

RESOLUTION NO. 2019-03

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALTOS
TO DENY AN EXEMPTION FROM THE CITY'S STORY POLE POLICY FOR
THE PROPOSED DEVELOPMENT AT 425 FIRST STREET**

WHEREAS, the City Council adopted an Open Government Policy that included a requirement for all commercial, multiple-family and mixed-use development projects subject to Planning Commission and City Council review to erect story poles as part of the public review process; 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, the applicant for the proposed development at 425 First Street submitted a request for an exemption from the City's Story Pole Policy due to safety concerns and impairment of the use of existing structures on the site and to allow for the use of some alternative materials and methods, and presented evidence intended to support the granting of such exemption; and

WHEREAS, at a duly noticed public meeting, the City Council thoroughly and extensively evaluated and considered all information and evidence presented by the applicant, as documented in the record, including, without limitation, in the staff report presented to City Council, and based upon such review, found the applicant had failed to present sufficient evidence to warrant the granting of an exception as outlined in the Story Pole Policy; and

WHEREAS, this action is exempt from CEQA pursuant to CEQA Guidelines Article 18, Section 15270, in that CEQA does not apply to projects a public agency disapproves.

NOW THEREFORE, BE IT RESOLVED, that the City Council of the City of Los Altos hereby denies the applicant's request for an exemption from some of the City's Story Pole Policy based on the following findings:

1. Sufficient evidence was not provided to demonstrate a public health and safety concern if the story poles and guy wires are set in compliance with the City's Story Pole Policy; and
2. Sufficient evidence was not provided to demonstrate that installation of story poles per the City's Story Pole Policy would impair the use of existing office building on the site to the extent that it would not be able to be occupied by business tenants and use of the building 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 February 2019 by the following vote:

AYES: BRUINS, ENANDER, FLIGOR, LEE ENG, PEPPER
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE



Lynette Lee Eng, MAYOR

Attest:



Jon Maginot, CMC, CITY CLERK