

Height Subcommittee Report – October 26, 2015  
(subject to change following PTC study session)

**INTRODUCTION**

Zoning changes made since 2010 have consolidated zones in the downtown area, increased some height limits, and moved the City to form-based zoning. New construction under those changes together with the First Street Streetscape changes north of the Main Street intersection provide useful examples from which to evaluate the impact of those changes, anticipate the effect of similar development, and gauge community acceptance.

Based on community reaction, some changes have already been made (e.g. how height is measured for different types of roofs).

The task of this subcommittee was to review the new(er) construction and areas of potential development in light of current zoning and guidelines, and, together with input from the committee and available community feedback, develop findings and recommend draft changes to zoning and applicable guidelines.

**FINDINGS**

**1. Height limits to 45 feet have undesirable, adverse impacts on:**

- Village character
- Pedestrian activity
- Hillside views
- Light (shade projection on opposing structures)
- Human scale

**2. A majority of residents (51%) favor no further development or development not greater than 30 feet/two stories (integrating data from Q 10 and 14 from recent survey)**

- 23% want no additional development downtown; 28% want no more than 30 feet; 33% would allow 3 stories or 45 feet or more; 16% have various other, unidentified, opinions.

NOTE: The data presented in the survey results can be confusing without the additional information that Q14 was asked of all survey participants (n=401), but Q10 was asked ONLY of those who answered Q14 by favoring either of the two specific locations for “Continued redevelopment...” options (n=245). Q10 thus provided more specific information about the height limits only from those who favored further development. To integrate the information into a correct statistical interpretation, Q14 results show 23.3% of the total sample (n=401) want “No additional development downtown” and 14.3 % (9.0 + 2.9 + 2.2) had mixed or no opinion. The remaining 62.6% (32.6 + 30.0) who favored some “Continued redevelopment...” were then asked Q10 regarding height, so the percentage of responses for that question shown must be multiplied by 62.6% to arrive at a correct percentage of the TOTAL survey sample with respect to opinions on additional development height: “Stay the way it is/allow 30 feet...” at  $44.7 \times 62.6 = 27.9\%$  and “Allow 45 feet in height...” at  $52.8 \times 62.6 = 33.1\%$ . The remaining 2.7%

who answered A10 with Mixed opinions, neither, and DK/NA thus need to be added ( $2.7 \times 62.6 = 0.17\%$ ) to the “other opinions” to get a complete picture.

3. **First, Second, and Third Streets are considerably narrower than Main St. (about 2/3 the width)**
  - Exacerbates the impact of taller buildings on those streets compared to if they were built on Main Street. Buildings that seem of good scale on Main St. will seem out of scale elsewhere, given the narrower street and narrow right-of way (sidewalks).
  - Impacts include adverse shade projection and potential tunnel effects, as narrower rights of way (assuming street parking is retained) limit sidewalks to approximately 5 feet.
4. **Under current guidelines, future development would substantially eliminate street-facing parking on the lot, bringing building fronts near the lot-line (currently 2-foot setback for commercial) and creating even more “tunnel” effect. Staff has indicated planning would encourage building up to the minimum setback, which is contrary to the desire to create a more open feeling on these narrow streets. Few buildings on Main and State are built to the lot line along their entire length, with many having recessed entries and other recessed display windows, etc.**
5. **Compass orientation of First, Second, and Third Streets creates the potential for the greatest blocking of hillside views by taller buildings as viewed from the core village and major pedestrian walkways and roadways.**
6. **Current zoning language and guidelines are insufficient to define and limit height exceptions for parapets, chimneys, towers, skylights, penthouses, and screening walls, and such features under current code may contribute to undesired height.**
  - There is not uniform instruction on how to measure the allowable heights for such exceptions. Features with sloped roofs have been measured to the midpoint of the slope, which allows a greater maximum height and adds to the confusion.
  - Given community sensitivity to height, there is no language requiring such features be minimized.
  - Current submittal requirements call for cross sections at the “highest ridge” with no call-out of any proposed height exceptions for such features as defined in 14.66.240.
  - Failure to call out such exceptions may result in these being overlooked or receiving insufficient attention during design review.
  - Downtown Design Guidelines mention screening of mechanical equipment only in the section for the Downtown Core at p. 17, item 7. It is omitted for Mixed Commercial or First Street Districts, although such requirements are in the Municipal Code for both the CD and CD/R3 zones.

## RECOMMENDATIONS

1. **Amend zoning height and setbacks for CD and CD/R3:**
  - Limit height to 35 feet for three story and 30 feet for 2 story buildings in these zones (14.44.120 and 14.52.100), which allows for commercially viable development –

including minimum 12-foot retail height on first floors, generous ceiling heights for 2-story commercial or combination commercial/residential, or some forms of 3-story residential.

- Increase front setback from the current 2 feet to 5 feet for commercial first floors to reduce the “tunnel” effect of taller buildings with narrow sidewalks. Encourage variation in building-entrance configuration, through design guidelines and feedback to developers, to avoid a “tunnel” that would result from having all buildings constructed to the minimum setback. Requirements for amenities and landscaping in the setback should be incorporated in the anticipated streetscape plan for First Street between Main and San Antonio.
- Require setback of building exterior at about the elevation of any third-floor plate to reduce mass and enhance village character. Setbacks/recesses/articulations should be consistent with architectural design but should create the impression that most of the front and sides are recessed for any third floor. Specifying that the footprint of the top floor be not more than some percentage of the area beneath may be helpful. The purpose is to avoid full-height, solid vertical walls along pedestrian walkways, while providing visual interest of human scale and reducing the apparent height and bulk.
- Where code currently requires side or rear setback of 2 feet where property adjoins public right of way (e.g. “where the side property line of a site abuts a public street or a public parking plaza” such as found at 14.44.070, 14.44.080 and 14.52.060) change language to require setback of at least 2 and as much as 5 feet if needed to create safe pedestrian/resident/customer walkways, supplemented with suitable landscaping. Landscape-only requirement for 2-foot setbacks are appropriate only if there is otherwise a safe walkway.

## **2. Amend code sections 14.66.240 and 14.02.070.**

- Such that 14.66.240(A) applies only to flagpoles, radio and television antennas and transmission towers.
- Move towers, spires, cupolas, and chimneys to 14.66.240(E), to cover all architectural features that have aesthetic or screening purposes, of which none may be used for dwelling or commercial or advertising purposes.
- Establish maximum height of all such at 8 feet, measured at the highest point. The practical effect is that no such feature would be more than 38 feet (if 30-foot, 2-story building + 8 feet) or 43 feet (if 35-foot, 3-story building + 8) above the specified lot grade for the building.
- Actively discourage the use of such if they have the general effect of increasing perceived height and mass; guideline should recommend that features be set back from the edges of the building, where consistent with design, to minimize perceived building height.
- Remove language in guidelines and plans that encourage towers (Downtown Design Plan p. 11, 22, 35). Add tower definition to 14.02.070. Add penthouse definition to clarify that this is not habitable or commercial space but is intended to provide an architecturally pleasing cover to stairwells, elevator equipment, etc.

## **3. Amend and supplement considerably the language and photographic examples in the Downtown Design Plan and Downtown Design Guidelines or their successor documents**

- Provide better examples of desirable looks and articulations, including breaking up long walls with entries and architectural features. Delete inapplicable photo of tower at p. 68; add others.

**4. Amend “Submittal Requirements Commercial or Multi-Family Design Review” and corresponding Staff Report**

- In item 5, “Building Elevations,” require that all exceptions to height limits, whether for maximum height or exceptions under 14.66.240 be called out on elevations. Further, require that maximum heights of any feature under 14.66.240 be shown on one or more elevation.
- Amend current Staff Report cover sheet to indicate whether proposal meets height limits and what exceptions are called for per 14.66.240.

**OUTCOMES**

The goal of these changes is to create attractive developments outside the downtown “core” that minimize bulk and height consistent with commercial development, preserve views of the foothills from downtown and for pedestrian and vehicle traffic while southbound on San Antonio and Edith Avenues, and invite people to explore the village beyond the core.

Someone walking down Main or State Streets who reaches the First Street intersection should be drawn to turn the corner and explore further.

**1. Height Changes**

Maximum 35’ height in both the CD/R3 and CD zones will:

- Within form-based zoning, will have the practical effect to keep all buildings in Downtown Los Altos Zones at a maximum of 3 stories regardless of commercial or residential development, thereby supporting the ‘village character’ and building structures that are similar in scale to those in the surrounding area.
- Eliminate the potential of narrow streets being lined on both sides with tall (45 foot and possibly 4 story) buildings, creating a ‘tunnel’ effect where light and space feel restricted on the street.
- Preserve remaining hillside views.
- Allow commercial development to maintain 12’ 1<sup>st</sup> floor ceiling height in retail space; allow three-story residential in some forms.

Maximum 8’ height for towers, spires, cupolas, chimneys, penthouses, parapets, mechanical screening will:

- Limit the maximum overall height of any building feature to 43’ from current potential maximum of 60’.
- Minimize the size of these components to what is functionally necessary for the building.
- Reduce potential interference with skyline and foothill views.
- By requiring call-out on plan submittal, enable staff readily to identify potential issues.
- By requiring comment on Staff Report cover, will alert PTC and Council to height compliance/exceptions.

**2. Setbacks**

Establishing a front 5' setback (and greater side setbacks in specific properties) in both the CD/R3 and CD zones (if commercial first floor) will:

- Provide greater consistency in sidewalks between streets and downtown districts which would encourage pedestrian traffic to flow easily from one street to another, encouraging pedestrians to move beyond the downtown core.
- Improve the visual appeal and pedestrian orientation of the downtown as called for in the design guidelines.
- Allow room for pedestrian traffic and amenities to coexist in areas in front of buildings, encouraging visitors and adding vibrancy to these streets.
- Modifications to side setbacks that abut public rights of way will enhance pedestrian safety.

Requiring that third stories be recessed will reduce overall building bulk and mass, especially as experienced by pedestrian and local traffic, and create visual interest consistent with the village character.

### **3. Design Guidelines and Definitions**

Changing the Downtown Plan to reduce emphasis on towers will reduce emphasis on height exceptions. Refining the Downtown Design Guidelines for the Mixed Commercial District and First Street District (Sections 4 and 5) will provide more detailed examples of 'do's'. Currently the Downtown Design Guidelines has 32 pages of guidelines for the Downtown Core District and only 9 pages for Section 4 (CD) and 6 pages for Section 5 (CD/R3). More complete guidance will:

- Provide stronger definition and examples of what the community would like to see in the development of these districts.
- Reinforce the importance of these areas.
- Provide a stronger tool for assessing individual projects while maintaining the tie to the larger Downtown Design Plan.