

REGULAR PLANNING COMMISSION MEETING, TOWN OF PORTOLA VALLEY, MARCH 3, 2004,
TOWN CENTER, HISTORIC SCHOOLHOUSE, 765 PORTOLA ROAD, PORTOLA VALLEY, CA 94028

Vice Chairman Zaffaroni called the meeting to order at 8:08 p.m. Ms. Lambert called the roll:

Present: Commissioners Elkind, McIntosh and Zaffaroni, and Chairman Breon (arr. 8:30)
Absent: Commissioner Wengert
Staff Present: George Mader, Town Planner
Tom Vlastic, Dep. Town Planner
Lisa Tehrani, Asst. Planner
Leslie Lambert, Planning Manager

ORAL COMMUNICATIONS: None.

REGULAR AGENDA

(1) Preliminary Review of Site Development Permit X9H-513, 150 Alamos Road, Koch

Mr. Vlastic reviewed the staff report of 2/26/04 on the request for grading to be completed for residential redevelopment on the subject 2.51-acre Westridge property. He used site plans and described proposed grading, off-site views, removal of pine trees, proposed planting, and house ridgeline. He noted that a letter (dated 3/3/04) had been submitted by George Comstock that suggested a number of ways to lower the ridgeline, which the project architect would be responding to. He reviewed concerns that arose during the ASCC and site meetings, as set forth in the staff report. Responding to Commissioner Zaffaroni, he said any improvements within the public right of way would require an encroachment permit. Typically, the Town did not issue encroachment permits for guest parking spaces in the public right of way, and the proposed parking space at the driveway entrance had been eliminated. Responding to Commissioner Zaffaroni, he used the site plan to describe cut and fill areas and amounts. Carter Warr, architect, added that there would be no off-haul. Responding to Commissioner Elkind, Mr. Warr used the study model to show contours that would be modified.

Steve Kellond, architect, said the site was difficult in terms of slope, with 100' between the highest and lowest point. He used photographs and the plans to describe the existing road and steep drop off, building placement, geologic constraints, access, existing and proposed elevations, massing, and existing screening. Mr. Warr described cut and fill areas and lines of sight, tree preservation, reduction of planting to maintain views, and reduction of the amount of boulder outcroppings. Bob Cleaver described design changes made to accommodate an existing oak.

Having visited the site, Chairman Breon said taking the pines out would provide a view. But, the roofline of the house would take away most of that view. Mr. Kellond said the site section drawings were intended to show the relationship of the road to the proposed front yard development and the massing of the house. The ridgeline was at no point higher than 3' above the road level all of the way across. Responding to Commissioner McIntosh, he said the top of the ridgeline was 19' from the finish elevation; that was 2' above the road elevation. Mr. Kellond used the model to describe where the second floor and one-story elements were located. Chairman Breon said the story poles were visible when driving by; much of the view of the land would be completely obscured when you passed in front of the house. Mr. Warr used photos to illustrate views from the street.

Responding to Commissioner McIntosh, Mr. Warr confirmed that: 1) letters from the neighbors would be responded to; and 2) suggestions for reducing the height would be looked into. Responding to Commissioner Zaffaroni, he used the cut and fill diagram to show cut and fill areas and amounts. Mr. Kellond described transition areas and terraces. He noted that the final contours were not illustrated on the model. Mr. Vlastic noted that during the site visit, views from properties across the street had been looked at; the removal of the pine trees would clearly open that up. Using the model, Mr. Cleaver

described the proposed boulders. Mr. Warr said he would provide additional site section drawings and update the model to more accurately reflect grading/contours.

George Comstock, 177 Alamos Road, said he was pleased with what was happening on this site, noting that the neighbors had been very cooperative in letting him know what was going on. He liked the two-story approach and felt that it was sited very nicely. Neighbors were, however, concerned about the ridgeline height. His suggestions for reducing the ridgeline were set forth in his letter of 3/3/04. He had discussed the suggestions with Mr. Kellond who was already optimistic about reducing it by 1.5 feet. He (Comstock) would like to maximize the amount that ridgeline could be lowered--with a target of 3-4 feet. While some of the things that could be done to lower that ridgeline might add to the amount of grading, he asked that the Commission not reject further grading out of hand; it could result in a better overall solution. He thought the additional fill material might be helpful in further improving the access/transition from the house down to the pool area. One of the things that could be done to lower the house was to set it further down. The floor level of the main floor at an elevation of 524' was 3-4' higher than the building pad on which the older 1-story house was located. Bringing that basement floor level down another foot or so would generate additional moving of earth that would have to be accommodated. But, moving it might actually improve the transition from one side of the site to the other. He asked that Commissioners look with great sympathy to the suggestion that the 2,200 cubic yards might grow by 10-20%. He said he liked the sloped roof idea and did not want to go to a flat roof. The older house had solar hot water panels on its flat roof which were not particularly noticeable or objectionable from the street. He felt you could get a reduction of 3-4' by taking 6" here and there. For example, the clerestory windows at 2' could be brought down to 1.5 feet; that would not adversely affect the aesthetic effect of bringing sunlight into the house. The basement ceiling at 9' could be lowered to 8 feet. He also liked the idea of taking out the pines and oleanders. All in all, he was very pleased with the project.

Commissioner Elkind liked the suggestion of making the basement lower and digging the house further down into the hill. She felt the approach in the front was a big improvement but was deeply troubled by the proposed fill area/terrace shown as Section D. It was basically a platform built across the top of an amphitheater landform. She said she would defer to the ASCC on questions of height, house design and details. She also agreed with the comments made about views while driving down Alamos. The removal of the pine trees would allow you to see the house; only the sky would be seen in the distance and not the land. She would like to see the house profile lowered. Responding to Commissioner Elkind, Mr. Warr pointed out the existing leachfield area, noting that an extension to the sewer was being investigated. Mr. Vlasic added that the decision relative to the septic system would have to be reviewed by the Health Dept.

Commissioner Zaffaroni said she had viewed the property from the road but didn't have an opportunity to go down on the property to get a sense of how the fill at that particular location would change the contours of the property. Responding to Commissioner Zaffaroni, Mr. Warr said some of the contour was natural and some was artificial. He used the model to indicate which slopes were artificial. Where the new building was proposed, borings indicated that that fill was fairly deep; the steepness was a consequence of that fill. Commissioner Zaffaroni said it was significant whether natural contours were being changed or whether it was already an artificial contour. It seemed as if what was intended might look quite abrupt. She thought there might be some way it could be softened or made more gradual. She also felt that it would be desirable to lower the house--especially since so much grading was taking place already. Some material could be off hauled. She said Mr. Comstock had presented a number of suggestions that could help to lower the overall ridgeline. It was a spectacular view which she hoped could be conserved in some way.

Commissioner McIntosh said if there was a way to maintain the architectural integrity, he also wanted to lower the roof. He had no problem with trying to modify the steepness of the slope that existed on the other side of the house and working with the fill to transition down to the other structures; he was not concerned with another foot of fill.

Chairman Breon said it would be more natural looking with the removal of the pines near the road and replacing some of the non-natives with natives. However, he thought the project violated the spirit of the General Plan in the sense of dominating the landscape with artificial land forms, landscaping, terraces, gardens, etc., over a large amount of this 2.2-acre property. A huge amount of this property would be made to look unlike the natural landforms of the area. As for the exception to the 85% limit for the home (Ordinance section 18.48.020), he said findings #2 and #3 did not apply in this case. There were some constraints due to the steep slope, but there was nothing for unstable ground or flood plain. There was also a huge building pad there. That left finding #1 that required that the larger building would result in a superior design for the property in terms of grading, tree removal, and use of the property. He could not make that finding. In terms of the grading, some of it was needed to get the pool house out into that meadow. He felt it could be pulled back in closer to the home leaving the meadow and more native area of the property more intact and eliminating more of the artificial connection between the two things. He also felt the home should be lowered considerably because it would destroy much of the view. He urged some significant changes be made.

Mr. Vlasic said he had some concerns about making the findings to allow almost 91% of the total floor area be in the main building. In terms of the fill solution, the proposed grading suggested more of an artificial solution in the way the terrace was accessed. He thought some fill could be done in the area to achieve some of the transition that they wanted and deal with the steep part of the slope, but also preserve the general character of the slope. Some elements had been added that seemed to go contrary to the slopes; with proper sloping, he thought it would have the feeling of a natural transition.

Chairman Breon reiterated that he would like to see the pool house area closer to the home. But, it would also be helpful if the transition from the home to the pool house area was more of a softer path or two through some native vegetation over a slope that mimicked a more natural slope rather than boulders, rocks, terraces, gardens, etc. He felt it was a long series of artificial elements.

(2) Public Hearing: Exception Request for Attached Garage, 107 Tan Oak Drive, Kister

Mr. Vlasic reviewed the staff report of 2/26/04 on the exception request for a single-story garage within 5' of the front parcel line of the property. He noted that the plans had been revised to address most of the ASCC's conditions in terms of lighting, compliance with impervious surface, and reflectivity of the trim.

Commissioner Elkind said there had been some comment about the roofing shingles, which were designed to work better at a certain pitch. Mr. Vlasic said they worked better at a steeper pitch. But, even if the garage roof was dropped 18 inches, it would not be as flat as the roof of the existing house, which would also be shingled. Responding to Commissioner Elkind, he said by dropping the roof 18 inches, the applicants would not have as generous storage space as they hoped.

Chairman Breon said the first priority here was for a garage; a secondary priority was to get some additional storage space. Because the garage was so close to the road, he would like it to be lowered as much as possible--even to a point of eliminating that storage area. He could, however, live with it as proposed.

January Kister, applicant, said lowering the roof to the main house's level would mean 4' of height in the attic. He was 5'11" and could not imagine using a space of that height.

Leopold Joseph, architect, noted that the garage would be 15' from the centerline of the street. He said he understood that mass was of concern. Within the confines of this particular site, he felt the garage was attractive. Mr. Kister described the level of the house in relation to street. Additionally, when you looked at the property from the front, half of the house was tucked behind the neighbor's property. There was also a massive fence, and he did not think the garage would appear as a huge structure right next to the road. Mr. Vlasic added that the peak/gabled end was not facing the street; you would be looking across the roof and not at the end.

Responding to Chairman Breon, Mr. Vlasic said the overall architectural approach still worked by dropping the roof 18 inches; it could not be dropped a lot more than that without beginning to change how the other roof forms came into it.

Commissioner Zaffaroni said she did not think that the setting was such that lowering the roofline would be that much of a benefit to the public. It was a tiny little street without great views. In terms of massing, she didn't have a way to assess whether 18" would make a noticeable difference. Commissioner McIntosh concurred and didn't think it would make that much difference; the ASCC didn't feel strongly about lowering it, and it was their purview.

Commissioner Zaffaroni moved to find the project categorically exempt pursuant to Section 15303(a) of the Town's CEQA guidelines. Commissioner McIntosh seconded, and the motion carried 4-0.

Commissioner Zaffaroni moved to approve the requested exception to permit a new attached garage to be located within 5' of the front (i.e., Tan Oak Drive) parcel line as shown on the plans dated 1/15/04 and referenced in the staff report of 2/26/04, subject to conditions "a" and "b." Commissioner McIntosh seconded, and the motion carried 4-0.

(3) Review and Discussion of Fencing Regulations Report

Ms. Tehrani reviewed the staff report of 2/27/04 on fence regulations. She discussed: 1) background; 2) revised fence problem statements; and 3) fence location and height. With respect to fence location, Chairman Breon said there were quite a few public pathways/equestrian trails that went by people's side or rear yards; in those situations, or where there were easements that could become public pathways, he felt more strict regulations should be applied--similar to what had been discussed for front yards. These situations were of greater public interest than the typical side or rear yards.

Ms. Tehrani continued with the staff report presentation and discussed: 4) fence definition; 5) fence colors and materials; and 6) suggestions for fences in riparian corridor setbacks. Commissioner Elkind said she was very supportive of the suggestion that there be a 20' setback from the top of the creekbank.

The fence regulations were trying to do two things: a) maintain a social norm of the aesthetic in Town--especially in the front yard; and b) prohibit walling off all of the wildlife corridors. The creeks were one of the most essential elements for wildlife movement. Where there was canopy, it was important for birds. Giving that extra space for the buffer worked for birds as well as wildlife. The needs of the property owners with respect to privacy also needed to be looked at.

Commissioner Zaffaroni said she also liked the 20' setback for animal migration. With respect to limitations for opacity, she did not think that alone could be relied on. If there was wire/mesh over any kind of fence, the animals would not be able to penetrate it. Often, people wanted the fence back near the creek because they didn't want it to be penetrated. It could be perilous if there were children; anything that children couldn't penetrate, animals couldn't penetrate. The 20' setback was also consistent with the backyard setback. She said the staff report indicated that the setback would be applicable regardless of whether the 20' setback fell within the building envelope. She had a problem with that. Critics could point to that and say it was irrational to say you could not have a fence right next to the house. In those rare instances where it might occur, a fence would probably be needed. If the home was right on the creek, there was no option in terms of where you could fence for safety purposes.

Town Planner Mader suggested that some sort of exception could be added to address this particular problem. Ms. Tehrani suggested that the ASCC be allowed to make an exception. Chairman Breon thought that was preferable to crafting language for an exception; he suggested there be a blanket statement to cover exceptions. Commissioner Zaffaroni noted that some of the more vocal people on this issue had structures right up against the creek. She felt it might be a good idea to let them know that that was a situation that the Town: a) acknowledged and recognized; and b) would not try to restrict

some sort of safety fencing if it was necessary.

Commissioner Elkind thought there should be some criteria to define the basis of the exceptions. Responding, Chairman Breon said that would be difficult to craft; people would try to come up with arguments to meet the criteria. He suggested using a blanket statement indicating that exceptions could be granted by the ASCC. The ASCC could develop a history of when they allowed exceptions and when they didn't. Commissioner Zaffaroni also liked the idea of a more general exception. She reiterated that she did not like the language in the staff report about the setback falling within the building envelope. It was irrational and a red flag.

Town Planner Mader said if a general exception was used, some sort of criteria needed to be established. The fence right at the back of the house was a particular case, but he thought some general criteria for the ASCC would be necessary. It was not unlike a variance: it was an unusual situation and the requirement would create an undue hardship on the individual. Chairman Breon agreed and wanted to avoid language such as "...where found to be important to safety and privacy." That was a common argument for people who wanted to push these exceptions.

Commissioner Elkind thought it might be easier to decide when an exception was appropriate if there was a more clear statement of why a 20' setback was required. Town Planner Mader said there could be some sort of preamble statement about purpose. Chairman Breon pointed out that the concern was included in the problem statements (#1). He felt that was adequate.

Noting that this would be temporary until the riparian corridor regulations were developed, Ms. Tehrani thought this was more of an issue in the <1-acre districts. As proposed, other than horse fences had to be located within the building envelope on 2+ acre districts unless the ASCC found there was a lack of usable space. She suggested for 1-acre districts, the ASCC be allowed to make an exception if there was a lack of usable space. After discussion, Chairman Breon suggested eliminating the phrase "regardless of whether the 20 foot setback falls within the building envelope" and noting that the Commission wanted to have some sort of an exception process that was broadly applicable and not too specific.

Chairman Breon said he felt the opacity of fences along riparian corridors was less important than the setback. Commissioners discussed whether opacity limits should be set. Town Planner Mader said this was complicated enough; he questioned whether opacity limits for these fences should be set. Chairman Breon and Commissioner Zaffaroni agreed that it should be as simple as possible because people were going to have strong reactions anyway.

Continuing with the staff report, Ms. Tehrani discussed: 7) perimeter fences, front yard fences, and fence opacities. Using overheads, she reviewed sample perimeter fence limits (Exhibit 1), options for front yard fence locations (Exhibit 2), the fence opacity spectrum (Exhibit 3), and potential fence locations by zoning districts (handout). With respect to the smaller lots, Town Planner Mader questioned whether fences should be prevented in the front yard; for a lot of the small properties, there was no sense of huge open spaces anyway. For the 1-2 acre and >2 acre parcels, he noted that some people might want a domestic fence to keep children in in addition to the horse fence; that raised the question of whether to allow wire on horse fences, which would keep children and dogs in. But, that would prevent easy movement of a lot of wildlife.

Commissioner Zaffaroni felt that many people would want to put wire on horse fences. Horse fences were more attractive without wire, but allowing people to do that would eliminate the demand for a domestic fence/double fencing. Commissioner McIntosh said there was also the issue of deer who could get over a 4' fence and into a garden that wasn't fenced. He felt a 6' fence was pretty effective against deer. Town Planner Mader noted that some people felt the fence needed to be 8' to keep deer out. Commissioner Zaffaroni said a 4' fence with wire could restrain a dog; a dog might help to keep the deer out. Chairman Breon said there was also the option of having an invisible fence. Commissioner

McIntosh said invisible fences were being used more and more in Westridge.

Responding to Commissioner Zaffaroni, Commissioner McIntosh said he did not like the look of a horse fence with wire; it didn't fit within the theme of what the Town was trying to preserve. He did not see that much benefit of wire on a 4' fence. Town Planner Mader suggested it be permitted on 1-2 acre lots. He did not think it should be permitted on the larger lots. Commissioner Zaffaroni said that was more acceptable. Commissioner McIntosh pointed out that there were no fences at the Ranch or Blue Oaks, and people seemed to make out all right. Town Planner Mader said one difference was that when people bought into those communities, they knew the restrictions.

With respect to the smaller lots, Town Planner Mader confirmed for Chairman Breon that the front yard fence could be only 4 feet. The opacity would need to be established. Chairman Breon said he didn't object to perimeter fences on the smaller properties, so long as the height and opacity were controlled in the front yard area. Commissioners discussed the examples of opacities (Exhibit 3). Town Planner Mader said he thought 50% was reasonable. Chairman Breon preferred 40%. Commissioner Elkind said she was comfortable with 45%. Noting that the recommended opacity for horse fences was 45%, Town Planner Mader said there was some wisdom in having the same number. In 1-acre districts, he suggested that the standard horse fence with wire be allowed. That could be at the property line, or you could put in a domestic fence of another design. Commissioners McIntosh and Elkind and Chairman Breon agreed a single number was preferable. Commissioner Zaffaroni said 45% or 48% sounded reasonable. Ms. Tehrani said 45% had been suggested for horse fences because of those that she measured, they were all less than 50%. Bringing it up to 50% would allow all horse fences. Town Planner Mader said staff would look at the numbers again and make a recommendation.

For the 1-2 acre lots, Ms. Tehrani said there were a variety of options for the front yard fence. On the handout, it was shown at the back of the setback at the building envelope line. It could be half of the front yard, or at the front property line with opacity standards. Town Planner Mader noted that the angle of view was much different at 50 feet. Responding to Commissioner Zaffaroni, he said as proposed, a horse fence would be allowed in the front yard; the domestic fence would have to be behind that. He agreed that in effect, deference was being given to horse fences. Commissioner Zaffaroni said with the same opacity, she did not see what the rationale was for making the distinction. Town Planner Mader said the design would be different, but not the opacity. Traditionally, horse fences were allowed on property lines, and there was an aesthetic difference. He said the 4' front yard fence could be just based on opacity. Chairman Breon felt that would make it more standardized and avoid making a distinction between a horse fence and domestic fence. He added that this could always be changed after some years of experience.

For less than 1-acre lots, Chairman Breon said he felt solid fences could be allowed except for the front area. He would like to hold to the opacity standard for the 1-2 acre lots; a combination of that plus vegetative screening could provide all the privacy needed. Commissioner Zaffaroni felt that people would be offended if they could not have a more opaque barrier between houses that were separated by 40'. People had swimming pools, spas, sheds, air conditioning units, etc., in that space. On the 1-2 acre lots, Commissioner McIntosh suggested allowing a certain percentage to be solid. Commissioner Zaffaroni said people usually only wanted a solid fence in that section where the two houses were close together. It was not an issue of values but rather wanting to have privacy and not being able to look into your neighbor's window. You could do it with vegetation, but it took years. Responding to Commissioner McIntosh, she said these fences were usually shared. Chairman Breon did not want a situation where you could have solid fencing on any property. Commissioner Zaffaroni said as the Commission discussed, for the >2-acre lots, that would not be allowed. For 1-2 acres, it would not be allowed in the 50' setback but would be in the side yard. For the smaller lots, the same thing.

Commissioner McIntosh described his lot which had at least six houses along one side with a solid, grape stake fence. Those neighbors like it, and he liked it. Responding to Town Planner Mader, he suggested allowing solid fencing on 50% of the remaining property boundary. Chairman Breon said that would

mean that people would be asked to apply three different fence standards: a) in the front, they could have a 4' fence with 50% opacity; b) for 50% of their rear and side yard, they could have 6' fencing that was totally solid; and c) they could go to 50% opacity up to 6' on the other 50%. It would look odd if your solid fence turned into an opaque fence which turned into a solid fence that turned into a lower opaque fence.

Commissioner Zaffaroni said she had six different kinds of fencing on her property because all of the neighbors had done something different. She added that that could not be seen from the street because of the vegetation. That was not, however, a solution for people putting in a new fence. She agreed it was somewhat haphazard and felt solid fencing should be allowed down the sides. She described the solid fence on her property, noting that the solid portion was only important in that section where the houses were right next to each other. She thought it would be difficult to try to regulate that. Town Planner Mader agreed there was a lot of advantage to trying to simplify the regulations; fences were only one part of a collection of things that people were faced with.

Chairman Breon said the discussion seemed to be moving away from the principle of trying to discourage or eliminate perimeter fencing except on the small lots. Commissioner Zaffaroni said Chairman Breon and Commissioner Elkind felt strongly about that, and she thought they should pursue their values. Commissioner Elkind said so much of the visual effect and choices of where you could put a fence would depend on topography, location of the house, etc. She suggested there be a 50% perimeter rule and then leave it to staff/ASCC to see how it worked. Responding to Town Planner Mader, she said perimeter horse fences on the >2-acre parcels did not bother her because they could be penetrated. She was primarily concerned with a 6' fence that could be solid on the 1-2 acre parcels.

Ms. Tehrani said with the 1-2 acre districts, the domestic fence could be solid within the building envelope. That would leave a large part of the land not fenced. Chairman Breon felt few people were willing to do that because it alienated their own land. Town Planner Mader said there was also a maintenance issue with two fences. Commissioner Elkind felt that was an argument for allowing perimeter fencing. Town Planner Mader said on the large parcels, people would generally select an area for the domestic fence within the property.

Chairman Breon said the question seemed to be the opacity of the fence on the side and rear yard perimeter on the 1-2 acre lots. Commissioners discussed what might be built inside the building envelope on a >2 acre lot. Responding to Commissioner Zaffaroni, Ms. Lambert said anything over 6' required a building permit. She added that for most of those lots, they would also have to go through their homeowners' association.

Ms. Tehrani continued with the presentation of the staff report and discussed gates. Commissioner McIntosh said he supported requiring gates be setback 50' on the large lots and requiring that they be of the same material. Commissioner Elkind agreed. Responding to Commissioner Zaffaroni, Commissioner McIntosh said "similar" material was adequate. Responding to Commissioner McIntosh, Ms. Tehrani said for 1-2 acre lots, the gate could be required to be setback either 25 or 50 feet. Commissioner Zaffaroni said she felt halfway was appropriate. Town Planner Mader said 25' would allow someone to park the car and open/close the gate. Commissioners agreed on 25' for the 1-2 acre district and 50' for the >2 acre district.

Commissioner McIntosh said everyone who wanted to come to Town wanted to have an automatic gate, security, etc. Without making it a requirement, he asked if it was possible to ask people to take a fence tour. Chairman Breon said he thought some language could be added to encourage people not to put in gates and fences to the extent allowed under these standards. Commissioner McIntosh suggested providing people with a map so they could see what the community was like. Commissioner Zaffaroni felt the photos in the staff report would be helpful as well. Commissioners also agreed with a requirement that the gates be of similar style as the fence.

With respect to regulating an existing fence, Ms. Tehrani reviewed the two options set forth in the staff report. Responding to Chairman Breon, Ms. Lambert said staff used 50% as a rule of thumb when someone wanted to repair or replace a non-conforming fence. Chairman Breon reiterated his suggestion that for any permit, if there was a negative visual impact of the fence off site, the Town should have the right to ask that the fence be changed to conform. While this was controversial, he felt it was the best way to recapture some of these. Responding to Ms. Lambert, he suggested it apply to just those things that had architectural review, which were the larger projects. Town Planner Mader noted that the definition of "segment" of fence might cause problems; he suggested staff or the ASCC make a determination if there was any question. Responding to Chairman Breon, Commissioners Elkind and McIntosh confirmed that they would like to see language included about the recapturing concept.

Commissioner Zaffaroni felt this would surprise people who came in for, for example, a kitchen remodel. She suggested, "The ASCC has authority to review and recommend alterations to existing fences when a new house or remodel is before them for review." That was a general way of doing it without trying to craft cases that should be looked at. Chairman Breon thought there might be problems with the legal nexus. Town Planner Mader suggested saying that the ASCC had the right to review these fences as part of a remodel and that the criteria would be the visual impacts from off site. After discussion, Chairman Breon asked staff to draft some language for review.

Referring to the staff report section on vegetative fencing (p. 6), Commissioner Elkind said the language did not clearly reflect the intent of not wanting vegetative walls and the preference for clumped planting in an undulating fashion. Chairman Breon said he liked the language as proposed. Commissioners Zaffaroni and McIntosh agreed. Commissioner Elkind reiterated that she would like to see language added about how it could be planted to avoid a wall-like effect. Ms. Lambert noted that the Design Guidelines recommended that plantings be staggered.

Ms. Tehrani used Exhibit 5 to discuss what was suggested for fences and vegetation on corner lots. Commissioners agreed with the proposed language.

COMMITTEE, STAFF, COMMITTEE REPORTS and RECOMMENDATIONS

Ms. Lambert distributed copies of the Conservation Committee's Conservation Guidelines, which would be discussed at the next meeting.

ADJOURNMENT

There being no further business, the meeting adjourned at 11:15 p.m.

Craig Breon, Chairman
Planning Commission

Leslie Lambert
Planning Manager