

RESOLUTION NO. 2019-41

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALTOS
DENYING AN EXCEPTION FROM THE CITY'S STORY POLE POLICY FOR
THE PROPOSED DEVELOPMENT AT 4350 EL CAMINO REAL**

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 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 limiting access to the site; 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 not subject to environmental review 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, based upon the entire record before the Council, hereby denies the applicant's request for a partial exception from the City's Story Pole Policy based on the following findings:

1. There is insufficient evidence in the record to demonstrate that compliance with the Story Pole Policy's requirements for placement of story poles and guy wires would cause a public health or safety concern that warrants granting of an exception; and

2. There is insufficient evidence in the record to demonstrate that installation of story poles in accordance with the City's Story Pole Policy would impair the use of existing gasoline service station business on the site to the extent that it would be infeasible to operate and warrant the granting of the exception.

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