



## PLANNING COMMISSION AGENDA REPORT

**Meeting Date:** December 5, 2024

**Subject:** 235 Yerba Santa Avenue – Tentative Parcel Map

**Prepared by:** Sean Gallegos, Senior Planner

**Initiated by:** Amanda Musy-Verdel Applicant

**Attachments:**

1. Draft Resolution Recommending Approval of the Tentative Parcel Map
2. Tentative Parcel Map

**Recommendation**

1. Recommend the City Council adopt a Resolution approving a Tentative Parcel Map (Application No. TM24-0001) to subdivide one lot into two lots at 235 Yerba Santa Avenue, per the recommended findings and conditions of approval in the attached resolution; and find the project is categorically exempt from environmental review pursuant to Section 15315 (“Minor Land Divisions”) of the California Environmental Quality Act (CEQA) - Attachment 1 to the report.

*Figure 1: Aerial Map*

**Background**

Property Description

The subject property is located on the north side of Yerba Santa Avenue, between Los Altos Avenue and Cherry Avenue in the R1-10 zoning district. The approximately 20,963 square foot lot is currently developed with a single-family home constructed in 1951. The lot is currently a through-lot with frontage on both Yerba Santa Avenue and Patrick Way. The site is surrounded on all sides by single-family residential uses.

Project Summary

The Applicant requests approval of a Tentative Parcel Map to subdivide the existing 20,963 square foot lot into two lots, with one lot fronting Yerba Santa Avenue and the second lot fronting Patrick Way. Parcel A, would be 10,121.47 square feet in size



and Parcel B, would be 10,841.75 square feet. A one-foot deep by 84.78-foot reserve along Patrick Way would be vacated for the public street right-of-way. The existing house will remain on Parcel B, while Parcel A will result in a vacant lot.

**Analysis**

General Plan Consistency

The project proposes a subdivision to create two single-family lots, resulting in a potential density of approximately four (4) units per acre, which is within the allowed density range. The proposed project is consistent with the General Plan's Single-Family Medium Lot Land Use Designation, which supports a range of uses that are compatible with low-density residential neighborhoods, including single-family homes, accessory dwelling units, home occupations, day care facilities, churches, agricultural uses, and other similar uses that align with the character of the area.

The proposed subdivision conforms with all applicable goals, policies and programs in the Los Altos General Plan. As indicated in Figure LU-1 (General Plan Land Use Policy Map) and Table LU-1 in the Land Use Element. In addition to the Land Use Element, the project complies with the following Infrastructure and Waste Disposal Element that pertain to residential subdivisions:

- Infrastructure and Waste Disposal Element, Policy 1.3: Review development proposals to determine whether adequate water pressure exists for existing and new development; and
- Infrastructure and Waste Disposal Element, Policy 2.2: Review development proposals to ensure that if a project is approved, adequate sewage collection and treatment capacity is available to support such proposals.

The City’s Engineering Department has also confirmed that adequate sewage collection and treatment capacity is available to accommodate the project. As such, the proposed subdivision conforms to the Infrastructure and Waste Disposal policies applicable to new development.

Zoning Consistency

The subdivision has been designed to comply with all applicable zoning requirements. Table 1, below, shows the minimum requirements for new lots in the R1-10 district, and how the lots will comply:

**Table 1: Compliance with Lot Standards**

<b>Requirement</b>	<b>Parcel A</b>	<b>Parcel B</b>
<b>Minimum Lot Size:</b> 10,000 square feet	10,121 square feet	10,841 square feet
<b>Minimum Lot Frontage:</b> 80 feet	84.78 feet	84.78 feet
<b>Minimum Lot Depth:</b> 100 feet	119.38 feet	127.87 feet

Additionally, the retention of the existing structure and subdivision will not result in any new nonconforming condition or worsen any existing nonconformity on Parcel B, as is shown in Table 2 below:

**Table 2: Compliance with R1-10 Zoning Standards:**

<b>Requirement</b>	<b>Parcel B</b>
<b>Maximum Lot Coverage: 3,795 square feet (35%)</b> for lots with structures under 20' in height).	<b>Proposed Lot Coverage:</b> 1,208 sq ft (11.1%)
<b>Maximum Floor Area*:</b> (.35*10,841.75) = 3,795 sq ft	<b>Proposed Floor Area:</b> 1,091 sq ft
<b>Minimum Setbacks (house):</b> <b>Front (Yerba Santa Ave):</b> 25' <b>Right Interior Side:</b> 1st Story 10' 2nd Story 17.5 <b>Left Interior Side:</b> 1st Story 10' 2nd Story 17.5 <b>Rear:</b> 25'	<b>Proposed Setbacks (house):</b> <b>Front (Yerba Santa Avenue):</b> 50.3' <b>Right Interior Side:</b> 1st Story 22.6' 2nd Story N/A" <b>Left Interior Side:</b> 1st Story 30.4' 2nd Story N/A" <b>Rear:</b> 25'
<b>Daylight Plane (main house):</b> The daylight plane starts at a height of eleven (11) feet at each side property line and at an angle of twenty-five (25) degrees from the horizontal.	The main house is within the daylight plane.
<b>Maximum Front Yard Impervious:</b> 50%	<b>Proposed Front Yard Impervious:</b> 0% (the front yard is located along Yerba Santa Avenue and is entirely landscaped with numerous large, protected trees)

**Environmental Review**

This project is considered categorically exempt from environmental review under Section 15315 of the California Environmental Quality Act (CEQA) Guidelines because it is a division of property into four or fewer parcels that are in conformance with the City’s General Plan and Zoning Ordinance, does not require any variances or exceptions, all services and access to the proposed parcels to local standards are available, the parcel was not involved in a division of a larger parcel within the previous 2 years, and the parcel does not have an average slope greater than 20 percent and none of the exceptions listed under CEQA Guidelines Section 15300.2 applies.

**Housing Accountability Act (HAA)**

The Housing Accountability Act (HAA) (Government Code Section 65589.5), establishes the state’s overarching policy that a local government may not deny, reduce the density of, or make infeasible housing development projects (projects resulting in more than two (2) housing units or resulting parcels) which includes subdivision of land that are consistent with objective local development standards. Before doing any of those things, local governments must make

specified written findings based upon a preponderance of the evidence that a specific, adverse health or safety impact exists. Legislative intent language indicates that the conditions that would give rise to such a specific, adverse impact upon the public health and safety would occur infrequently.

The proposed project is protected under the Housing Accountability Act (HAA) as it creates additional housing stock within the City of Los Altos. Additionally, the proposed project meets all objective design standards that are applicable.

### **Public Notification**

A public meeting was mailed to all property owners within 300 feet of the project site and published in the newspaper. The applicant also posted the public notice sign in conformance with the Planning Division posting requirements.

At the time of preparation of this report, the Planning Division did not receive comments on the proposed project.

### **Next Steps**

The Planning Commission's consideration and recommendation on the Tentative Parcel Map application will be forwarded to Council for consideration at a future meeting and will be noticed separately.