



CITY COUNCIL MINUTES

Special Meeting

Wednesday, September 18, 2002

7:00 p.m.

Menlo Park Council Chamber
801 Laurel Street, Menlo Park

A. ROLL CALL - Mayor Schmidt called the 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

Mayor Schmidt reported on the County of San Mateo Board of Supervisors' decision regarding the Alameda Streetscape Plan to reject the proposal to limit left turns from Avy Avenue. He said that the decision is consistent with the City's recommendation. He also reported on the Board's decision regarding tree specifications and setbacks for that project. He provided an update that the University Circle project was approved last night by the East Palo Alto City Council. He asked the City Attorney for options that the Council might want to consider in this regard.

City Attorney McClure suggested reviewing the matter in closed session after he has had an opportunity to review the matter and recommend some options.

C. REGULAR BUSINESS (Continued from September 17, 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.)

Picking up where discussion at the September 17, 2002 meeting left off, questions and discussion ensued on staff's recommendation and Council took the following actions:

- #36 Modify the definition of "parking space": **The Council indicated that permeable surfaces could be used to accommodate parking spaces.**
- #37 Modify residential parking requirements: **Approved as proposed.**
- #40 Add a statement explaining that development regulations establish maximum levels of development and should not be considered as entitlements: **Following discussion, the Council directed staff to modify the language under Section 16.08 to read, "Development regulations for individual zoning districts establish potential maximum levels of development on a property and may not be granted if a project is subject to a discretionary review process".**
- #13 Add a definition of "daylight plane": **Approved as proposed.**
- #14 Add purpose and applicability statements to the daylight plane regulations: Following discussion, **Council approved with the following modifications:**
 - **Delete references to privacy rights as a purpose for daylight planes**
 - **Include a reference to allow intrusions as the basis for providing flexibility**
 - **Delete the reference to applicability to the R-2 zoning district. This would result in a change to the R-2 zoning district provisions (Chapter 16.18) to incorporate the current daylight plane regulations for the R-2 district into the specific district language.**
- #15 Modify regulations for daylight planes: Following discussion, **Council approved with the following changes:**

- **Modify the provision to include the description of grade used for sloping lots in the definition of height to make it consistent with the daylight plane regulation of sloping lots.**
- **Delete chimney from those features exempted from the daylight plane provisions, noting that chimneys proposed to intrude into the daylight plane would instead be subject to the requirements for allowed intrusions. Furthermore, Section 16.67.050 would be corrected to read Section 16.67.040.**
- #16 Delete existing section within the daylight plane chapter that references the Felton Gables zoning district. **Approved as proposed.**
- #17 – Modify the regulations for allowed intrusions into daylight planes: Following discussion, **Council approved adding language to specify that a shadow study will only be required if a proposed intrusion has the potential to cast a shadow on an adjacent residential property. The reference to the development permit will also be changed to reflect the new title of the permit. The reference to the section number is correct as proposed.**
- #22 Add language regarding the daylight plane requirement to each single-family residential zoning district: **Approved as proposed.**
- #23 Modification of the regulations for the Felton Gables zoning district: **Approved as proposed.**
- #18 Delete the definition of “solar access”: **Approved as proposed.**
- #19 Delete the definition of “solar envelop”: **Approved as proposed.**
- #20 Delete the requirement for solar access related to landscaping: **Approved as proposed.**
- #21 Delete the chapter on solar access: **Approved as proposed.**
- #27 Add provisions for creating the new Single Family Residential Zoning Overlay District:

Mayor Schmidt declared a recess at 8:40 p.m. and reconvened the meeting at 8:50 p.m.

- Following discussion, **Council approved the following modifications:**
 - **Under subsection 16.88.060(a), the Council directed that the language be modified to clarify what types of groupings of properties could apply for a zoning overlay district.**
 - **Under subsection 16.88.060(b)(1), change the requirement from ten percent to 20 percent of the properties needed to file a petition for a zoning overlay.**
 - **Under subsection 16.88.060(c), add the word “A” to the beginning of the following sentence, “ A no response shall be considered opposition to the proposed zoning overlay request”. In addition, the percentage of property owners needed to support the zoning overlay request will be changed from two thirds to 60 percent.**
- #28 Modify the requirements for public hearings: **Council direction to change the percentage of property owners needed to support the zoning overlay request from two-thirds to 60 percent.**
- Design Guidelines: Councilmember Collacchi summarized his comments as outlined in his memo to Council dated September 17, 2002 followed by a discussion. **Council approved the following changes to the guidelines:**
 - **Retain the introduction to the Guidelines**
 - **Modify the six general categories of design techniques to include compatibility, mass and scale, privacy, sunlight, architectural details and ancillary structures**
 - **Modify the guidelines to delete the design objectives and possibly the goal statement of each general category.**

There was a Council consensus to continue discussion of the design guidelines at a future Council meeting.

D. ADJOURNMENT – 10:15 p.m.

Susan A. Ramos, CMC, City Clerk
 By Marjorie K. Wahlsten, CMC, Interim City Clerk
 Approved by the City Council on October 1, 2002