

RESOLUTION NO. 2022-XX

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALTOS
GRANTING AN EXCEPTION FROM THE CITY'S STORY POLE POLICY TO
THE PROPOSED DEVELOPMENT AT 330 DISTEL CIRCLE AND MAKING
FINDINGS OF CEQA EXEMPTION**

WHEREAS, on [insert date] the City Council adopted an Open Government Policy that included a requirement for all multi-story commercial, multiple-family, mixed-use and public facility development projects subject to Planning Commission and City Council review to erect story poles as part of the application and public review process (the "Story Pole Policy"); 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 letter February 17, 2022 the applicant for the proposed development at 330 Distel Circle submitted a request for an exception from the City's Story Pole Policy due to public health and safety concerns, impairment of the existing structures and site related to placement of story poles in close proximity to drive aisles and affordable housing expedited timeline request; and

WHEREAS, this action The approval of the story poll exception is exempt from review under the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines Section 15061(b)(3) in that it can be seen with certainty that not erecting temporary structures would not result in a significant environmental effect, and none of the circumstances set forth in CEQA Guidelines Section 15300.2 applies.

NOW THEREFORE, BE IT RESOLVED, that the City Council of the City of Los Altos hereby approves the applicant's request for an exception from the installation of story poles per the City's Story Pole Policy based on the following finding:

1. There is a public health and safety concern or impairment of the existing site or buildings due to the placement of the story poles and guy wires posing a threat of physical harm to users and a safety concern if a story pole or guy wire were to cause damage to personal property or result in personal injury to an individual attempting to access the site; and
2. Installation of story poles per the City's Story Pole Policy would require additional time and resources, including impediment to current operations of the Mid-Peninsula Open Space District and cause significant delay in transfer of current ownership to be able to access and install the poles; and
3. The installation of the Story Poles causing significant delay in the timelines of approval of the 100 % affordable housing project seeking density bonus and concession causing delays in securing affordable housing funding in a timely manner; and

ATTACHMENT 1

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 22nd day of March, 2022 by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Anita Enander, MAYOR

Attest:

Andrea Chelemengos, MMC, CITY CLERK