



**Los Altos Hills Open Space Committee
Regular Meeting Minutes
9:00 AM, March 4, 2020
Los Altos Hills Town Hall, Heritage House**

Committee Members and Associates Present: Richard Contreras (Chair), Nancy Couperus (Founder), Jean Struthers, Wendie Ward, Kit Gordon, Karen Lemes (Associate), Sharen Schoendorf (Associate)

Committee Members Absent: Alice Sakamoto (Associate), George Clifford (Vice Chair), Sue Welch, Peter Brown, Kjell Karlsson (Associate)

Council Liaison Present: George Tyson

Members of the public: Kristen Williams (Grassroots Ecology) Valerie Lee (Grassroots Ecology), Birgitta Indaco (Planning Commissioner)

1. Call to Order and Acceptance of Minutes

- a. Roll Call. RC called the meeting to order at 9:05 am
- b. Acceptance of Meeting Minutes. **KG moved to accept the minutes from February 12. RC seconded and the vote was unanimously in favor of approval (RC, WW, KG, JS).**
- c. Announcements.
 - i. March 12 Complete Streets Green Streets Symposium in Mountain View
 - ii. Charlie Knowles, local wildlife expert, was featured in local magazine.

2. Planning

- a. **13254 East Sunset Drive (KG, RC).** The developer applied for a permit for a new multistory residence with pool. **KG moved and RC seconded the acceptance of the report and these Open Space Committee recommendations. The vote was unanimously in favor (RC, WW, KG, JS).**
 - i. The OSC request the developer dedicate an open space easement at approximately the 302-elevation line as per Town policies. See diagram. Trails are allowed in open space easements.
 - ii. A riparian setback 25 feet from top of bank is requested as per Town ordinance.
 - iii. Remove old barbed wire from top of bank and at south border near the creek.
 - iv. Require a Condition of Approval (COA) to remove stinkwort by September 15 every year during construction.
- b. **27575 Black Mountain Road (KG, RC).** The developer applied for a permit for a new multistory residence with pool and a log cabin. **RC moved and WW seconded the acceptance of the report and these Open Space Committee recommendations. The vote was unanimously in favor (RC, WW, KG, JS).**
 - i. Require a Condition of Approval (COA) to remove stinkwort by September 15 every year during construction.
- c. **24180 Dawnridge Drive (KG, WW).** The developer has requested abandonment of a Light and Air Easement deeded at time of subdivision in 1954. **KG moved and RC seconded the acceptance of the report and these Open Space Committee recommendations. The vote was unanimously in favor (RC, WW, KG, JS).**
 - i. The Open Space Committee does not feel it has the authority to vacate a deeded easement.

- ii. The Open Space Committee does not recommend modifying the existing deeded easement.
- iii. The Open Space Committee recommends that conditions of subdivisions be kept in perpetuity as they were intended.
- iv. The Open Space Committee is concerned about setting a precedent that could undermine planning instruments such as easements and setbacks that are established at time of subdivision or development.
- d. **12663 Corte Madera Lane (RC, WW).** The developer applied for a permit to replace existing house. **KG moved and WW seconded the acceptance of the report and these Open Space Committee recommendations. The vote was unanimously in favor (RC, WW, KG, JS).**
 - i. The OSC request the developer dedicate an open space easement 25 feet from top of bank (as per engineers drawing plans) as required by Town ordinance. The existing house can remain within the easement but future development within the easement is not allowed.
 - ii. A riparian setback 25 feet from top of bank is requested as per Town ordinance.
 - iii. Show the top of creek bank correctly in all plans. The engineers plan is correct, the contracting set is incorrect
 - iv. Remove palm tree from creek bed.
 - v. Require a Condition of Approval (COA) to remove stinkwort by September 15 every year during construction.
- e. Fence Permit Reviews: RC is working with Town staff to allow permit notices for our committee.

3. New & Continuing Business

- a. **Grassroots Ecology Update:** Valerie Lee and Kristen Williams provided an update of our Open Space Preserves. They have engaged over 3500 community members, mostly youth, at more than 250 events since 2014. The preserves now have greater plant species diversity which allows greater biodiversity for all fauna. The amount of invasive pest plants has reduced substantially. Grassroots Ecology coordinates closely with Town staff for strategic mowing of yellow star thistle, Italian thistle and mustard. The horses reduce thatch, allowing more native plants to emerge. In areas that had yellow star thistle, native yampah, purple needle grass, poppy, lupines, buttercup and soap plants have emerged. Oxalis is a growing concern
- b. **ADU Update:** As of January 1, 2020 communities are required to provide a specific number of affordable housing units. The state law allows for 5-foot setback from side or rear of property compared to our Town policy of 30-foot setback. Town planning staff is working to craft an ADU ordinance that will be allowable by the state and defensible from lawsuits. The Town Council will review the ordinance proposal March 19. (Why wasn't the ordinance in place by Jan 1?)
- c. **Fence Ordinance.** No update
- d. **Tree Ordinance.** No Update.
- e. **Presentation on Native Plants.** JS has located two speakers, Paul Heiple and Stephanie Morris. Date to be determined.
- f. **Feedback from Planning on OSC Reviews.** To be discussed at later date.
- g. **Native Plants for Landscapes.** KG presented a draft proposal to create a native plant policy.

4. Open Discussion

- a. The developer of 24752 Olive Tree Lane requested a modification of the proposed open space easement. The Committee will review this property at the April meeting.

Meeting adjourned at 11:01 am

Attachment A	OSC Review 13254 East Sunset Drive
Attachment B	OSC Review 27575 Black Mountain Road
Attachment C	OSC Review 24180 Dawnridge Drive
Attachment D	OSC Review 12663 Corte Madera Lane
Attachment E	Status of Open Space Preserves from Grassroots Ecology
Attachment F	Draft Policy to Require Native Plants in Landscapes

Minutes submitted by Kit Gordon

To: Los Altos Hills Planning Department
From: Open Space Committee
Date: March 4, 2020
Property address: 24180 Dawnridge Drive
Date of Site Visit: Feb 27, 2020

Lands of	Lowchareonkul			APN	336-18-011
Town Planner	Jeremy Loh			Project Number	MA20-0001
Lot Size	Slope	LUF	DA (sqft)	FA (sqft)	Earthworks (CY)
1.18					

Reason for review: Light and Air Easement Abandonment

PROPERTY SUMMARY

The developer has requested abandonment of a 100-foot front yard Light and Air Easement, deeded at the time of subdivision. An accessory dwelling unit is possible in the existing Light and Air Easement. The land in the Light and Air easement is sloped approximately 20%, dotted with mostly dying pine trees and some small oak trees. It appears several small oaks will be removed for the ADU. A new garage and secondary dwelling unit is proposed.

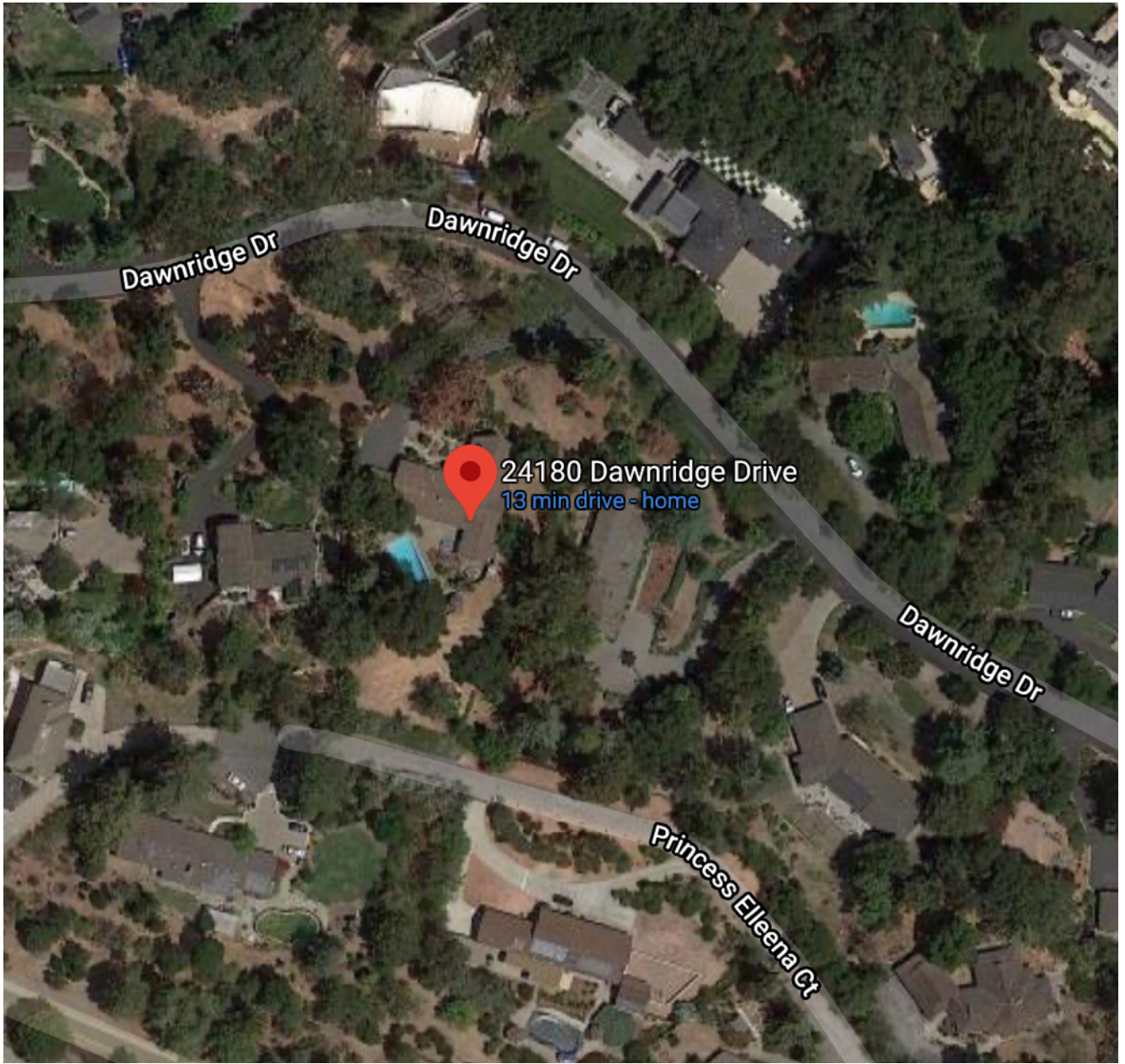
In 1954, the developer that subdivided Dawnridge Drive into 9 parcels made and signed the following statement:

“We also hereby dedicate for public use all easements for Light and Air under and/or over those certain strips of land lying between the front and/or side lines of lots and the lines designated as “Building Set Back Line” (B.S.B.L) as shown on said subdivision, such strips of land to be kept open and free from buildings and structures of any kind excepting irrigation and sprinkling systems and appurtenances thereto.”

OSC DRAFT RECOMMENDATION

1. The Open Space Committee does not feel it has the authority to vacate a deeded easement.
2. The Open Space Committee does not recommend modifying the existing deeded easement.
3. The Open Space Committee recommends that conditions of subdivisions be kept in perpetuity as they were intended.
4. The Open Space Committee is concerned about setting a precedent that could undermine planning instruments such as easements and setbacks that are established at time of subdivision or development.

Date of OSC review: March 04, 2020
 Voting of review:



Dawnridge Dr

Dawnridge Dr

24180 Dawnridge Drive
13 min drive - home

Dawnridge Dr

Princess Ellena Ct

LOT 14

LOT 4

LANDS OF LOWCHARONKUL
1.48 acres
54,363 sq.ft.



SITE PLAN 1
SCALE: 1/16" = 1'-0"

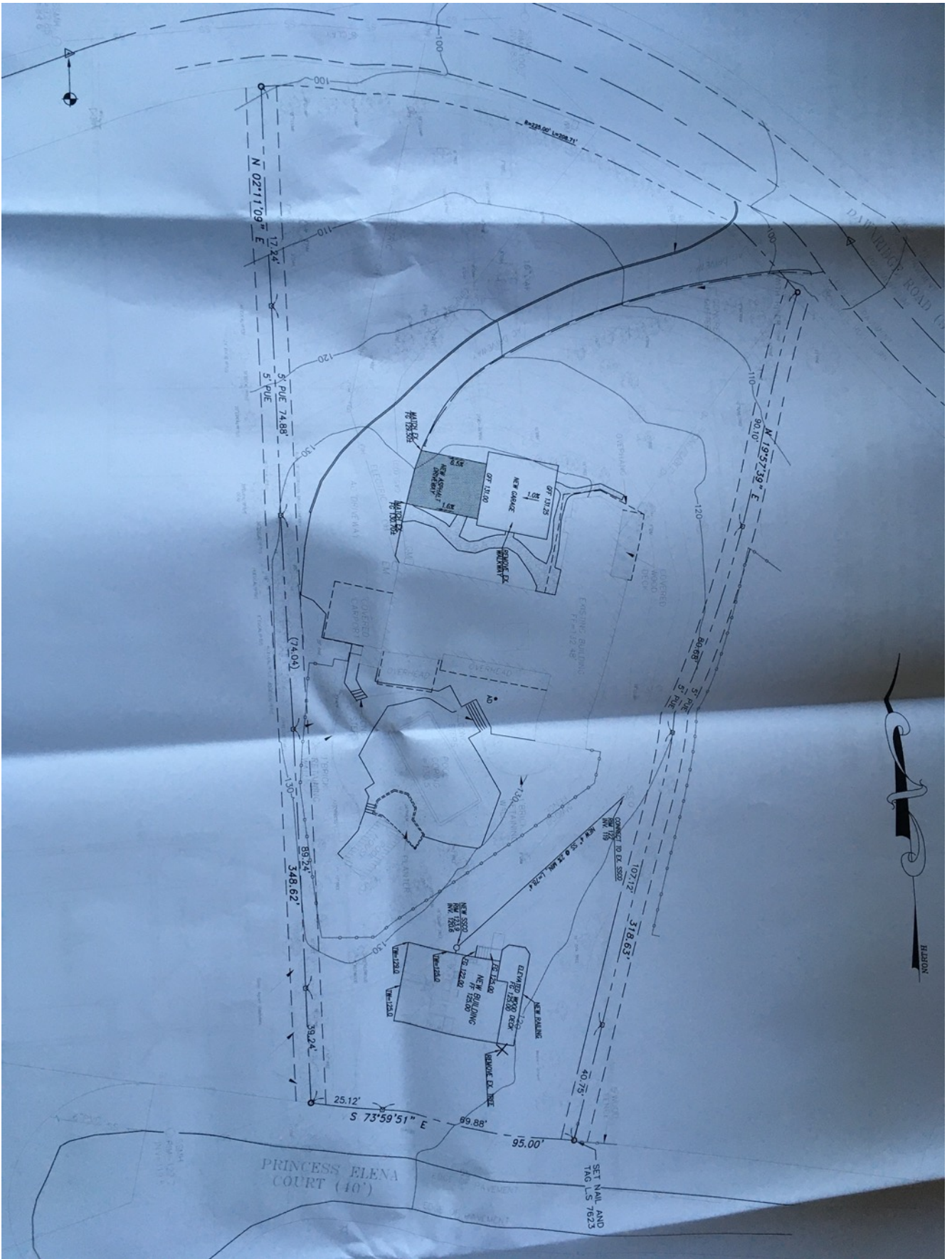
CURRENT BUILDLABLE AREA MAINTAINING 10' SETBACK FROM MAIN HOUSE: 7,780 SF

CURRENT NON-BUILDLABLE AREA DUE TO LIGHT AND AIR SETBACK: 6,281 SF

SHEET INDEX
AX1.1 Cover Sheet, Site Plan, Land Use Exhibit

GENERAL INFO
Makie & Terium Lowcharonkul

6
NO. 1288
COD
MAPS
34





Light and Air Easement.

To: Los Altos Hills Planning Department
From: Open Space Committee
Date: March 4, 2020
Property address: 27575 Black Mountain Road
Date of Site Visit: Feb 28, 2020

Lands of	Gourji			APN	182-11-082
Town Planner	Jeremy Loh			Project Number	SD20-0009
Lot Size	Slope	LUF	DA (sqft)	FA (sqft)	Earthworks (CY)
1 acre	Slight		15000	5769	

Reason for review: New Residents with detached Pool House

PROPERTY SUMMARY

An existing house on this slightly sloped, wedge-shaped lot will be replaced with a new two-story resident with basement, a log cabin and a pool. There are many mature oaks on the land. The plans indicate at least three oak trees will be removed including a large multitrunked oak tree near the front of the property. A majority of the oaks will be saved. Fences are on neighboring property lines, possibly owned by neighbors. No animal trails were noted.

OSC FINAL RECOMMENDATION

1. Require a Condition of Approval (COA) to remove stinkwort by September 15 every year during construction.

Date of OSC review: March 04, 2020

Voting of review: unanimously in favor (RC, KG, WW, JS)

Municipal Code 10-2.702 Siting.

(f) Tree Preservation. Every feasible attempt should be made to preserve existing trees except those trees identified in the Los Altos Hills *Landscape Guidelines* invasive plant

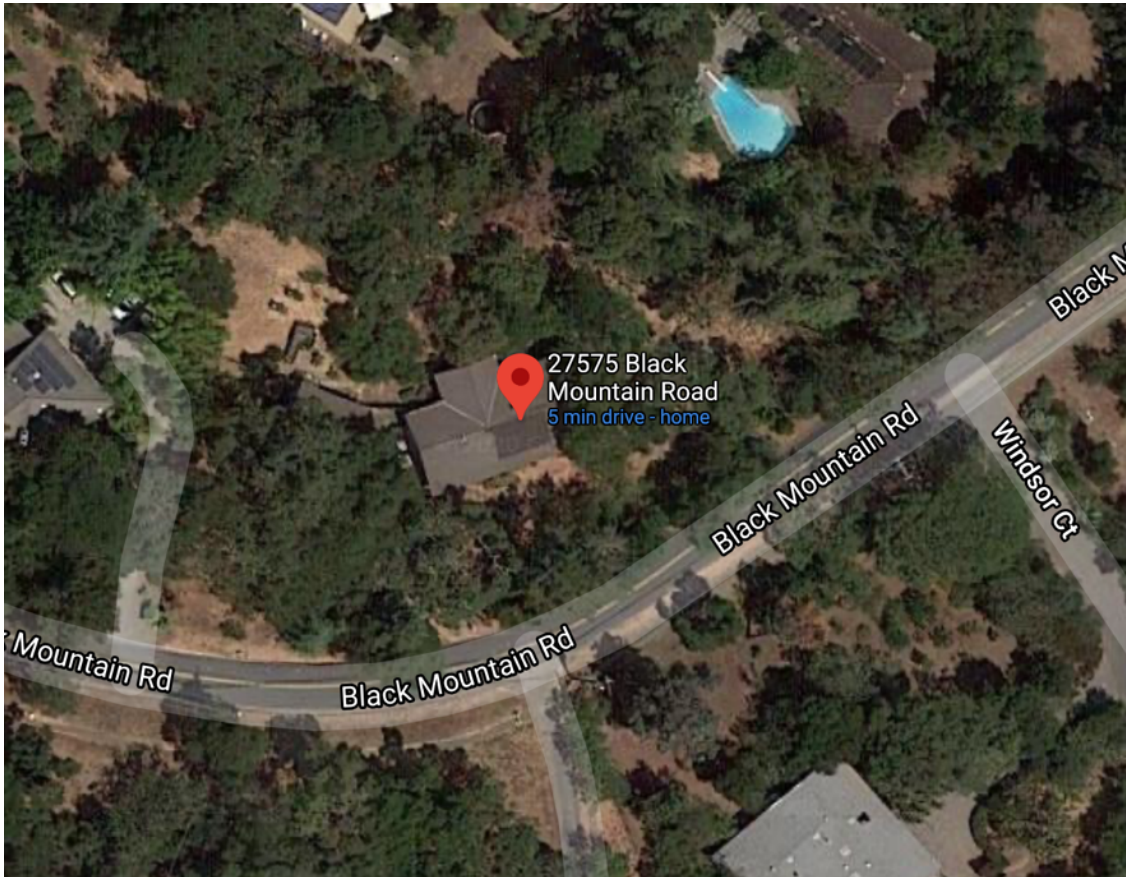
Conservation Policy 2.2: Minimize disturbance of the natural terrain and vegetation.

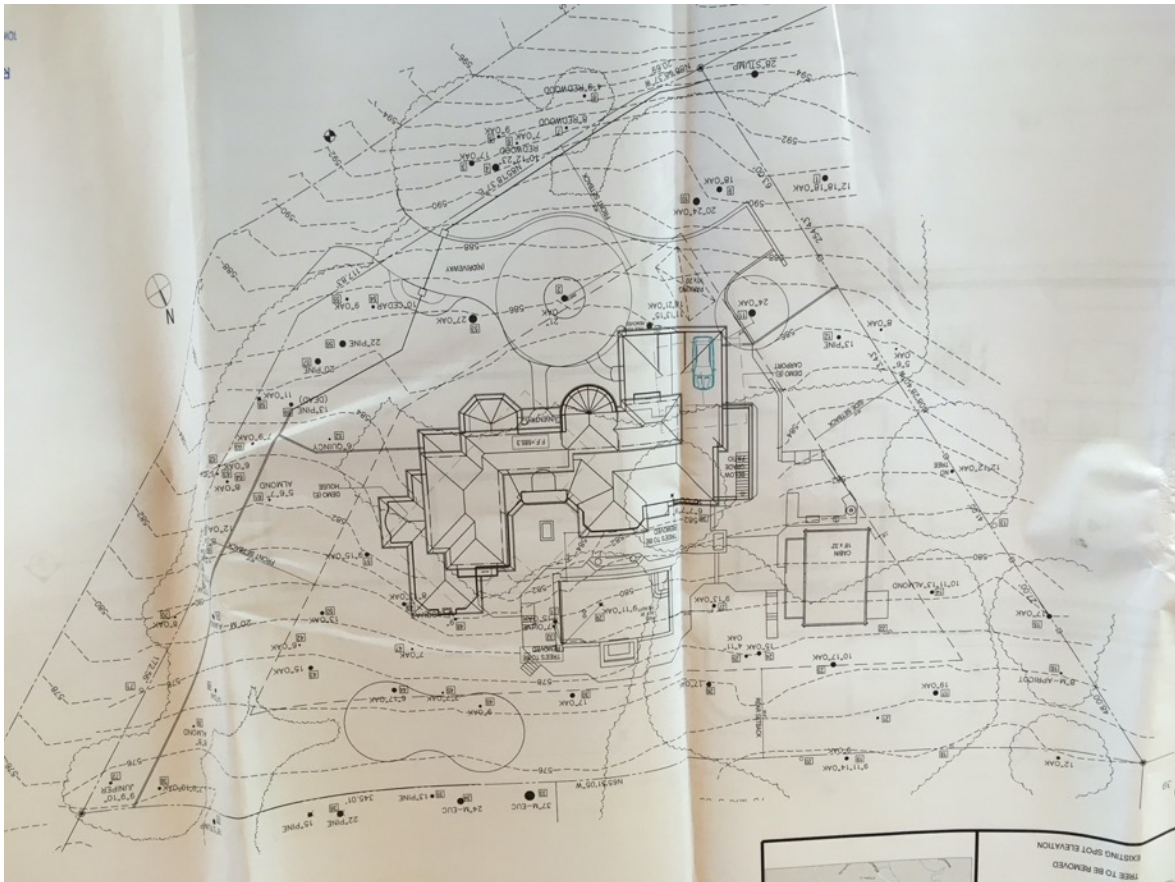
Preserve and protect **native** and naturalized plants, with special attention to preservation of unique, **rare or endangered species and plant communities** such as **oak woodlands**.

Conservation Policy 2.3: Preserve and protect **Heritage Trees**, including native oaks and other significant trees, on public and private property.

Conservation Policy 11.5: Ensure that development projects are designed to conserve the natural slope, **preserve existing native vegetation, limit invasive species**, and conserve natural drainage channels and swales.

Land Use Program 2.3 Encourage the preservation of **existing trees**, rock outcroppings, ridgelines and other **significant natural features**





Multi-trunked oak tree planned for removal.



Several small oaks, most planned to be saved.



Old olive tree planned for removal.



To: Los Altos Hills Planning Department
From: Open Space Committee
Date: March 4, 2020
Property address: 13254 East Sunset Drive
Date of Site Visit: Feb 27, 2020

Lands of	Suchter			APN	175-27-033
Town Planner	Krista Yost			Project Number	SD20-0008
Lot Size	Slope	LUF	DA (sqft)	FA (sqft)	Earthworks (CY)
1 acre	~40%	<1	8208	3985	

Reason for review: New Residents with basement and pool

PROPERTY SUMMARY

An existing house on this steeply sloped lot will be replaced with a new two-story resident with basement and a pool. The current development is non-conforming but will become conforming although the LUF is less than 1. Much of the land is sloped equal to or greater than 30% slope. A tributary of Adobe Creek flows near the lowest elevation border. The property borders Jesuit Retreat El Retiro to the east and south. Animal trails were abundant at the lower elevations.

OSC FINAL RECOMMENDATION

1. The OSC request the developer dedicate an open space easement at approximately the 302-elevation line as per Town policies. See diagram. Trails are allowed in open space easements.
2. A riparian setback 25 feet from top of bank is requested as per Town ordinance.
3. Remove old barbed wire from top of bank and at south border near the creek.
4. Require a Condition of Approval to remove stinkwort every year by September 15 during construction.

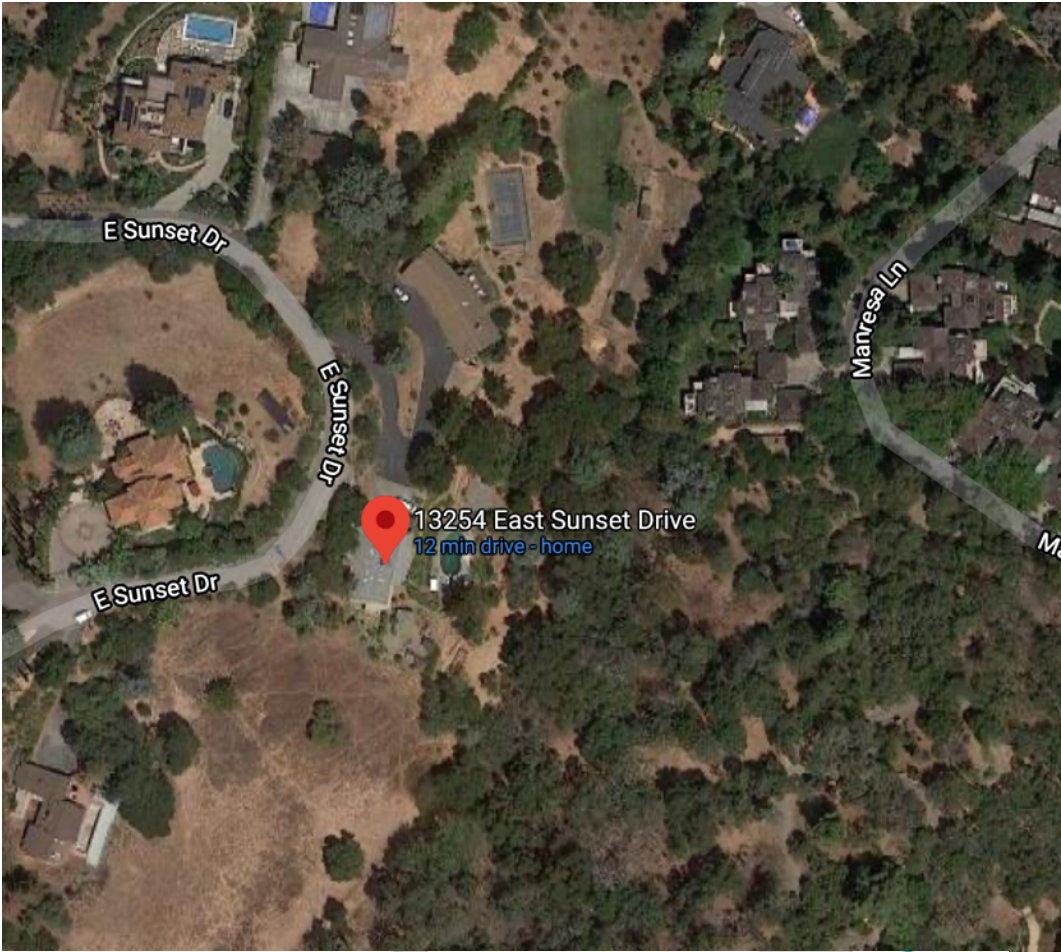
Date of OSC review: March 04, 2020

Voting of review: unanimously in favor (RC, KG, WW, JS)



**Tributary
Adobe
Creek**

Recommended Open Space Easement shown in green.





Existing house sited near top elevation of property





Terraced retaining walls





Barbed wire near creek



Several animal trails near creek, in area recommended for open space easement.

Municipal Code 10-2.702 Siting.

(e) Creek Protection. Structures shall be set back a minimum of twenty-five (25) feet from the top of bank of all creeks. Greater setbacks may be required along major creeks in the Town; however, lesser setbacks may be allowed where approved by the Planning Commission. Improvements required to all creeks shall be accomplished to appear natural and to maintain the natural meandering course of the existing creek. Creeks and banks shall be protected so as to remain in their natural state as much as possible. They should not be disturbed by the building or grading process. No grading shall be allowed in creeks or within the required setbacks from top of bank. Siting of structures shall be done with safety as a primary concern. Safety concerns and preservation of riparian habitat are required to be simultaneously addressed when designing development and required improvements to creeks. (§ 15, Ord. 299, eff. December 11, 1985; §§ 6, 7, Ord. 370, eff. May 20, 1994; § 1, Ord. 504, eff. October 28, 2006)

Policies:

Safety Policy 1.1 Open space easements, zoning and other land use regulations shall be used to limit and, in some cases, prohibit development in areas of unstable terrain, active fault traces, **water channels**, flood plains, **excessively steep slopes** and other areas determined to be hazardous to public welfare and safety.

Land Use Policy 2.5 Steep slopes, canyons and ravines generally in excess of **30% slope**, as well as **natural swales and drainage channels**, and geologic hazard areas within areas designated for residential development shall be left undisturbed and preserved in their natural condition to the maximum extent feasible.

Conservation Program 1.2: Continue to require Open Space Easements in along creeks and riparian corridors to ensure that these areas remain in their natural condition.

Conservation Policy 1.3: Preserve the integrity of **riparian corridors** as unique and environmentally sensitive resources.

Conservation Policy 3.1: Maintain and protect **creeks and riparian corridors** for wildlife that use this resource for food, shelter, migration and breeding.

Conservation Policy 11.5: Ensure that development projects are designed to conserve the natural slope, preserve existing native vegetation, limit invasive species, and **conserve natural drainage channels and swales.**

Conservation Policy 2.2: Minimize disturbance of the natural terrain and vegetation.

Preserve and protect **native** and naturalized plants, with special attention to preservation of unique, **rare or endangered species and plant communities** such as **oak woodlands.**

Conservation Policy 2.3: Preserve and protect **Heritage Trees**, including native oaks and other significant trees, on public and private property.

Conservation Policy 11.5: Ensure that development projects are designed to conserve the natural slope, **preserve existing native vegetation, limit invasive species,** and conserve natural drainage channels and swales.

Land Use Program 2.3 Encourage the preservation of **existing trees**, rock outcroppings, ridgelines and other **significant natural features**

Conservation Policy 2.7: Avoid the development of environmentally sensitive areas that are rich in wildlife or of a fragile ecological nature, such as areas of rare or endangered species of plants, or riparian areas.

Conservation Goal 3: Maintain and **enhance** the integrity of **wildlife habitat.**

Conservation Program 3.3: Assess the potential for development patterns to fragment and isolate significant wildlife habitats.

Conservation Section 315: Planning for **natural movement of wildlife** can help avoid, minimize and compensate for serious negative impacts on wildlife and humans. Areas that link wildlife habitat have become vital because native animals such as deer, fox, bobcat, and coyote are prevented by roads, fences, homes and other development from moving freely as they once did.

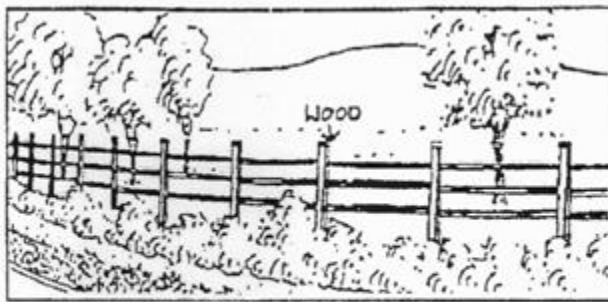
Conservation Section 316: Wildlife move through the planning area along natural passageways, particularly along creeks and riparian areas that provide sources of food, water and shelter. Many of these are already Open Space Conservation Areas that protect wildlife and ecologically significant habitat.

Municipal Code 10-1.507 (d) Prohibited Fences, Walls, Gates, and Column Types. The following fences are prohibited:

- (1) Chain-link or cyclone fences, including any fence with bare lengths of wire stretched between metal poles, with the exception of dark green, black, or brown vinyl-coated chain-linked fences with matching vinyl-coated cross bars and caps.
- (2) Barbed or razor wire fences, including any fence with attached barbs, sharp points, or razors. Electric fences, including any fence designed to produce an electric shock, except where necessary for animal husbandry operations.
- (3) Any fence, wall, and/or gate that may cause harm to people, pets, and/or wildlife due to points, spikes, or sharpened edges on the top or bottom part of the fence, wall structure and/or gate.

(9) Open Space/Conservation Easement Perimeter Fences.

- (i) Maximum height of open space/conservation easement perimeter fences: six (6) ft.
- (ii) Minimum distance of lowest fence strand or rail from ground: twelve (12) inches above grade.
- (iii) Open space/conservation easement perimeter fences shall provide openings sufficient to accommodate the free passage of wildlife through the easement. A split-rail wood fence (see exhibit) or equivalent design shall be required. Where a pathway is located within an open space/conservation easement, the perimeter fence shall be required to have at least two (2) openings at least as wide as the width of the pathway easement.



(9) Open space/conservation easement perimeter fencing

(10) Any fence crossing or intersecting an officially designated wildlife corridor shall conform to the requirements specified above for an open space/conservation easement perimeter fence.

Open Space Policy 1.1 Provide, during the development process, for the **maximum** feasible preservation of open space in and adjoining the Town, with spaces ranging in size from regional scale to small-scale open space on individual lots.

Open Space Policy 1.4: Preserve the natural beauty and minimize disturbance of the natural terrain and vegetation.

Open Space Policy 1.7: To the extent possible, link open spaces together visually and physically to form a system of open spaces.

Open Space Policy 1.8: Ensure that land uses and structures are compatible with the general open space quality of the planning area.

Open Space Policy 2.6 New residential subdivisions shall provide open space for recreation in order to meet their appropriate share of local recreation needs.