

From: [Deepa Dhar](#)
To: [Nazaneen Healy](#)
Subject: Re: New residence at 1501 Oakley Drive
Date: Friday, September 20, 2024 5:09:40 PM

Hi Nazaneen,

Thanks for the detailed information and apologies it has taken me a while to respond. Could you please let me know if a revised application has been submitted and if it is under review?

Our neighborhood is primarily single story ranch style homes and after seeing preliminary proposed plans for this house, several neighbors- immediately adjacent and others- have expressed dismay. We have had quite a few new houses built in recent years, and all have been single story, contemporary but tastefully done with sensitivity to the contextual characteristics of the neighborhood.

It is very obvious the initial plans were by a developer to maximize the coverage vs an independent Owner building for their own personal needs. Of particular concern is the ADU originally proposed as a 2 story structure with a 4" setback!

One of my neighbors visited the City & probably met with you personally as well. The current Municipal Code still has provisions for daylight planes, which would disallow a 2 story structure so close to the property line. I have though heard that our Council has passed some changes to the Code that will be detrimental to this. Is there a timeline when the Codes are typically or in this case expected to be updated?

Please advise on what our options are to ensure this is a harmonious addition to our neighborhood & not an eye-sore. Appreciate your feedback and assistance in working through this and protecting our neighborhood.

Thanks

Deepa Dhar AIA, LEED AP



Questions regarding construction project at 1501
Oakley Dr LOS ALTOS from the resident at 1830
Newcastle Dr LOS ALTOS

When I saw my neighbor's project construction at 1501 Oakley Dr I couldn't believe my eyes.

So many windows on two floors looking my way seem incredible to me.

I went to the City Hall and asked where can I find the most accurate version of the building code.

The person I met told me to go to the official website, which I did.

On cote 14.06.100 daylight plane (R1-10)A I noticed something interesting which I marked on the plan with a red line.

Then I continued my research and found out the height of an ADU cannot exceed 16 feet.

I marked on the plan with a blue line.

So it seems that my neighbor's project does not comply with the rules.

I haven't seen the site map.

However, I wonder about the logic that prevailed in planting the widest part of the construction of the narrowest part of the land.

The land being large enough to permit further development unless there is an intention to build multiple dwellings.

It would be wise to know now.

Did they submit a landscaping project ?

Attached parts

Code of ordinances 14.06.100

Building code ADU

Right and left elevation plan

Los Altos 08/30/2024

Code of Ordinances F. On a lot less than one hundred (100) feet in depth, the rear yard shall be twenty-five (25) percent of the depth of the site or twenty (20) feet, whichever is greater.

G. When a structure legally constructed according to existing yard and setback regulations at the time of construction encroaches upon currently required setbacks, the city planner may approve one encroaching setback to be extended by no more than twenty (20) feet or fifty (50) percent, whichever is less, along its existing building line without a variance, subject to the following provisions:

1. The extension may only be applied to the first story;
2. Only one such administrative extension may be permitted for the life of the building. Other extensions may be considered, subject to the filing of a variance application;
3. Extensions are only permitted for the main structure and cannot result in a further encroachment into any required setback area.

H. With the exception of the provisions of Section [14.66.080](#) of this title, when a structure has an existing nonconforming setback and fifty (50) percent or more of the floor area of that structure is voluntarily being eliminated or replaced, the entire structure shall be brought into conformance with current setback requirements. (Amended during 2/06 supplement; Ord. 05-285 § 2 (part); Ord. 05-278 § 1 (part); Ord. 04-267 § 2 (part))

(Ord. No. 2012-375, § 4, 1-24-2012; Ord. No. 2015-414, § 2, 9-8-2015)

14.06.090 - Height of structures (R1-10).

No structure shall exceed two stories or twenty-seven (27) feet in height from the natural grade. On flag lots the height of structures shall be limited to one story and twenty (20) feet in height. Basements shall not be considered a story. When the lot coverage exceeds or is proposed to exceed thirty (30) percent, the maximum height of structures shall be twenty (20) feet.

(Ord. 04-267 § 2 (part))

14.06.100 - Daylight plane (R1-10).

No structure shall extend above or beyond a daylight plane as follows:

- A. For lots seventy (70) feet or greater in width, 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;
- B. On a lot, which is less seventy (70) feet in width for its entire length, the plane starts at a height of nineteen (19) feet at each second story setback line and proceeds inward at an angle of twenty-five (25) degrees;
- C.

On a site where the grade slopes greater than ten (10) percent from side property line to side property line, the daylight plane at the lower side property line shall be measured from a point equal to the average elevation of the site and proceed inward at an angle of twenty-five (25) degrees;

- D. An extension of an existing gable roof may project over or beyond the daylight plane when it is determined by the city planner that such projection is necessary to maintain the architectural integrity of the structure;
- E. Television and radio antennas, chimneys, and other similar appurtenances may project above the daylight plane as provided for in Section [14.66.250](#).

(Ord. 07-312 § 5 (part); Ord. 04-267 § 2 (part))

14.06.110 - Basements (R1-10).

Basements shall be regulated as follows:

- A. Basements shall not extend beyond the floor area of the first floor of the main or accessory structure above;
- B. Light wells, ingress and egress wells, patio wells, and other similar elements shall not be permitted within a required front or exterior side yard setback. These elements may be permitted within an interior side or rear yard setback, but in no event closer than five feet to a property line;
- C. Light wells, ingress and egress wells, patio wells, and other similar elements shall utilize vertical retaining walls. Contour graded slopes, which expose the basement as a story, are prohibited.
- D. Light wells, ingress and egress wells, patio wells, and other similar elements shall be at least seventy-five (75) percent open in area to light and air above.

(Ord. 04-267 § 2 (part))

(Ord. No. 10-348, § 3, 4-13-2010; Ord. No. [2015-414](#), § 3, 9-8-2015)

14.06.120 - Outdoor kitchens, barbeques, fireplaces and swimming pools.

- A. Outdoor kitchens, barbeques, fireplaces, and similar structures shall be allowed in the main structure's building envelope, and in the required rear yard setback with a minimum setback of five feet from any property line. Said structures shall not be located in the required front or side yard setback areas.
- B. Swimming pools, hot tubs, and spas shall be allowed within the main structure's building envelope, and the required rear yard setback with a minimum setback of five feet from any property line. Said structures shall not be located in a required front or side yard setback area.
 - 1. The setback shall be measured from the outside edge of the pool structure.
 - 2.



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AI Overview

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The City of Los Altos, California has many building codes for Accessory Dwelling Units (ADUs), including:

Size

ADUs can be up to 800 sq ft and are exempt from a lot's maximum development area (MDA) and maximum floor area (MFA). Attached ADUs can't be more than 50% of the floor area of the main residence, but ADUs of 850 sq ft or smaller can't be denied.

Setbacks

ADUs must have a minimum 40 ft setback from the street, and a minimum 4 ft setback from the side and rear lot lines. ADUs with 30 ft side and rear setbacks may be eligible for more floor area and height. Conversion ADUs and junior ADUs must be set back enough to ensure fire safety.

Height

ADUs can't be more than 16 ft tall.

Parking

Attached and detached ADUs need one parking space, unless they qualify for an exemption. Conversion ADUs and junior ADUs usually don't need parking.

Kitchens

JADUs must have an efficiency kitchen with a cooking top, sink, and food preparation counter. Attached and detached ADUs need a 10 cubic ft refrigerator, sink, oven with a cooking top, and storage cabinets and preparation counters.

The City of Los Altos has partnered with other Santa Clara County cities to create a resource for property owners interested in building an ADU. This resource includes information on regulations, permits, design plans, cost, and rent.

Generative AI is experimental.



City of Los Altos (.gov)

<https://www.losaltosca.gov/housing/page/accessory-...>

Accessory Dwelling Units (ADUs) | City of Los Altos California

Los Altos City Code: ADU/JADU Regulations · Building Permit Submittal Requirements ... Los Altos, CA 94022 | (650) 947-2700. a municode design · Home · Directory ...

People also ask

What are the setbacks for a Los Altos ADU?

Are there any zoning restrictions for building an ADU in California?

What is the largest that a detached ADU could be?

How many bedrooms can an ADU have in California?

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Additional Resources. The City of Los Altos has partnered with other Santa Clara County cities to create a centralized resour...

City of Los Altos

Accessory Dwelling Units - Town of Los Altos Hills

Development Area and Floor Area. A new ADU, attached or detached, is allowed to be up to 800 square feet in size and i...

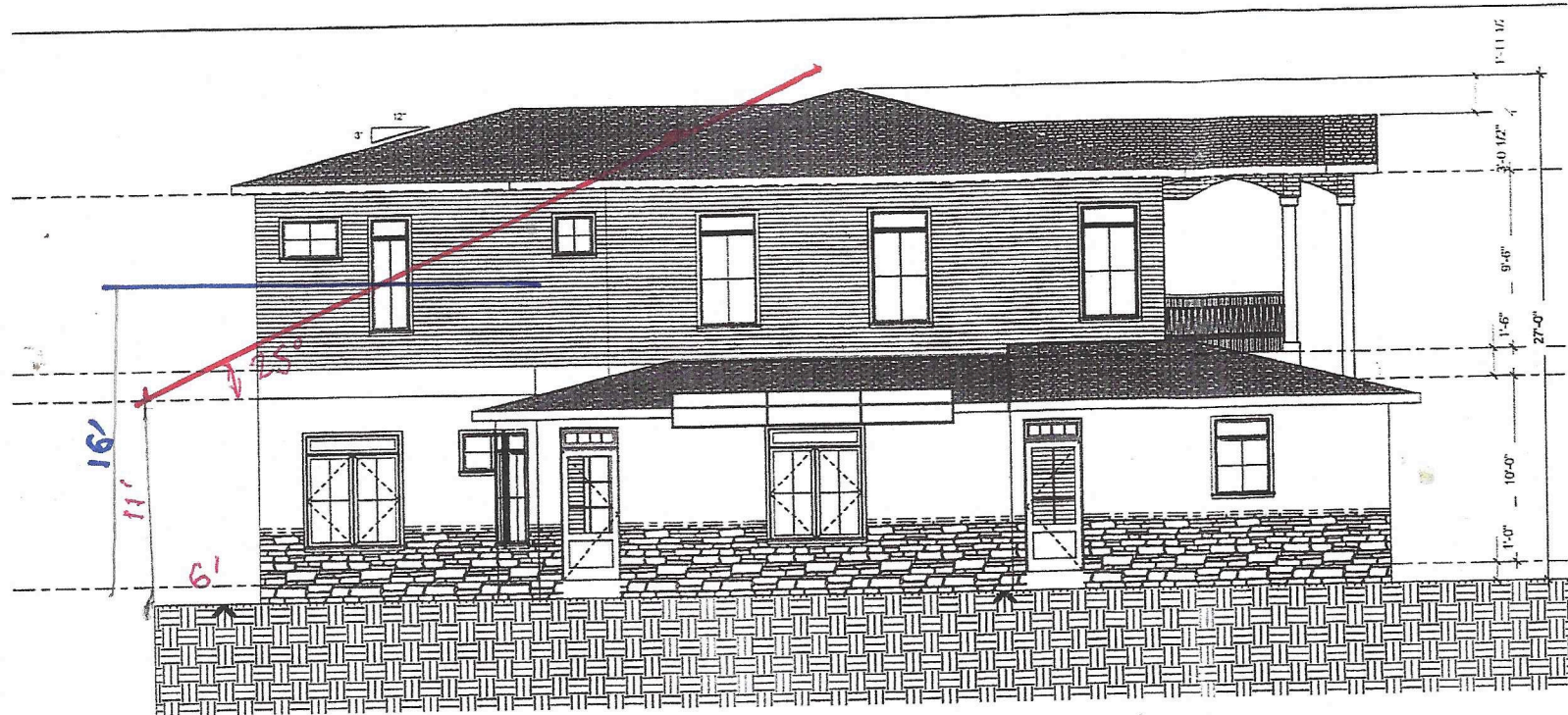
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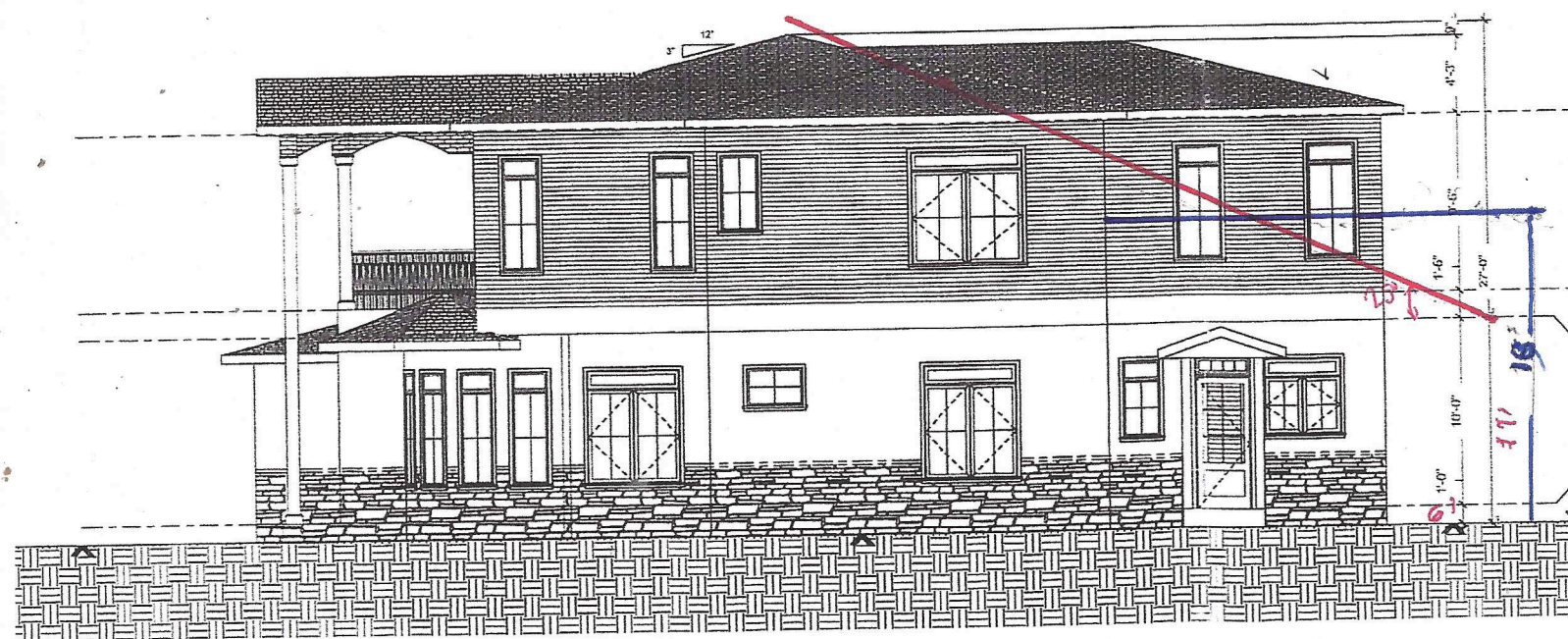
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LEFT ELEVATION
SCALE: 1/4" = 1'



RIGHT ELEVATION
SCALE: 1/4" = 1'