

Town of Los Altos Hills Planning Commission Regular Meeting July 1, 2021 Minutes

Council Chambers, 26379 Fremont Road, Los Altos Hills, California

1. ROLL CALL AND PLEDGE OF ALLEGIANCE

Via teleconference according to the Governor's Executive Order N-29-20, Chair Patel called the Planning Commission meeting to order at 6:00 p.m.

Present: Commissioner Smith, Commissioner Couperus, Commissioner Waschura, Vice-Chair Indaco, Chair Patel,

Staff: Interim Planning Director Padovan, Associate Planner Loh, Management Analyst Einfalt, Planning Technician Brunner

2. PRESENTATIONS FROM THE FLOOR

Persons wishing to address the Commission on any subject not on the agenda are invited to do so now. Please note, however, that the Commission is not able to undertake extended discussion or act tonight on non-agendized items. Such items will be referred to staff or placed on the agenda for a future meeting.

No presentations from the floor.

3. APPROVAL OF MINUTES

3.1 Approval of June 3, 2021 Regular Meeting Minutes

Commissioner Waschura noted that while the Planning Commission approved forwarding a recommendation to the City Council to adopt the proposed WUI, he wanted the record to also reflect that adopting a WUI was the purview of the City Council and not the Planning Commission, and that the recommendation from the Planning Commission was for the WUI to be adopted if the City Council should decide to adopt a WUI.

Vice-Chair Indaco noted that time codes are not listed in the new platform for each comment on the Planning Commission video record. She proposed there be time codes or that the speaker and their statement be noted in the minutes. Additionally, she asked whether her PowerPoint presentations should be attached to the minutes.

Interim Planning Director Padovan responded that the Commissioner presentations are added as meeting supplementals, which can be done after the commission meeting.

Chair Patel also recommended that Commissioner presentations should be sent to staff so they can be archived with the meeting materials.

Commissioner Waschura noted that only actions are recorded in the minutes and the video is the reference for a verbatim record.

Director Padovan also noted that the purpose of the minutes is to summarize the actions of the meeting and the video record is the reference for the verbatim activity.

MOTION MADE AND SECONDED: Commissioner Waschura moved that the June 3, 2021 Regular Meeting Minutes be approved as presented. The motion was seconded by **Vice-Chair Indaco**.

**MOTION 5-0
PASSED:**

AYES: Commissioner Couperus, Commissioner Smith,
Commissioner Waschura, Vice-Chair Indaco, Chair Patel
NOES: None
ABSTAIN: None
RECUSE: None
ABSENT: None

4. PUBLIC HEARINGS

Planning Commission Ex Parte

Vice-Chair Indaco had communications with Dru Anderson, Co-Chair of the Emergency Communications Committee (ECC), regarding Item 4.2.

Commissioner Waschura had communications with the homeowner on Item 4.1.

Commissioner Couperus had communications with Interim Planning Director Padovan regarding Item 4.1.

Chair Patel had communications with Associate Planner Loh regarding Items 4.1 and 5.1.

Commissioner Smith had no ex parte communications.

4.1 12900 Atherton Court – File # VAR20-0010 – Lands of Haehnel

A request for a Variance to allow a 6'-0" tall open metal fence and driveway gate to encroach 10'-0" into the minimum required setback of 30'-0" from the centerline of adjacent road rights-of-way (Atherton Court).

CEQA Review: Categorical Exemption per Section 15301(1)(4)

Project Planner: Staff: Jeremy Loh

Chair Patel opened the PUBLIC HEARING.

Associate Planner Loh noted the applicants withdrew their application to the Planning Commission, deciding to follow the setback and other recommendations.

Chair Patel closed the PUBLIC HEARING.

NO MOTION.

4.2. 11997 Hilltop Drive – File #CUP21-0002 – Lands of Eskander

A request for a 10-year renewal of the Conditional Use Permit for an existing wireless telecommunications facility with no changes to equipment or structures.

CEQA Review: Categorical Exemption per Sections 15301 (b)

Project Planner: Jeremy Loh

Chair Patel opened the PUBLIC HEARING.

Associate Planner Loh presented the staff report.

A question-and-answer session between the **Commissioners** and staff ensued.

Nicole Comach and **Jacob Hamilton**, the applicants, were available for comments and questions.

Public Comment

No public comment.

Chair Patel closed the PUBLIC HEARING.

Commissioner Discussion

Vic-Chair Indaco commented on some of the concerns posed by residents and the Emergency Communications Committee (ECC) and proposed the creation of a task force to consider these projects.

Chair Patel noted that the City Council has the responsibility for rendering final decisions on this item. The Planning Commission can only recommend the Council review it.

Commissioner Couperus recommended encouraging the City Council to recommend the use of underground for fiber optics and other communications, which might eliminate the need for as many communications sites.

Commissioner Waschura noted that he believed the City Council was aware of the concerns surrounding the 5G communication upgrades.

Chair Patel noted that it is unknown how high this issue is in the City Council's list of priorities.

MOTION MADE AND SECONDED: Motion by **Commissioner Waschura** to forward a recommendation to the City Council that the Conditional Use Permit for the T-Mobile wireless communications site be extended for an additional ten (10) years, subject to the conditions of approval in Attachment 1.

The motion was seconded by **Commissioner Smith**.

AYES: Commissioner Couperus, Commissioner Waschura, Commissioner Smith, Vice-Chair Indaco, Chair Patel

NOES: None

ABSENT: None

ABSTAIN: None

MOTION: Carried 5-0

5.

NEW BUSINESS

5.1. Introduction of Revised Outdoor Lighting Policy and Guidelines

Chair Patel opened the PUBLIC HEARING.

Chair Patel noted that the process will be to allow the staff to present, the Environmental Design and Protection Commission (EDPC) to speak as the applicant, the public will have an opportunity to comment, and the Commissioners will follow up with discussion.

Associate Planner Loh presented the staff report.

Vijay Chawla, Chair of the EDPC, offered comments regarding the committee recommendations to the staff for updating the outdoor lighting policy.

Hajime Murakami, a member of the EDPC, offered comments regarding the committee recommendations to the staff for updating the outdoor lighting policy.

Carol Gottlieb, a member of the EDPC, offered comments stating the origins of these recommendations and expressed concerns regarding their application as a policy versus an ordinance.

Chair Patel asked the EDPC regarding "policing" the current lighting policy infractions and the difficulty of enforcing the more stringent recommendations.

Commissioner Couperus offered comments regarding the issue of outdoor lighting added by residents without permits.

Vijay Chawla, EDPC Chair, responded to comments from the Commissioners, requesting there be a differentiation between new construction and code enforcement for the lighting policy.

Vice-Chair Indaco asked **Hajime Murakami** of the EDPC about past committee research and specific lighting recommendations.

Hajime Murakami responded to comments by the Commissioners regarding lighting trends as they relate to current design trends in home structures.

Public Comment

No public comments.

Chair Patel closed the PUBLIC HEARING.

Commissioner Discussion

Commissioner Couperus offered comments regarding the interpretation of the item stating, "no light may exit the property." He noted the difference of lighting as they are observed from outside a property.

Vice-Chair Indaco offered comments regarding the interpretation of the item stating, "no light may exit the property." She noted that clarification should be made and offered considering using the terminology of lumens, Kelvins, and color temperatures.

Chair Patel offered comments stating that the terms, "light emissions (lumens) and color temperatures (Kelvins)," could be added to the policy for clarification purposes.

Commissioner Waschura offered comments stating his support of the proposed lighting policy and his stance regarding each proposal. He shared an image illustrating his concerns regarding areas that are not in compliance of the Town's Dark Sky policy and offered adding recommendations to the Town Ordinances and Outdoor Lighting Policy.

Chair Patel supported most of Commissioner Waschura's comments. He noted that applying strict lighting policies to new constructions was a challenge. Additionally, he noted enforcement was an issue for existing lighting policy infractions. He offered the suggestions regarding policy updates.

Commission discussion ensued and staff offered comments.

Commissioner Smith liked Commissioner Couperus' "primary and secondary source" differentiation comments and supported the current proposal.

NO MOTION.

6. REPORTS FROM THE CITY COUNCIL MEETINGS

6.2 Upcoming Meeting Assignments

- July 15, 2021 – Commissioner Waschura
- August 19, 2021 – Commissioner Indaco
- September 16, 2021 – Commissioner Smith
- October 21, 2021 – Chair Patel

Chair Patel confirmed upcoming meeting assignments with the Commissioners.

Commissioner Waschura commented that the July 15, 2021 has moved to July 22, 2021 and confirmed his availability.

6.1 Past Meeting Review

- June 17, 2021 – Commissioner Couperus

Commissioner Couperus shared highlights of the past City Council meeting.

Interim Planning Director Padovan offered comments regarding **Commissioner Couperus'** comments on a particular item.

7. REPORTS FROM PAST SITE DEVELOPMENT / FAST TRACK MEETINGS

7.1 June 8, 2021

- 27575 Black Mountain Road – File #SD21-0023 – Lands of Gourji
Site Development Permit for landscape screening for an approved new residence; and new fencing and driveway gate. APPROVED
- 13101 La Cresta Drive – File #SD21-0016 – Lands of French
Site Development Permit for a new 1,432 square-foot swimming pool and spa and associated hardscape improvements. APPROVED
- 13800 Barton Court – File #SD20-0099 – Lands of Jackson
Site Development Permit for a new 1,033 square-foot two-story accessory building with a 1,019 square-foot attached accessory dwelling unit and a 913 square-foot basement, and a new 1,00 square-foot swimming pool.
APPROVED

7.2 June 15, 2021

- 26677 Snell Lane – File #SD21-0027 – Lands of Mehta

Site Development Permit for a new 473 square-foot swimming pool and spa, hardscape improvements, repaved driveway, and replacement fencing. APPROVED

7.3 June 22, 2021

- 26425 Aric Lane – File #SD21-0035 – Lands of Torabi
Site Development Permit for a new 1,231 square-foot first floor addition including attached garage to an existing 3,814 square-foot two-story single-family dwelling and a new 774 square-foot swimming pool. APPROVED

7.4 June 29, 2021

- 26455 Saint Francis Road – File #SD21-0026 – Lands of 26455 Saint Francis LLC
Site Development Permit for a new 6,015 square-foot, single-story residence with a 3,707 square-foot basement, a detached 792 square-foot accessory dwelling unit, and a 1,094 square-foot swimming pool. PENDING

Planning Director Padovan noted all Site Development/Fast Track projects were approved, including the 26455 Saint Francis Rd project.

8. PLANNING DIRECTOR REPORT

Interim Planning Director Padovan noted he would continue some of the newer policies begun by the past planning director and wanted to address some of the common issues in planning projects prior to hearings. He noted that there would be additional planning policies that should be updated, and the Commission should review them in the next few months.

Additionally, the recruitment window for the new planning director and new planning staff would be closing soon.

Commissioner Waschura expressed his gratitude towards Steve for his expertise and knowledge of Los Altos Hills' projects.

Chair Patel commented that some of the information should be documented for future planners to leverage.

Commissioner Couperus and the other commissioners also complimented the planning staff for their efforts during the recent changes.

9. REORGANIZATION OF THE PLANNING COMMISSION

9.1 Appointment of Chair

Chair Patel thanked all his fellow commissioners for their assistance during his tenure as Planning Commission Chair. He asked that the Commission address the Vice-Chair role before the appointing a new Chair.

Commissioner Waschura thanked Chair Patel for his service as Chair for the Planning Commission.

Chair Patel noted that typically, the Vice-Chair assumes the Chair position.

MOTION MADE AND SECONDED: Motion by **Vice-Chair Waschura** to nominate Commissioner Indaco as Chair of the Planning Commission.

The motion was seconded by **Chair Patel**.

AYES: Commissioner Couperus, Commissioner Smith, Vice-Chair Waschura, Chair Patel

NOES: None

ABSENT: None

ABSTAIN: Commissioner Indaco

MOTION: Carried 4-0-0-1

9.2 Appointment of Vice-Chair

Chair Patel asked **Commissioner Smith** if he would like to be appointed as Vice-Chair.

Commissioner Smith declined and nominated **Commissioner Waschura** as Vice-Chair.

Commissioner Couperus seconded the nomination of **Commissioner Waschura** as Vice-Chair.

MOTION MADE AND SECONDED: Motion by **Commissioner Smith** to nominate Commissioner Waschura as Vice-Chair of the Planning Commission.

The motion was seconded by **Commissioner Couperus**.

AYES: Commissioner Couperus, Commissioner Smith, Vice-Chair Indaco, Chair Patel

NOES: None

ABSENT: None

ABSTAIN: Commissioner Waschura

MOTION: Carried 4-0-0-1

10. ADJOURNMENT

Meeting was adjourned at 8:51 PM by Chair Indaco.

Respectfully submitted,

Keren Brunner
Planning Technician