



MINUTES
Town of Atherton
City Council
December 1, 2021
SPECIAL MEETING/STUDY SESSION
City Council/Planning Commission
JOINT STUDY SESSION

Mayor Lewis called the meeting to order at 4:00 p.m.

4:00 PM STUDY SESSION

1. **ROLL CALL** – Polito, Hawkins-Manuelian, DeGolia, Widmer, Mayor Lewis - Present
2. **PUBLIC COMMENTS** – None
3. **DISCUSSION FOR CONSIDERATION OF AMENDMENTS TO CHAPTER 8.10 “REMOVAL OF AND DAMAGE TO HERITAGE TREES” AND 8.14 “HISTORICAL ARTIFACTS” OF THE ATHERTON MUNICIPAL CODE FOR PURPOSES OF ADDRESSING HISTORIC PRESERVATION IN TOWN**

Principal Planner Davis presented the report for Council discussion and feedback. Council previously provided feedback related to historic preservation and potential Atherton Municipal Code amendments. She noted the proposed ordinance amendment would combine provisions related to the preservation of trees under the Heritage Tree ordinance and the preservation of historic buildings under the Historical Artifacts ordinance. The proposed approach makes no changes to the regulations that are currently included in the Heritage Tree ordinance and only allows an additional layer of protection.

Council discussed the topic including the contracts related to historically designated properties, the cap of 5 properties under contract, limit on property tax loss, qualifying criteria for determining historical trees, and impacts of the proposed approach.

Deputy City Attorney Booher and City Attorney Ebrahimi provided additional background on the approach to the proposed ordinance. Booher also clarified that the property tax calculations are done by the County Assessor’s department.

Town Arborist Bentz provided clarity by providing a definition of what a Heritage Tree is.

City Manager Rodericks provided some clarity related to the topic including options for setting caps on the number of properties eligible.

This item will return for further action at a later date, as needed.

4. **ADJOURN TO SPECIAL JOINT MEETING WITH PLANNING COMMISSION**

Mayor Lewis adjourned the meeting at 5:00 p.m. and Chair Lane called the Joint Study Session to order at 5:00 p.m.

5:00 PM JOINT STUDY SESSION

- 1. ROLL CALL - Council:** Polito, Hawkins-Manuelian, DeGolia, Widmer, Mayor Lewis – Present
Planning Commission: Konce, Lerner, Narancic, Vice Chair Lamb, Chair Lane – Present

- 2. PUBLIC COMMENTS – None**

- 3. SUMMARY OF SENATE BILL 9 (SB9) THAT PROVIDES FOR MINISTERIAL APPROVAL OF TWO RESIDENTIAL UNITS AND/OR A LOT SPLIT IN SINGLE-FAMILY RESIDENTIAL ZONES**

Council Member Widmer disclosed that he has had conversations with a property owner with a pending or proposed application with the Town.

Town Planner Costa Sanders presented a summary of Senate Bill 9 (SB9). She highlighted the impacts in Town, which will likely be most seen in a lot split and construction of one single family residence. She noted that next steps would include a staff presentation to the Planning Commission with an ordinance in 2022 and then to Council. Staff sought Council and Planning Commission feedback and direction.

City Manager Rodericks clarified that a maximum of 4 dwellings will be allowed after an SB 9 lot split. Town Planning Costa Sanders concurred that there is a maximum of 2 units per lot.

Council and Planning Commission discussed the topic including the various rule changes, how SB9 will impact development in Town, the impacts on the Town's Regional Housing Needs Allocation obligations, options for design review, and parking requirements.

Public Comment:

- Alex Key asked about rules related to lot splits and violations of rules.
- Don Arata discussed a development property in Town.

City Attorney Ebrahimi responded to inquiries related to urgency ordinances and indicated it is her position that the Town does not have the necessary circumstances to bring such an ordinance forward.

This was an information only item and no formal action was taken. This item will return for further action at a later date, as needed.

- 4. COUNCIL REPORTS/COMMENTS - None**

- 5. ADJOURN**

Chair Lane adjourned the meeting at 5:58 p.m.

Mayor Lewis adjourned the meeting at 5:58 p.m.



Anthony Suber
City Clerk