

RESOLUTION NO. 2018-15

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALTOS
APPROVING A PARCEL MAP AND CONDITIONAL USE PERMIT FOR A
TWO LOT SUBDIVISION INCLUDING A FLAG LOT AT 555 SOUTH EL
MONTE AVENUE**

WHEREAS, the City of Los Altos received a subdivision application that includes a parcel map and a conditional use permit from Catherine Zimmermann for a two-lot subdivision including a flag lot, applications 17-D-02 and 17-UP-05, referred herein as the “Project”; and

WHEREAS, the Project is categorically exempt from environmental review as a minor land division in accordance with Section 15315 of the California Environmental Quality Act of 1970 as amended (“CEQA”); and

WHEREAS, the Project was processed in accordance with the applicable provisions of the California Government Code and the Los Altos Municipal Code; and

WHEREAS, the Planning Commission held a duly noticed public hearing on the Project on April 19, 2018 at which all public comment was duly considered; and

WHEREAS, the City Council held a duly noticed public meeting on the Project on May 22, 2018 at which time all public comment was duly considered; and

WHEREAS, the location and custodian of the documents or other materials which constitute the record of proceedings upon the City Council’s decision was made are located in the Office of City Clerk.

NOW THEREFORE, BE IT RESOLVED, that the City Council of the City of Los Altos hereby approves the Project subject to the findings and conditions of approval attached hereto as Exhibit “A” and incorporated by this reference.

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 22th day of May 2018 by the following vote:

AYES: BRUINS, LEE ENG, MORDO, PEPPER, PROCHNOW
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE



Jean Mordo, MAYOR

Attest:



Jon Maginot, CMC, CITY CLERK

EXHIBIT A

FINDINGS

1. With regard to subdivision application 17-DL-02, the City Council finds the following in accordance with Chapter 4, Article 1, Section 66474 of the Subdivision Map Act of the State of California:
 - a. The proposed subdivision is consistent with the Los Altos General Plan because it is in conformance with all applicable goals, policies and programs in the Land Use Element, Housing Element and Infrastructure and Waste Disposal Element;
 - b. The site is physically suitable for this type and density of development because it complies with all applicable R1-10 District site development standards and in conformance with the Single-Family, Small Lot land use designation of the General Plan;
 - c. The design of the subdivision and the proposed improvements are not likely to cause substantial environmental damage, or substantially injure fish or wildlife because the site is located within a developed suburban context;
 - d. The design of the subdivision is not likely to cause serious public health problems because the site is located within a suburban context and has access to urban services including sewer and water; and
 - e. The design of the subdivision will not conflict with access easements because there are no access easements associated with this property.

2. With regard to use permit application 17-UP-05 to allow for the creation of a new flag lot, the City Council finds the following in accordance with Section 14.80.060 of the Municipal Code:
 - a. The proposed location of the use is desirable for the public health, safety, comfort, convenience, prosperity, or welfare because the flag lot creates another single-family dwelling surrounded by existing single-family residences;
 - b. The proposed location of the use is in accordance with the objectives of the zoning ordinance because the flag lot has a harmonious relationship with the adjacent residential land uses;
 - c. The proposed location of the use, under the circumstances of the particular case, will not be detrimental to the health, safety, comfort, convenience, prosperity, or welfare of persons residing in the vicinity or injurious to property or improvements in the vicinity because the flag lot will maintain the existing yard relationships with the surrounding properties;
 - d. The proposed use will comply with the regulations prescribed for the district in which the site is located and the general provisions of the zoning ordinance because the flag lot will allow for the future development of a single-family dwelling which is the primary land use of the R1-10 District;

- e. The size of the proposed flag lot is sufficient to mitigate development impacts and is compatible with the existing lots in the immediate neighborhood because the lot area exceeds the required minimum lot size and maintains appropriate yard relationships with immediate surrounding properties;
- f. The proposed flag lot will not result in unreasonable noise impacts to neighbors adjoining the access corridor because the new access corridor is adjacent to the existing access corridor;
- g. The proposed flag lot will not result in unreasonable privacy invasion or unreasonable massing as a result of building height because the R1-10 District limits building height to one-story and not more than 20 feet on flag lots;
- h. The proposed flag lot will not result in incompatible setbacks from neighboring properties because the flag lot will maintain current front and rear yard setbacks and increased side yard setbacks; and
- i. The allowed floor area ratio in accordance with district regulations will not result in adverse impacts on neighboring properties because the flag lot will be similar to the lot area of properties in the surrounding area.

CONDITIONS

GENERAL

1. Project approval is based upon the tentative map dated May 4, 2018 except as may be modified by these conditions.
2. All work within the public right of way shall be done in accordance with plans to be approved by the City Engineer.
3. The developer shall contact electric, gas, communication and water utility companies regarding the installation of new utility services to the site.
4. The project shall comply with the City of Los Altos Municipal Regional Stormwater (MRP)NPDES Permit No. CA S612008, Order No. R2-2015-0049 dated November 19, 2015. The improvement plan shall include the "Blueprint for a Clean Bay" plan sheet as page 2 in all plan submittals.
5. All existing trees on the site are protected except for the "12-inch Tree Cluster" on the north side of the existing house as shown on the submitted plans and shall not be removed unless approved by the City during any subsequent development review or tree removal permit application.

PRIOR TO MAP RECORDATION

6. The applicant shall obtain and final a demolition permit from the Building Division to remove all existing structures on the property.
7. The applicant shall pay all applicable fees, including but not limited to sanitary sewer impact fees, parkland dedication in lieu fees, traffic impact fees and map check fee plus deposit as required by the City of Los Altos Municipal Code.
8. The applicant shall destroy the water well and tank in compliance with the requirements of the Santa Clara Valley Water District.
9. The applicant shall dedicate public utility easements as required by the utility companies to serve both parcels.

PRIOR TO ISSUANCE OF A BUILDING PERMIT

10. The applicant shall record the parcel map.
11. Detailed plans for any construction activities affecting the public right-of-way include but not limited to excavations, pedestrian protection, material storage, earth retention, and construction vehicle parking, shall be provided to the City Engineer for review and approval. The applicant shall also submit on-site and off-site grading and drainage plans

that include drain swales, drain inlets, rough pad elevations, building envelopes, and grading elevations for approval by City staff.

12. A truck routing and staging plan for the proposed excavation of the site shall be submitted for review and approval by the City Engineer.
13. The applicant shall submit a utility plan which includes the location of the sanitary sewer laterals for each lot.
14. The project shall comply with the Stormwater Pollution Prevention Measures per Chapter 10.16 of the Los Altos Municipal Code.
15. The applicant shall contact Mission Trail Waste Systems and submit a solid waste disposal plan indicating the type and size of containers proposed and the frequency of pick-up service subject to the approval of the Engineering Department. The applicant shall submit evidence that Mission Trail Waste Systems has reviewed and approved the size and location of the proposed new enclosure for recyclables.

PRIOR TO FINAL INSPECTION

16. The applicant shall remove and replace the concrete sidewalk and curb/gutter along the entire frontage per the City Engineer's instructions.
17. The applicant shall be responsible for the removal/under grounding of the existing overhead utilities.
18. The applicant shall label all new or existing public and private catch basin inlets, which are on or directly adjacent to the site with the "NO DUMPING - FLOWS TO HALE CREEK" logo as required by the City.