



CITY COUNCIL MINUTES

SPECIAL MEETING
Wednesday, August 28, 2002 - 7:00 p.m.
Council Chambers
801 Laurel Street, Menlo Park

A. ROLL CALL - Mayor Schmidt called the special meeting to order at 7:05 p.m. Mayor Pro Tem Kinney, Councilmembers Collacchi, Borak, and Jellins were present. Also present were City Manager Boesch, Assistant City Manager Seymour, City Attorney McClure, City Clerk Ramos and Planning staff.

B. PUBLIC COMMENT - None

C. CONSENT CALENDAR

1. Approval of the City Council minutes of July 30, 2002.

Councilmember Jellins stated that the verbatim transcript is too voluminous to review and could not support it as minutes at this time.

M/S Collacchi/Schmidt to approve the verbatim transcript of July 30, 2002 and accept it into the City's records as the Council meeting minutes. Motion passed 3-1, Councilmember Jellins dissenting and Councilmember Borak absent.

Councilmember Borak arrived 7:10 p.m.

D. REGULAR BUSINESS (Continued from July 30, 2002)

1. Review of the proposed Zoning Ordinance amendments and Design Guidelines pertaining to single-family residential development. (The public comments closed on July 30, 2002.)

Councilmember Collacchi provided Council with his written comments about the proposed zoning ordinance process. He organized the proposed ordinance changes into 12 groups for his own processing. He suggested that the Council discuss the proposed changes in batches or categories.

Councilmember Jellins reiterated the strong opposition that has been expressed by the community and suggested that the Council clarify whether or not it intends to formulate an ordinance that would apply to the entire city or one that would meet neighborhoods needs. His preference would be designing an ordinance that the community can opt in to.

Mayor Schmidt thought that the ordinance should be applied citywide with overlays for some neighborhoods and suggested that Council should make that decision tonight.

Councilmember Borak thought that the ordinance should apply and take effect citywide with flexibility for neighborhoods to opt out, if that is their preference. She suggested that complex issues like development on steep grades should be discussed further.

Mayor Pro Tem Kinney said that he would hope that the proposed ordinance would address or consider any modification or remedy proposed by neighborhoods to meet their specific needs, similar to how Felton Gables came into existence with its ordinance.

Mayor Schmidt made a motion to apply the proposed ordinance citywide with the understanding that the proposed zoning district overlay process is the appropriate process for an individual neighborhood to apply for regulations that differ from the citywide regulations and that any proposal for a zoning overlay should be accompanied by a specific set of regulations for the neighborhood that can be codified in an ordinance.

Councilmember Jellins expressed concern that the proposed ordinance currently does not reflect the aspirations, concerns, goals and policies of the community as a whole. He suggested that it might be more workable to modify the proposed ordinance in such a way that would allow only those neighborhoods that are in agreement with its provisions to adopt it, rather than applying the ordinance to all and allowing certain neighborhoods to exempt themselves.

Councilmember Borak seconded the motion to apply the ordinance citywide.

Councilmember Collacchi clarified that whether or not neighborhoods that opt out will have their own set of regulations, the City would only have one zoning ordinance for the residential district. He said that as a procedural item, in order to move on with the discussion, he would support the motion.

Motion passed 4-1, Councilmember Jellins dissenting.

Mayor Pro Tem Kinney provided a summary of his understanding of the concerns and issues that have been expressed and some key decision points, with overheads. His presentation highlighted the following: Proposed major definition changes or continuations, triggers for administrative, Planning Commission and City Council review, and process.

Following questions and discussion, Council provided direction on the following items:

- **Modify regulations regarding substandard lots (item #2) – Accept as proposed.**
- **Modify the Floor Area Limit (FAL) requirement for each single-family zoning district (item #10) – Accept as proposed.**
- **Modify the definition of FAL (item #9) - Accept as proposed.**
- **Administrative Review Process (item #1) – Accept as proposed with the following modifications:**
 - **This section would also apply to all one-story development with lot coverage above 35 percent. One story homes would be reviewed based on privacy including outdoor lighting, accessory structures, outside equipment, lighting, fences and driveways as covered in the guidelines.**
 - **Delete the FAL trigger for Planning Commission review of a proposal, instead allow that all proposals be administratively reviewed unless appealed to the Planning Commission.**
 - **Delete the phrase “...to the end of the block, or such expanded area...” under the public notification section and allow the Chief Planner or designee to determine the appropriate portion of the block to be notified.**
 - **Modify the review criteria to delete the reference to compatibility with the character of the neighborhood since this issue is addressed in the design guidelines, and to add a specific reference to “applicable design guidelines” instead of the more general reference to all design guidelines. This change would apply where appropriate throughout the document for consistency.**
- **Delete lot coverage provisions (item #24) – Accept as proposed.**

Mayor Schmidt declared a recess at 10:05 pm and reconvened the meeting at 10:10 pm.

- **Relocate the definition of Grade (item #3) – Accept as proposed.**
- **Modify the definition of Attic (item #4) – Accept as proposed.**

- **Add a definition of Basement (item #5) – Modify the definition so that basements would not be considered as a “story” by eliminating the last sentence under the definition, which reads, “If the finished floor level directly above a basement is more than 30 inches above grade, such space shall be considered a story”.**
- **Add a definition of “main floor level” (item #6) – Accept as proposed.**
- **Add a definition of “story” (item #7) – Accept as proposed.**
- **Modify the Permitted Uses section of each single family zoning district to include a reference to the new single family development permit (item #8) – Modify to be consistent with Council direction to make single story development in excess of a 35 percent lot coverage subject to the new permit.**
- **Establish a second floor FAL of 35 percent (item #11) – Accept as proposed**

Councilmember Jellins suggested addressing this issue under the Design Guidelines. He said he would like to discuss it further. Mayor Pro Tem Kinney concurred.

Councilmember Collacchi suggested accepting item #11 as proposed at this time, subject to reconsideration at the next round of Council discussion. Council concurred.

Consensus to schedule a subsequent meeting (date to be determined) to continue discussion of this item.

E. ADJOURNMENT – 11:00 p.m.

Susan A. Ramos, CMC, City Clerk
Approved by the City Council on October 8, 2002