Thurman, City Clerk, presented the report.

The following members of the public spoke regarding the item:

- Teresa Morris
- Monica Waldman

Motion by Dailey and Seconded by Meadows to confirm the appointments detailed below to City Commissions and Committee:

Wesley Helmholz and Scott J. Pietka to the Complete Streets Commission.
The City Council assigned Scott J. Pietka to the vacant seat with a two-year term and Wesley Helmholz to the vacant seat with a one-year term.

Deepak Jain, Patrick Dupuis, Scott Ottoes and Jesse Zhang to the Financial Commission.
Commissioners are appointed to seats with four-year terms.

Michelle Morris to the Library Commission.
Commissioner is appointed to a seat with a four-year term.

Laurel Iverson and Sumita Chandra to the Joint Community Volunteer Service Awards Committee.
Commissioners are appointed to seats with four-year terms.
The City Council continued the discussion of a potential third appointment to the Joint Community Volunteer Service Awards Committee to the meeting of October 10, 2023.

The City Council continued the discussion regarding the Parks, Arts, Recreation & Cultural Commission appointment to the meeting of October 10, 2023.

Kris Olson to the Senior Commission.
Commissioner is appointed to a seat with a two-year term.

Motion carried unanimously by roll call vote.

6. Council consideration of Vice Mayor Weinberg’s request to discuss remedial action regarding Planning Commissioner Kate Disney’s violation of the City’s Norms and policies

Jonathan Weinberg, Vice Mayor, presented the item.

Kate Disney, Planning Commissioner, spoke regarding the item.

The following members of the public spoke regarding the item:

• Teresa Morris	• Roberta Phillips
• Jennifer Griffin	• Joe Beninato
• Monica Waldman	

The City Council provided the following direction:

- For Planning Commissioner Disney to meet with Vice Mayor Weinberg to discuss the issue
7. Cities Association of Santa Clara County's request for approval of Joint Powers Agreement to establish the Cities Association of Santa Clara County Joint Powers Agency

Neysa Fligor, Councilmember, spoke regarding the item.

There were no speakers regarding the item.

Motion by Weinberg and Seconded by Dailey to approve the Cities Association of Santa Clara County’s request for approval of Joint Powers Agreement to establish the Cities Association of Santa Clara County Joint Powers Agency. **Motion carried 4-1 by roll call vote with Councilmember Lee Eng opposed.**

INFORMATIONAL ITEMS ONLY

8. Tentative Council Calendar and Housing Element Update Calendar

COUNCIL/STAFF REPORTS AND DIRECTIONS ON FUTURE AGENDA ITEMS

- **Lynette Lee Eng, Councilmember** – Provided an oral report regarding her attendance at the CalCities Annual Conference held in Sacramento, CA September 20 – 22, 2023. Councilmember Lee Eng requested the following future agenda items:
 - Request to receive City Council agenda packets earlier than the current schedule (*No support received*)
- **Pete Dailey, Councilmember** – Requested the following future agenda items:
 - Discussion item on ways to improve wireless connectivity in Los Altos (*Supported by Weinberg and Meadows*)
 - Requested the Library Commission discuss possible improvements to the Library, and to direct staff to return to the City Council at a future Study Session to discuss

Library Commission recommendations on the subject. (*Supported by Weinberg and Meadows*)

- **Neysa Fligor, Councilmember** – Provided an oral report regarding her attendance at the CalCities Annual Conference held in Sacramento, CA September 20 – 22, 2023. Councilmember Fligor requested the following future agenda item:
 - Letter of support to Santa Clara County Board of Supervisors regarding the Stanford Community Plan (*Supported by Meadows and Lee Eng*)
 - Community Meetings on Housing Element Updates (*Supported by Weinberg and Dailey*)
- **Sally Meadows, Mayor** – Provided an oral report regarding her attendance at the CalCities Annual Conference held in Sacramento, CA September 20 – 22, 2023.

ADJOURNMENT – The meeting adjourned at 1:50 a.m. on September 27, 2023.

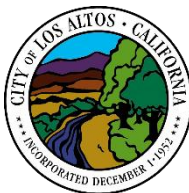
The meeting minutes were prepared by Melissa Thurman, City Clerk, for approval at the regular meeting of October 10, 2023.

Sally Meadows,
Mayor

Melissa Thurman, MMC
City Clerk

The September 26, 2023 City Council meeting recording may be viewed via the following external website: <https://www.youtube.com/@CityofLosAltosCA>

The City of Los Altos does not own or operate YouTube. The video referenced on these minutes were live at the time the minutes were published.



AGENDA REPORT SUMMARY

Meeting Date: October 10, 2023

Subject: Waive second reading and adopt an ordinance and the resolution of bidding procedures under the California Uniform Public Construction Cost Accounting Act; find that the adoption of the ordinance is exempt from review under the California Environmental Quality Act (“CEQA”) pursuant to CEQA Guidelines Section 15061.

Prepared by: June Du, Finance Director
Approved by: Gabriel Engeland, City Manager

Initiated by:
City Council and reviewed by the City Council on September 12, 2023, City Council Meeting

Environmental Review:
The ordinance is exempt from environmental review pursuant to CEQA Guidelines Section 15061(b)(3) in that the ordinance will merely affect administrative processes and will not have foreseeable environmental effects, and none of the circumstances in CEQA Guidelines Section 15300.2 applies.

Fiscal Impact:
None.

- Attachments:**
1. Draft Ordinance
 2. Resolution

Summary:
Adopt the ordinance by resolution to opt-in to the bidding procedures under the California Cost Accounting Act. Adding a standalone chapter 3.16 to the Los Altos Municipal Code for bidding procedures under the Uniform Public Construction Cost Accounting Act. The proposed ordinance further defined the bidding procedures in the City’s purchasing policy and represents best practices for the construction bidding procedures.

Staff Recommendation:



Subject: Ordinance of Bidding Procedures under the Uniform Public Construction Cost Accounting Act

Adopt an ordinance and the resolution of the City Council of the City of Los Altos, adding chapter 3.16 to the Los Altos municipal code to provide for bidding procedures under the Uniform Public Construction Cost Accounting Act.

Background

What is the Uniform Public Construction Cost Accounting Act (Act)?

The Act is legislation that was enacted in 1983 to help promote “uniformity of the cost accounting standards and bidding procedures on construction work performed or contracted by public entities in the state” (Section 22001). The Act is a voluntary program available to all public entities in the State, but it applies only to those public agencies that have “opted in” to the provisions set forth by the Act using the processes outlined in the Act. The entirety of the Act is found in Sections 22000-22045. In exchange for opting voluntarily to comply with cost accounting requirements that establish best practices for local agencies to follow, local agencies benefit from the option to use informal bidding procedures for small- to mid-sized public works projects.

The Act allows for public project work in the amount of \$60,000 or less to be performed by a public agency’s force account using the public agency’s own resources, or by negotiated contract, or by purchase order (Section 22032(a)). Public projects in the amount of \$200,000 or less may use the informal or formal bidding procedures set forth in Section 22032(b) or (c) of the Act. Public projects at a cost of more than \$200,000 must use formal bidding procedures to let the contract pursuant PCC Section 22032(c).

Process:

At least once per calendar year, each participating public agency that has elected to become subject to the Act and intends to use the notice provisions outlined in Section 22034(a) must establish a new list or update its existing list of qualified contractors by mailing, faxing, or emailing written notice to all construction trade journals designated for that Agency under Section 22036. *Qualified contractors* are contractors licensed by the State to perform the subject work. The notice must invite all licensed contractors to submit the name of their firms to the agency for inclusion on the agency’s list of qualified bidders for the following twelve (12) months. Effective January 1, 2016, a participating agency can choose a specific date of their choice in which to renew its list of qualified contractors.

Discussion

Staff is recommending to “opt-in” to the Uniform Public Construction Cost Accounting Act. Many participating agencies appreciate the program because it has given them more leeway in the



Subject: Ordinance of Bidding Procedures under the Uniform Public Construction Cost Accounting Act

execution of public works projects under a certain dollar amount; speed up the award process; expedited project delivery; reduced the time, effort, and expense associated with bidding projects under \$200,000; and simplified administration for those projects. Moreover, adjustments, when required, have been relatively simple; most required procedures were already in place, so there were few, if any, major changes to existing operations.

ORDINANCE NO. 2023-___

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LOS ALTOS ADDING CHAPTER 3.16 TO THE LOS ALTOS MUNICIPAL CODE TO PROVIDE FOR BIDDING PROCEDURES UNDER THE UNIFORM PUBLIC CONSTRUCTION COST ACCOUNTING ACT

WHEREAS, the City Council of the City of Los Altos has elected for the City to become subject to the Uniform Public Construction Cost Accounting Act, Public Contract Code Section 22000, et seq. (the “Act”) and its implementing procedures; and

WHEREAS, the Act provides for the use of informal bidding procedures in connection with certain smaller public projects, but requires formal bidding procedures for larger projects; and

WHEREAS, the City Council desires to adopt the bidding procedures set forth in the Act; 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.

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

SECTION 1. AMENDMENT OF CODE. Chapter 3.16 is hereby added to the Los Altos Municipal Code, as follows:

Section 3.16.010. Preliminary Matters.

- A. This chapter is adopted pursuant to the Uniform Public Construction Cost Accounting Act, Public Contract Code Section 22000, et seq.
- B. As used in this chapter, the term “public project” has the meaning given in Public Contract Code Section 22002 or successor statute, as the same may be amended from time to time.
- C. Monetary thresholds set forth in this chapter are for ease of reference. If the monetary thresholds set forth in Public Contract Code Section 22032 or successor statute are amended or adjusted from time to time, then such amended or adjusted thresholds shall prevail over those specified herein.
- D. Any reference in this chapter to the city manager includes a designee of the city manager.
- E. If a contract for a public project is awarded by the city manager pursuant to this chapter, then, (i) the city manager shall make any and all findings for the project required under the California Environmental Quality Act, Public Resources Code Section 21000, et seq., (ii) the city manager shall be deemed to have approved the plans for the project, and (iii) the city manager shall consider and finally decide any protests. If the contract is awarded by the city council, then the city council shall be responsible for environmental review and

for deciding any protests, and it shall be deemed to have approved the plans for the project.

- F. A public project shall not be split into multiple contracts for the purpose of evading compliance with this chapter.

Section 3.16.020. Minor Project Procedure. Public projects of sixty thousand dollars (\$60,000) or less may be performed by force account, by negotiated contract, or by purchase order. Procedures for contracting by negotiated contract or purchase order shall be adopted by the city manager for inclusion in the city’s purchasing policy. Such procedures shall, except where sole source procurement is justified, require the solicitation of quotations from at least three qualified contractors prior to entering a contract or issuing a purchase order for the work.

Section 3.16.030. Informal Bidding Procedure.

- A. This section is intended to implement Public Contract Code Section 22034 or successor statute, as the same may be amended from time to time.
- B. Public projects of two hundred thousand dollars (\$200,000) or less may be let out to bid as set forth in this section.

C. Contractors List.

- 1. At least once a calendar year, the city manager shall establish a list of qualified contractors by mailing, faxing, or emailing written notice to all construction trade journals designated under Public Contract Code Section 22036 or successor statute, as the same may be amended from time to time. The notice shall invite all licensed contractors to submit the name of their firm to the city for inclusion in the city’s list of qualified bidders pursuant to this section.
- 2. The notice shall require that the contractor provide:
 - a. The name and address to which a notice to contractors or proposal should be mailed, faxed, or emailed;
 - b. A phone number at which the contractor may be reached;
 - c. The type of work in which the contractor is interested;
 - d. The class of contractor’s license(s) held; and
 - e. The contractor license number(s).
- 3. If a contractor provides the information required above and is licensed to do the type of work in which the contractor is interested, then the contractor shall be added to the city’s list of qualified contractors. Other qualified contractors may also be added to the list in the city manager’s discretion.

4. A contractor may have his or her firm added to the list at any time by providing the information required.

D. Notice Inviting Informal Bids.

1. Where a public project is subject to this section, a notice inviting informal bids shall be circulated using one or both of the following alternatives:
 - a. Notices inviting informal bids may be mailed, faxed, or emailed, at a minimum, to all contractors for the category of work to be bid, as shown on the contractors list developed in accordance with this section.
 - b. Notices inviting informal bids may be mailed, at a minimum, to all construction trade journals as specified by the Uniform Construction Cost Accounting Commission in accordance with Public Contract Code Section 22036 or successor statute, as the same may be amended from time to time.
2. The notice inviting informal bids shall describe the project in general terms and shall indicate how to obtain more detailed information about the project. The notice shall also state the time and place for submission of bids and the manner in which bids shall be submitted to be considered.
3. If the product or service is proprietary in nature such that it can be obtained only from a certain contractor or contractors, the notice inviting informal bids may be sent exclusively to such contractor or contractors.

- E. Following the deadline to receive bids, and unless all bids received are more than two hundred thousand dollars (\$200,000), the city manager shall award the contract for the public project to the lowest responsive, responsible bidder. If all bids received are more than two hundred thousand dollars (\$200,000), the city council may, by adoption of a resolution by a four-fifths vote, award the contract, at two hundred twelve thousand five hundred dollars (\$212,500) or less, to the lowest responsive, responsible bidder, if it determines that the city's cost estimate was reasonable.

Section 3.16.040. Formal Bidding Procedure. Except as otherwise set forth in this chapter, the formal bidding procedures set forth in Public Contract Code Section 22037, et seq. (or successor statutes, as the same may be amended from time to time) shall be used to award any contract for a public project in an amount more than two hundred thousand dollars (\$200,000). These formal bidding procedures may be supplemented by procedures set forth in the city's purchasing policy. In the city manager's discretion, smaller public projects may be let out to bid using formal bidding procedures in lieu of the informal procedures set forth in this chapter. When formal bidding procedures are used, the city council shall be the awarding body for the contract.

Section 3.16.050. Emergency Procedure. Notwithstanding anything to the contrary in this chapter, in an emergency, a public contract may be let out as set forth in Public Contract Code Section 22035 or successor statute, as the same may be amended from time to time.

Section 3.16.060. Savings. Any provision of this chapter that is inconsistent with state law shall be construed and applied in a manner that is consistent with state law while still best effectuating the objects and intent hereof.

SECTION 2. CONSTITUTIONALITY. 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.

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 date.

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, CITY CLERK

RESOLUTION NO. 2023-__

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALTOS
ELECTING TO BECOME SUBJECT TO THE
UNIFORM PUBLIC CONSTRUCTION COST ACCOUNTING ACT**

WHEREAS, prior to the passage of Assembly Bill No. 1666, Chapter 1054, Statutes of 1983, which added Chapter 2, commencing with Section 22000, to Part 3 of Division 2 of the Public Contract Code, existing law did not provide a uniform cost accounting standard for construction work performed or contracted by local public agencies; and

WHEREAS, Public Contract Code Section 22000, et seq., which is known and cited as the Uniform Public Construction Cost Accounting Act (the “Act”), establishes such uniform cost accounting standards; and

WHEREAS, the Commission established under the Act has developed uniform public construction cost accounting procedures for implementation by local public agencies in the performance of or in the contracting for construction of public projects (the “Procedures”); and

WHEREAS, a local public agency is not subject to the Act unless its governing body voluntarily elects to become subject to the Act and the Procedures; and

WHEREAS, for local public agencies that are subject to the Act and the Procedures, the Act provides alternative processes that may be used for letting certain smaller public projects out to bid; and

WHEREAS, the City Council first reviewed the ordinance on September 12, 2023, City Council meeting, and

WHEREAS, as set forth in the accompanying staff report, staff recommends the Procedures and the Act’s alternative processes for smaller public projects as best practices in the performance of or in the contracting for public projects.

NOW THEREFORE, BE IT RESOLVED, that the City Council of the City of Los Altos hereby elects under Public Contract Code Section 22030 to become subject to the Act and the Procedures, as they may each from time to time be amended, and directs the City Manager or designee to notify the State Controller forthwith of this election at the following address or such other address as may be provided for by the State Controller for this purpose:

Office of the State Controller
Local Government Programs & Services Division
Local Government Policy Section
3301 C Street, Suite 740
Sacramento, CA 95816

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 ____ day of ____, 2023 by the following vote:

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

Sally Meadows, MAYOR

Attest:

Melissa Thurman, CITY CLERK



1 North San Antonio Road
Los Altos, California 94022-3087

October 10, 2023

Board of Supervisors – County of Santa Clara
70 West Hedding Street
East Wing, 10th Floor
San Jose, CA, 95110

Subject: Stanford Community Plan Update

Dear County Supervisors,

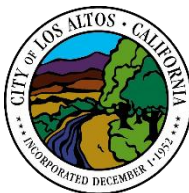
On behalf of the City of Los Altos, I am pleased to convey our support for the proposed update to the Stanford University Community Plan and associated Environmental Impact Report. In writing this letter of support the City of Los Altos would like to highlight key components of the major policy proposals related to housing, transportation, open space, and other areas.

- Allow housing for faculty and staff to be developed within the Academic Campus land use designation at densities above 30 units per acre.
- Prevent spillover of housing into surrounding cities.
- Required housing, both affordable and market rate, shall be located on campus or on contiguous Stanford lands.
- Require construction of affordable housing. Do not accept in-lieu fee payments for affordable housing.
- Reduce Vehicle Miles Traveled (VMT) and broaden access to Transportation Demand Management (TDM) programs for Stanford affiliates.

The Stanford University Community Plan Update as presented to the County of Santa Clara Planning Commission on September 28, 2023, addressed the major policy changes identified above which the City of Los Altos fully supports.

Sincerely,

Sally Meadows, Mayor
City of Los Altos



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



Subject: Housing Element Implementing Ordinance

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



Subject: Housing Element Implementing Ordinance

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



Subject: Housing Element Implementing Ordinance

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, the maximum floor area shall be thirfifty 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~~ one-three stories or ~~twenty-thirty-six (236)~~ twenty-three (23) 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.~~

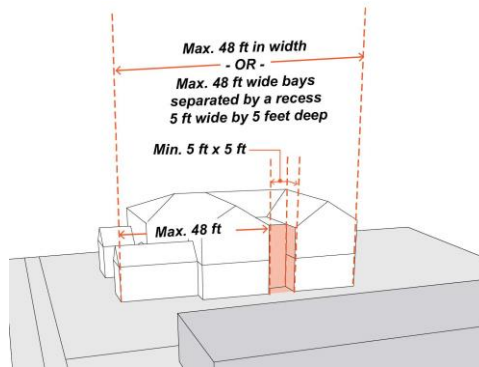
~~B. — On lots with two-story structures as of December 10, 2019, no structure shall exceed two stories or twenty-seven (27) feet in height from the natural grade.~~

(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.

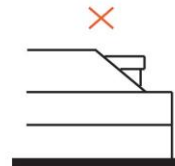


4. Roofline and Roof Design.

- 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.



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



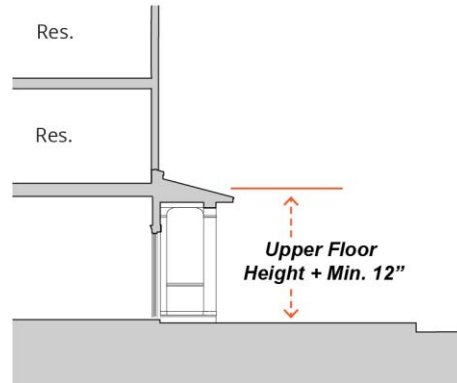
Not acceptable:
Top story embedded in a sloped roof is the only story stepped back.

- c. 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.~~ Where ren 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)

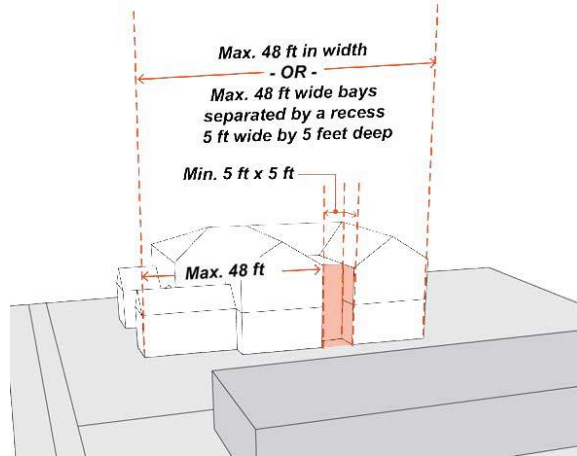
14.18.110 Height of structures (R3-5).

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.

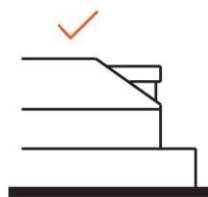


4. Roofline and Roof Design.

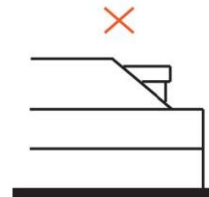
a. Acceptable roof forms:

- 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.



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



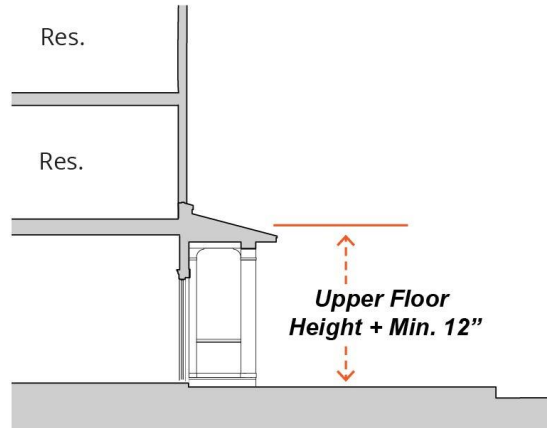
Not acceptable:
Top story embedded in a sloped roof is the only story stepped back.

- c. 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. Where 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)

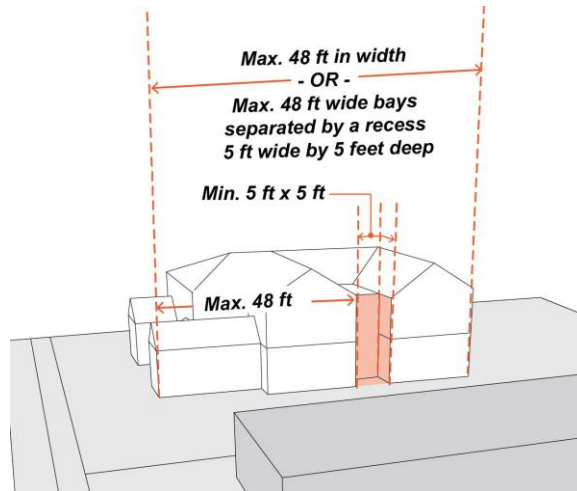
14.20.110 Height of structures (R3-3).

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.



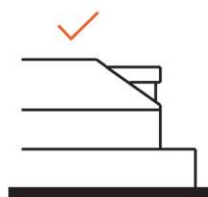
4. Roofline and Roof Design.

a. Acceptable roof forms:

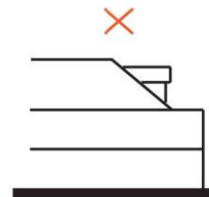
- i. Hipped.
- ii. Gable.
- iii. Dormer.

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 .



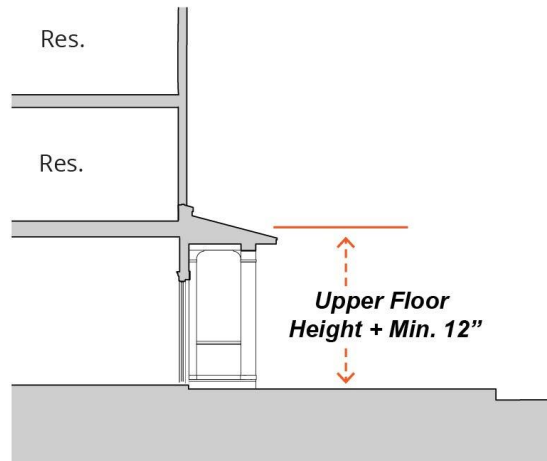
Not acceptable:
Top story embedded in a sloped roof is the only story stepped back.

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)

14.22.050040 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)

14.22.060050 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)

14.22.070060 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)

14.22.080070 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)

14.22.090080 Off-street parking (R3-1.8).

(As provided in Chapter 14.74 of this title.)

(Prior code § 10-2.1008)

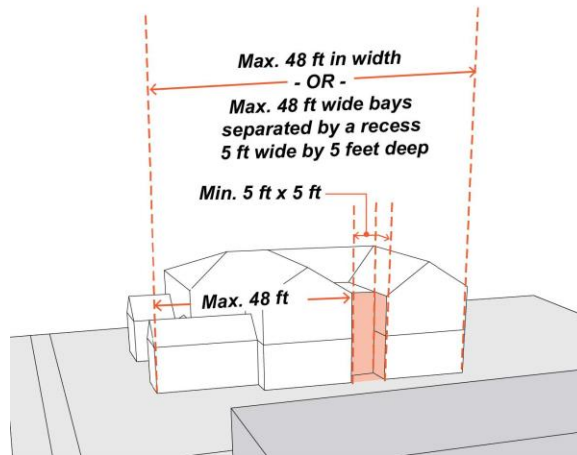
14.22.100090 Height of structures (R3-1.8).

No structure shall exceed ~~twethree~~ stories or thirty-six (3036) 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.

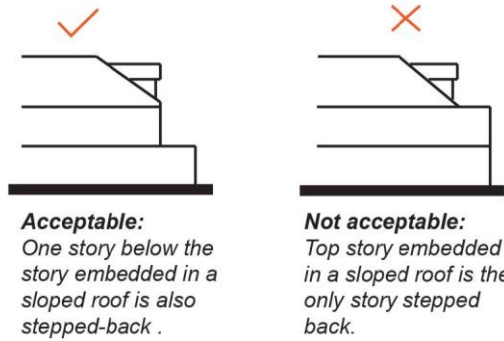


4. Roofline and Roof Design.

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.



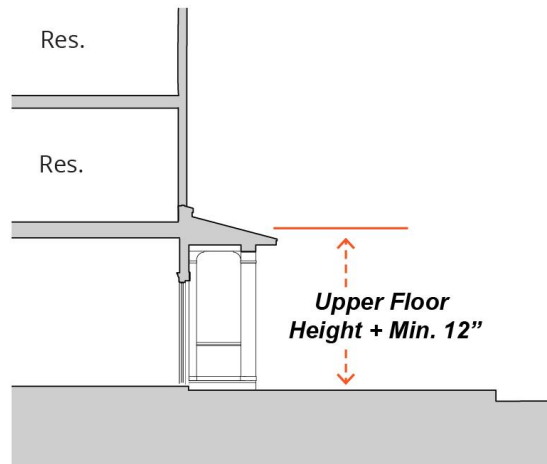
c. Façade facing R-1 Zone must utilize a hipped or gable roof and may incorporate dormers.

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~~5,000) 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.

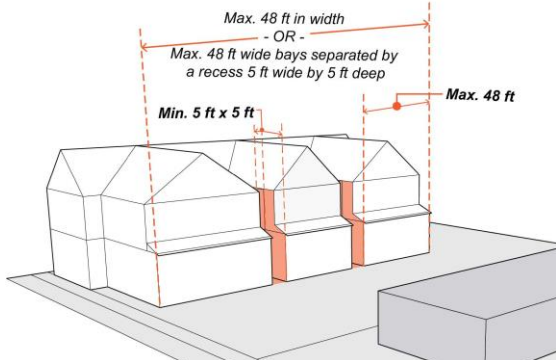
(Prior code § 10-2.1109)

14.24.110 Design control (R3-1).

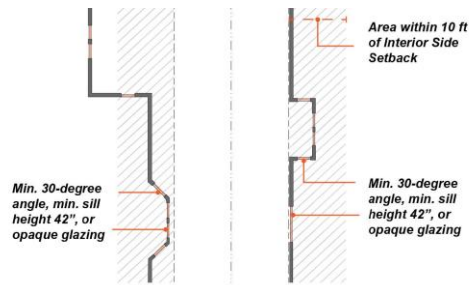
- A. Building Placement. A minimum eighty-five (85) percent of the building frontage must be built at the minimum setback line. This standard applies to the building frontage only (exclusive of side setbacks).
- B. Building Massing and Articulation.
 - 1. Upper-story step-backs.
 - a. Front: Minimum 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.



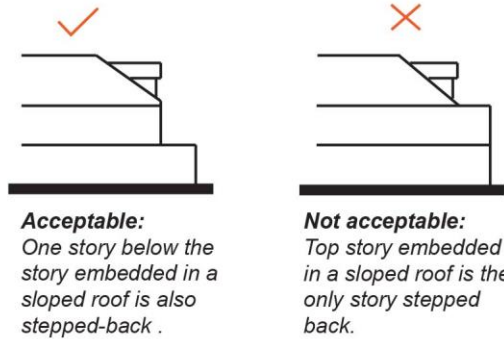
- 3. R-1 Adjacencies.
 - a. Building façade planes abutting an R-1 district may not exceed forty-eight (48) feet in width.
 - b. When a building façade abutting an R-1 district exceeds forty-eight (48) feet in width, it must be separated into façade bays no greater than forty-eight (48) feet by a recess 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.

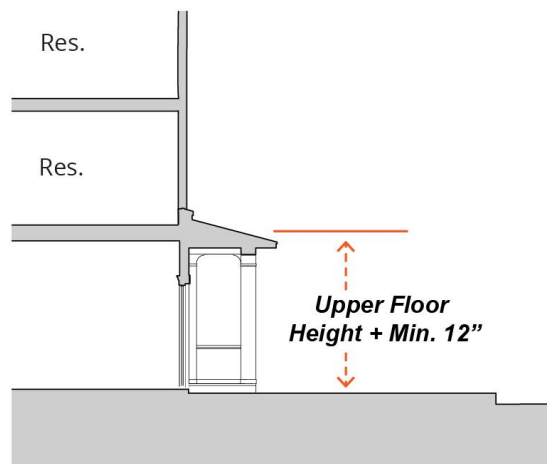


5. Roofline and Roof Design.
- a. Roof designs shall be limited to:
 - i. Hipped.
 - ii. Gable.
 - iii. Dormer.
 - iv. Parapet.
 - (a) When used on the first or second floor, a parapet longer than twenty-five (25) feet in length must include at least one but not more than two of the following design 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.

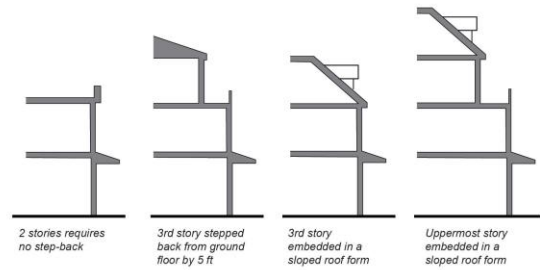
b. Non-Residential Use Only Development(s) building height shall be a maximum of thirty (30) feet and three (3) stories.

(Prior code § 10-2.1612)

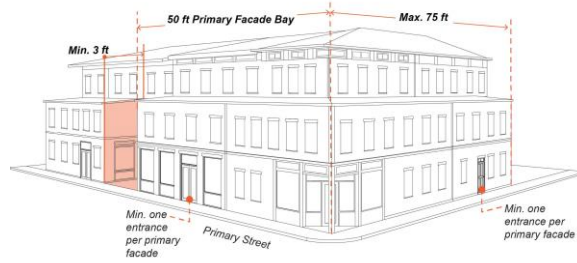
(Ord. No. 10-349, § 1, 4-27-2010)

14.40.150 Design control (CN).

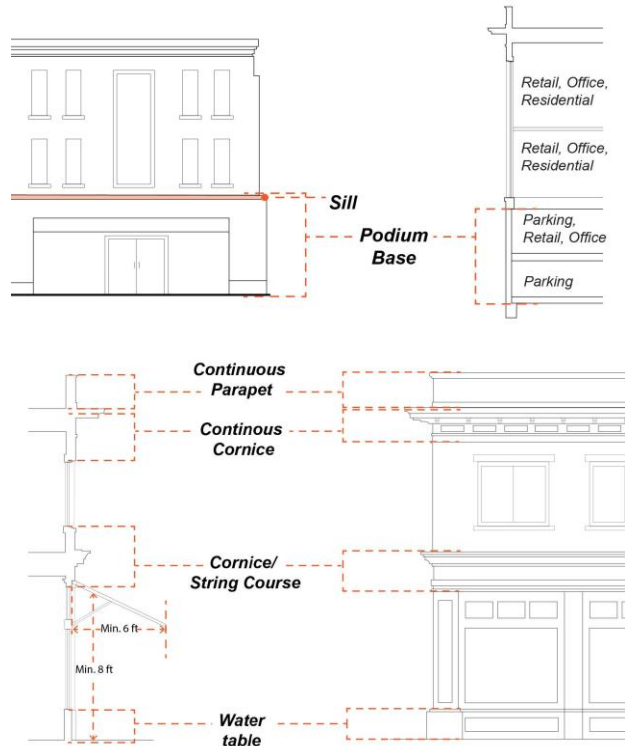
- A. Building Placement. A minimum seventy-five (75) percent of ground-floor building frontages facing El Camino Real must be built at the minimum setback line. This standard applies to the building frontage only (exclusive of side setbacks).
- B. Building Massing and Articulation.
 - 1. Upper-story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



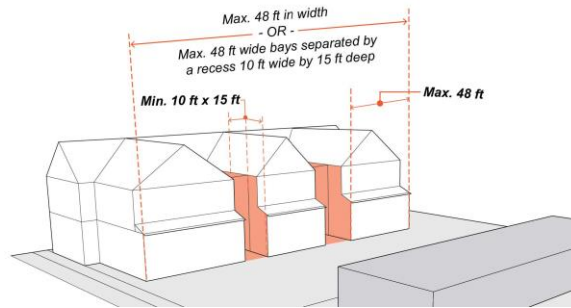
- 4. Horizontal Articulation. New façades and façade modifications along a street or civic space shall be designed to visually express a base, middle, and top.
 - a. One or more of the following patterns shall be used to define the base:
 - i. Watertable: Base material extends from grade to between eight 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.

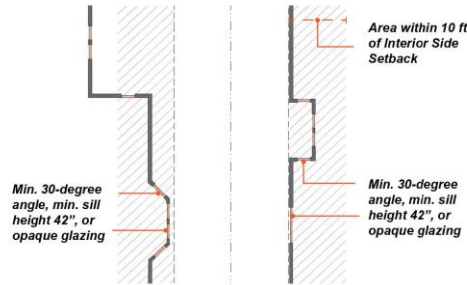


c. Compatibility with Adjacent Shorter Buildings with Height Difference of One Story or More. When adjacent to an existing shorter building with a height difference of one story or more, a proposed building must utilize two or more of the following strategies:

- 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.

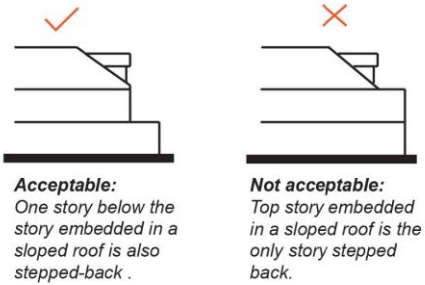
6. Privacy and Line of Sight.

- 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.

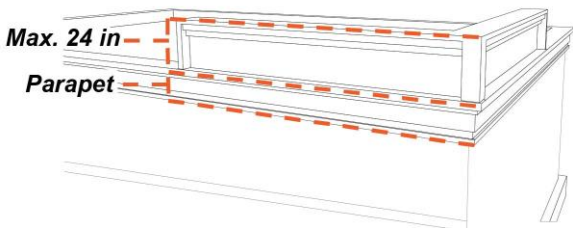


7. Roofline and Roof Design.

- 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.

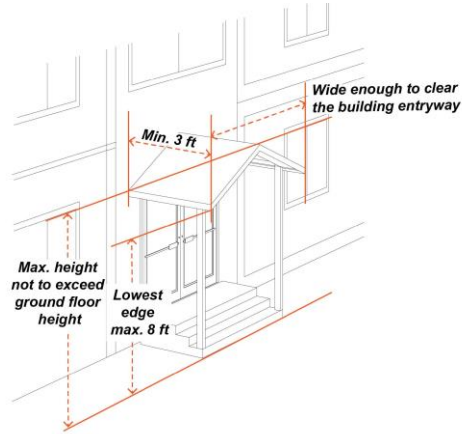
- a. Building entrances must incorporate at least one of the following entry features. See Section 14.66.275 (Entrance Type Standards) for design standards applicable to each entrance type listed.
 - i. Stoop.
 - ii. Dooryard.
 - iii. Shopfront.
 - (a) Shopfronts more than twenty-five (25) feet in width 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).

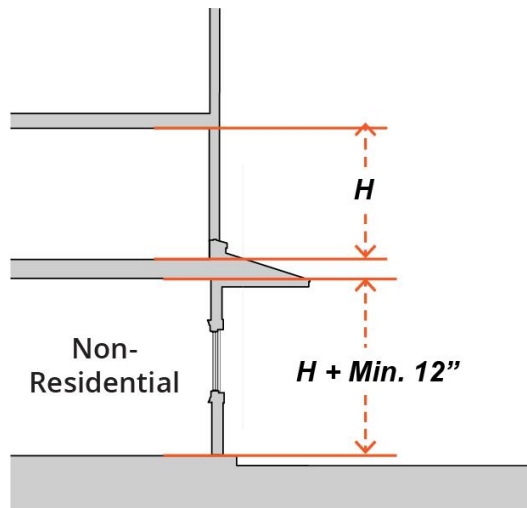


- b. Primary Entrance Location(s). The building entrance shall be located along the primary right-of-way.
- c. Corner Entrances. Chamfered corners must incorporate a building entrance. Any required entrances may be provided on the corner of the building assuming one of the intersecting sides is a primary 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.



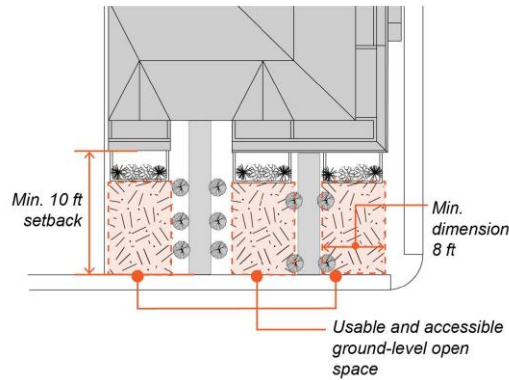
- f. Accent elements demarcating building frontage, entrance, and common open space areas shall not exceed the height of the ground floor story. Roof elements are excepted.
3. Ground Floor Floor-to-Ceiling Height. Minimum twelve (12) inches taller than typical upper floor floor-to-ceiling.



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))

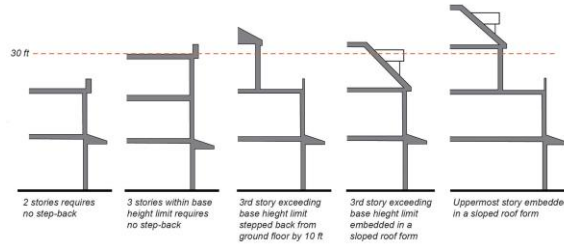
(Ord. No. 10-349, § 3, 4-27-2010; Ord. No. 2016-428 , § 1, 11-8-2016)

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.

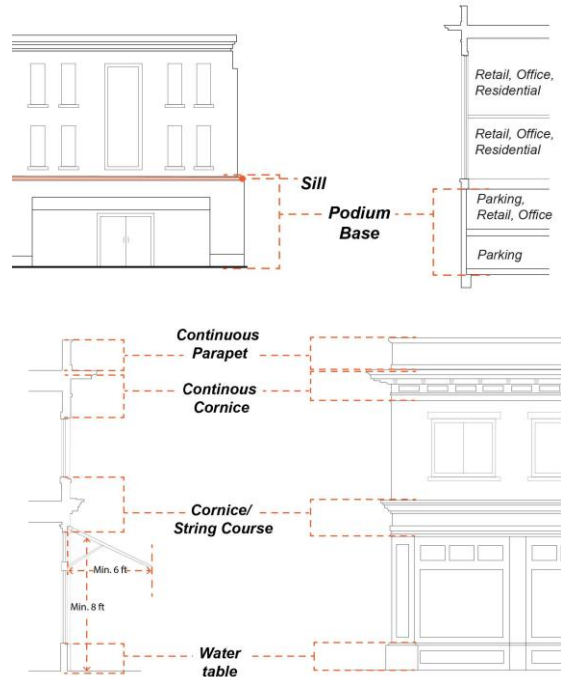
- a. When a building façade exceeds seventy-five (75) feet in length along a right-of-way, it must be separated into primary façade bays no greater than fifty (50) feet and secondary façade bays defined by a recess a minimum three feet deep and ten (10) feet wide.
- b. A minimum one entrance shall be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

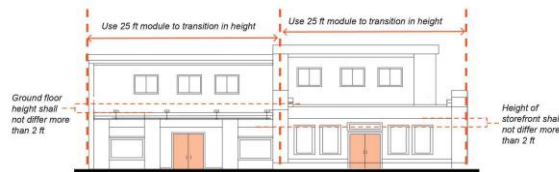
- a. One or more of the following patterns shall be used to define the base:
 - i. Watertable: Base material extends from grade to between eight and fifty-four (54) inches above grade.
 - ii. Podium: The base material encompasses the lowest story (or stories) of the building, with or without mezzanine(s), 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.



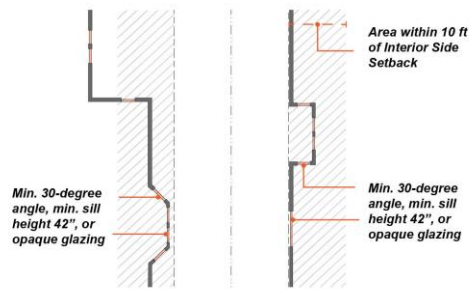
4. Adjacencies.

- 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.

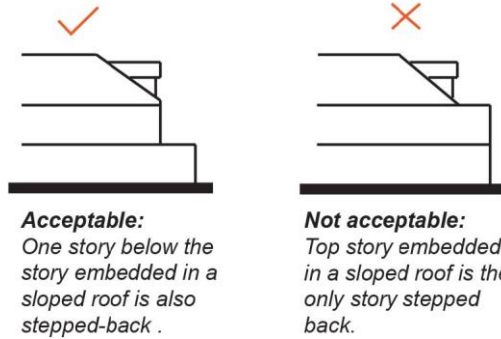


- b. Compatibility with Adjacent Shorter Buildings with Height Difference of One Story or More. When adjacent to an existing shorter building with a height difference of one story or more, a proposed building must utilize two or more of the following strategies:
 - i. Incorporate the uppermost floor into the roof form.

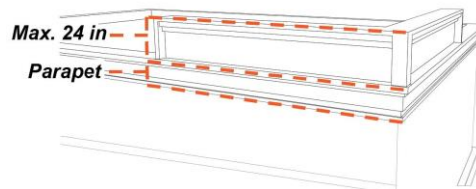
- ii. Break the mass of the building into smaller modules through changes in wall plane, setbacks, and/or height.
 - iii. Match window heights and/or proportions.
 - iv. Relate roof cornices and moldings at floor lines.
5. Privacy and Line of Sight.
- a. Primary living spaces and balconies located along 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.
 - 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.



- 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.

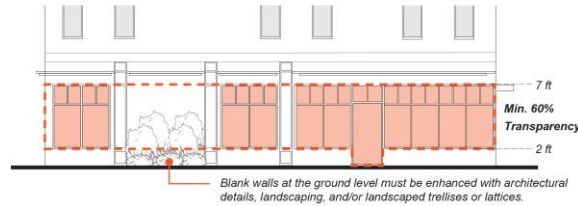


B. Building Design.

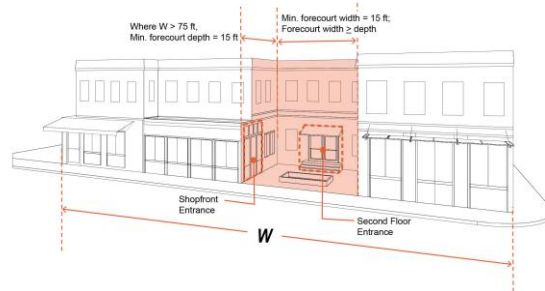
1. Façade Design.

- 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.

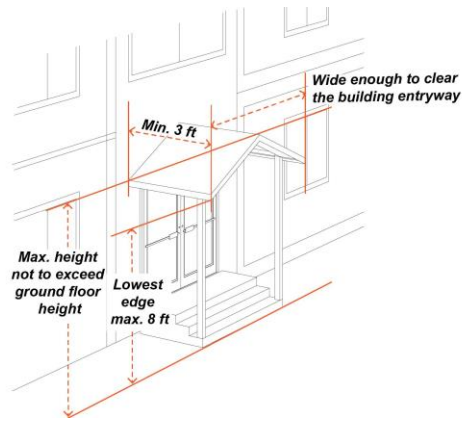
- v. Change in frontage type or change in details of shopfront frontage type if used.
 - vi. Use of upper floor projections such as bay windows or balconies.
2. Ground Level Transparency. A minimum sixty (60) percent of commercial ground floor street-facing façades between two and seven feet in height shall be transparent window surface. Opaque, reflective, or dark tinted glass is not allowed.



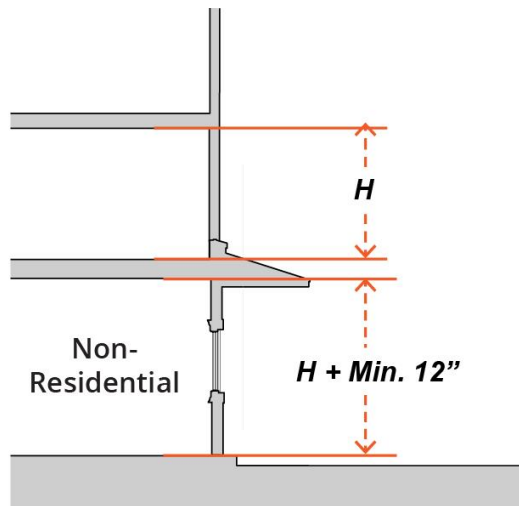
3. Pedestrian-Scaled Entrances.
- a. Building entrances must incorporate at least one of the following entry features. See Section 14.66.275 (Entrance Type Standards) for design standards applicable to each entrance type listed.
 - i. Stoop.
 - ii. Dooryard.
 - iii. Shopfront.
 - (a) Shopfronts more 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.



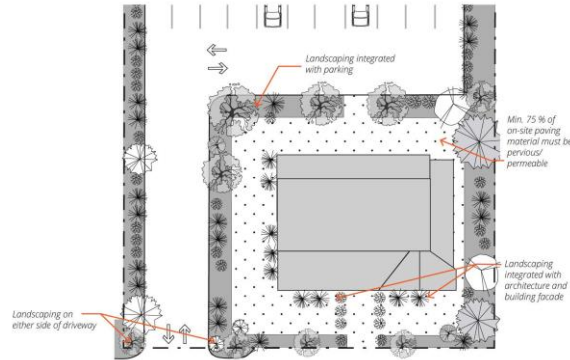
- f. Accent elements demarcating building frontage, entrance, and common open space areas shall not exceed the height of the ground floor story. Roof elements are excepted.
- 4. Ground Floor Floor-to-Ceiling Height. Minimum twelve (12) inches taller than typical upper floor floor-to-ceiling.



- 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.

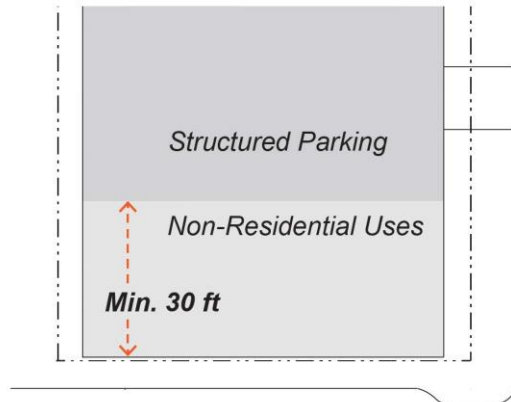
- i. The sill shall extend horizontally beyond the window opening or frame/casing (if present) at each end.
 - ii. The sill shall be sloped toward the outside.
 - iii. The sill shall have a drip at its outer edge.
 - 2. Vinyl windows are prohibited on façades visible from a right-of-way.
- D. Building 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.

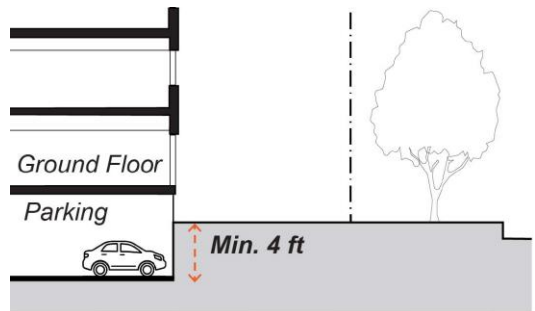


F. Parking Design and Access.

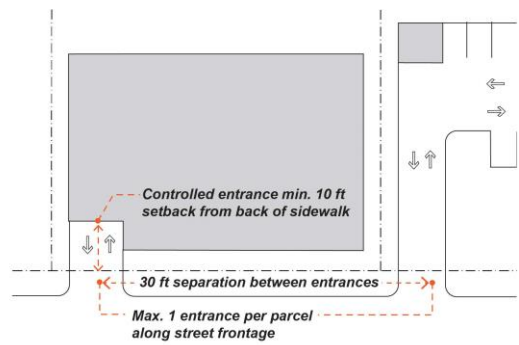
- 1. Where structured parking is provided, the parking area must be either:
 - a. "Lined" with ground-floor non-residential uses at least thirty (30) feet deep as measured from the front façade; or



- 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)

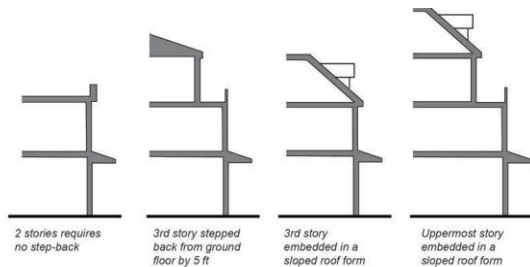
14.48.130 Design control (CRS).

A. Building Massing and Articulation.

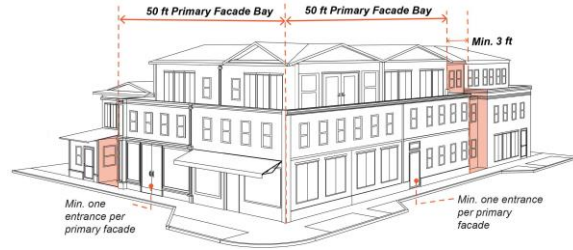
1. Upper-story Step-backs, Front and Street Side.

- 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.

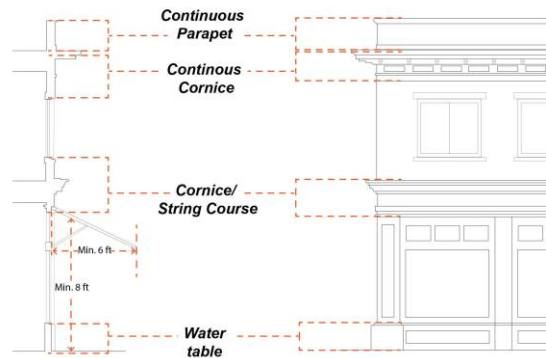


- a. When a building façade exceeds fifty (50) feet in length along a right-of-way, it must be separated into primary façade bays no greater than fifty (50) feet and secondary façade bays defined by a recess a minimum five feet deep and ten (10) feet wide.
- b. The building shall include at least one ground-floor entrance every twenty-five (25) feet.

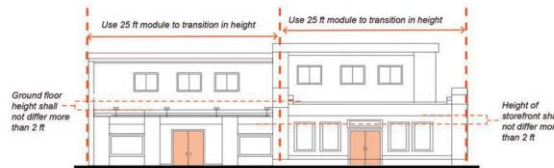


3. Horizontal Articulation. New façades and façade modifications along a street or civic space shall be designed to visually express a base, middle, and top.

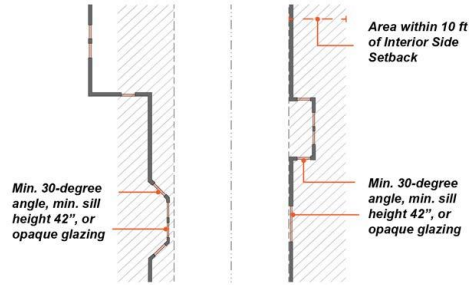
- a. One or more of the following patterns shall be used to define the base:
 - i. Watertable: Base material extends from grade to between eight and fifty-four (54) inches above grade.
 - ii. Podium: The base material encompasses the lowest story (or stories) of the building, with or without mezzanine(s), 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.

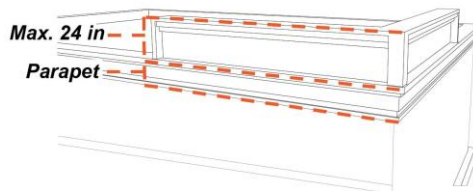
(a) When used on the first or second floor, a parapet longer than twenty-five (25) feet in length must include at least one but not more than two of the following design elements to break up the length of the parapet:

- (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.



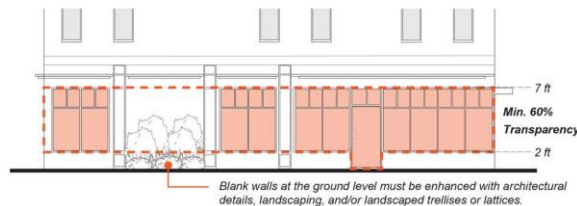
B. Building Design.

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:

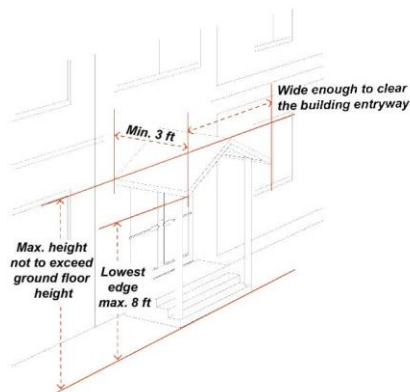
- i. Building façades shall be arranged in an orderly composition of bays, defined by vertically aligned openings alternating horizontally with solid walls or columns. The pattern shall be

- 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.

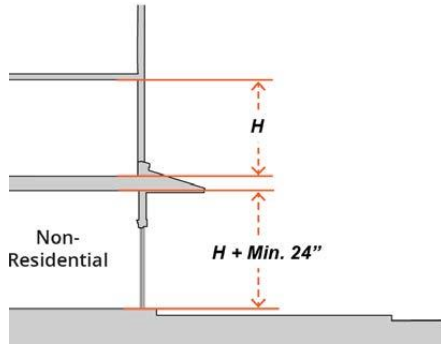


3. Pedestrian-Scaled Entrances.
- a. Building entrances must incorporate at least one of the following entry features. See Section 14.66.275 (Entrance Type Standards) for design standards applicable to each entrance type listed.
 - i. Stoop.
 - ii. Shopfront.
 - (a) The maximum width of single shopfront 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.



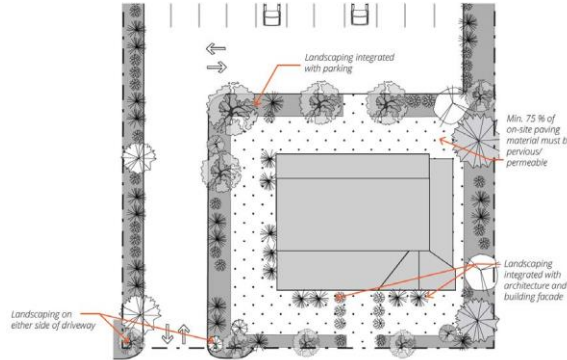
- f. Accent elements demarcating building frontage, entrance, and common open space areas shall not exceed the height of the ground floor story. Roof elements are excepted.
4. Ground Floor Floor-to-Ceiling Height. Minimum twenty-four (24) inches taller than typical upper floor floor-to-ceiling height.



- 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.

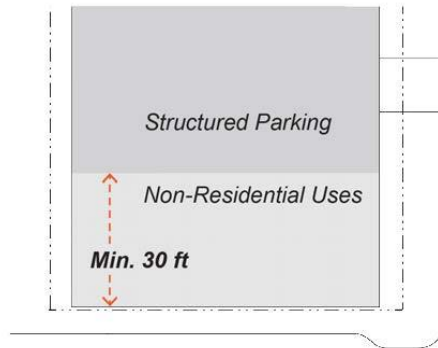
2. Secondary shall mean less than fifty (50) percent of a façade surface area excluding transparent surfaces. Permitted secondary cladding materials are limited to:
 - a. Stucco (minimum two-coat stucco; synthetic stucco not allowed, EIFS not allowed).
 - b. Siding (lap, vertical, or shingle).
 - i. 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.

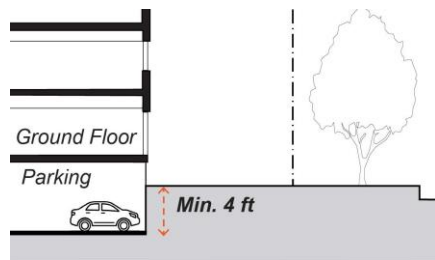


G. Parking Design and Access.

- 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

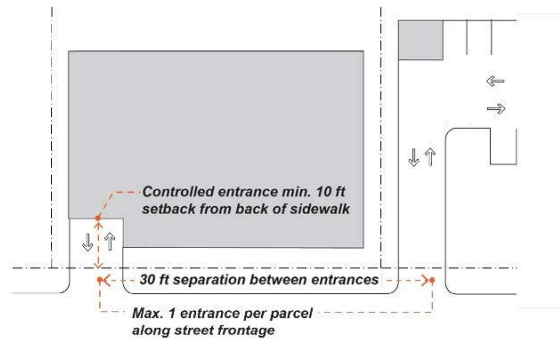


- b. Designed such that the floor elevation is a minimum four vertical feet below the elevation of the adjacent sidewalk.



- 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.~~

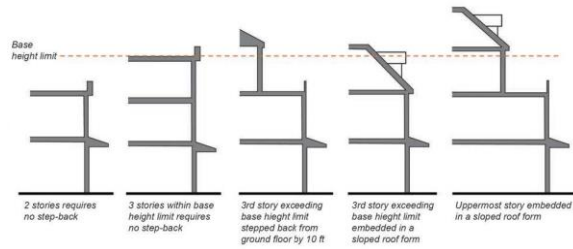
- ~~a. Residential Only Development(s) building height shall be a maximum of forty (40) feet and four (4) stories.~~
- ~~b. Mixed Use Development(s) building height shall be a maximum of forty-five (45) feet and four (4) stories.~~
- ~~c. Non-Residential Use Only Development(s) building height shall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

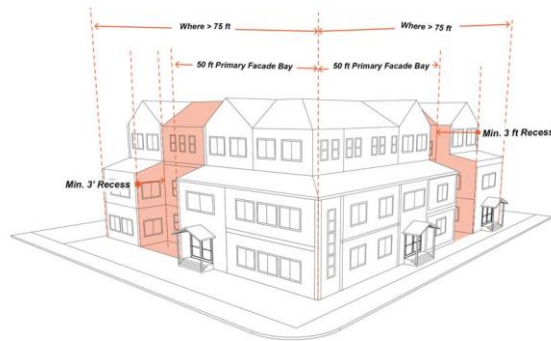
- A. Building Massing and Articulation.
 - 1. Upper-story Step-backs.
 - a. Front: Minimum ten (10) feet from ground floor façade for stories above thirty (30) feet in height (commercial or mixed use) or thirty-five (35) feet (residential only) as shown in the diagram.
 - b. Street Side: Minimum ten (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.



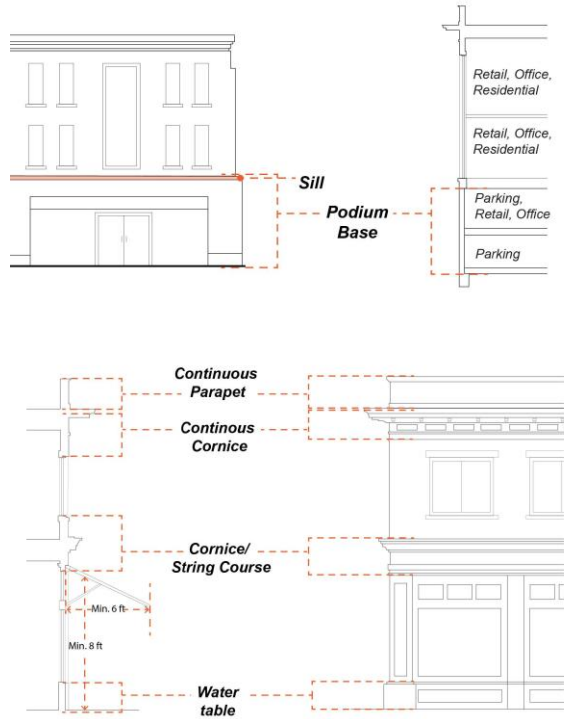
2. Vertical Articulation.

- 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.

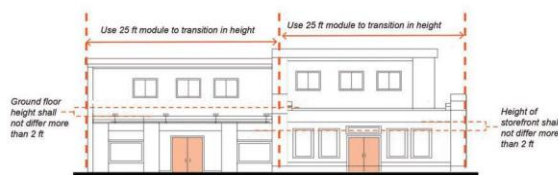
- a. One or more of the following patterns shall be used to define the base:
 - i. Watertable: Base material extends from grade to between eight and fifty-four (54) inches above grade.
 - ii. Podium: The base material encompasses the lowest story (or stories) of the building, with or without mezzanine(s), 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.

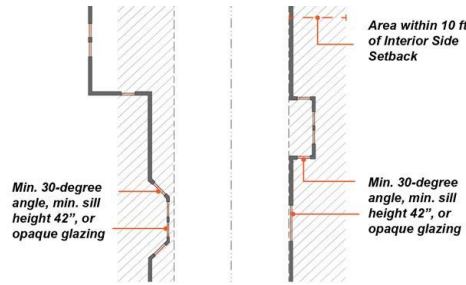


b. Compatibility with Adjacent Shorter Buildings with Height Difference of One Story or More. When adjacent to an existing shorter building with a height difference of one story or more, a proposed building must utilize two or more of the following strategies:

- 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.

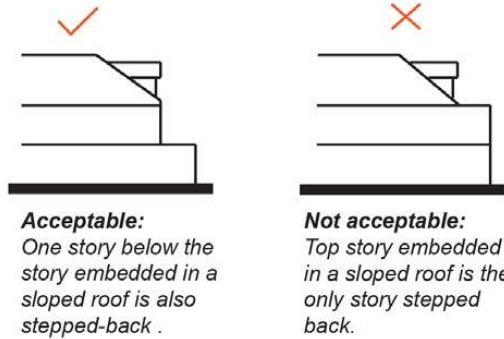
5. Privacy and Line of Sight.

- 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.

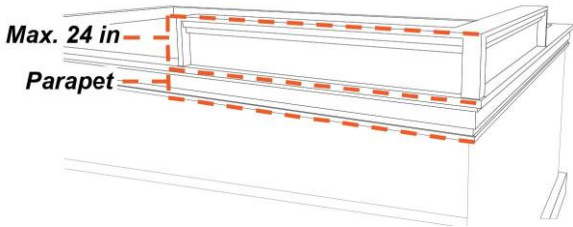


6. Roofline and Roof Design.

- 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.



- 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.

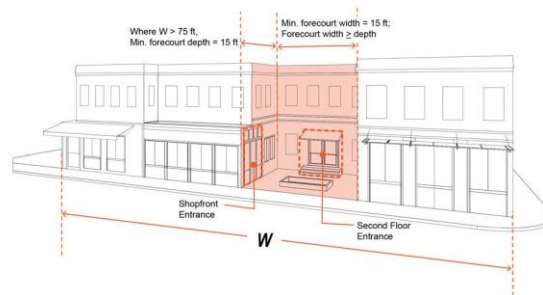


B. Building Design.

1. Façade Design.

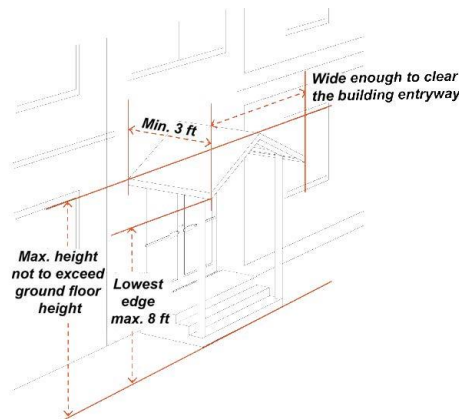
- a. Building façades must continue the pattern established by existing buildings in Downtown Los Altos by reinforcing the underlying maximum fifty (50) foot module along all street frontages through the use of the following techniques:
 - i. Building façades shall be arranged in an orderly composition 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.



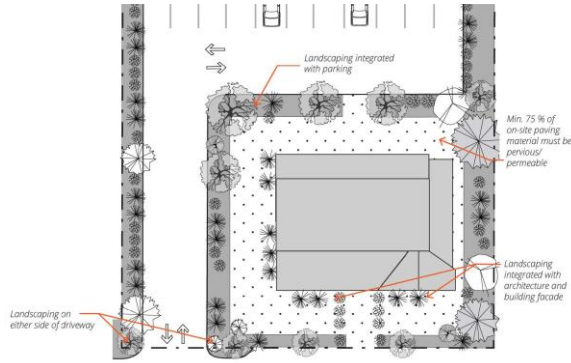
- h. Accent elements demarcating building frontage, entrance, and common open space areas shall not exceed the height of the ground floor story. Roof elements are excepted.
3. Ground Floor Floor-to-Ceiling Height.
- a. Minimum twenty-four (24) inches taller than typical upper floor floor-to-ceiling height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

- b. Minimum twelve (12) inches taller than typical upper floor floor-to-ceiling where ground floor is residential.

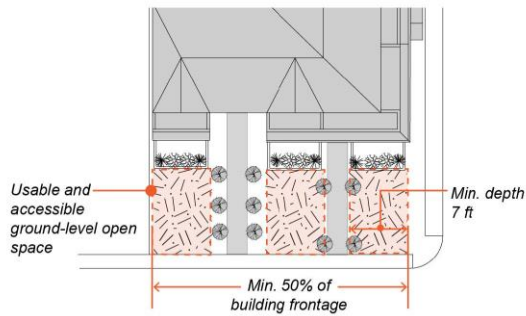


- 4. Interior Courtyard. Interior courtyards must be:
 - a. Partially visible from the street and linked to the street by a clear accessible path of travel.
 - b. Enclosed on at least two sides by buildings.
 - c. Open to the sky (arbors and trellises are allowed).
 - d. A minimum width of twenty (20) 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.

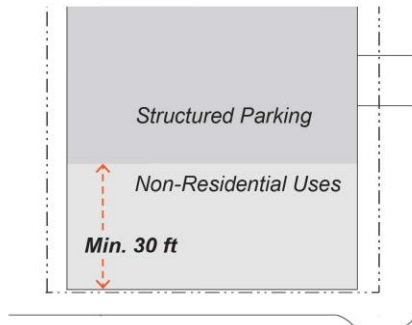


- G. Ground Level Open Space. The required front setback area for residential-only development must be improved with a usable open space a minimum of seven feet in depth for a minimum fifty (50) percent of the building frontage.

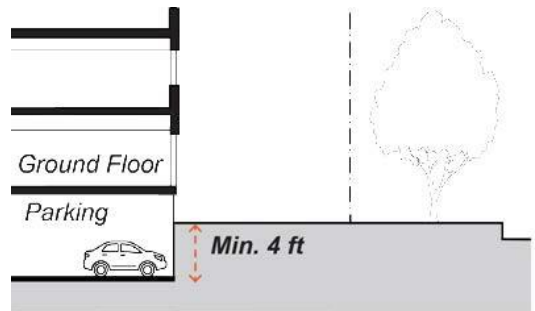


H. Parking Design and Access.

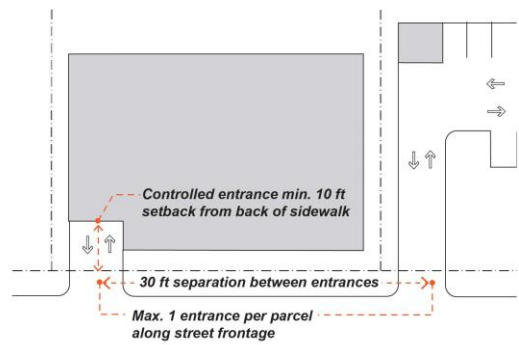
- 1. Where structured parking is provided, the parking area must be either:
 - a. "Lined" with ground floor non-residential uses at least thirty (30) feet deep as measured from the front façade; or



- 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))

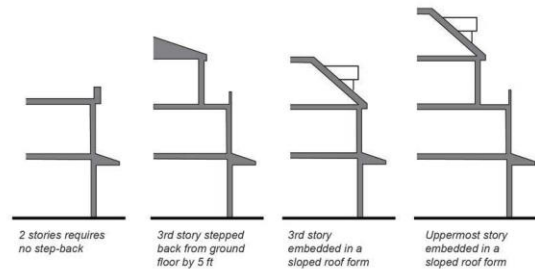
(Ord. No. 10-349, § 6, 4-27-2010)

14.54.130 Design control (CRS/OAD).

A. Building Massing and Articulation.

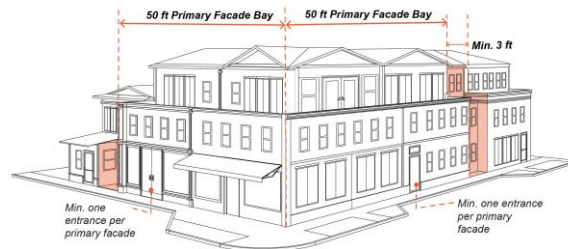
1. Upper-story Step-backs, Front and Street Side.

- 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.

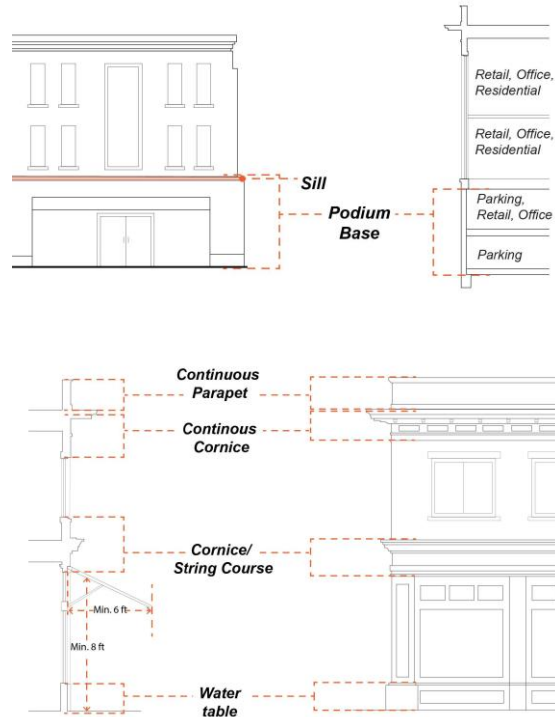
- a. When a building façade exceeds fifty (50) feet in length along a right-of-way, it must be separated into primary façade bays no greater than fifty (50) feet and secondary façade bays defined by a recess a minimum three feet deep and ten (10) feet wide.
- b. A minimum one entrance shall be provided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

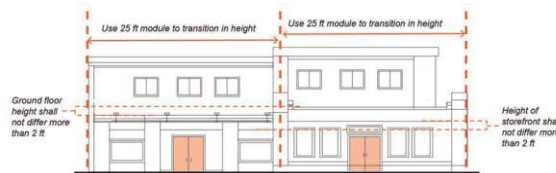
- a. One or more of the following patterns shall be used to define the base:
 - i. Watertable: Base material extends from grade to between eight and fifty-four (54) inches above grade.
 - ii. Podium: The base material encompasses the lowest story (or stories) of the building, with or without mezzanine(s), 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.



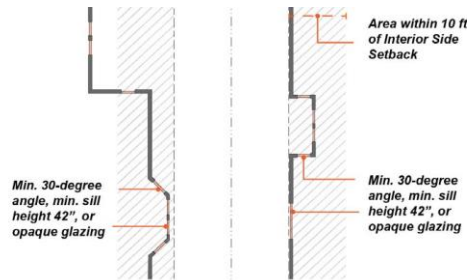
4. Adjacencies.

- 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.



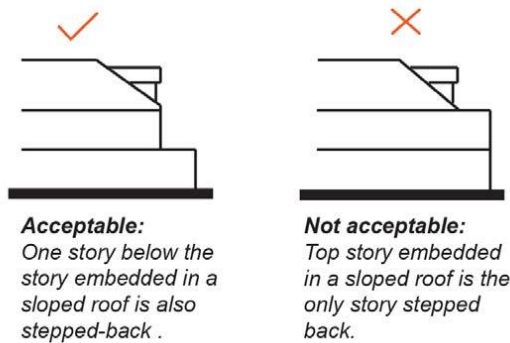
- b. Compatibility with Adjacent Shorter Buildings with Height Difference of One Story or More. When adjacent to an existing shorter building with a height difference of one story or more, a proposed building must utilize two or more of the following strategies:

- 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.

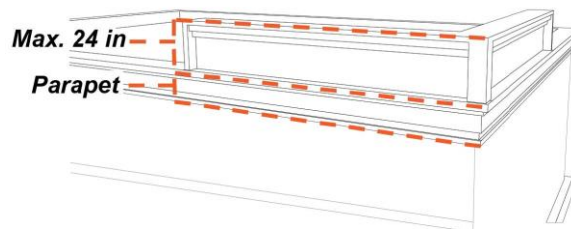


6. Roofline and Roof Design.
- a. Roof designs shall be limited to:
 - i. Hipped.
 - ii. Gable.
 - iii. Mansard.
 - (a) Applicable for buildings three or more stories.
 - iv. Dormer.
 - v. Parapet.
 - (a) When used on the first or second floor, a parapet longer than twenty-five (25) feet in length must 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.



- 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.

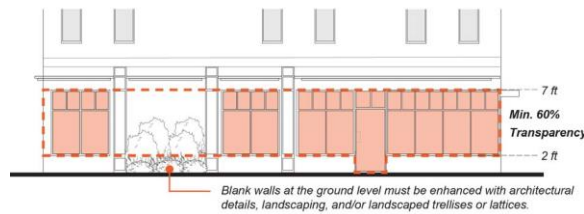


B. Building Design.

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:

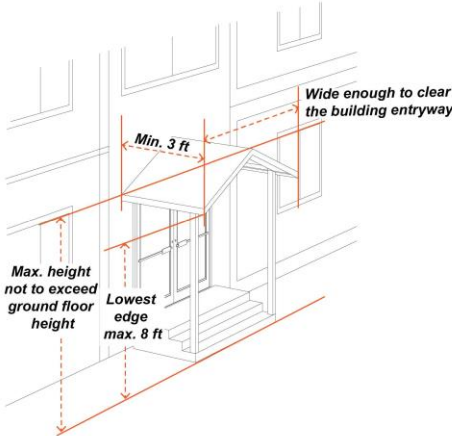
- i. Change in roof parapet height or shape.
 - ii. Change in roof style.
 - iii. Change in materials palette.
 - iv. Change in building height, minimum eight-foot difference.
 - v. Change in frontage type or change in details of shopfront frontage type if used.
 - vi. Use of upper floor projections 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.



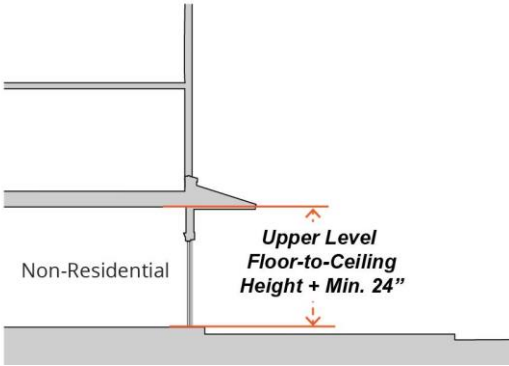
3. Pedestrian-Scaled Entrances.
- a. Building entrances must incorporate at least one of the following entry features. See Section 14.66.275 (Entrance Type Standards) for design standards applicable to each entrance type listed.
 - i. Shopfront
 - (a) Shopfronts more than twenty-five (25) feet in width 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.



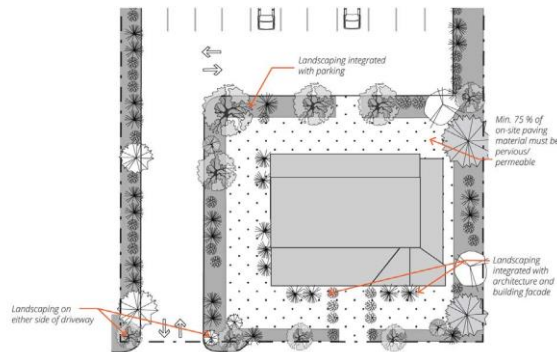
- f. Accent elements demarcating building frontage, entrance, and common open space areas shall not exceed the height of the ground floor story. Roof elements are excepted.
4. Ground Floor Floor-to-Ceiling Height. Minimum twenty-four (24) inches taller than typical upper floor floor-to-ceiling height.



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).

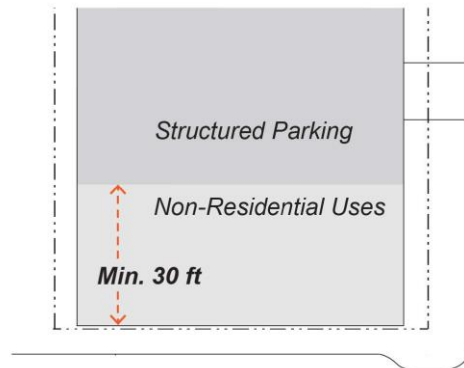
- d. A minimum width of twenty (20) feet and a minimum area of four hundred (400) square feet.
- 6. Paseos. Paseos must be:
 - a. A minimum width of ten (10) feet for through-block paseos.
 - b. A minimum width of four feet for entries to courtyards or individual single businesses.
- C. Window Design.
 - 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.

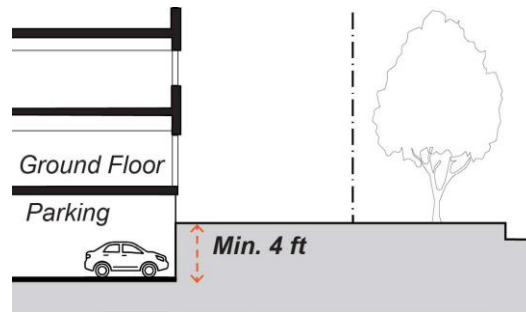


G. Parking Design and Access.

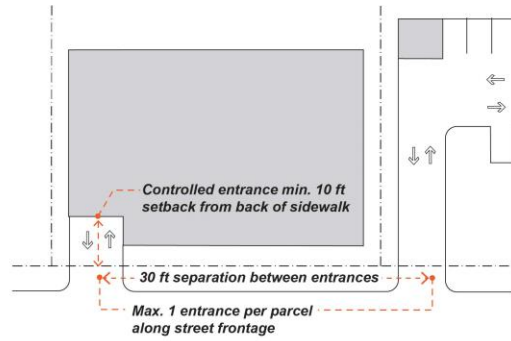
- 1. Where structured parking is provided, the parking area must be either:
 - a. "Lined" with ground floor non-residential uses at least thirty (30) feet deep as measured from the front façade; or



- 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](#) 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 (~~1,030~~) 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~~ (~~1,030~~) 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~~

(Supp. No. 40, Update 2)

~~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

M E M O R A N D U M

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.



AGENDA REPORT SUMMARY

Meeting Date: October 10, 2023

Subject: Special Events Policy

Prepared by: Anthony Carnesecca, Assistant to the City Manager

Reviewed by: Jon Maginot, Assistant City Manager

Approved by: Gabriel Engeland, City Manager

Attachment(s):

- 1. Ordinance No. 2023-XX LAMC 9.25 Special Events
- 2. Ordinance No. 2023-XX LAMC 9.25 Special Events Appendix A
- 3. Resolution No. 2023-XX Special Events Fees

Initiated by:

City staff

Previous Council Consideration:

None

Fiscal Impact:

Lower application fees may lead to lower revenues, but more events qualifying as special events may lead to a higher number of applications that could offset the lost revenue. The cost for staff time will still be invoiced to applicants in addition to the application fee.

Environmental Review:

Not applicable

Policy Question(s) for Council Consideration:

- Does the City Council wish to adjust Los Altos Municipal Code 9.25 “Special Events” with the recommended changes?
- Does the City Council wish to adjust special event fees to be more in line with comparable jurisdictions?

Summary:

- City Council created Los Altos Municipal Code 9.25 “Special Events” in March 2007 that governs special events.
- This section of the Muncipal Code must be updated in context of the current special event landscape and current special events coming into the City for review.



Subject: Los Altos Special Events Policy

Staff Recommendation:

Approve Ordinance No. 2023-XX and Resolution No. 2023-XX.

Purpose

Update Los Altos Municipal Code 9.25 “Special Events” by streamlining the special event process and adjust the special event fees.

Background

The City Council adopted Los Altos Municipal Code 9.25 “Special Events” in March 2007 that governs special events. This section has governed how the City has managed special events for the last fifteen years. Over the course of those fifteen years, special events have changed and this code section needs to be re-evaluated based upon the current needs of the Los Altos community.

So far in 2023, the City has received 23 special event applications. These special event applications vary from one-time concerts at Grant Park to the weekend-long Art and Wine Festival to the weekly Farmers Market in downtown. They also vary in attendance from large events such as the weekend-long Fine Art in the Park to the multi-minute (depending upon the speed of Los Altos children in any given year) Spring Egg Hunt.

Discussion/Analysis

Special Events

City staff recommends a number of changes to Los Altos Municipal Code 9.25 “Special Events” that will allow the City to simplify a confusing code section, retain control over more events on public property, and simplify the special event and block party process.

Below are the major edits for the Special Events code section:

- Add new bullet points to our “special event” definition that will incorporate more events that have not historically been defined as a special event
- Remove unnecessary language that will make the code section more coherent
- Create uniform standard response times for all special event sections regardless of activity
- Remove subjective language regarding “expressive activity”
- Condense application requirements for future special events
- Break block parties into their own subsection of the Municipal Code so there will be two types of events in special events and block parties
- Change the name of sponsored special events to be more accurate

Special Event Fee

Currently, the FY23-24 Fee Schedule charges \$1,728.15 for a new special event and \$1,152.10 for an ongoing special event in addition to the actual cost for services for the special event operations. City staff supports this model with an initial application fee and a charge for the actual cost of



Subject: Los Altos Special Events Policy

services, but this application fee should be lowered to be in line with similar cities and to allow more special events to occur, especially ones that require minimal City services.

Based on a review of comparable jurisdictions, city staff recommends that the City of Los Altos alter its application fee structure to charge differently for-profit and not-for-profit applicants. Below is a chart of similar jurisdictions and their fees for special events:

Jurisdiction Name	Initial Application Fee
Los Altos	New Event: \$1,728.15 Ongoing Event: \$1,152.10
Saratoga	\$300
Los Gatos	For Profit New Event: \$910 Ongoing Event: \$680 Non-Profit New Event: \$227 Ongoing Event: \$170
Campbell	\$500
Menlo Park	Minor Event \$125 Major Event \$250

Based on these cities' average application fees, staff recommends the following fee schedule:

Event Type	Organization Type	Application Fee
New Event	For-Profit	\$500
New Event	Non-Profit	\$400
Ongoing Event	For-Profit	\$200
Ongoing Event	Non-Profit	\$150

This will give organizations a lower barrier to entry and more access to hosting special events, which play an essential role in building community and creating vibrancy in Los Altos.

This would be the base application fee and then the City would charge for the actual cost of services rendered by individual departments.

Recommendation

The staff recommends adopting Ordinance No. 2023-XX and Resolution No. 2023-XX.

ORDINANCE NO. 2023-__

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
LOS ALTOS AMENDING SECTION 9.25 OF THE LOS ALTOS
MUNICIPAL CODE GOVERNING SPECIAL EVENTS AND
BLOCK PARTIES**

WHEREAS, The City Council adopted Los Altos Municipal Code 9.25 “Special Events” in March 2007 that governs special events and how the City has managed special events for the last fifteen years; and

WHEREAS, These special event applications vary from one-time concerts at Grant Park to the weekend-long Art and Wine Festival to the weekly Farmers Market in downtown; and

WHEREAS, These edits will simplify a confusing code section, retain control over more events on public property, and simplify the special event and block party process; 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.

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

SECTION 1. AMENDMENT OF CODE: Chapter 9.25 of the Los Altos Municipal Code as set forth in Appendix A to this Ordinance.

SECTION 2. CONSTITUTIONALITY. If any section, subsection, sentence, clause or phrase of this code is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this code.

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 date.

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, CITY CLERK

9.25.010 Definitions.

As used in this chapter:

"Block party" means an outdoor neighborhood gathering coordinated by the residents of that neighborhood that includes the closure of a public right of way within an area zoned for residential use. Block parties may not include the closure of arterial streets and may not be for commercial, for-profit, or advertising purposes.

"City manager" means the city manager of the city of Los Altos and ~~his or her~~ their designee.

"Demonstration" means any formation, procession or assembly of persons for the purpose of expressive activity, who intend to or do assemble or travel in unison on any street, sidewalk or other public right-of-way owned or controlled by the city in a manner that does not comply with normal or usual traffic regulations, laws or controls.

"Departmental services charges" means the actual costs which a department of the city incurs in connection with activities for which a permit is required under this chapter, including, but not limited to, costs associated with fire safety, police-conducted traffic and/or pedestrian control, the closure of streets or intersections, the diverting of traffic, the salaries of city personnel involved in administration or coordination of city services for the event, the cost to the city to provide support personnel, equipment, materials and supplies, and related city costs such as fringe benefits or employee overtime. Departmental services charges shall not include costs incurred by the city to provide police protection to those engaged in "expressive activity" as that term is defined in this chapter.

~~"Event" means and includes a special event or a demonstration.~~

"Event organizer" means any person who conducts, manages, promotes, organizes, aids or solicits attendance at a special event.

"Expressive activity" means conduct, the sole or principal object of which is the expression, dissemination or communication by verbal, visual, literary or auditory means of opinion, views or ideas. Expressive activity includes, but is not limited to, public oratory and the distribution of literature.

"Person," as used in this chapter, means any natural person, firm, association, joint venture, joint stock company, partnership, organization, club, company, corporation, business trust or manager, lessee, agent, servant, officer or employee or any of them, except where the context clearly requires a different meaning.

"Sidewalk" means that portion of a highway, other than the roadway, set apart by curbs, barriers, markings, or other delineation for pedestrian travel.

"Special event" means:

1. Any organized formation, parade, procession, demonstration or assembly which may include persons, animals, vehicles, or any combination thereof, which is to assemble or travel in unison on any street, sidewalk or other public right-of-way owned or controlled by the city which does not comply with applicable traffic regulations, laws or controls; or
2. Any organized assemblage of one hundred fifty (150) or more persons at any public place or property which is to gather for a common purpose under the direction or control of a person; or
3. Any other organized activity involving one hundred fifty (150) or more persons conducted by a person for a common or collective use, purpose or benefit which involves the use of, or has an impact on, public property and which may require the provision of city public services in response thereto; or
4. Any organized activity conducted in public areas, such as a City street, sidewalk, alley or other right-of-way, or private property which generates a crowd of spectators sufficient in size to obstruct, delay or interfere with the normal flow of pedestrian or vehicular traffic or to restrict access to parks, recreation areas or other public areas; or
5. Any event that requires a special event permit through Santa Clara County Fire.

4—Examples of special events include, but are not limited to, concerts, parades, circuses, fairs, festivals, ~~block parties~~, street fairs, community events, mass participation sports (such as marathons and other running events), athletic or sporting events, and community celebrations and observances conducted on public property or public rights-of-way.

"Special event permit" means a permit issued pursuant to this chapter.

"Special event venue" means that area for which a special event permit has been issued.

"Street" means a way or place of whatever nature, publicly maintained and open to use of the public for purposes of vehicular travel. Street includes highways or alleys.

9.25.020 Permit required.

- A. Except as provided by this code or pursuant to the terms of a permit, lease or contract which has been specifically authorized by the city council for the use of city facilities which do not require street closure or traffic diversion, no person shall conduct or cause to be conducted, participate or engage in, hold, manage, permit or allow another to conduct a special event, in, on or upon any city street, sidewalk, alley, park, way, public place, public property or public right-of-way which is owned or controlled by the city without first having obtained a written permit from the city manager.
- B. The city manager may also approve and permit the sale or use of alcoholic beverages in public areas in connection with a special event where it is not expressly prohibited by this code provided that such sale or use shall, at all times, comply with all other applicable provisions of law. Any denial by the city manager of approval for a permit to sell or use alcoholic beverages under this subsection may be appealed as provided in Section 9.25.1340.
- C. The city manager is authorized to issue permits for special events and block parties pursuant to the procedures established in this chapter.
- D. The city manager may condition any permit issued pursuant to this chapter with reasonable requirements concerning the time, place or manner of holding such event as is necessary to coordinate multiple uses of public property, assure preservation of public property and public places, prevent dangerous, unlawful or impermissible uses, protect the safety of persons and property and to control vehicular and pedestrian traffic in and around the venue, provided that such requirements shall not be imposed in a manner that will unreasonably restrict expressive or other activity protected by the California or United States Constitutions. Conditions may include, but are not limited to, the following:
 - 1. The establishment of an assembly or disbanding area for a parade or like event;
 - 2. The accommodation of an event's pedestrian and vehicular traffic, including restricting events to city sidewalks, portions of a city street, or other public right-of-way;
 - 3. Conditions designed to avoid or lessen interference with public safety functions and/or emergency service access;
 - 4. The number and type of vehicles, animals, or structures to be displayed or used in the event;
 - 5. The inspection and approval by city personnel of stages, booths, floats, structures, vehicles or equipment to be used or operated in the event to ensure that such structures or vehicles are safely constructed and can be safely operated, and conform to the requirements of all applicable codes;
 - 6. A cleaning deposit if the event includes using structures, displaying or using horses or other large animals, operation of water stations, food distribution or sales, beverage distribution or sales, and/or sale of other goods or services;
 - 7. The provision and use of traffic cones or barricades;
 - 8. The provision or operation of first aid stations or sanitary facilities, including handicap-accessible sanitary facilities;

9. The provision of a waste management plan, and the cleanup and restoration of the site of the event;
 10. The use of sound amplification equipment, and restrictions on the amount of noise generated by motors and other equipment used in the course of the event;
 11. The manner of providing notice of permit conditions to permit participants and those businesses or residents who may be directly affected by the conduct of the event;
 12. The provision or use of emergency services;
 13. The reasonable designation of alternate sites, times, dates, or modes for exercising expressive activity;
 14. The obtaining of any and all business licenses or other necessary permits required by this code for the sale of food, beverage or other goods or services at the event; and
 15. The manner by which alcohol sales and service, if any, shall be conducted at the event.
- E. Issuance of a special events permit pursuant to this chapter does not obligate or require the city to provide city services, equipment or personnel in support of an event although the city manager may provide such services, equipment or personnel if such are reasonably available and the event organizer makes provisions to reimburse the city for the cost thereof.

9.25.030 Exceptions to the special event permit requirement.

- A. The following activities are exempt from the special event permit requirement:
1. Funeral processions by a licensed mortuary or funeral home;
 2. Activities conducted by a governmental agency acting within the scope of its authority;
 3. With the exception of organized fund raisers, events which take place on streets, sidewalks, or other public rights-of-way owned or controlled by the city including, but not limited to, lawful picketing wherein all applicable traffic regulations, laws or controls are complied with and no traffic diversion or street closures are required;
 4. Spontaneous parades, assemblies or demonstrations involving expressive activity and which are occasioned by news or affairs coming into public knowledge within five calendar days of such parade, assembly or demonstration, provided that the organizers thereof give written notice to the city manager at least twenty-four (24) hours prior to such parade or assembly. Such written notice shall contain all of the following information:
 - a. The name, address and telephone number of the person or persons seeking to conduct the parade or assembly, headquarters of such organization, and the person who will chair the parade or assembly. This person or these persons shall be considered a permittee for the purposes of this section,
 - ~~b. The name, address and telephone number of the headquarters of the organization, if any, and of the organizer or responsible head of such organization by whom or on whose behalf the parade or assembly is proposed to be conducted,~~
 - ~~c. The name, address and telephone number of the person who will chair the parade or assembly and who will be responsible for its conduct,~~
 - ~~d. b. The location, and date, time, duration, and estimated attendance of the proposed parade or assembly, including the assembly area, disbanding area, and the route to be traveled,~~
 - ~~e. An estimate of the approximate number of persons who will be participating in the parade or assembly and an estimate of the approximate number of persons who will be observing the parade or assembly,~~

- f. ~~The time at which the parade or assembly will start and conclude,~~
- g. ~~c. The type of security or other arrangements that will be provided to assure that participants are properly directed.~~
- B. The city manager may impose reasonable time, place and manner restrictions on spontaneous parades, assemblies or demonstrations governed by this section whether or not said activities are governed by the permit requirements set forth in this chapter.
- C. The city manager may deny permission to conduct a spontaneous parade, assembly or demonstration if the city manager makes a finding requiring denial pursuant to Section 9.25.0780. Such finding by the city manager shall be made no later than six hours before the scheduled start time for the event. If the city manager makes a finding pursuant to Section 9.25.0780, the city manager shall immediately provide notice of the denial, including the reason or reasons for the denial, by telephone to the permittee and shall also provide written notice of the denial including the reason for the denial. If the permittee provides a fax number for the purpose of receiving notices, the city manager shall provide written notice of the denial by fax immediately upon making the denial decision. In lieu of denial, the city manager may propose to the applicant an alternative time, route, venue or manner of conducting the activity which alternative would be acceptable to the city and which would obviate any finding made pursuant to Section 9.25.070.

9.25.040 Special event pPermit application.

- A. The application for a permit under this chapter to conduct or engage in any special event as defined in this section of the Municipal Code shall be filed with the City Manager, ~~which involves the use of city streets, alleys, sidewalks, parks, ways, public property or public right-of-way owned or controlled by the city shall be filed with the city manager.~~
- B. Applications shall be filed not less than sixty (60) calendar days, nor more than one year before the time it is proposed to conduct the special event, except that applications for block party permits shall be filed at least ten (10) business days prior to the event, and except that applications for expressive activities shall be filed in accordance with subsection D of this section.
- C. Except as otherwise applicable, the city manager shall, within ten (10) business days, determine whether such application is or is not complete. In the case of an event involving expressive activity, the city manager shall determine whether or not such application is complete within two business days of said application being submitted to the city manager. Notwithstanding the city manager's acceptance of a completed application, no event date shall be considered confirmed until a special event permit is issued.
- D. ~~Unless otherwise specified in this chapter, an application for a special event by a person engaging in expressive activity for which a permit is required pursuant to this chapter shall be filed as follows:~~

Permitted Activity Involves Use of	Must Be Filed Within Specified Number of Business Days of Prior to the Event
Streets, highways and thoroughfares	10
Alleys and other rights of way other than sidewalks	5
Sidewalks	3
Parks	3
Other	3

- E. ~~Applications for special events involving expressive activity or block parties, for which a permit is required pursuant to this chapter, may be filed in advance of the time periods set forth above but in no event more~~

than one year prior to the event date. If an applicant for an event involving an expressive activity or block party desires to ensure the opportunity for an appeal to the city council in accordance with Section 9.25.130(A), the application shall be filed with the city manager not less than thirty (30) calendar days, nor more than one year before the time when it is proposed to conduct the event. Failure to file the application at least thirty (30) calendar days prior to the proposed activity shall be deemed to be a waiver of an appeal to the city council and in that event the decision of the city manager shall be final and the event organizer or other aggrieved person may file or cause to be filed a petition for writ of mandate in state court regarding the validity of the city manager's decision to grant or deny the application.

- F. ~~D.~~ Each application shall be accompanied by a nonrefundable permit application fee in an amount established from time to time by resolution of the city council. The city manager shall have the authority, if good cause is shown and the nature of the application reasonably and feasibly lends itself to expedited processing, to consider, grant or deny any application for a permit which is filed later than the time prescribed in this section.
- G. ~~E.~~ Completed applications for a permit authorizing a special event shall be denied, approved, or conditionally approved by the city manager within thirty (30) calendar days after the city manager determines that the application is complete. ~~Completed applications for a permit involving "expressive activity" as defined in this chapter shall be denied, approved, or conditionally approved by the city manager within two business days after the city manager determines that the application is complete. In the case of expressive activity, the city manager shall promptly attempt to notify the applicant orally, and provide written notification to the applicant as soon as it is reasonably practical to do so. Such notice shall provide detailed facts and reasons for any denial or conditional approval. The city manager shall consult with the city attorney before denying or conditionally approving a permit involving "expressive activity" (including all activities wherein the applicant claims or contends that the proposed event involves expressive activity) as that term is defined in this chapter.~~
- H. Applications shall be upon a form which is furnished by or acceptable to the city manager. Each application shall contain full, complete and detailed information including, but not limited to, the following:
 - 1. The name, address and telephone number of the event organizer;
 - 2. A certification that the event organizer shall be financially responsible for any city fees, departmental services charges or costs that may lawfully be imposed for the event;
 - 3. ~~The name, address and telephone number of the event organizer, if any, and the chief officer of the event organizer;~~
 - 4. ~~If the special event is designed to be held by, on behalf of, or for any organization other than the event organizer, the event organizer for the special event permit shall file a written communication from such organization:~~
 - a. ~~Authorizing the event organizer to apply for the special event permit on its behalf,~~
 - b. ~~Certifying that the event organizer and its principal shall be financially responsible for any city fees, departmental services charges or costs that may lawfully be imposed for the event;~~
 - 5. ~~A copy of the tax exemption letter issued for any applicant claiming to be a tax exempt nonprofit organization;~~
 - 6. ~~3.~~A statement of the purpose of the special event, including any fees to be charged to participants or spectators in connection with the special event;
 - 7. ~~A statement of any fees to be charged to participants or spectators in connection with the special event;~~

- ~~8.~~ 4. The proposed location of the special event including a plot plan depicting the placement of temporary structures or facilities on public property or public rights-of-way and any assembly or production area;
 - ~~9.~~ 5. The date and times when the special event is to be conducted, including the assembly and disbanding of the special event;
 - ~~10.~~ The approximate times when assembly for, and disbanding of, the special event is to take place;
 - ~~11.~~ The proposed locations of the assembly or production area;
 - ~~12.~~ 6. In the case of a parade, marathon or other similar event, the specific proposed site or route, including a map and written narrative of the route, including disbanding areas and alternate routes, sites, or times where applicable;
 - ~~13.~~ The proposed site for any disbanding area;
 - ~~14.~~ Proposed alternate routes, sites or times, where applicable;
 - ~~15.~~ 7. The approximate number of persons, animals (including types of animals) or vehicles (including types of vehicles) that will participate in the special event;
 - ~~16.~~ The kinds of animals anticipated to be part of the special event;
 - ~~17.~~ A description of the types of vehicles to be used in the special event;
 - ~~18.~~ 8. The number of bands or other musical units and the nature of any equipment to be used to produce sounds or noise;
 - ~~19.~~ 9. Other equipment or services necessary to conduct the special event with due regard for participant and public health and safety;
 - ~~20.~~ 10. The number and locations of persons proposed or required to monitor or facilitate the special event and provide spectator or participant control and direction for events using city streets, sidewalks, or facilities;
 - ~~21.~~ 11. Provisions for first aid or emergency medical services, or both, based upon event risk factors;
 - ~~22.~~ 12. Insurance information, if applicable;
 - ~~23.~~ Any special or unusual requirements that may be imposed or created by virtue of the proposed event activity;
 - ~~24.~~ 13. Any other information reasonably required by the city manager.
- I. The city manager may refer the application to such appropriate city departments as he or she deems necessary from the nature of the application for review, evaluation, investigation and recommendations by the departments regarding approval or disapproval of the application.
- J. The city manager shall issue a permit under this chapter if the city manager finds that the following criteria have been met:
1. The proposed use of the property is not governed by or subject to any other permit procedures provided elsewhere in this code or other applicable laws, rules or regulations;
 2. The event will not substantially interrupt public transportation or other vehicular and pedestrian traffic in the area of its location;
 3. The event will not conflict with construction or development in the public right-of-way or at a public facility;

4. The event will not require the diversion of public safety or other city employees from their normal duties so as to unreasonably reduce adequate levels of service to any other portion of the city;
 5. The concentration of persons, animals or vehicles will not unreasonably interfere with the movement of police, fire, ambulance, and other public safety or emergency vehicles on the streets;
 6. The event will not unreasonably interfere with any other special event for which a permit has already been granted or with the provision of city services in support of other scheduled events or scheduled government functions;
 7. The event will not have an unmitigatable adverse impact upon residential or business access and traffic circulation in the same general venue area;
 - ~~8. If the event is a marathon, it will not occur within one hundred eighty (180) calendar days of another marathon unless such event receives prior approval by the city council;~~
 - ~~9. The event will not adversely affect the city's ability to reasonably perform municipal functions or furnish city services;~~
 - ~~10. 8.~~The proposed use, event or activity will not have a significant adverse environmental impact;
 - ~~11. 9.~~That in the case of a block party or other similar neighborhood event over one hundred fifty (150) or more persons, the applicants have submitted a neighborhood letter or petition in favor of the event. For block parties or other similar events less than one hundred fifty (150) or more persons, will be required to provide the Los Altos police department notification and barricade requirements and be subject to a service charge fee;
 - ~~12. 10.~~That the provisions of Sections 9.25.0890 (insurance) and 9.25.09100 (departmental service charges), if applicable, have been or will be satisfied.
- K. In determining whether to approve a permit application for an event involving expressive activity, no consideration may be given to the message of the event, the content of the speech, the identity or associational relationships of the event organizer or its members or affiliates, or to any assumptions or predictions as to the amount of hostility which may be aroused in the public by the content of the speech or the message conveyed during the event.

9.25.050 Special event pPermit application fee.

- A. Except as otherwise provided by this chapter, or when funded or waived by council resolution or ordinance, or other applicable law, rule or regulation, or by the terms of a permit, license, lease or contract which has been specifically authorized by the city council, any permit fee, application fee, daily fee, and other additional fee (other than departmental services charges) for the use of city streets or other city-owned or controlled property pursuant to this chapter shall be established by the city council by resolution.
- B. Any indigent natural person who intends to engage in "expressive activity" as defined in this chapter who cannot apply for a permit because of an inability arising from such indigence to pay the application fee shall not be required to pay the fee. Application for indigent status shall be made at the time of permit application and shall be accompanied by such relevant information and documentation as may, in the opinion of the city manager or his or her designee, be reasonably necessary to verify such status. For purposes of this section, "indigent natural person" includes, but is not limited to, a person eligible for county relief and support as an indigent person under Section 17000 et seq., of the California Welfare and Institutions Code or as said section(s) is/are amended from time to time.

9.25.060 Block party permit application

- A. The application for a permit under this chapter to conduct or engage in any block party as defined in this section of the Municipal Code shall be filed with the City Manager.
- B. Applications shall be filed not less than ten (10) calendar days, nor more than one year before the time proposed to conduct the block party.
- C. Except as otherwise applicable, the city manager shall, within five (5) business days, determine whether such application is or is not complete. Notwithstanding the city manager's acceptance of a completed application, no event date shall be considered confirmed until a special event permit is issued.
- D. Completed applications for a permit authorizing a special event shall be denied, approved, or conditionally approved by the city manager within five (5) calendar days after the city manager determines that the application is complete.
- E. Applications shall be upon a form which is furnished by or acceptable to the city manager. Each application shall contain full, complete and detailed information including, but not limited to, the following:
 - 1. The name, address and telephone number of the event organizer;
 - 2. A certification that the event organizer shall be financially responsible for any city fees, departmental services charges or costs that may lawfully be imposed for the event;
 - 3. The proposed location of the block party including a plot plan depicting the placement of temporary structures or facilities on public property or public rights-of-way and any assembly or production areas;
 - 4. The date and times when the block party is to be conducted, including the assembly and disbanding of the block party.

9.25.0670 Permit term.

Any permit issued under this chapter shall not be for a period of more than two consecutive days except as otherwise provided in this code; however, the city manager, upon timely application by a permittee, may extend the duration of any permit, except as otherwise provided in this code, for one additional period of not more than three consecutive days if the city manager finds that all criteria set forth in Section 9.25.040(J) are being met and will continue to be met during the period of term extension.

9.25.0780 Permit denial or revocation.

- A. The city manager may deny any application for a permit or revoke any permit if he or she finds any of the following:
 - 1. The permitted event or activity will unreasonably disrupt traffic within the city; or
 - 2. The permitted event or activity will unreasonably interfere with access to police or fire stations, or other public safety facilities; or
 - 3. The location of the event or activity will cause undue hardship to adjacent businesses or residents; or
 - 4. The permitted event or activity will require the diversion of so many public employees that allowing the event would unreasonably deny service to the remainder of the city; or
 - 5. The application contains incomplete, false or misleading information; or
 - 6. The city manager is unable to make all of the relevant findings pursuant to Section 9.25.040(J); or

7. The applicant fails to comply with all terms of this chapter including failure to remit all fees and deposits, or fails to provide proof of insurance and/or an indemnification agreement as required by this chapter; or
 8. The event is proposed for a time and place for which another event permit has been or will be issued to a prior applicant; or
 9. The proposed area for the assembly or for the set up or dispersal of a parade or demonstration could not physically accommodate the number of participants expected to participate in the assembly, parade or demonstration; or
 10. The parade, assembly or demonstration is proposed to take place on the roadway portion of any street in a commercial or retail zone between the hours of 7:00 a.m. and 10:00 a.m. or between the hours of 4:00 p.m. and 6:30 p.m., Monday through Friday, unless the parade, assembly or demonstration will occur on a national holiday; or
 11. The parade, assembly or demonstration will violate any federal, state or local law or regulation; or
 12. The applicant is legally incompetent to contract or to sue and be sued; or
 13. The applicant or the person or entity on whose behalf the application for permit was made has on prior occasions damaged city property and has not paid in full for such damage, or has other outstanding and unpaid debts to the city; or
 14. The proposed event would present an unreasonable danger to the health or safety of the applicant, spectators, city employees, or members of the public; or
 15. The applicant has not complied or cannot comply with applicable licensure requirements, ordinances or regulations of the city concerning the sale, offering for sale, or distribution of any goods or services.
- B. The city manager may deny any application for a permit or revoke any permit if the city manager determines that the event sponsor or any agent, employee or associate of any such event organizer has wilfully made any false or misleading statement in an application or has not fully complied with the requirements of this chapter or has violated any of the provisions of this chapter or the provisions of any other applicable law, rule or regulation.
- C. An event organizer whose permit application is denied, or whose permit is revoked, pursuant to this section shall be immediately notified of the action of denial or revocation, which notification shall contain a statement setting forth the reasons for said denial or revocation as well as a reference to the appeal provisions set forth in Section 9.25.130. Notification, pursuant to this subsection, shall be deemed satisfied when the notice is placed, postage prepaid, in the United States mail, certified mail, return receipt requested, and addressed to the applicant at the address shown on the permit application. If available, notification pursuant to this subsection, shall be deemed satisfied when the notice is emailed to the applicant at the email address shown on the permit application.

9.25.0890 Insurance.

- A. Each permit shall expressly provide that the permittee agrees to defend, protect, indemnify and hold the city, its officers, employees and agents free and harmless from and against any and all claims, damages, expenses, loss or liability of any kind or nature whatsoever arising out of, or resulting from, the alleged acts or omissions of permittee, its officers, agents or employees in connection with the permitted event or activity; and the permit shall expressly provide that the permittee shall, at permittee's own cost, risk and expense, defend any and all claims or legal actions that may be commenced or filed against the city, its officers, agents or employees, and that permittee shall pay any settlement entered into and shall satisfy any judgment that may be rendered against the city, its officers, agents or employees as a result of the alleged

acts or omissions of permittee or permittee's officers, agents or employees in connection with the uses, events or activities under the permit.

- B. Concurrent with the issuance of a permit under this chapter and as a condition precedent to the effectiveness of the permit, the permittee shall procure and maintain in full force and effect during the term of the permit insurance as prescribed by the city manager.
- C. If the city manager determines, after consultation with the city's risk manager and the city attorney, that a particular use, event or activity does not present a substantial or significant public liability or property damage exposure for the city or its officers, agents and employees, the city manager may give a written waiver of the insurance requirements of this section.
- D. The insurance requirement set forth in this section shall not be construed to apply to parades or special events permitted under this chapter involving expressive activity which enjoy protection under the United States or California Constitutions except that such parades or special events shall be required to: (1) agree to indemnify, protect, defend and hold harmless the city, its officers and employees against all claims, damages, expenses, loss or liability of any kind or nature whatsoever arising out of, or resulting from, the alleged acts or omissions of permittee, its officers, agents or employees in connection with the permitted parade, event or activity; or (2) agree to redesign or reschedule the permitted event to respond to specific risks, hazards and dangers to the public health and safety identified by the city manager as being reasonably foreseeable consequences of the permitted parade or special event; or (3) provide insurance coverage as required by subsection B.
- E. A claim for exclusion and alternative treatment under subsection D shall be filed with and at the same time as an application for a permit, and an agreement or proof of insurance, as applicable, shall be provided prior to permit issuance. The city manager or his or her designee may require such proof and documentation as he or she may deem reasonably necessary to verify the constitutionally protected status of the parade or event and the applicability of subsection D.

9.25.09100 Departmental services charge.

- A. In addition to the payment of the nonrefundable permit application fee or daily fee, a permittee shall pay the city for all city departmental services charges incurred in connection with or due to the permittee's activities under the permit unless said departmental services charges are funded, partially funded or waived by action of the city council. Additionally, if city property is destroyed or damaged by reason of permittee's use, event or activity, the permittee shall reimburse the city for the actual replacement or repair cost of the destroyed or damaged property.
- B. City departments shall submit the final invoices and billings for departmental services charges to the city manager or no later than twenty (20) business days after the event giving rise to the issuance of a permit.
- C. The city manager shall determine the type of permitted parade, event or activity and calculate the final departmental services charge based on the following formulas, depending upon whether or not the event is privately funded or is funded in whole or in part by the city, ~~and provide that Type B and Type C shall be determined by the city council.~~
 - 1. ~~Type A~~ Non-sponsored special event is an event which is privately funded and the permittee will pay one hundred (100) percent of the applicable fees or departmental services charges;
 - 2. ~~Type B~~ Half-sponsored special event is an event which is cosponsored by the city and the noncity permittee will pay fifty (50) percent (or a negotiated portion) of the applicable fees or departmental services charges;
 - 3. ~~Type C~~ Full-sponsored special event is an event funded by the city and the city will absorb one hundred (100) percent of the applicable fees or departmental services charges incurred by the city.

- D. Unless otherwise authorized by the city manager in writing, at least three business days prior to a parade, event or activity permitted under this chapter, the applicant shall pay to the city a deposit in an amount sufficient to cover the total estimated city departmental services charges which the city manager estimates will be incurred in connection with the permit. Said deposit shall be paid in cash or other adequate security as determined by the city manager. If the deposit is less than the final charges calculated pursuant to this section, the permittee shall pay the difference to the city within ten (10) business days of being invoiced for such charges from the city. If the deposit is more than such final charges, the city shall refund the difference to the permittee within the sixty (60) calendar days after the event.
- E. Any indigent natural person who intends to engage in "expressive activity" as defined in this chapter who cannot obtain a permit because of an inability arising from such indigence to pay the departmental services charge may request the city manager to recommend an alternative parade, event or activity on a scale and at a time that would result in less costs assessed in accordance with this section. Application for indigent status shall be made at the time of permit application and shall be accompanied by such relevant information and documentation as may, in the opinion of the city manager, be reasonably necessary to verify such status. For purposes of this subsection, "indigent natural person" includes, but is not limited to, a person eligible for county relief and support as an indigent person under Section 17000 et seq., of the California Welfare and Institutions Code or as said code section(s) may be amended from time to time.
- F. In the event of any conflicts or inconsistencies between the provisions of this article and Ordinance No. 03-250 (Fees and Service Charges), or with the provisions of any other chapter(s) of the city code, the provisions of this article shall control, unless to do so would be inconsistent with the purpose of this chapter.

9.25.1010 Refunds.

If a permittee is unable to hold or conduct a use, event or activity because of inclement weather or due to some other cause not within the permittee's control, and the permittee submits a written request for the refund of such fees to the city manager's office within ten (10) business days after the date that the use, event or activity was to have been held or conducted, the city manager may authorize the refund of the fees or a pro rata portion thereof, except for actual costs incurred by the city at the time of cancellation and the nonrefundable application fees, which have been paid by the permittee to the city in connection with a permit issued under this chapter.

9.25.1120 Interfering with activity prohibited.

It is unlawful for any person to obstruct, impede or interfere with any authorized assembly, person, vehicle or animal participating in a special event for which a special event permit has been issued.

9.25.1230 Penalty for violation.

Any person who intentionally violates any of the provisions of this chapter shall be guilty of a misdemeanor.

9.25.1340 Appeals.

- A. Except as provided in this chapter, any person aggrieved by the issuance, denial or revocation of a permit pursuant to this chapter may appeal such decision to the city council by filing a written notice of such appeal with the city clerk within ten (10) calendar days of the decision of the city manager giving rise to said appeal. Such appeal shall set forth, with particularity, the facts upon which the appeal is being made. The city council shall, within sixty (60) calendar days of receiving such notice of appeal, hold a hearing. At such hearing, the aggrieved party is entitled to be heard and present evidence on his or her behalf. The city council shall determine the merits of the appeal, and the city council's determination to grant or deny the appeal shall be final. When the necessity for a timely response so requires, the city council may refer to the matter to a hearing officer in accordance with the provisions of Chapter 1.30.

B. Alternatively to the provisions of Section 9.25.040(E), any applicant for a special event permit who is engaging in or intends to engage in a "~~spontaneous parade, assembly, or demonstration~~ expressive activity" as defined in this chapter and who is aggrieved by the denial or revocation of a permit pursuant to this chapter may, at his or her election, appeal to the city council in accordance with this section. However, any appeal taken pursuant to this section may, by necessity, involve the postponement or delay of the activity for which a permit is sought.

9.25.1450 Rules and regulations.

The city manager is authorized to promulgate additional policies, rules and regulations that are consistent with and that further the provisions set forth within this chapter and the provisions of law that pertain to the conduct and operation of a special event.

9.25.1560 Unlawful to use city name without authorization.

It is unlawful for any event organizer to use in the title of the event the words "The City of Los Altos" or "City of Los Altos," or facsimile of the seal or logo of the city of Los Altos without city's written authorization.

RESOLUTION NO. 2023-__

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALTOS
AMENDING SPECIAL EVENT FEES AND ESTABLISHING
DIFFERENTIATED FEE STRUCTURE BASED ON TYPE OF ORGANIZATION**

WHEREAS, the city of Los Altos FY23-24 Fee Schedule currently charges \$1,728.15 for new special events and \$1,152.10 for ongoing special events in addition to the actual cost for service; and

WHEREAS, the City Council recognizes that other cities have successfully implemented a lower special events fee price and fee structures that consider the type of organization; and

WHEREAS, the Los Altos Municipal Code Section 9.25.XXX specifies that the existing special events fee framework in Los Altos is designed to account for whether events are new or ongoing; and

WHEREAS, the City Council acknowledges that an application fee structure that considers the for-profit or not-for-profit status ensures that a wider spectrum of organizations can partake in hosting events; and

WHEREAS, the City Council recognizes that the city Los Altos’ current fee structure has potential inefficiencies that could be addressed through restructuring, leading to a more streamlined process for event organizers and city administration alike; and

NOW THEREFORE, BE IT RESOLVED, that the City Council of the City of Los Altos hereby adopts the following policy:

- 1. Amend the current special event fee structure in addition to the actual charges for City services:

Event Type	Organization Type	Application Fee
New Event	For-Profit	\$500
New Event	Non-Profit	\$400
Ongoing Event	For-Profit	\$200
Ongoing Event	Non-Profit	\$150

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 __ day of ____, 2023 by the following vote:

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

Sally Meadows, MAYOR

Attest:

Melissa Thurman, CITY CLERK



AGENDA REPORT SUMMARY

Meeting Date: October 10, 2023

Subject Discussion and Appointments to the Joint Community Volunteer Service Awards Committee and the Parks, Arts, Recreation and Cultural Commission

Prepared by: Melissa Thurman, City Clerk

Approved by: Gabriel Engeland, City Manager

Attachment(s):

1. Joint Community Volunteer Service Awards Committee Application and Written Answers from Applicant Lindsay Carpenter

Background:

From early July to September 2023, the City of Los Altos held a recruitment for vacancies on various city commissions and committees. The recruitment was very successful, with the City Clerk’s office receiving 63 qualified applications for consideration.

On September 19, 2023, the City Council held a Special Meeting to conduct interview sessions with the applicants. At the conclusion of the interview sessions, the City Council each voted on provided ballots their choice of appointments to the Commissions and Committee. However, since the completion of the interview sessions, an applicant has provided written answers to the questions Council issued to the interviewed applicants for the Joint Community Volunteer Service Awards Committee. Due to technical issues this applicant was unable to submit an online application by the original deadline provided of September 1, 2023.

Additionally, there was a recent merger of the Public Arts Commission and the Parks and Recreation Commission, creating the Parks, Arts, Recreation and Cultural Commission (PARCC). There are seven (7) allowable members on PARCC, with one vacancy with a four-year term. The full list of eligible applicants that were interviewed on September 19th for PARCC is as follows:

Parks, Arts, Recreation & Cultural Commission

1 vacancy for four-year term

Dana Tasic – Incumbent	Andrea Ramirez
Shradha Balakrishnan	Yong Yeh – Incumbent (<i>written answers provided</i>)
Daniel Morris	Jim Allen (<i>written answers provided</i>)
Michelle Morris Appointed to Library Commission	Ibrahim Bashir (<i>written answers provided</i>)
Scott Ottes Appointed to Financial Commission	Lou Wolner (<i>written answers provided</i>)
Kris Olson Appointed to Senior Commission	Victoria Wong (<i>written answers provided</i>)
Cyndel Podich	

The City Council may appoint one (1) member from the list of eligible applicants to the vacant four-year term seat on the PARCC.



Subject: Discussion and Appointments to the Joint Community Volunteer Service Awards Committee and the Parks, Arts, Recreation and Cultural Commission

Fiscal Impact:
None

Environmental Review:
Not applicable

Staff Recommendation:
Approve the confirmation of the City Council appointments to City Commissions and Committee

Los Altos Commission Application

Lindsay Carpenter

[REDACTED], Los Altos, 94022

Applying to Joint Volunteer Service Awards Commission

Employment History:

Seventh grade English teacher, 1967 in Indiana, Office Manager Lytton Industries, Sunnyvale 1968-69. Girls Athletic Director, St. Nicholas School, 1980-85, Retired Director of Education and Employee Recognition Nordstrom for 7 western states, 1985-2010.

Educational Background:

BS in Sociology, minors in English and Psychology, SJSU 1966. Graduate courses in variety of subjects at Foothills, Stanford and UCSC. Recipient of a Kellogg Foundation Grant in 1982 to attend a Santa Clara University class in Adult Education. Licensed Facilitator 1992 UCSC.

Piedmont High School, Piedmont CA, graduating in 1962

Community Activities, Volunteer Organizations:

President Los Altos Junior Women's Club, President Los Altos History Museum Auxiliary, Trainer for Museum Volunteers, and presently on Education Committee as docent for 3rd and 4th graders. United Way Allocations and Review Committee for Women and Children 1975-1980. Jr. League of Palo Alto Mid Peninsula, Provisional Director, Corresponding Secretary, First Vice President Community, Child Advocacy licensed trainer, elected to Area 6 Council governing the 42 western Jr. Leagues with specialty in Training. Garden Club of Palo Alto, Corresponding Secretary, First Vice President Programs, Co-Chair member Garden Tour, Co-Chair Field Trips, Membership Committee, Field Trip Committee, Holiday Marketplace Steering Committee, currently on Nominating Committee. Leadershape, a non-profit that teaches college students how to be effective leaders, on Board of Trustees 9 years, Lead Trainer for 33 sessions all over the US. Los Altos Rotary Club, Social Chairman, Membership Director 3 years, elected to Los Altos Rotary Endowment Fund 4 years, Membership Committee, Steering Committee Fine Art in the Park in charge of Community liaisons and Hospitality booth, Veterans Committee, Co-Chair Scholarships, recipient of the Guy Shoup award as most outstanding Rotarian 2018-19. Creekside Oaks of Los Altos, 8 years as Landscape Director on the Board, currently appointed to Board as Landscape Director until April 2024. MTC mentor for 8 years, for two LAHS women, currently in 5th year of mentoring a LAMV Community Scholar Recipient. Recipient Joint Community Volunteer Service Award 2019. Received the California Outstanding Adult Educator Award 1994.

Area of Commission that is of interest:

Having been a recipient of the Joint Community Volunteer Award in 2019, I know first hand what an honor it is to receive this award and would like to participate in the selection and awarding of this special recognition.

Particular Skills I bring:

I have worked with and been in leadership positions with a wide variety of organizations, mostly non-profits. My background in training equips me to help a group reach consensus, clarify goals, and recognize the contributions of all members. Having taught soft skills such as Team Building, Conflict Resolution, and Communication Skills to tens of thousands of Nordstrom employees all over the country, I bring unique skills to any group or committee.

Role of Commission Member:

A member of a team trying to reach the best conclusions possible for the greater good of our community in honoring those community volunteers who stand out from the rest. To award volunteers for all their hard work making our community better.

I have never submitted a commission application.

Signature:

Lindsay H. Carpenter

From: Lindsay Carpenter [REDACTED]
Subject: Application to Joint Community Volunteer Award Commission
Date: September 26, 2023 at 3:01:38 PM PDT
Cc: Sally Meadows <sally.meadows.massey@gmail.com>, Neysa Fligor <nfligor@gmail.com>

Dear Melissa,

I'm sorry, but I don't trust the on-line application process since the two applications I've filled out have never made it to you! So here is a PDF of the application that I hope you will accept as it duplicates the real one exactly.

Here are the answers to the 3 questions you sent to me.

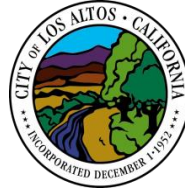
1. I would like to serve on the Joint Community Volunteer Service Award Commission for several reasons. Volunteers do so much to enhance and contribute to any community, but so often go unrecognized for all their time and effort. I would be happy to be involved in recognizing some of our own local volunteers. Having received this wonderful award in 2019, I know first hand how thrilling and humbling it is to be publicly recognized for giving back to a community. We've lived in Los Altos for 54 years, raised our kids- we love our city and giving back to it. is a part of our life. Recognizing those who go above and beyond encourages others to do the same, in my opinion, and I'd like to be involved in making that happen.

2. Over the past 54 years as a Los Altos Resident, I have volunteered in many, many ways with a variety of organizations and nonprofits. I genuinely enjoy people! Working together to achieve a goal that will improve something is one of the most worthwhile ways to spend my time and I keep finding new ways to do this. I bring a wealth of experience as a volunteer, a leader and an educator. My 11 years with the Junior League of Palo Alto Mid Peninsula started me on my Leadership journey as a trainer. My 27 years with Leadershape (a non-profit out of U. of Illinois that teaches leadership skills to college students) as a Board of Trustees member and a Lead Trainer for 33 sessions provides me with a teaching and learning experience like no other. Working with the volunteers at the Los Altos History Museum, in a variety of roles, allowed me to give back to my home town. As a member of Los Altos Rotary, I've enjoyed numerous opportunities to give back to Los Altos and surrounding cities. As a mentor for the last 15 years, to various high school students, I feel I've helped 3 women to achieve their potential and to live their dream. I am immersed in giving good Customer Service after my 25 years as one of the top 100 executives at Nordstrom and practice the skills I used to teach at Nordstrom in every situation I encounter. I have met and worked with some of the most outstanding individuals and have learned from each of them. Our community is enhanced daily because of the volunteer work that takes place. Without our volunteers, a lot of what we treasure most in Los Altos would not be present. Honoring those who give unselfishly of their time and energy to make our communities even better seems like the most natural thing to do and I would like to be a part of this process.

3. Currently I am involved with: Los Altos Rotary Club as Co-Chair of The Rotary Foundation, on the Veterans Committee, on the Membership Committee, on the Scholarship Committee, as a member of the steering committee for Fine Art in the Park, and as a mentor to 3 new members. I'm active in the Garden Club of Palo Alto as a member of the Nominating committee, the membership Committee and the Field Trip committee. I was a Lead Trainer for Leadershape, teaching leadership skills to college students 1 - 2 times annually but currently have an advisor to the President role. I am on the Board of Directors at Creekside Oaks Community in charge of Landscape and trees for our 22 acres. At the Los

Altos History Museum, I'm a member of the Education Committee and a docent for 3rd and 4th graders each year. I mentor a College student through the LAMV Community Foundation Scholar program.

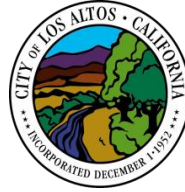
Thank you.
Lindsay Carpenter



City of Los Altos 2023 Tentative Council Agenda Calendar

October 24, 2023 Closed Session: TBD Study Session: TBD	
AGENDA TITLE:	DEPARTMENT:
<u>SPECIAL ITEMS:</u>	
Recognition of Outgoing Commissioners	Clerk
Swearing-In of Incoming Commissioners	Clerk
<u>CONSENT:</u>	
Treasury Report	Finance
Award a Contractor Service Agreement for Annual Street Sweeping	PW
Consider authorization for purchase of Root Foaming product; consider finding the Council's action exempt from review under CEQA pursuant to CEQA Guidelines Section 15301, and finding that none of the circumstances in CEQA Guidelines Section 15300.2 applies	PW
Waive Second Reading and Adopt Special Events Ordinance	CM
<u>PUBLIC HEARING:</u>	
<u>DISCUSSION ITEMS:</u>	
Introduce Mobile Food Ordinance	CM
Discuss the Storm Water Master Plan	PW

All items and dates are tentative and subject to change unless a specific date has been noticed for a legally required Public Hearing. Items may be added or removed from the shown date at any time and for any reason prior to the publication of the agenda.



City of Los Altos 2023 Tentative Council Agenda Calendar

November 14, 2023 Closed Session: TBD Study Session: TBD	
AGENDA TITLE:	DEPARTMENT:
<u>SPECIAL ITEMS:</u>	
<u>CONSENT:</u>	
Contract for Investment Advisor	Finance
Joint Intercepting Sewer Rehabilitation Project	PW
Accept the 2022 Annual Street Resurfacing and City Alley Resurfacing Project	PW
Acceptance of the Council Chamber AV Project	PW
Budget Appropriation for Rectangular Rapid-Flashing Beacon (RRFB) Project	PW
PCI Report	PW
<u>PUBLIC HEARING:</u>	
<u>DISCUSSION ITEMS:</u>	
Review of Teleconferencing Policy	CM
Flag Policy Pilot Update	CM
Waive First Reading and Introduce Dark Skies Ordinance	Dev. Svcs.

Remaining 2023 City Council agenda calendar items are pending and will be published at a later date.

All items and dates are tentative and subject to change unless a specific date has been noticed for a legally required Public Hearing. Items may be added or removed from the shown date at any time and for any reason prior to the publication of the agenda.

PROGRAM	SUB PROJECT	INITIATION DATE	HEU COMPLETION DATE	STATUS
Program 2.D: Encourage and streamline Accessory Dwelling Units (ADUs).	Budget & Hire Planning Technician		December 31, 2022	COMPLETED
Program 2.D: Encourage and streamline Accessory Dwelling Units (ADUs).	Amend ADU Ordinance based upon HCD's letter		6 months or less	
Program 3.H: Amend design review process and requirements.	Eliminate 3rd Party Architectural Review		February 28, 2023	COMPLETED
Program 3.H: Amend design review process and requirements.	Dismiss Design Review Commission		February 28, 2023	COMPLETED
Program 3.L: Eliminate the requirement of story poles.			March 31, 2023	COMPLETED
Program 2.E: Conduct annual ADU rental income surveys.	Budget & Hire Housing Manager	March 31, 2023		IN-PROGRESS
Program 4.J: Facilitate alternate modes of transportation for	Adopt VMT Policy &		June 30, 2023	COMPLETED
Program 2.D: Encourage and streamline Accessory Dwelling Units (ADUs).	RFP-Permit Ready ADU Plans		July 31, 2023	PLANS IN DEVELOPMENT
Program 1.H: Facilitate housing on City-owned sites.	Financial Analysis	July 1, 2023	December 31, 2023	DEVELOPING RFP
Program 3.D: Evaluate and adjust impact fees.		August 1, 2023	December 31, 2024	IN-PROGRESS
Program 1.H: Facilitate housing on City-owned sites.	Release RFP	December 31, 2023		
Program 6.C: Target housing development in highest resource areas.	Initial Outreach		September 31, 2023	
Program 6.D: Promote Housing Choice (Section 8) rental assistance program.			September 31, 2023	
Program 2.A: Continue to implement and enhance inclusionary housing requirements.			December 31, 2023	IN-PROGRESS
Program 2.B: Establish an affordable housing in-lieu fee and commercial linkage fee.	Housing in-lieu fee.		December 31, 2023	IN-PROGRESS
Program 2.F: Water and Sewer Service Providers.			December 31, 2023	COMPLETED
Program 3.B: Modify building height in mixed-use zoning districts.	Downtown Districts		December 31, 2023	IN-PROGRESS
Program 3.E: Ensure that the density bonus ordinance remains consistent with State law.			December 31, 2023	ONGOING
Program 3.H: Amend design review process and requirements.	Code Amendments		December 31, 2023	COMPLETED

Program 3.K: Standardize multimodal transportation requirements.	Bicycle Storage and Charging Regulations		December 31, 2023	COMPLETED
Program 3.K: Standardize multimodal transportation requirements.	Remove CSC Review of Housing Developments		December 31, 2023	COMPLETED
Program 4.C: Allow Low Barrier Navigation Centers consistent with AB 101.			December 31, 2023	COMPLETED
Program 4.D: Allow transitional and supportive housing consistent with State law.			December 31, 2023	COMPLETED
Program 4.E: Allow employee/farmworker housing consistent with State law.			December 31, 2023	COMPLETED
Program 4.F: Reasonably accommodate disabled persons' housing needs.			December 31, 2023	COMPLETED
Program 6.B: Maintain and expand an inventory of affordable housing funding sources.	Prepare Inventory.		December 31, 2023	
Program 6.E: Prepare and distribute anti-displacement information.			December 31, 2023	
Program 1.A: Rezone for RHNA shortfall.			January 31, 2024	TO BE COMPLETED BY 1/31/2024
Program 1.G: Rezone housing sites from previous Housing Elements.			January 31, 2024	TO BE COMPLETED BY 1/31/2024
Program 3.G: Amend Conditional Use Permits findings applicable to housing developments.			March 31, 2024	IN-PROGRESS
Program 3.I: Allow residential care facilities consistent with State law.			March 31, 2024	TO BE COMPLETED BY 1/31/2024
Program 3.J: Explicitly allow manufactured homes consistent with State law.			March 31, 2024	TO BE COMPLETED BY 1/31/2024
Program 3.F: Reduce Conditional Use Permit requirement for residential mixed-use and multi-family.			September 31, 2024	IN-PROGRESS
Program 1.B: Facilitate higher density housing in the Commercial Thoroughfare (CT) District.			December 31, 2024	TO BE COMPLETED BY 1/31/2024
Program 1.C: Allow housing in the Office Administrative (OA) District.			December 31, 2024	TO BE COMPLETED BY 1/31/2024

Program 1.E: Update the Loyola Corners Specific Plan.			December 31, 2024	TO BE COMPLETED BY 1/31/2024
Program 2.D: Encourage and streamline Accessory Dwelling Units (ADUs).	Adopt-Permit Ready ADU Plans		December 31, 2024	
Program 3.A: Prepare a Downtown parking plan and update citywide parking requirements.			December 31, 2024	CONTRACT SIGNED
Program 3.B: Modify building height in mixed-use zoning districts.	Neighborhood (CN) District		December 31, 2024	IN-PROGRESS
Program 3.C: Remove floor-to-area ratio (FAR) restriction at Rancho Shopping Center and Woodland Plaza.			December 31, 2024	IN-PROGRESS
Program 3.M: Modify parking requirements for emergency shelters consistent with State law.			December 31, 2024	
Program 2.B: Establish an affordable housing in-lieu fee and commercial linkage fee.	Commercial linkage fee.	December 31, 2025		
Program 1.D: Allow housing on certain Public and Community Facilities District sites and facilitate housing on religious institution properties.			December 31, 2025	
Program 1.F: Rezone Village Court parcel.			December 31, 2025	TO BE COMPLETED BY 1/31/2024
Program 4.H: Provide additional density bonuses and incentives for housing that accommodates special needs groups.			December 31, 2025	
Program 4.I: Allow senior housing with extended care facilities in multi-family and mixed-use zoning districts.			December 31, 2025	
Program 1.I: Incentivize Downtown lot consolidation.			July 31, 2026	
Program 4.G: Assist seniors to maintain and rehabilitate their homes.			July 31, 2026	
Program 6.C: Target housing development in highest resource areas.	Follow-up Outreach		September 31, 2026	
Program 1.H: Facilitate housing on City-owned sites.	Entitlement Review		December 31, 2026	

Program 3.N: Modify standards in the R3 zoning districts.			December 31, 2026	IN-PROGRESS
Program 4.J: Facilitate alternate modes of transportation for residents.	Capital Improvement Project for above head pedestrian crossing signals on San Antonio Road near Downtown Los Altos		December 31, 2027	
Program 5.F: Incentivize the creation of play areas for multi-family housing projects.			December 31, 2027	
Program 1.K: Participate in regional housing needs planning efforts.			Ongoing	
Program 1.L: General Plan amendments.			Ongoing	
Program 1.M: SB 9 implementation.			Ongoing	
Program 1.N: Facilitate and monitor pipeline housing projects.			Ongoing	
Program 2.C: Assist in securing funding for affordable housing projects.			Ongoing	
Program 2.D: Encourage and streamline Accessory Dwelling Units (ADUs).			Ongoing	
Program 2.E: Conduct annual ADU rental income surveys.	Annual Survey		Annually	
Program 4.A: Support efforts to fund homeless services.			Ongoing	
Program 4.B: Continue to participate in local and regional forums for homelessness, supportive, and transitional housing.			Ongoing	
Program 5.A: Monitor condominium conversions.			Ongoing	
Program 5.B: Continue to administer the City's affordable housing programs.			Ongoing	
Program 5.C: Restrict commercial uses from displacing residential neighborhoods.			Ongoing	
Program 5.D: Implement voluntary code inspection program.			Ongoing	

Program 5.E: Help secure funding for housing rehabilitation and assistance programs.			Ongoing	
Program 6.A: Assist residents with housing discrimination and landlord-tenant complaints.			Ongoing	
Program 6.B: Maintain and expand an inventory of affordable housing funding sources.	Inform, Evaluate Apply/Submit		Ongoing	
Program 6.F: Affirmatively market physically accessible units.			Ongoing	
Program 7.A: Promote energy and water conservation and greenhouse gas reduction through education and awareness campaigns.			Ongoing	
Program 7.B: Monitor and implement thresholds and statutory requirements of climate change legislation.			Ongoing	