

ORDINANCE NO. 2016-427

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
LOS ALTOS AMENDING TITLE 14, ZONING, OF THE
MUNICIPAL CODE BY MODIFYING ROOF STRUCTURE
CLASSIFICATIONS, THEIR HEIGHT LIMITS, AND THEIR
COVERAGE LIMITS; ADDING DEFINITIONS FOR
PENTHOUSE AND TOWER; AND AMENDING THE DESIGN
REVIEW FINDINGS.**

WHEREAS, In response to public comment, the City Council formed the Downtown Buildings Committee (Committee) to evaluate whether City codes, guidelines, policies are adequate to ensure that future development in Downtown Los Altos meets with Community expectations; and

WHEREAS, The City Council appointed eleven (11) citizens to serve on the Downtown Buildings Committee with direction the Committee review the City's codes, guidelines, and policies and develop recommendations on changes to codes, guidelines, and policies that would result in appropriate development in Downtown Los Altos; and

WHEREAS, The Downtown Buildings Committee met over the course of a year and developed over 40 recommendations to the City regarding codes, guidelines, documents, and processes intended to ensure the development in Downtown Los Altos meets Community expectations; and

WHEREAS, The Downtown Buildings Committee recommended changes to Title 14, Zoning, of the Municipal Code that include amending roof structure classifications, their height limits, and their coverage limits; adding definitions for Penthouse and Tower; and amending the design review findings; and

WHEREAS, On October 13, 2016 the Planning and Transportation Commission reviewed the recommendations of the Downtown Buildings Committee and voted 4-0 that the City Council approve the proposed modifications as reflected herein; and

WHEREAS, The City Council in consideration of the recommendations of the Downtown Buildings Committee and Planning and Transportation Commission determines that these modifications to Title 14 will result in future projects that will not only meet community expectations but serve to preserve the character and qualities of the Downtown; 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: The following Sections of Title 14 (Zoning) of the Los Altos Municipal Code Shall be revised to read as follows:

14.66.240 Height limitations—Exceptions.

- A. ~~Towers, Spires, cupolas, chimneys, flagpoles, radio and television antennas, and transmission towers, except as noted below, may be erected to a height not more than fifteen (15) feet above the height limit prescribed by the regulations for the district in which the site is located, excluding R1 districts, provided no such structure shall be used for dwelling purposes or for commercial or advertising purposes.~~

- E. ~~Cupolas, chimneys, Completely enclosed penthouses or other similar roof structures for the housing of elevators, stairways, tanks, or electrical or mechanical equipment required to operate and maintain the building, solar thermal and photovoltaic panels, parapet walls and skylights may project not more than ~~eight~~ twelve feet above the roof and the permitted building height, provided the combined area of all roof structures, excluding solar thermal and photovoltaic panels, does not exceed four percent of the gross area of the building roof. However, no penthouse or roof structure or any space above the height limit shall be allowed for the purpose of providing additional usable floor space for dwelling, retailing, or storage of any type.~~

- F. An enclosed penthouse or roof structure, housing an elevator or stairwell that provides access to a roof top, or a tower may exceed the allowed height limit by no more than twelve feet (12") and shall be integrated into the architectural style of the building provided such structure shall not exceed the minimum size required by Title 12 of the Municipal Code (Buildings and Construction). However, none of these structures shall be allowed for the purpose of providing additional usable floor space for dwellings, commercial space, or storage of any type.

SECTION 2. AMENDMENT OF CODE: The following Section of Title 14 (Zoning) of the Los Altos Municipal Code shall be revised to include the following definitions at the appropriate locations:

14.02.070 - Definitions

Penthouse – A non-habitable structure housing machinery on the roof of a building intended to provide an architecturally pleasing cover to stairwells, elevator equipment and other building systems that may be found on a roof top.

Tower – A building or part of a building that is exceptionally high in proportion to its width and length or tall and slender.

SECTION 3. AMENDMENT OF CODE: The following Section of Title 14 (Zoning) of the Los Altos Municipal Code Shall be revised to read as follows:

14.78.050 Design review findings.

- D. Exterior materials and finishes convey high quality, integrity, permanence and durability, and materials are used effectively to define building elements such as base, body, parapets, bays, arcades and structural elements. Materials, finishes, and colors have been used in a manner that serves to reduce the perceived appearance of height, bulk and mass, and are harmonious with other structures in the immediate area.

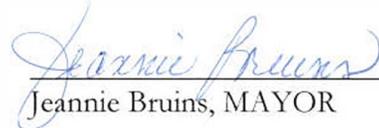
SECTION 4. CONSTITUTIONALITY. If any section, subsection, sentence, clause or phrase of this code is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this code.

SECTION 5. PUBLICATION. This ordinance shall be published as provided in Government Code section 36933.

SECTION 6. 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 October 25, 2016 and was thereafter, at a regular meeting held on November 8, 2016 passed and adopted by the following vote:

AYES: BRUINS, MORDO, PEPPER, PROCHNOW, SATTERLEE
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE


Jeannie Bruins, MAYOR

Attest:


Jon Maginot, CMC, CITY CLERK



STATE OF CALIFORNIA)
COUNTY OF SANTA CLARA) CERTIFIED COPY OF ORDINANCE
CITY OF LOS ALTOS) SECOND READING/ADOPTION

I, Jon Maginot, City Clerk for the City of Los Altos in said County of Santa Clara, and State of California, do hereby certify that the attached is a true and correct copy of Ordinance No. 2016-427, adopted by the Los Altos City Council on November 8, 2016 by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

I hereby further certify that a summary of the ordinance was published in accordance with Government Code Section 36933 on the following dates: November 2, 2016 and November 16, 2016. Said ordinance shall be effective December 9, 2016

Dated this 17 day of November, 2016.



Jon Maginot, CMC
City Clerk