

March 13, 2018

Mayor and city council members. My name is Walter Chapman I am a local building designer and this year will mark 40 years that I have been designing houses here in Los Altos. I have witnessed, and have been party too, many of the changes that have taken place in regard to the residential architecture of this community. During that time I have engaged with every planning staff member, planning commission and city council at one time or another and have a few insights to share with. Don't worry I will only share one this evening.

David Kornfield, a previous planner here in Los Altos, told me a story about an encounter with James Walgren shortly after he was hired as the city's Planning Director. David was working the counter and James noticed David putting a binder away after answering a question for a resident. James asked about the binder and David explained it was the interpretation copy of the city ordinances. James asked if he could see it and promptly threw it in the trash.

He told David that if the city codes needed an explanation or were not clear enough to be understood they should be revised or amended. That it was not ethical to have one set of codes for the public and a separate one used by staff. I think that lesson would serve us well today.

I recently submitted a project for design review and was told the design would need to be revised if I could not prove it met a specific zoning ordinance. I asked the planner to send me the actual verbiage of the code because I had never seen it applied this way to any of my projects before. What the planner sent me was the verbiage of the ordinance with an explanation "Therefore you need to..."

Well I looked up the code section in question and found that the planner had indeed quoted it verbatim, however there was no "Therefore" statement. The "Therefore" was an interpretation, not only was it an interpretation, but a different interpretation than one I had previously received from David Kornfield when I ran into a similar issue years ago. When David left the City of Los Altos we lost the only planner who had contextual knowledge of the intent of many of the city ordinances, so it appears new interpretations are being made. That is the problem with interpretations, they change over time. A zoning ordinance should always mean what it means, no matter how staff changes over the years.

Submitted @ Los Altos City Council Meeting

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When I asked if I could come in and discuss this matter I was told by the planner that they “did not have time to discuss the matter in person”. Did not have time... Is it not the city government’s responsibility to be accessible and accountable to the community?

I would advise the city that staff should refrain from “Therefore” statements and instead apply the letter of the code. Amend a code if needed with verbiage that addresses staffs concerns before applying it. If undocumented explanations and interpretations are to be used as the basis of project approvals, then the zoning code is useless and should be thrown in the trash again.

Note to Council: Will there be any City Council Open Office Hours this year? I would like to discuss other matters with the council members that require more than 3 minutes. Please let me know at info@wjcda.com or via phone (650) 941-6890.