

Minutes of a Regular Meeting Town of Los Altos Hills PLANNING COMMISSION

Approved 05/03/2007

THURSDAY, April 5, 2007, 7:00 p.m.
Council Chambers, 26379 Fremont Road

cc: Cassettes (1) #4-07

1. ROLL CALL AND PLEDGE OF ALLEGIANCE

The regular meeting of the Planning Commission was called to order at 7:00 p.m. in the Council Chambers at Town Hall.

Present: Chairman Collins, Commissioners Carey, Clow, Cottrell & Harpootlian

Staff: Debbie Pedro, Planning Director; Brian Froelich, Associate Planner; Nicole Horvitz, Assistant Planner; Leslie Hopper, Contract Planner; Victoria Ortland, Planning Secretary

2. PRESENTATIONS FROM THE FLOOR-none.

3. PUBLIC HEARINGS

- 3.1 LANDS OF RYAN, 14350 Manuella Road (181-06-IS-ND-TM); Negative Declaration and Tentative Map for a two-lot subdivision of a 2.27 net acre parcel. CEQA Review: Mitigated Negative Declaration (Staff-Brian Froelich).

Brian Froelich, Associate Planner, presented the staff report stating that the application for a two-lot subdivision was located at the northeast corner of Manuella Road and Alicante Lane. The tentative map application required a 30-foot right of way dedication along Manuella Road. The 2.27 acre site division would produce proposed Lot 1 with 1.269 acres and a 3.3 percent slope and proposed Lot 2 with 1.001 acres and a 3.7 percent slope. The Pathways Committee had recommended the installation of a pathway along the frontage of Manuella Road and Alicante Lane both in the right of way. Two utility poles would be removed and the utilities placed underground. Access for Lot 1 would be taken from Manuella Road and access for Lot 2 would be from Alicante Lane. The lots would be connected to the Los Altos sewer basin and the Town engineer had recommended a tie-in to the storm drain system. At the Subdivision meeting on March 13, 2007 a neighbor on Debell Road expressed some view concerns. Staff, the applicant's representatives and the concerned neighbor met at the site subsequent to the hearing. City Council had approved a Tentative Map for the site in May of 2000 but the previous owner did not file a Final Map and the approval expired. Staff is seeking

Planning Commission's comments on the environmental analysis and forwarding of the tentative map to the City Council.

Commissioner Cottrell asked about the proposed pathway on Alicante Lane and its destination.

OPENED PUBLIC HEARING

Jude Kirik, architect for the applicant, explained that two custom homes are proposed for the lots. On Lot 1, the larger site, a home for the applicant is proposed and on Lot 2 a smaller home for the applicant's assistant is proposed.

Commissioner Carey asked about the size of the proposed home for Lot 2 and the reason the project could not be accomplished without a subdivision of the lot.

Mr. Kirik replied that the house on Lot 2 would be approximately 1,300 square feet in size and the garage had an attached art studio that would increase the square footage.

Staff explained that secondary units may be either detached or attached and are restricted to 1,000 square feet. For the Ryan project, the primary residence for Lot 1 had proposed an attached secondary unit for the site.

William Downey, De Bell Road, had no problem with the subdivision but had concerns about the effect on the view. He felt that when the story poles are up that he will have a better idea if there is an obstruction.

Dot Schriener, Saddle Mountain Drive, stated that the Pathways Element requires a pathway to be started on a road that serves more than six homes. She believes that is the reason the pathway was requested for Alicante Lane.

Commissioner Carey asked what the Master Pathways Map showed for the area.

Debbie Pedro, Planning Director, explained that, as stated in the Pathways Element, the Pathways Committee may recommend a pathway for six or more lots.

CLOSED PUBLIC HEARING

Commissioner Harpootlian stated that he attended the Subdivision Committee meeting and also visited William Downey's residence. He agreed that it was nearly impossible at this stage to see if there would be any obstruction of the view and supported the pathway as presented.

Commissioner Cottrell felt the application met all requirements and supported the project.

Commissioner Carey did not see the point of the pathway on Alicante but supported the project either with or without the pathway.

Commissioner Clow supported the project with the pathway on Alicante Lane.

Chairman Collins also supported the project.

MOTION SECONDED, AMENDED AND APPROVED BY THE FOLLOWING VOICE VOTE: Motion by Commissioner Clow, seconded by Commissioner Carey and amended to recommend to the City Council based on the initial study to adopt the mitigated negative declaration and mitigation monitoring program in Attachment 3 and forward a recommendation to the City Council to approve the tentative map based on the finding in Attachment 2 and subject to the conditions of approval in Attachment 1.

AYES: Chairman Collins , Commissioners Carey, Clow, Cottrell and Harpootlian
NOES: None

This item will be scheduled for a future City Council meeting.

3.2 GENERAL PLAN UPDATE, Proposed revisions to the draft Conservation Element of the General Plan regarding wildlife species and habitat. (Staff-Leslie Hopper).

Leslie Hopper, Contract Planner, explained after this section of the Conservation Element was reviewed at the February 1, 2007 Planning Commission meeting, most of the proposed programs and policies on wildlife corridors and fences had been deleted. The Open Space Committee submitted new draft language to staff and asked if it could be added back into the Wildlife section. Staff recommended approval of the changes to the Wildlife section and hoped to present a complete update of the phase one project to the City Council. The summarized proposed revisions included a new paragraph 315 about the need for planning to protect and conserve wildlife habitat, along with planning for the natural movement of wildlife. The revision does not talk directly about wildlife corridors or fences. Three new programs are proposed. Two would call for further study to inventory wildlife habitat areas and access the potential of development to fragment and isolate wildlife habitat. The programs would support the effort the Town is making to map wildlife corridors. Program 3.4 would give staff the discretion when appropriate to require a wildlife study during proposed development review. Staff requested a minor modification to Programs 3.2 and 3.3 to remove the language “as recommended by the State of California General Plan guidelines”.

Commissioner Harpootlian distributed copies of his suggested alternative to Program 3.4.

Commissioner Clow had concerns about Program 3.4 and the wording “reviewing proposed development” that could mean any permit and not just new homes.

Planning Director Debbie Pedro explained that the type of development where a wildlife study may be requested is at the discretion of the planning department. This would

pertain to development that might have a significant effect on wildlife habitat especially in areas with an open space easement or along riparian corridors.

Commissioner Clow wondered if language could be added to Program 3.4 to make it clearer that a wildlife study could be requested only for projects that would have great impact on wildlife habitat.

Commissioner Cottrell pointed out that most of the areas are located in conservation easements where no development can take place.

Commissioner Clow suggested adding the word “strongly” so that Program 3.4 read “might **strongly** affect areas of significant wildlife habitat”.

OPENED PUBLIC HEARING

Richard Partridge, Briones Way, felt that the revisions were good. In regards to paragraph 315 he felt that wildlife moved along other paths as well as riparian and creek areas.

Nancy Couperus, Page Mill Road, Open Space Committee member, hoped the Planning Commission would accept the revised version.

Sam Broydo, Purissima Road, felt the language was not specific enough to be practical. He was not opposed to the addition to the General Plan but wanted more definition of the terms.

Allen Epstein, Ravensbury Avenue, wondered what areas of the Town were included by the words “wildlife habitat areas”. Did this apply to homeowner’s property as well as open space? He felt that the terms were not well defined.

Dot Schriener, Saddle Mountain Drive, explained that a general plan was intended to provide a broad “umbrella” over certain issues to help illustrate goals. The policy would come later in the form of code and implementation through specific programs and policies. She said the Open Space Committee had developed a map from resident observation showing how wildlife travels the areas in the Town.

Bob Stutz, Elena Road, told of his experience with wildlife in the Town.

Sandy Humphries, Fremont Road, felt that the Town was a rare place for people to be able to cohabitate with the natural wildlife. She did not want this opportunity destroyed for the residents who appreciate the wildlife.

Nobuko Cleary, Silent Hills Lane, had concerns about wildlife easements at a proposed new residence on Eshner Court. She also mentioned the placement of extra dirt in the creek on the Seton (Daughters of Charity) property.

Chairman Collins requested that staff investigate these concerns.

Nancy Couperus, Page Mill Road, stated that, according to the State guidelines under what is called “the shoe fits” doctrine, the General Plan must address broad issues that are relevant to the planning area. That is why particular issues that pertain to the rural community of the Town are brought up in the General Plan.

CLOSED PUBLIC HEARING

Chairman Collins asked Leslie Hopper to explain the purpose of a general plan and how ordinances are related.

Leslie Hopper, Contract Planner, explained that the General Plan is first and foremost a policy document. It is the Town’s opportunity to set guiding principles and policies. The General Plan is an expression of the Town’s values. The General Plan articulates policies and in a general way sets out programs that can implement that policy. Often the programs are implemented through the adoption of ordinances or other policy.

Commissioner Clow agreed with the language with exception to Program 3.4, which should be changed to read “might **strongly** affect” areas of significant wildlife.

Commissioner Carey supported the language as presented, or with Commissioner Clow’s suggested addition to 3.4.

Commissioner Cottrell supported the language as written.

Commissioner Harpootlian supported the language as presented and Program 3.4 either as presented or with the addition discussed. He would like to leave in the phrase “as recommended by the State of California general plan guidelines”.

Chairman Collins supported the revisions as written and the addition in Program 3.4 of the word “might **strongly** affect”.

MOTION SECONDED, AMENDED AND PASSED BY THE FOLLOWING VOICE VOTE: Motion by Commissioner Cottrell and seconded by Commissioner Carey to recommend approval of the Open Space Committee’s and staff’s proposed revisions to the Wildlife Species and Habitat section of the draft Conservation Element with change in program 3.4 to add the word “might **strongly** affect”.

AYES: Chairman Collins, Commissioners Carey, Clow, Cottrell and Harpootlian

NOES: None

Leslie Hopper asked for clarification regarding the Commission’s intent as far as the language in Programs 3.2 and 3.3.

Commissioner Cottrell amended his motion to include the deletion of “as recommended by the State of California General Plan guidelines” in those two policies.

MOTION WAS AMENDED AND APPROVED.

This item will be scheduled for a future City Council meeting.

4. OLD BUSINESS

4.1 DISCUSSION ON SETBACK REQUIREMENTS FOR
SUBSTANDARD (CDP) LOTS

Planning Director, Debbie Pedro, presented information on Conditional Development Permit lots in Town. She focused on the 63 substandard sized lots of .2 to .5 acre in size and stated that 45 are already developed.

Commissioner Carey felt that there was an imbalance in the amount of square footage allowed in relation to the setback requirements. Taller houses are being designed to fit on small lots that have the same setbacks as larger lots. Perhaps relaxing setback requirements for substandard lots and allowing structures to be built closer to the property line would allow for reduction in the height of the building.

Commissioner Clow felt having absolute requirements for the height of buildings and setbacks is warranted.

Commissioner Cottrell agreed with Commissioner Clow. He thought architects often try to fit the maximum square footage on a lot when perhaps the houses may be just too large for the lot. There are not many lots in Town of this size and it is too hard to have variable setback regulations. He was in favor of leaving the setbacks as written.

Commissioner Harpootlian appreciated both sides of the issue but agreed with Commissioner Clow. He felt that variances worked for applicants that have specific needs.

Chairman Collins agreed that the existing ordinances work and that if a concern arose over a proposed construction project fitting the size of a lot, then the house is too large and the design should be changed appropriately. She also felt the cost of a lot reflects the limitations of what can be built on the lot.

Dot Schriener, Saddle Mountain Drive, said she was on the Planning Commission when the larger numbers were proposed and passed. She felt at that time there would be problems with the setbacks and the reduction in the desired open space area around houses. She was concerned in regards to percentages; the substandard lots actually allow more development than the acre lots.

Resident, felt that constraints such as easements and setbacks prevent development on larger properties also. Allowing structures closer to the setback affects not only the property owner's lot but the neighboring property as well.

Chairman Collins closed the discussion on setback requirements.

5. NEW BUSINESS

5.1 QUARTERLY SOLAR REPORT

Nicole Horvitz, Assistant Planner, reported that during the first quarter of 2007, the building and planning departments had issued eleven permits for solar photovoltaic systems. All applications were for roof mounted solar with one permit taking advantage of the development area bonus and three permits issued for new residences.

Commissioner Carey commented that only one project took advantage of the development area bonus.

Debbie Pedro, Planning Director, explained that when a project qualified for additional development area, the bonus may be used at a later date. The solar panel development area bonus program expires in 2013.

Commissioner Harpootlian asked if the other permits issued were in conjunction with remodels or only as solar panels system installations.

6. REPORT FROM THE CITY COUNCIL MEETING

6.1 Planning Commission Representative for March 8th, Commissioner Clow reported that the City Council had upheld the Planning Commission's decision for the driveway placement of the LANDS OF MOELLER subdivision application.

6.2 Planning Commission Representative for March 22nd-Commissioner Carey

6.3 Planning Commission Representative for April 12th-Commissioner Harpootlian

6.4 Planning Commission Representative for April 26th,-Commissioner Harpootlian and Commissioner Clow reported on the LANDS OF PAPP fence application.

7. APPROVAL OF MINUTES

7.1 Approval of March 1, 2007 minutes

PASSED BY CONSENSUS: To approve the March 1, 2007 minutes as amended.

8. REPORT FROM FAST TRACK MEETING – none

9. REPORT FROM SITE DEVELOPMENT MEETING – none

10. ADJOURNMENT

The meeting was adjourned by consensus at 8:32 p.m.

Respectfully submitted,

Victoria Orland
Planning Secretary