

PUBLIC HEARING

Agenda Item #4

AGENDA REPORT SUMMARY

Meeting Date: November 12, 20
Subject: Ordinance No. 2019-467: Zoning Code Text Amendment to Chapter 14.16 of the Los Altos Municipal Code regarding the R3-4.5 Multiple-Family District

Prepared by: Steve Golden, Senior Planner
Reviewed by: Jon Biggs, Community Development Director
Approved by: Chris Jordan, City Manager

Attachment(s):

1. Ordinance No. 2019-467
2. City Council Meeting Minutes August 27, 2019
3. City Council Agenda Report, August 27, 2019

Initiated by:

Lenore and Paul Lovoi, Applicant and Property Owners

Previous Council Consideration:

August 27, 2019

Fiscal Impact:

None

Environmental Review:

Amendments to the Zoning Code generally may be considered a project under the California Environmental Quality Act (CEQA); however, this Ordinance is exempt from CEQA review because it has no potential for resulting in either a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment. Moreover, to the extent the Ordinance is exempt from CEQA pursuant to the 'common sense' exemption (14 CCR §15061(b)(3)), as it can be seen with certainty that there is no possibility that the adoption of the Ordinance may have a significant effect on the environment. The Ordinance also is exempt pursuant to CEQA Guidelines Section 15305, because it involves minor alterations to land use limitations in areas with an average slope of not more than 20%, which do not result in any changes in land use or density. The proposed code amendment is also exempt from CEQA under Section 15061(b)(3) of the CEQA Guidelines because CEQA only applies to projects which have the potential for causing a significant effect on the environment. The proposed code amendment serves to establish development standards for existing parcels that are already developed. Each of the foregoing provides a separate and independent basis for CEQA compliance and provides an overall basis for CEQA compliance. Future alteration of structures on those parcels are still subject to permitting and, would still require individual review for compliance with CEQA.

Policy Question(s) for Council Consideration:

City Manager

CJ

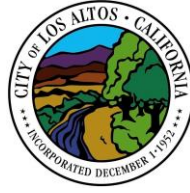
Reviewed By:

City Attorney

CD

Finance Director

SE



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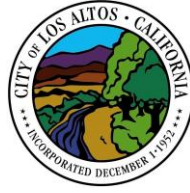
- Are the amendments in conformance with the General Plan?
- Are the amendments in the best interest for the protection or promotion of the public health, safety, comfort, convenience, prosperity, and welfare of the City?

Summary:

- The proposed ordinance is to amend the Zoning Code Chapter 14.16, R3-4.5 Multiple-Family District to adopt site development standards for the District where none currently exist; establish a design review process for additions and exterior modifications; and update other provisions of the District regulations to be consistent with other similar residential zoning districts.
- The Planning Commission held a public hearing and recommended approval of the proposed Code amendments on June 6, 2019
- The City Council held a public hearing on August 27, 2019 and voted to continue the ordinance with direction to staff for revisions to the ordinance.

Staff Recommendation:

Introduce and waive further reading of Ordinance No. 2019-467 to amend Chapter 14.16 of the Los Altos Municipal Code regarding the R3-4.5 Multiple-Family District.



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Purpose

Review and adopt an ordinance to amend the R3-4.5 Multiple-Family District (Zoning Code Chapter 14.16) to establish site development standards for the District where none currently exist; establish a design review process for additions and exterior modifications; and update other provisions of the District regulations to be consistent with other similar residential zoning districts.

Background

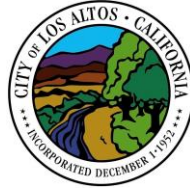
On August 27, 2019 the City Council held a public hearing to consider the adoption of an ordinance to amend the R3-4.5 Multiple-Family District (Zoning Code Chapter 14.16). Following public comments and Council discussion, the Council voted 4-1 to continue the item and directed staff to amend the draft ordinance as follows:

- Any parcel adjoining an R-1 District shall be limited to single-story;
- All rear setbacks adjoining an R-1 District have the same setbacks as the R-1 District;
- The size of the two units for each parcel be proportional to each other; and
- Use a 35% maximum floor area for all parcels and 40% lot coverage for parcels with single-story buildings and 35% lot coverage for parcels with two-story buildings.

Discussion/Analysis

In response to the Council direction, the ordinance has been updated (changes highlighted in yellow). With regards to the direction to use a 35 percent maximum floor area for all parcels, staff interpreted the Council's discussion and direction to maintain the draft language in the proposed ordinance which allows lots not exceeding 11,000 square feet to have a maximum floor area of 35 percent of the gross lot area and for lots with a gross site area exceeding 11,000 square feet, the maximum floor area shall be 3,850 square feet plus ten percent times the lot area minus 11,000 square feet. The maximum floor area calculation based on lot size maintains parity with the R1-10 District, which the Council expressed the R3-4.5 District's similarity to.

With regards to the unit size limitations (see Section 14.16.070 of the attached Ordinance), the Council expressed a concern that without controlling the size of the units, a property owner could construct a larger single-family residence with a minimally sized attached ADU and still be considered a two-family dwelling residence. If built in this manner, it would circumvent the desire to preserve the duet/duplex unit type characteristic of the neighborhood. Staff evaluated differences in unit sizes and in comparison to unit sizes allowed under the Accessory Dwelling Ordinance (ADU). As provided in the draft ordinance attached, staff recommends that the habitable floor area (i.e. not including garage or other non-habitable areas) of the smaller unit of a two-family dwelling residence be no less than 75 percent of the larger unit. This would significantly moderate the proportional size differences of the units.



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In addition to the modifications directed by Council, minor modifications to the setback provisions are proposed to provide clarity in implementation of the ordinance.

Options

- 1) Introduce and waive further reading of Ordinance No. 2019-XXX

Advantages: Adoption of the ordinance will establish site development standards to allow property owners to make reasonable improvements and additions to their properties while maintaining the character of the District as a duplex style neighborhood and limiting impacts to the surrounding neighborhood

Disadvantages: Additions and modifications to residences may result in some minor, but reasonable impacts to residents in Marshall Meadows and surrounding properties.

- 2) Decline to introduce Ordinance No. 2019-XXX

Advantages: The R3-4.5 Multiple-Family Zoning District will be maintained in its current form.

Disadvantages: The lack of specific site development standards will continue to create ambiguity for current and future property owners and city staff on how to address lawful additions and/or exterior modifications within this District.

Recommendation

Staff recommends Option 1.