



AMENDED AGENDA
Town of Atherton
CITY COUNCIL/ATHERTON CHANNEL DRAINAGE
DISTRICT
September 20, 2010
8:00 A.M.
Town Council Chambers
94 Ashfield Road
Atherton, California
Special Meeting

8:00 A.M. ROLL CALL Lewis, Carlson, Marsala, Dobbie, McKeithen

8:02 A.M. PUBLIC COMMENTS

8:15 A.M. REGULAR

- 1. CONSIDERATION OF LITIGATION OPTIONS REGARDING
RECERTIFICATION OF PROGRAM EIR FOR CALIFORNIA HIGH
SPEED RAIL AUTHORITY (CHSRA)**

Report: City Manager Jerry Gruber

Recommendation: To Be Determined

- 2. CONSIDERATION OF A RESOLUTION OF INTENTION OF THE CITY
COUNCIL OF THE TOWN OF ATHERTON INITIATING A ZONING
CODE AMENDMENT TO CREATE A NEW OVERLAY ZONE FOR
APPLICATION TO THE PARKER AVENUE NEIGHBORHOOD AND
REQUESTING THE PLANNING COMMISSION TO CONSIDER THE
PROPOSED AMENDMENT**

Report: Deputy Town Planner Lisa Costa Sanders

Recommendation: Adopt Resolution No. 10-53 of Intention of Town to initiate a zoning code amendment to create a new overlay zone for application to the Parker Avenue neighborhood and request Planning Commission to consider proposed amendment

9:45 A.M. CLOSED SESSION

- 3. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
(Subsection (a) of Government Code Section 54956):**

Atherton et al v. High-Speed Rail Authority Case No. 34-2008-80000022

- 4. CONFERENCE WITH LEGAL COUNSEL – INITIATION OF
LITIGATION (Subsection (c) of Government Code Section 54956.9)**

High-Speed Rail Authority

9:55 A.M. RECONVENE TO OPEN SESSION

Report of action taken.

10:00 A.M. ADJOURN

Pursuant to the Americans with Disabilities Act, if you need special assistance in this meeting, please contact the City Clerk's Office at (650) 752-0500. Notification of 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. (29 CRF 35.104 ADA Title II)



Town of Atherton

CITY COUNCIL STAFF REPORT

TO: HONORABLE MAYOR AND CITY COUNCIL
CITY MANAGER, JERRY GRUBER

FROM: LISA COSTA SANDER, DEPUTY TOWN PLANNER

DATE: FOR THE MEETING OF SEPTEMBER 20, 2010

SUBJECT: PARKER AVENUE NEIGHBORHOOD ZONING CODE
AMENDMENT

RECOMMENDATION:

It is recommended that the City Council adopt Resolution 10-53 of Intention.

BACKGROUND:

At its regular meeting of September 15, 2010 the City Council direct staff to prepare a Resolution of Intention to initiate a zoning code amendment to create a new overlay zone for application to the Parker Avenue Neighborhood and to request that the Planning Commission consider the proposed amendment. The Council further requested that the Resolution be available for its consideration at its special meeting set for September 20, 2010.

ANALYSIS:

Staff has prepared the attached resolution for City Council consideration. The resolution of intention initiates a zoning code amendment to create a new overlay zone for application to the Parker Avenue Neighborhood and requests that the Planning Commission consider the proposed amendment. It further requests the Planning Commission hold public hearings on the proposals and to report back to the City Council at its November 17, 2010 regular meeting.

FISCAL IMPACT:

Costs associated with this project are included in that Planning Department budget.

Prepared By:

/s/ Lisa Costa Sanders

Lisa Costa Sanders
Deputy Town Planner

Approved by:

Jerry Gruber
City Manager

Attachments:

Draft Resolution of Intention

RESOLUTION NO. 10-53

**A RESOLUTION OF INTENTION OF THE CITY COUNCIL OF THE TOWN OF
ATHERTON INITIATING A ZONING CODE AMENDMENT TO CREATE A NEW
OVERLAY ZONE FOR APPLICATION TO THE PARKER AVENUE NEIGHBORHOOD
AND REQUESTING THE PLANNING COMMISSION TO CONSIDER THE
PROPOSED AMENDMENT**

WHEREAS, California Government Code Sections 65853 through 65857 establish procedures for zoning ordinance amendments; and

WHEREAS, the City Council, at its regular meeting of September 15, 2010, expressed a desire to initiate the establishment of an overlay zone and to apply that zone to properties abutting Parker Avenue in the Town of Atherton; and

WHEREAS, Atherton Municipal Code Section 17.18.020 establishes procedures for initiating zoning code amendments, one of which is by Resolution of Intention by the City Council directing the Planning Commission to consider a proposed amendment; and

WHEREAS, the City Council set September 20, 2010 as the date of a special City Council meeting to consider adopting such a Resolution of Intention.

NOW, THEREFORE, BE IT RESOLVED as follows:

SECTION 1. Recitals.

The City Council hereby finds that the foregoing recitals are true and correct.

SECTION 2. Initiation of Zoning Code Amendment

The City Council of the Town of Atherton hereby initiates a zoning code amendment consisting of a new overlay zone that would include, at a minimum the items listed below:

- Retention of the R1-A rear yard setbacks
- Establishment of a 22 foot sidewall height limit and a 28 foot overall height limit
- Reduction of the front yard setback to 18% of the lot depth with a minimum 20 foot front yard setback
- Increase the allowable floor are to 16.5% of lot size plus 1,500 square feet
- Elimination of any floor area limit for second dwelling units
- Consideration of other options or variations of the above listed items by the Planning Commission

The City Council further initiates a zoning code amendment to change the zoning designation of those parcels know as the Parker Avenue Neighborhood, consisting of those

parcels depicted on the map entitled Exhibit A attached and made a part of this Resolution by applying the above described overlay zoning to the Parker Avenue Neighborhood.

SECTION 3. **Direction to Planning Commission**

The City Council hereby requests that the Planning Commission consider the proposed amendment consisting of the above described overlay zone and change of zoning designation and report its findings back to the City Council at the November 17, 2010 City Council meeting.

The City Council further requests that the Planning Commission hold public hearings during its deliberation on these matters and that mailed notice be provided to residents of the Parker Avenue Neighborhood.

SECTION 4. **Effective Date.**

This resolution shall take effect immediately upon its adoption.

I hereby certify that the foregoing Resolution was duly and regularly passed and adopted by the City Council of the Town of Atherton at a regular meeting thereof held on the 20th day of September, 2010 by the following vote:

AYES: COUNCILMEMBERS:
NOES: COUNCILMEMBERS:
ABSENT: COUNCILMEMBERS:
ABSTAIN: COUNCILMEMBERS:

ATTEST:

Kathy McKeithen, MAYOR
TOWN OF ATHERTON

Theresa N. DellaSanta, Deputy City Clerk

APPROVED AS TO FORM:

Wynne S. Furth, City Attorney

Exhibit A

Parker Avenue Neighborhood Map (attached)

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ATTEST:

Kathy McKeithen, MAYOR
TOWN OF ATHERTON

Theresa N. DellaSanta, Deputy City Clerk

APPROVED AS TO FORM:

Wynne S. Furth, City Attorney

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