



City Council Agenda Report

Meeting Date: January 14, 2025

Prepared By: Brittany Whitehill, Senior Planner

Approved By: Nick Zornes, Assistant City Manager

Subject: Tentative Parcel Map at 1485 Fremont Avenue

COUNCIL PRIORITY AREA

- Business Communities
- Circulation Safety and Efficiency
- Environmental Sustainability
- Housing
- Neighborhood Safety Infrastructure
- General Government

RECOMMENDATION

Approve Tentative Parcel Map (Application No. TM24-0004) to subdivide one lot into two lots at 1485 Fremont Avenue per the recommended findings and conditions of approval. The project is categorically exempt pursuant to Section 15315 (Minor Land Divisions) of the California Environmental Quality Act (CEQA) Guidelines.

FISCAL IMPACT

None.

ENVIRONMENTAL REVIEW

The project is categorically exempt from environmental review under Section 15315 (Minor Land Divisions) 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, and all required services and access to the proposed parcels, in compliance with local standards, are available; and none of the circumstances described in CEQA Guidelines Section 15300.2 apply.

PREVIOUS COUNCIL CONSIDERATION

None.

BACKGROUND

Property Description

The project site is located on the north side of Fremont Avenue between Kathy Lane and Wessex Avenue in the R1-10 zoning district. The site contains a single-family home and detached garage

with a second-story accessory dwelling unit (ADU). The property is a historic resource listed on the City of Los Altos local register and the existing single-family home and detached garage and ADU were constructed in 1927 (shown in Figure 1 and 2).

In 1997, a portion of the original lot was subdivided to create a separate parcel, which now contains a single-family home (shown as Parcel B in Figure 3).



Figure 1: Existing Historic House



Figure 2: Existing Historic Detached Garage/ADU

Project Summary

The detached garage/ADU structure is currently located toward the northern side (rear) of the property, behind the single-family home. The project would relocate the garage to the east of the home and subdivide the approximately 64,380 square foot lot to create a new, undeveloped flag lot for future single-family residential development (shown in Figure 4). The new flag lot (Lot 2) would be approximately 22,000 square feet in size and would be accessed from Kathy Lane, while the remaining lot with the single-family home and relocated garage/ADU (Lot 1) would be approximately 42,000 square feet in size and would retain its access from Fremont Avenue.

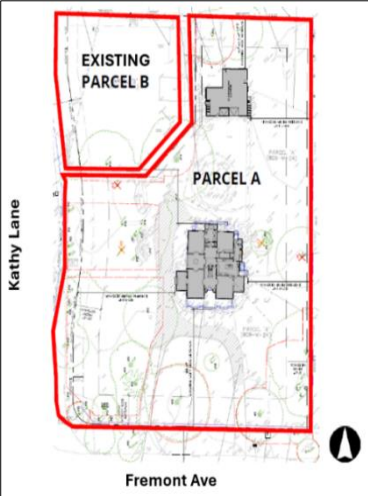


Figure 3: Existing lot configuration

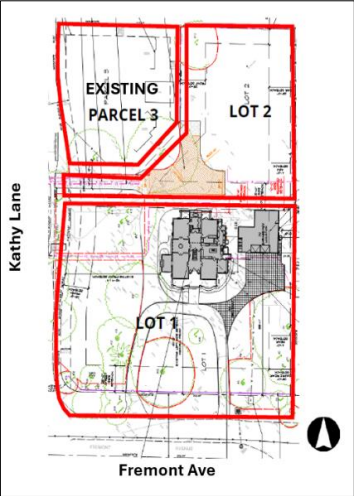


Figure 4: Proposed lot configuration

Required Permits

The project requires approval of the following permits:

- **Historical Advisory Review:** The project involves modifications to a historic resource listed on the City’s local register of historic resources, and it requires a Historic Advisory Review by the Historical Commission. The final decision on the Historical Advisory Review is determined by the Development Services Director. The Historical Commission considered this item at the October 28, 2024, meeting and recommended approval. The Development Services Director issued an approval of the Historical Advisory Review on October 29, 2024, and no appeal was filed. The staff report for the Historic Advisory Review, which discusses the project’s compliance with applicable provisions for historic properties, is provided as Attachment 3 to this report.
- **Design Review:** The project involves site modifications including relocation of a building and construction of a driveway extension, and it requires Administrative Design Review pursuant to LAMC Section 14.78.020(A)(1). The Development Services Director issued an approval of the Design Review on October 29, 2024, and no appeal was filed.
- **Conditional Use Permit:** The project requires a Conditional Use Permit pursuant to LAMC Section 14.06.030 to allow the creation of a flag lot. The Conditional Use Permit was approved by the Planning Commission on November 21, 2024, and no appeal was filed. The November 21 Planning Commission staff report is included as Attachment 4 to this report.
- **Tentative Parcel Map:** The project requires approval of a Tentative Parcel Map to subdivide the lot into two lots. On November 21, 2024, the Planning Commission unanimously recommended that the City Council approve the Tentative Parcel Map. At the meeting one member of the public who lives at a nearby property spoke, expressing concern about potential privacy and neighborhood character impacts that could result from future development on the new lot.

ANALYSIS

General Plan Consistency

The proposed subdivision conforms with all applicable goals, policies and programs in the Los Altos General Plan. The site is designated as a Single-Family, Medium Lot land use, which allows for a density up to four dwelling units per acre. The project proposes a subdivision to create two single-family lots, resulting in a potential density of approximately 1.3 units per acre, which is well within the allowed density range. The project serves to further the following policies in the Los Altos General Plan:

- **Community Design & Historic Resource Element Policy 1.5: Continue to protect the privacy of neighbors and minimize the appearance of bulk in new homes and additions to existing homes.**

Lot 1, which will retain the existing single-family home and receive the relocated garage/ADU structure, will be approximately 42,000 square feet in size, which is significantly larger than the single-family residential lots in the surrounding vicinity. The subdivision and structure relocation have been designed to ensure that the house and garage/ADU structure on Lot 1 will

comply with the setback, lot coverage and floor area ratio requirements of the underlying zone district, thereby minimizing perceived bulk and protecting neighbors’ privacy.

Lot 2, the proposed flag lot, will be approximately 22,000 square feet in size, which is also significantly larger than nearby residential lots. Any future development on Lot 2 will be required to comply with applicable zoning standards to ensure that development will be compatible with the surrounding neighborhood.

Both lots will retain their abundant tree coverage, which will contribute to the site’s historic, pastoral setting and mitigate any potential impacts to neighbors’ privacy.

- **Community Design & Historic Resource Element Policy 6.1: Ensure that the integrity of historic structures and the parcels on which they are located are preserved through the implementation of applicable design, building, and fire codes.**

The proposed project will ensure the preservation of two historic structures on their original property, while allowing the land to be subdivided and developed to meet the needs of the property owners without diminishing the significance of the historic resource.

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

Requirement	Lot 1 (Corner Lot)	Lot 2 (Flag Lot)
Minimum Lot Size: 11,000 square feet for corner lots and 15,000 square feet for flag lots	~41,990 sq ft	~ 22,390 sq ft
Minimum Lot Frontage: 90’ for a corner lot; 20’ for the “flagpole” of a flag lot	~190’ (Kathy Lane); ~212’ (Fremont Ave)	30’ (Kathy Lane)
Minimum Lot Depth: 100’	~184’	~113’

Additionally, the subdivision will not result in any new nonconforming condition or worsen any existing nonconformity on Lot 1, as is shown in Table 2 below:

Table 2: Compliance with R1-10 Zoning Standards:

Requirement	Lot 1 (Corner Lot with existing house and relocated garage/ADU)
Maximum Lot Coverage:	Proposed Lot Coverage: 11.5%, or 4,832 sq ft

30% (lots with structures over 20' in height), or 14,689 sq ft	
Maximum Floor Area*: (3,850 + 10% [Lot 1 area]) = 6,948.99 sq ft	Proposed Floor Area: 5297.6 sq ft
Minimum Setbacks (main house): Front (Kathy Lane): 25' Street Side (Fremont Ave): 20' Interior Side: 1st Story 10', 2nd Story 17.5' Rear: 25'	Proposed Setbacks (main house): Front (Kathy Lane): 93' 9" Street Side (Fremont Ave): 99' 3" Interior Side: 1st Story 13' 6", 2nd Story 26' 1" Rear: 62' 6"
Daylight Plane (main house): 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 not within the daylight plane.
Maximum Front Yard Impervious: 50%	Proposed Front Yard Impervious: 0% (the front yard is located along Kathy Lane and is entirely landscaped with numerous large, protected trees)
Maximum Rear Yard Coverage: 35%	Proposed Rear Yard Coverage: ~5.8%

* The existing ADU is exempt from floor area ratio requirements, pursuant to Section 14.14.060 of the LAMC, and has been excluded from the site's floor area calculation.

Public Notification

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

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

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.

ATTACHMENTS

1. Draft Resolution Approving the Tentative Parcel Map

2. Tentative Parcel Map
3. [Historical Commission Staff Report and attachments, October 28, 2024](#)
4. [Planning Commission Staff Report and attachments, November 21, 2024](#)