

CALL TO ORDER AND ROLL CALL

Chair Ross called the regular meeting to order at 7:00 p.m. in the Town Center Historic School House Meeting Room, 765 Portola Road.

Associate Planner Arly Cassidy called roll:

Present: ASCC: Commissioners Breen and Koch; and Vice Chair Sill, Chair Ross
Absent: Commissioner Wilson
Planning Commission Liaison: Jon Goulden?
Town Council Liaison: John Richards
Town Staff: Planning Director Debbie Pedro, Planner Cynthia Richardson and Associate Planner Arly Cassidy

ORAL COMMUNICATIONS

None.

OLD BUSINESS

(1) Final Architectural Review and Site Development Permit for a New Residence, File #35-2017, 40 Firethorn Way, YLCL Investments, LLC.

Planner Richardson presented the background of the project and staff's recommendations, as detailed in the staff report.

Chair Ross invited questions from the Commissioners.

Commissioner Breen asked if there were fixtures on the second story overlooking Los Trancos Road. Planner Richardson pointed out three recessed fixtures at the door exits. Commissioner Breen asked if residents could see the source of light from below. Planner Richardson said there is an overhang and the lights are deeply recessed and pulled back from the edge of the roof.

Commissioner Koch asked if the three lights off the master were all for access. Planner Richardson said they are not decorative and are code-required for access and egress. Commissioner Breen said there appeared to only be one door. Planner Richardson pointed out the two sliding doors and said the architect could further advise.

Vice Chair Sill said the notes say the impervious surface amount was decreased, but the numbers do not appear to have changed. He asked if additional impervious surface had been added. The applicant said the trail to the overlook was increased in response to a comment at the last meeting, so while some impervious surface was removed, some was added. He said the impervious surface amount has increased slightly.

Chair Ross invited the applicants to comment.

Bob Swatt, architect, introduced the project team – Lars Nillson, architect; Joe Huettl, landscape

architect; and John Halbom, civil engineer.

Mr. Swatt said the design began with a very long existing driveway that was retained. They added an elegant entrance separated from hardscape, created adequate parking, backup space, and a turnaround acceptable to the Fire Department. He said the existing condition is very pinched, which made it difficult to park and turn around, with the building being 30 feet away from the west property line. They propose the new building to be 55 feet away, allowing all of those issues to be solved elegantly by pulling the building away from that property line, which led to the biggest move in the site plan. He said the design is contemporary with a flat roof that is at its highest point 2 feet below the height limit and averages 8 feet below the height limit. He said the visual impacts have been studied from offsite.

Mr. Swatt said in early November they were contacted by the neighbors at Meadowcreek Court who had concerns about visibility of the building and who shared photographs from their courtyard. Mr. Swatt said Mr. Nillson met with the neighbors on November 30 and discussed ways to mitigate the neighbors' views of the project. He demonstrated to the neighbors how they could basically cover the view of the entire building from Meadowcreek Court within two years with the suggested tree plantings. He said they proposed eight new coast live oaks of three different sizes, and the response was fairly positive. Mr. Swatt said they sent a follow-up letter to the neighborhood expressing the applicant's commitment to produce this landscape. He said his understanding was that the neighbors were unsatisfied because they could not guarantee that the landscape would survive. Mr. Swatt said, while this is an expensive project and there would no reason for the owners to let their beautiful landscape die, he does not know how to guarantee the landscape maintenance.

Mr. Swatt said his firm regularly builds contemporary homes with a lot of glass and regularly deal with concerns about dark skies, light pollution, glowing glass boxes, etc. He said the common problem with lighting in a glass building is the indirect light that lights up ceilings, for example. He showed an example of the Garay house, which has a lot of glass with very subtle, deep set, recessing lighting.

Chair Ross invited questions from the Commissioners.

In response to Commissioner Breen's question regarding the plate heights of both floors, the architect said the lower level is 10' and the upper level is 9'6".

Joseph Huettl, the landscape architect, presented the revised landscape plan. He said the size combination of 15-gallon and a 36" box will be the best combination for both short term and long-term screening. In response to Commissioner Koch's question, Mr. Huettl said the trees are live oaks, and there are four 36" boxes and four 15-gallon. He said they were placed so they could be carefully maintained over time.

Vice Chair Sill said the two water use calculation pages show different figures. Mr. Huettl said the water use calculations with the lower calculations is the updated version.

Commissioner Breen said one of her main concerns is the light under the eaves. She said the overhang, which is visible from Los Trancos, has three light sources. She also asked about the interior lighting in that area. Mr. Swatt said all of the lighting is deeply recessed. He said there is no indirect lighting, nothing shining on a ceiling or lighting up surfaces other than the floors. Commissioner Breen asked if there were baffles on the lights. Mr. Swatt said the joists will be 15 inches deep, and the lights will be very deeply recessed, with the goal being to conceal the light

source. He said all of the recessed lights come with options for different interior finishes, with the dark black baffles being the best for limiting the view of any light source.

Commissioner Breen asked if any special glass was being used. Mr. Swatt said the glass will be either Solarban 60 or Solarban 70, which is a low-heat glass that is very energy efficient, not particularly reflective, and complying with Title 24.

Chair Ross invited public comment.

Gordon Ty Jagerson, 67 Los Trancos. Mr. Jagerson said he thinks the lighting will impact their dark neighborhood, from which they can see the Milky Way. He said they can see lighting on houses way off in the distance. He said the neighbors will still be able to see the recessed lighting in this project. He said the trees are a nice part of the neighborhood and removing them seems completely crazy to him, given the orientation and appreciation of trees in this town.

Mary Smith, 155 Los Trancos Road. Ms. Smith said she is concerned about removing the healthy trees that have survived there for 20-plus years. She said although trees in a row are discouraged, she preferred keeping most of them and requested the Town be kind to the trees.

Doug Embry, 4 Meadowcreek Court. Mr. Embry said he has lived there 25 years. He said their primary concern is with the requirement to widen Los Trancos. He said it is not a well-policed area from a safety perspective. He said the trees have been there a very long time and suggested that if being planted in a row is the problem, then more should be planted instead of removing them. He said driving down that road, the oaks are a beautiful setting as opposed to removing the trees to see the hillside. He said his house is a bit blocked from the project, and he hopes they build a beautiful home, but there are concerns about where it sits on the hillside.

Joseph Krauskopf, 1 Meadowcreek Court. Mr. Krauskopf said he and his neighbors are very concerned about the lighting situation, from both the patio lights and the interior lights. He said it is a very steep angle, and anyone in the Meadowcreek Court area looks directly up that hillside. He said he appreciates the architect's comments about downlights, but said light bounces around and will glow. He said the last thing they want is a spaceship on top of that hill. He said it's the direction of western exposure, and they have beautiful night skies and beautiful sunsets. He said the current house, where it is sited, even though it's two stories, barely rises over the horizon. He said the story poles indicate the new house will be a much larger, onerous structure on top of the hill. He suggested that instead of taking out all of the trees, more clumps of trees could be added or some other natural looking situation created.

With no further public comment, Chair Ross closed the public hearing.

Chair Ross said that as part of this project agenda tonight, there are trees being removed at the bottom of the property, but there appears to be a slight change from the last review and now some clusters of trees are being retained where possible. Planning Director Pedro said this is the final tree removal plan for both the subdivision and the new home. She said nine trees are proposed to be retained, subject to the ASCC's direction for this project.

Commissioner Breen asked how the decision to retain nine trees came about. Planning Director Pedro said originally, with the subdivision, only the trees that would be affected by the road widening were taken out. When they looked at the new residence plan, after the last ASCC meeting, the applicant considered taking out all of the trees. In consideration of the neighbor's comments, they found there are some trees that can be retained, if approved by the ASCC.

Vice Chair Sill said he thought the reason for removing the trees was because they would otherwise need a retaining wall. Planning Director Pedro said the trees marked with "X" must be removed to avoid having a retaining wall.

In response to Commissioner Breen's question about the location of the nine remaining trees, Planner Richardson said they are on the property line and most have grown into the right-of-way. Planner Richardson pointed out the other trees that were being removed, including different varieties of fruit trees, scrub trees, and redwoods.

Commissioner Breen said the particularly attractive oak situated right across from the cul-de-sac should be considered for retention. Planner Richardson said that tree's viability without a retaining wall would depend on the grading. Commissioner Breen said she viewed the project from the cul-de-sac, and there is a good argument for retaining one of the oaks across from the cul-de-sac.

Commissioner Breen said she is pleased with the changes made. She said it is a lovely project. She said she remains concerned about being able to see into the source of light from down below. She said in this instance, it is not so much the plate heights as it is the steepness and looking up into the source of light. She said the walkway to the lookout should be all pervious surface, such as gravel or flagstone set in sand that can be removed if not being used. She does not agree with the placement of oaks below the house to mitigate the views up into the house. She said ultimately it will become a second hedge, and it is problematic how that gets maintained in the future. She said the issues can be massaged with a strategic planting of oaks on the hillside and the ASCC should be involved with staking out certain locations. She said the success of the oaks can be secured with a landscape bond.

Commissioner Breen said she thinks the issues can be massaged with lighting and the strategic placement of oaks. She supports the removal of the oaks on Los Trancos. She said she believes there used to be a golden meadow on the other side, and the oaks prevent the view of what the land really was and is.

Commissioner Koch said she walked the cul-de-sac today, viewing the project from everyone's driveways, and the experience of the project is only upon exiting the street. She said it is very different, and she understands why the neighbors would appreciate softening that exposure. She said the tree hedge along Los Trancos provides no screening. She said if several trees can be retained that will be successful and not interfere with what the Town needs to do for safety reasons and keeping the roads up-to-date, she supports that. She agreed that retaining the oak across from the cul-de-sac should be explored. She said she could support a maintenance bond because the trees are significant to the neighbors' experience. She said she does not feel there is much of a lighting issue with the property, except for possibly the lighting on the upper master bedroom deck. The architect said the soffit is not visible from Meadowcreek.

Mr. Krauskopf said he spends a lot of time in his backyard, at his front door, and in his driveway on Meadowcreek, and he can see the story poles. Commissioner Koch asked if the three lights on the upper master bedroom deck could be placed somewhere else and diminished, possibly built into the railing, shining back to the house itself. The architect said the railing is glass that has not yet been detailed, but it will probably be an aluminum shoe and a cantilever with a very small cap. He said they are not interested in creating a glowing building, but all exterior doors require a light by code. Commissioner Breen said that may not be true on a second story. Planning Director Pedro said they will verify the code.

Commissioner Koch noted that the ASCC requested reduction of the impervious surface, but it has instead been increased. The landscape architect said the impervious paved area of the path can be dry-laid in sand, which would change it to a pervious surface.

Commissioner Breen said she was supportive of the expanded lightwell because it is not visible. She was pleased the gates were changed, the redwoods removed, and was satisfied with the driveway lighting.

Vice Chair Sill agreed with the other Commissioners' comments. He said adding a few strategically placed screening trees is the right approach to protect the Meadowcreek community. He was supportive of removing most of the trees along the road and replacing them with just a few large natural trees. He was supportive of the project design, siting, and materials and color palettes. He said the applicants have done a good job with the lighting, with the possible exception of the second-floor exterior lights. He said he would appreciate taking out a few of the medium water use plants and use a little less water, but said that for such a large project, it is an excellent landscaping plan. He had no issue with the lightwell. He was supportive of a bond for the trees. He said the applicants have done a great job.

Chair Ross said it is a very well thought out project, occupying similar space to the previous project. He said it is slightly bigger, which increases, to some extent, its visibility from a distance. He said the design does a better job being harmonious with the environment than the existing house. He said he is familiar with deeply recessed downlights and said the interior lighting will not be a problem. He said it is unlikely the owners would inadvertently leave lights on outside the master bedroom. He said the Solarban glass will also cut down on light transmittance. He said he was impressed by the minimalistic lighting plan. He agreed that perhaps three or four screening trees planted in the right places would be sufficient. He recommended that, at the conclusion of the rough framing, a couple of members of the ASCC approve the tree placement. He was supportive of the maintenance bond, which does have a time limit. He said the requirement to maintain the trees will persist beyond the bond limit.

In response to Chair Ross's question, the architect said all lights in the house will be dimmable.

Commissioner Breen said the Commission might also consider looking at the lighting at the time of framing.

Vice Chair Sill asked if it might be more appropriate to plant some trees this winter rather than wait for framing. Chair Ross said it is a lot easier to choose placement at the time of framing because it is harder to get it right just by looking at story poles.

Commissioner Breen said if there is an argument for the retention of the tree across from the cul-de-sac, that tree should count against one of the nine trees being retained. She said the trees should be removed because the benefit to the rest of the residents who see the land is a more important argument.

Vice Chair Sill moved to approve the Architectural Review and Site Development Permit for a new residence, detached garage, and accessory dwelling unit and associated site improvements at 40 Firethorn Way, subject to the conditions of approval in Attachment A with the addition of conditions that ASCC members approve the locations of the four screening oaks at the time of framing, that the exterior canned lights on the second-floor deck have black baffles, that a five-year performance bond is issued for the four screening trees, that the pathway is all pervious, that the window glazing at the time of plan check is consistent with the

discussion tonight, that the ASCC reviews a mock-up of the lighting at the master bedroom deck overhang at framing, and, if one of the trees can be retained across from the cul-de-sac, another tree will be removed in its stead for a total of nine trees removed. Seconded by Commissioner Breen; the motion carried 4-0.

NEW BUSINESS

(2) Study Session on Proposed Modifications to Outdoor Lighting Ordinance and Lighting Design Guidelines.

Planning Director Pedro said this study session came about as a result of discussions around lighting, signage, and landscaping, and the need to update the Outdoor Lighting Ordinance and Lighting Design Guidelines. She said this would be the first of several meetings on this topic.

Associate Planner Cassidy presented the staff report, which included the working draft of the Outdoor Lighting Ordinance Elements and the Lighting Design Guidelines, as the focus and conversational starting point for the meeting's study session.

Associate Planner Cassidy demonstrated several bulbs of varying wattage and lumens. The Commission discussed evaluating projects using the lumen measurement versus wattage. They discussed the various types of bulbs such as incandescent, halogen, LED, etc.

Commissioner Breen was supportive of where this study was heading – moving the language toward lumens, examining the new technologies that may be useful for what residents want in terms of safety, as well as the potential for keeping the town dark and maybe going darker. She said installation and placement is important to address light trespass issues for residents.

Commissioner Koch said she supports motion sensor lights because the neighbors want them for security, but she thinks it's something that needs to be reviewed by the ASCC. Vice Chair Sill said someone should be able to have a motion sensor light, but should not be able to turn on many lights with one sensor, lighting up an entire yard. Commissioner Breen said every property is different – some are deep in the forest and need more lights, some are farther away from other properties – and she felt the ASCC must maintain some kind of control over it. She said applications need to be considered on a case-by-case basis. Vice Chair Sill said he was hoping that they could get to something that is somewhat algorithmic, so that Planning has basics they can refer to, and then move on to let the ASCC decide if appropriate. He said there should be more specific rules for basic things such as maximum lumens per fixture at certain heights and number of lights allowed in stairs, along deck rails, walkways, etc.

Planning Director Pedro asked about Item 6(a), suggesting motion sensor lights fading on and off. The Commissioners said that lights specifically for security should not fade on and off. They suggested that could be an encouragement and not mandated, perhaps belonging in the guidelines rather than code.

Regarding Item 6(b), Chair Ross said that photo cells that automatically turn lights on when it gets dark, even if they are on a timer to turn them off after a specified time, should not be allowed.

Regarding Item 6(c), Chair Ross said using timers to turn lights off is a good idea for certain things, such as instances when lights are turned on manually to walk out to the trash enclosure and then forgetting to turn the switch off. The resident may not see the light, but the neighbors

do. The Commissioners said timers that turned lights on at a specific time should not be allowed.

Chair Ross said he agreed with Commissioner Breen about crafting an ordinance that works better for specific purposes, such as security, but at the same time encourages even less general illumination than we have now, so that people don't feel the need to leave their outside lights on for a long period. For example, instead of leaving a porch light on when going out to dinner, which stays on until you get home, having it on a motion sensor so that when you get to within 5-6 feet of your doorway the light comes on.

Associate Planner Cassidy asked for specific suggestions for a limit to the number of motion sensors allowed. Commissioner Breen said most people have motion sensors near entrances or service areas such as trash enclosures. The Commission agreed that motion sensor floodlights should be prohibited. Planning Director Pedro clarified that this question was about dark sky light fixtures on motion sensor switches.

The Commission agreed with Planning Director Pedro's suggestion that if Planning could refer to a checklist of detailed criteria, then remodels and additions that include exterior lighting could be approved at staff level and would not need to come before the ASCC for a hearing, unless it was specifically forwarded by staff for ASCC review.

Heri Diarte said safety and security includes lighting, which has been proven to be a great deterrent. He agreed that motion lights shouldn't be an issue with the safety they provide, but it becomes an issue when the light becomes an annoyance. He said most of the motion sensor lights are not dark sky compliant, but at his house, he points them down, and if someone comes into his driveway, the light is not visible from outside. He said he also has lights in his trees that point toward his house to warn people inside the house that something is outside. He does not agree with a general ban of those types of lights. Chair Ross said the problem is that those types of lights are often triggered by passing animals and birds, family members walking by, etc., and the safety benefits become illusory. He said when he walks in his neighborhood and no lights are on, he can see very well and detect motion, but when a bright light comes on he is totally blinded, and then he cannot see someone standing right next to him. He said bright lights also create very effective dark shadows, which is convenient for someone wanting to hide. He said his sense is that if somebody is prowling around his house and comes up to one of his doors to try to pry a lock, and when they get within 5 feet, the dark-sky compliant light next to the door comes on, that person will think someone turned the light on, which may be just as effective as a floodlight. He said bright floodlights that point down at different places or down from trees may not be any more effective for security purposes than regular lights that get triggered by motion, providing the same startling effect.

Mr. Diarte said if the neighbor feels safer having the lights, they should be allowed to have them.

John Richards said there could be a requirement that residents can only sensor their own property. He also encouraged the Commission to be sensitive about requirements for existing houses because the motion sensor lights require neutral wiring, which is not necessarily existing in older homes.

Commissioner Breen said a lot of the security lights have been installed in the last year, and the opportunity to retrofit that will probably not occur for a very long time unless the dark sky lighting is heavily promoted. Planning Director Pedro said the plan is to provide an FAQ and public

outreach once there is a new ordinance and design guidelines. Chair Ross said the idea of self-dimming could be handled within the timer section, turning them off after a certain duration. Planning Director Pedro asked if that should be in the code or a suggestion in the guidelines. Chair Ross suggested the guidelines. Vice Chair Sill and Commissioner Breen said it should be specific and in the code. Commissioner Koch said there could be different areas, such as a covered patio for dining, where a light should stay on, or having a dinner party and leaving a porch light on for arriving guests. She said the newer lighting systems have multiple options. Chair Ross said most of the new homes have programmable lighting control systems.

[Unknown resident] asked if they were only referring to visible lights. She said she sent staff information about an infrared LED photocell light that she likes that comes on every night and greatly helps her camera. Chair Ross agreed that an ordinance should be limited to visible light.

Associate Planner Cassidy asked if there should be a maximum lumen limit for an individual fixture or a site in general. Chair Ross said in their reviews they usually ask for a reduction in the exterior lighting. He said it would be helpful if the guidelines indicated an appropriate number of exterior lights and their locations. Commissioner Breen said that is very difficult to gauge considering each property is so different. Chair Ross suggested basic things should be called out in the guidelines, for example that exterior lighting should be limited to pathways, stairways, occupied outdoor areas, etc.

Vice Chair Sill referred to a presentation given by the Ranch that included a good framework, with specifications for maximum lumens for overhead fixtures, how many lumens were required per linear foot, how many per stairstep, etc. He said that could be a starting point. He said specifying a lumens total lighting load is not the right approach, but general guidelines such as x number of lumens per x square feet of hardscape, not including the driveway area, could be helpful. He said maybe the second-floor patio would need to be added in, which wouldn't normally be called hardscape. He said those guidelines should not be excessively generous so someone does not feel they need to use the maximum.

Chair Ross said circuiting grouped in smaller batches could be encouraged. He said usually one light is used most of the time and others used rarely. He said people do not usually turn on all of their exterior lights at once.

The Commissioners agreed with all of the prohibited lighting items listed in Item 7, except for (f), setting maximum lighting loads. They agreed with setting maximum lumens per fixture depending upon placement and frequency of use.

Referring to Item #8, Associate Planner Cassidy asked if the Commissioners wanted it modified, or if there were items they wanted to add that would automatically trigger either a full public hearing or review by an ASCC member. Commissioner Koch asked about pool lighting. Planning Director Pedro said sometimes people come in just for a pool permit, which is not referred to the ASCC. She said staff looks at how much lighting is in the pool.

Chair Ross said the ASCC would review all of these items for any projects that normally come before them, but if a project wouldn't otherwise come to the ASCC, it can be reviewed at staff level with the better-defined guidelines. If staff still had concerns, they could then refer it to ASCC.

Associate Planner Cassidy asked if the Commission had any other items they wanted to add that would automatically trigger an ASCC review or an individual ASCC member review. The

Commission was comfortable with staff reviews or referral to ASCC at their discretion.

Planning Director Pedro said staff will provide an updated version of the draft for their next meeting. As was done for this meeting, Planning Director Pedro said they will post a message on the PV Forum and to the email list to advertise for the study session.

Vice Chair Sill asked if the Planning staff should be tackling the kelvin issue now or wait to see if it becomes a problem. Chair Ross said it should be discussed further.

Associate Planner Cassidy asked if the Commission wanted to discuss anything about the sign ordinance in relation to outdoor lighting at the next meeting. Chair Ross said the issue of illuminated signs is well-defined. Planning Director Pedro added that they typically come with a use permit modification.

Associate Planner Cassidy asked if dark-sky compliant or equivalent should be a requirement of the code. The Commission agreed, as long as “equivalent” is included because there aren’t many certified fixtures available and they are expensive. Associate Planner Cassidy said it will require a bit of research to determine equivalency because a lot of fixture cut sheets show the fixture without the bulb in it.

ADJOURNMENT [9:31 p.m.]