

RESOLUTION NO. 2009-01

**A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF LOS ALTOS
DENYING TM 08-DL-01**

WHEREAS, Roland Boutin submitted application TM 08-DL-01 requesting a tentative map to subdivide the property located at 375 North San Antonio Road, APN 170-23-091, into two (2) parcels; and

WHEREAS, the Planning Commission held a duly noticed public hearing on October 2, 2008, at which time the Planning Commission considered the public testimony, the staff report dated September 25, 2008 ("Staff Report"), and all other documentation related to application TM 08-DL-01, and recommended that pursuant to Government Code section 66474 that the City Council deny said application; and

WHEREAS, the City Council held a duly noticed public hearing on December 9, 2008, and considered the public testimony, the Staff Report, the supplemental staff report dated December 4, 2008, and all other documentation related to application TM 08-DL-01; and

WHEREAS, California Environmental Quality Act Guidelines Section 15315 ("CEQA") Minor Land Divisions, provides a categorical exemption that applies to this application in that it is a division of land into four (4) or fewer parcels; and

WHEREAS, the location and custodian of the documents or other materials which constitute the record of proceedings upon which this Project approval is based is the office of the City Clerk.

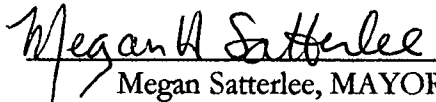
NOW, THEREFORE, BE IT RESOLVED THAT the City Council hereby adopts findings and makes a decision in this matter as follows:

- A. The City Council, after reviewing and considering the entire record of this matter, including the Planning Commission's findings, the Staff Report, the supplemental staff report dated December 4, 2008, and all oral and written evidence submitted to the City and/or introduced at the hearing relating to TM 08-DL-01, adopts the following findings as its own and it specifically finds that substantial evidence in the record supports each of the findings, and that the following findings support its decision to deny TM 08-DL-01.
 1. That the proposed subdivision is not consistent with the City of Los Altos General Plan Housing Element, Policy 1.4: The City shall ensure that the level of development permitted in the creation of land divisions results in an orderly and compatible development pattern, within the subdivision and in relation to its surroundings; provides for quality site planning and design; and provides for quality structural design.
 2. That the proposed subdivision does not result in an orderly or compatible development pattern as provided in City General Plan Policy 1.4 due to the narrow width of the proposed right-of-way, which does not allow for any on-street parking, and the lack of street parking along North San Antonio Road.
 3. That the design and improvement of the proposed subdivision is not consistent with the City General Plan Policy 1.4 because it does not result in an orderly and compatible development pattern within the subdivision and in relation to its surroundings due to the close proximity of the private street right-of-way to the existing house at 371 North San Antonio Road.

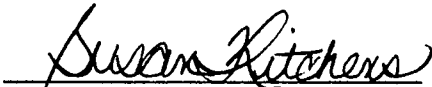
4. That the design and improvement of the proposed subdivision is not consistent with the following City General Plan Circulation Element Policies: Policy 2.13, Ensure that where appropriate Los Altos residential streets maintain their pleasant, semi-rural appearance; Policy 2.14, Achieve residential street travel widths consistent with safe residential use of streets and with maintaining neighborhood character; and Policy 2.15, Discourage construction of private streets.
- B. That pursuant to California Government Code section 66474 TM 08-DL-01 should be and hereby is denied.
- C. This decision constitutes a final decision pursuant to the Code of Civil Procedure section 1094.6. Any petition for judicial review of this decision must be sought within the time limits and pursuant to the procedures established by the Code of Civil procedure section 1094.6.

I HEREBY CERTIFY that the forgoing is a true and correct copy of a Resolution passed and adopted by the City Council of the City of Los Altos at a regular meeting thereof held on the 13th day of January 2009 by the following vote:

AYES: PACKARD, CARPENTER, CASAS, BECKER, SATTERLEE
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE


Megan Satterlee, MAYOR

ATTEST


Susan Kitchens, CITY CLERK