

RESOLUTION NO. 2019-41

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALTOS
GRANTING AN EXCEPTION FROM THE CITY'S STORY POLE POLICY TO
THE PROPOSED DEVELOPMENT AT 4350 EL CAMINO REAL AND
MAKING FINDINGS OF CEQA EXEMPTION**

WHEREAS, the City Council adopted an Open Government Policy that included a requirement for all multi-story commercial, multiple-family, mixed-use and public facility development projects subject to Planning Commission and City Council review to erect story poles as part of the application and public review process (the "Story Pole Policy"); and

WHEREAS, the purpose of the Story Pole Policy is to help demonstrate for the public and decision-makers a proposed project's height, massing and profile in the context of the actual environment and provide a "visual notice" of the same; and

WHEREAS, the Story Pole Policy establishes specific, minimum objective standards and requirements for installation and duration of such poles' erection; and

WHEREAS, the City Council may grant exceptions to the Story Pole Policy due to a public health or safety concern, or if such an installation would impair the use of existing structure(s) or the site to the extent it would not be able to be occupied and the existing business and/or residential use would be infeasible; and

WHEREAS, by letters dated September 4, 2019 and October 4, 2019, the applicant for the proposed development at 4350 El Camino Real submitted a request for an exception from the City's Story Pole Policy due to public health and safety concerns and impairment of the existing structures and site related to placement of story poles in close proximity to drive aisles; and

WHEREAS, this action is exempt from CEQA each as a separate and independent basis, pursuant to CEQA Guidelines Section 15303 (new construction of small structures) and CEQA Guidelines Section 15061(b)(3), in that there is no possibility that the action will have a significant effect on the environment.

NOW THEREFORE, BE IT RESOLVED, that the City Council of the City of Los Altos hereby approves the applicant's request for an exception from the installation of story poles per the City's Story Pole Policy based on the following finding:

1. There is a public health and safety concern or impairment of the existing site or buildings due to the placement of the story poles and guy wires posing a threat of physical harm to users and a safety concern if a story pole or guy wire were to cause damage to personal property or result in personal injury to an individual attempting to access the site; and

2. Installation of story poles per the City's Story Pole Policy would impair the use of the structure on the site to the extent that operation of the existing gasoline service station would be infeasible.

I HEREBY CERTIFY that the foregoing is a true and correct copy of a Resolution passed and adopted by the City Council of the City of Los Altos at a meeting thereof on the 12th day of November, 2019 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Lynette Lee Eng, MAYOR

Attest:

Dennis Hawkins, CMC, CITY CLERK