

**THE TOWN OF WOODSIDE  
ARCHITECTURAL AND SITE REVIEW BOARD**

Minutes  
November 21, 2016

CALL TO ORDER      The meeting of the Woodside Architectural and Site Review Board was called to order on November 21, 2016, at 4:35 P.M. in Independence Hall.

ROLL CALL

Members Present:      Chair Lubin; Vice Chair Larson; Members Carlsmith, Mah, and Reyering

Members Absent:      None

Staff Present:          Jackie Young, Planning Director  
                                 Kai Ruess, Town Attorney  
                                 Corinne Jones, Assistant Planner  
                                 Jennifer Li, Deputy Town Clerk

CALL FOR CHANGES TO THE AGENDA

Director Young noted desk items regarding Assembly Bill 2299 and Senate Bill 1069, which are concerning accessory dwelling units, and will be discussed during staff communications at the end of the meeting.

PUBLIC COMMUNICATIONS

None.

AGENDA ITEMS:

1.	Alyn Beals	ASRB2016-0026
	153 Marva Oaks Drive	Planner: Corinne Jones, Assistant Planner

Presentation and consideration of a proposal requiring Formal Design Review, to construct a two-story main residence with an attached garage and a partial basement; an accessory structure (workshop); an Accessory Living Quarters (gate house); a swimming pool; and, associated landscaping and landscape lighting. The Planning Commission will take the final action on the Formal Design Review because the project requires an additional entitlement, a Grading Exception (GRAD2016-0003), in order to exceed 1,500 cubic yards of grading.

DISCUSSION

Corinne Jones, Assistant Planner, presented the staff report. She noted the materials board located in the front of the room.

Member Reyering noted that previous comments regarding mass and reducing bulk did not make it into the

recommendations forwarded to the applicant.

Director Young pulled her summary notes from the September 14, 2015, ASRB meeting. The items that were in the summation were: a discussion of turtle glass; whether the applicant will do some type of three-dimensional modeling; how equestrian trails are handled during construction; and examination of fencing, a neighborhood plan, and neighbor impacts.

Member Reyering said in the Minutes, it reads “the applicant will present three-dimensional modeling.” Then Director Young asked if anything was missed, and there was a discussion that continues about what was missed including addressing massing. We can move forward.

Chair Lubin invited the applicant to speak.

Steve Simpson, project architect, said that his recollection of the September 14, 2015, meeting was that there were general concerns raised, but that they were not asked to go back for a redesign. He didn’t think the project would be forwarded to Formal Design Review if that was the case. He thought there were a few elements to study further. Regarding the mass, there was a discussion about the living room where the suggestion of a trellis or something could help break up that massing. They designed a trellis in this re-submittal. He doesn’t recall any fundamental issues that came out of that meeting that would have caused them to go back and present a new project. He thought that with additional information from various professionals, it would make this project more compelling. He apologized for the misunderstanding.

Member Reyering said she didn’t get the impression for a do-over either; however, she remembers enough discussion that the Board had to ascertain a certain level of confidence that in the next rendition Mr. Simpson would be addressing the massing issue somehow in the revised design. There was a three-story element that was brought up. It’s all in the minutes, except the direction didn’t seem to be brought forward.

Mr. Simpson said they hoped that with the additional information, story poles, and the site studies, that it wasn’t as big of an issue as it may have appeared. Sometimes on these down-sloping properties, the two-dimensional elevation looks big; however, the structure has a lot of variation. The three-dimensional renderings show how they have broken up massing quite a bit. They are constrained by the existing building site. They don’t have the flexibility to put the house in any other location, which is driving the stepped design. In the Residential Design Guidelines, stepping the structure down the hill is always shown on the side view, never looking up at it. They designed the structure to dig it into the hill where they could, and follow the contours of the slope. Much of the proposed grading is due to the long driveway and the topography. Part of the reason so much time has passed since the ASRB has reviewed this project is because they have been working with other professionals to document the old driveways and landslide areas. Other elements were added to the structure (e.g., trellis on the downhill side). The massing is broken up quite a bit. They tried to pick materials that are natural and will blend in with the site (e.g., tan and earth tone). They’re trying to nestle the structure in and be as inconspicuous as possible. One of the accessory structures is nearly buried.

Chair Lubin said that her specific comments were to look at breaking up the living room over the recreation room, and if there was a way to lower it. She suggested cantilevering the upper story or breaking it up. Mr. Simpson was the one who suggested a trellis. That’s the one area where the floors are stacked upon each other, and it increases the perception of a three-story house. Other Members made similar comments regarding massing. It’s a constrained site and not that visible. She appreciated the site sections.

Mr. Simpson said that’s just one element, not massing of the entire house.

Chair Lubin said she's not sure the trellis sufficiently helps break up the mass.

Mr. Simpson said he's afraid if they moved the ground floor back and had a cantilever, the main floor would appear as if it was hanging.

Chair Lubin suggested stepping the upper floor back and having a deck.

Member Reyerling said that what is so often unspoken during ASRB meetings is that this is a very constrained site, and they are designing to square footage. They are trying to work out the maximum allowable square footage on this small footprint. It's really challenging to meet the Residential Design Guidelines and do that. There is nothing rural about the design besides the proposed materials and the fact that it's in a rural setting. Maybe there's a creative way to break up all of that square footage. That's what the ASRB tried to talk about last time. It might require reducing some square footage. She felt that after the discussion last time, Mr. Simpson would return with something creative. Maybe a tweak a little or reduction here or there.

Mr. Simpson said he's trying to figure out where he missed that. He left the previous ASRB meeting feeling like they were close.

Chair Lubin said that's a good point Member Reyerling brings up. Member Mah has commented before about the square footage limits not being a one-size-fits-all. The ASRB understands the economics of it; however, people still design the maximum square footage, and it's not appropriate for every site. She was also disappointed that there wasn't a reduction of bulk and mass. The overall design and materials are great. Mr. Simpson is creative and generally follows the Residential Design Guidelines pretty well; however, the structure doesn't seem rural or subservient to the land.

Mr. Simpson said the two-dimensional downhill view is misleading. Maybe they could have done a better job of showing additional three-dimensional drawings. Rural could be interpreted multiple ways. They tried to keep the structure understated, and use a palette of materials that look natural and rustic. It's a beautiful site with views, so they wanted a lot of glass. Regarding square footage, there is much more allowable square footage. They have cut and buried quite a bit. They didn't approach this to put as much square footage as possible. Regarding the maximum allowable house size at 6,000 square feet, yes, they may have tried to do that; however, in terms of overall site development, they weren't trying to build to the maximum.

Member Reyerling said the ASRB is only talking about the house. With 6,000 square feet on a larger footprint, the structure can meander. In this case, the elements have been pushed together, so they end up with a three-story mass that is outside of the Residential Design Guidelines.

Mr. Simpson said they would like to design a structure that meanders; however, they're constrained by the building site and steep slopes. He apologized for any misunderstanding. When they received the summation, it didn't seem like they were looking at any fundamental design changes.

Director Young said some of the confusion may have come from the bottom of Page 24 of the September 14, 2015, Minutes, where this project will go next. Starting where Vice Chair Livermore asked if Mr. Simpson has enough input, and if he felt comfortable going to Formal Design Review. Mr. Simpson said yes. Member Reyerling said another option is to move to staff for Formal Design Review, and asked if that would be less impactful for the applicant. That may be where the understanding fell away from there being a big issue.

Member Reyerling said the discussion went in that direction because the ASRB has worked with Mr. Simpson a lot, and the ASRB was trying to massage things at the meeting. At that time, the ASRB was really working hard to

make clear and concise comments so the Conceptual Review wouldn't drag on. Mr. Simpson does a lot of business in Town, and it's the ASRB's desire to work with Mr. Simpson and make things move ahead as easily as possible. She felt that everyone was all on the same page about massing, and the ASRB would see a little reduction somewhere.

Member Mah asked about the three levels relative to the overall square footage. She asked for some clarification as to how much of the daylighted portion of the underground part of the dwelling counts towards square footage.

Planner Jones said any portion of the structure that sticks up above grade contributes to floor area.

Member Mah asked if that is factored in the proposed design.

Mr. Simpson said yes. There is a portion of the daylighted basement that is counting towards the 6,000 square foot total. It is about 600 to 700 square feet of the basement level.

Chair Lubin invited anyone else to speak.

Sushma Pati, 151 Marva Oaks Drive, said she never received the materials and apologized for not having a chance to review the proposal. She wonders if the conceptual building site is within the approved building envelope, and whether there is appropriate landscaping for privacy. She has seen the story poles. She invited the ASRB to see the proposal from her property. The viewpoints in the packet were probably taken from the fence line. Their house is uphill. There are many proposed windows that look up at her house.

Chair Lubin asked Ms. Pati to clarify if her concern about visibility from her property has to do with the amount of lighting out of the windows or landscape lighting impacts.

Ms. Pati said the amount of light emission from windows. Her concern is not about this specific plan as she hasn't reviewed the proposal. She's just speaking to the typical concerns of a neighbor in regards to light emission from the building and landscape screening.

Director Young asked if her property is gated.

Ms. Pati said yes. She gave staff her contact information to coordinate times for the ASRB to view the proposal from her property.

Planner Jones explained that the building envelope is dashed in green. The main residence is required to be located substantially as designated as one of the conceptual building envelopes. She conferred with the Town Attorney to confirm that the proposed building envelope would be read as substantially within, and the Town Attorney confirmed the proposed location would be considered within the conceptual building envelope even though it is shifted slightly out of it. The applicants shifted the structure a bit to create breadth between the structure and the steep slopes.

Chair Lubin asked if the square footage outside of the building envelope is the left triangle that is in 35% slopes.

Director Young said right. When a map is recorded, and applicants establish conceptual building envelopes, it's not typical at that time to survey that building envelope and ensure it lies in an appropriate area (i.e., an area less than 35% slopes). This building was shifted more appropriately to the right as you view this plan. It also pulls it further away from some of the trees. Conceptual building envelopes are not typically surveyed. Staff was careful to check that.

## BOARD DISCUSSION

Member Carlsmith said he concurred with Member Mah, Member Reyerling, and Chair Lubin on the bulkiness on one or two of the elements. The three-story is a primary concern. The trellis was added to help mitigate the bulkiness of the two-story element. He finds three things mitigate the bulkiness of the three-story element. One is the fact that by virtue of being recessed, the two-dimensional drawings don't capture the relief offered by the design very well.

Director Young suggested reviewing the side elevations.

Member Carlsmith said on Sheet A-7, there is a much clearer depiction of the relief of the three-story with respect to the two-story elements. It's set back by about 20'. On Sheet A-8, that looks plainer, and leads to genuine concern of bulkiness that Members Mah and Reyerling raised; however, going back to Sheet A-7, we will find relief in three-dimension substantially different. Another thing he suggests is the view from the driveway, at least, appears more two-dimensional because the third basement level is nestled in the gully, which going back to Sheet A-8, is revealed as dropped down from the first level, which you cannot see from the driveway because the driveway is actually located closer to the second level. That's two of the three mitigating factors he sees. The other is simply that the left elevation is only offered to the east, which is the open 10 acres area plus the adjoining large properties, so visibility will be inconsequential.

Chair Lubin said she's hearing it would be more visible from Ms. Pati's property.

Member Carlsmith said he has viewed the story poles from Mr. and Mrs. Pati's bedroom. When viewing the story poles, he would estimate a 45 degree view from Ms. Pati's house, so the full depth of that three-story is somewhat hidden. He acknowledged the mass argument, but also suggests that in this particular case, it will not be that impactful. Whether or not the ASRB asks them to go back because of that, it doesn't quite rise to that level for him due to the mitigating factors. The site consists of a large valley, a rise, a second valley, and a second rise. The second rise is where the house is proposed to be located. It would be hard to distinguish the mass of the structure since it will be so far away.

Chair Lubin said it would have been useful to know the project was able to be viewed from the Pati residence.

Vice Chair Larson said he tended to agree to the comments made so far. The renderings, particularly Sheet A-9 appear wall-like. The structure steps back. He asked how far the structure steps back from the floor, under the trellis, to the top of the roof line.

Mr. Simpson said 23'.

Vice Chair Larson said he agreed with Chair Lubin that recessing it back would help. The trellis tries to do a bit of that; however, the scale of the two is so different. The square footage is under, and the structure has stepped back significantly. The color palette in the drawings looks like white on white on white. The roof color will substantially help that. He's not sure what more the ASRB can do here.

Member Carlsmith said Sheet A-A-1 is an aerial view that clearly shows the angled view from the Pati residence. It's a very shallow angle. The representation at the top of the page is very close to what they will see.

Chair Lubin said it's very massive-looking.

Member Carlsmith said he would argue that it's not because you're approaching it. His point is you won't see the

three-dimensional view as depicted on Sheet A-7. Whether or not the rest of the structure appears massive is a different question.

Member Mah said she thinks it's still lot of mass. She echoed what Member Reyering said about it being such a constrained site that a bit of moderation and making it a better fit to the site would be appreciated. She is mostly concerned about the elevation that presents three-stories of windows because of two reasons: 1) the light emission at night will be fairly visible to those downhill; and, 2) the amount of glare when sunlight hits that during the day. Overall, there are many windows that will have an impact. She doesn't think a trellis, especially down low, will adequately mitigate that concern. It doesn't help with mass, fenestration, light mission, or glare. She remains concerned about the mass. The amount of disturbance is what it is. She would rather see something more subordinate to the land. She appreciated how the other out-buildings are really restrained. It's a beautiful site. Even though it is constrained, it's really special and quiet. It would be great to have something less impactful from a visual standpoint (e.g., view from neighbors and light emission at night). The proposal seems more suburban than rural.

Chair Lubin said that when standing at Cañada College, there is a house further north with a huge bank of windows that are similar to this proposal. She didn't view it at night; however, the bank of glass was visible.

Vice Chair Larson said he was under the assumption that all the proposed glass will be turtle glass.

Planner Jones confirmed that is what is proposed.

Chair Lubin said that will limit the amount of light emission somewhat; however, there's still a lot.

Member Reyering said she appreciated Mr. Simpson's responses to the comments that did make it into the summation with regards to turtle glass and fencing. It would have been nice to have a model for this proposal. The ASRB doesn't see models much anymore, and she's not sure why. They are really helpful for projects like this when there is so much density in the center of the dwelling. There are two projects that are often brought up :

- 1) In San Mateo County, there is a three-story residence that sits on a hill. The light emission at night makes it look like a hotel. People hate it.
- 2) A Woodside home that is painted an unusual color.

Even if a structure is 0.5 mile away, light emission does matter to people. She would like to see it tweaked a bit more.

Chair Lubin said this house may be too big for this particular site and building envelope. She's struggling on how the ASRB can give some guidance going forward. She would like to make clear the kind of guidance the ASRB gives to the applicant to do the suggested revisions.

Mr. Simpson said these downhill two-dimensional drawings don't reflect the variation that this house has, and the breaking up of the massing. On the Site Plan, he wanted to point out, there is only a small portion of the house that is three stories. Other than that, it steps back quite a bit. They've tried hard to not have it appear three-stories. The area in the center is recessed. There is a large deck that comes out 10' or 12'. The lower floor is back in the plane. There is a second floor deck. They tried to break it up a lot by recessing it back, putting two layers of decks. He pointed to the one- and two-story sections. There is a large deck that comes out, so that lower floor is heavily shadowed and dug in.

Member Reyering asked what the square footage is for the third story.

Mr. Simpson said approximately 1,200 square feet.

Planner Jones asked him to address the relationship of the path of travel of the sun to the house.

Director Young said, with relationship to the windows.

Mr. Simpson explained how the sun is mostly behind the house. There shouldn't be any reflection issues.

Chair Lubin said the greater concern is light emission.

Director Young said Member Mah had a concern about glare. She pointed on the Site Plan the cardinal direction. The pool faces more North.

Mr. Simpson said regarding the three-story element, they are flexible and could design something more substantial than a trellis or another roof section. It's down so low and far away from everything, he doesn't think it will have a big impact regardless what they do there. It's below the driveway elevation. Someone would have to be downhill on the site and close up before it could have a big impact. There is one two-story element on the previous submittal that didn't have any relief, so they added the trellis.

Director Young asked Mr. Simpson to explain the elevation of the pool to show the building wall and deck.

Mr. Simpson said there is a deck at the main level. There is some relief at the railing. There is a larger deck area. There are a series of shadow lines they brought up.

Member Carlsmith said on Sheet A-9, Rear Elevation, there is more breaking up of mass. There are multiple roof lines and aspects of the home at different heights and projections. In this view, you could make a stronger argument that the house is more distributed, especially given the constraints of the building envelope.

Mr. Simpson said the building envelope is constrained.

Member Carlsmith said it's more a matter of the size of the building envelope. They're putting 5,900 square feet on multiple levels on a 10 acre lot, and that's all they can do. His point is this depiction shows the break up of massing which isn't represented on the other views, and is more favorable.

Chair Lubin said the ASRB is mostly concerned about the North Elevation. She and Member Mah have made suggestions to reduce square footage.

Member Reyering said she agreed with Member Carlsmith about the Rear Elevation, and feels that if the North Elevation somehow were more homogenous with the rear elevation, that north elevation is three-stories. Her sense is that third story, even though it is recessed, does not mitigate it. A model might help her change her mind. She doesn't know.

Chair Lubin said everyone has commented. The ASRB needs to give the applicant clear direction on what the ASRB is looking for and how to help them proceed.

Member Carlsmith asked what the implications are for continuing the project.

Director Young said one of the benefits of continuing to a date certain is they could come back in two weeks.

Chair Lubin asked if that jeopardizes their Planning Commission hearing.

Planner Jones said they would be placed on the following Planning Commission agenda on December 21, 2016.

Member Carlsmith asked if there is an option to move the project to Planning Commission, which they are going before anyway, and say the ASRB is roughly divided on the massing issue, and would like the Planning Commission weigh in.

Mr. Simpson said it's much easier to go to the Planning Commission with an ASRB approval. He doesn't think there is any way without a fundamental redesign for this to not be three-levels as it steps down the hill. They can return to the ASRB on a date certain with some more three-dimensional modeling.

Chair Lubin said a digital projection would be great. She doesn't hear enough concern for the ASRB to deny the project. It's just a matter of the ASRB expecting to have seen more design changes.

Member Reyering clarified, that the ASRB was expecting to have seen more response to the massing issue.

Chair Lubin asked if Mr. Simpson feels okay with continuing the project.

Mr. Simpson asked if it's possible to continue to a date certain.

Planner Jones said the next meeting is on December 5, 2016.

Member Reyering said she's not hearing Mr. Simpson say that there is any little tweak that could perhaps change the ASRB's opinion on apparent massing. His sense is that if the ASRB understands the design better, we would all agree that the massing is okay.

Mr. Simpson said it's more of the latter and a bit of the former. They will take another quick look at it, and see if there is anything they could do. He was under the impression that the biggest concern was the two-story living room element, and it sounds like maybe not. The two-dimensional rendering of the North Elevation does not do it justice.

Member Reyering said Mr. Simpson knows that designing three stories is really tough.

Mr. Simpson said he does. He lives in the hills, and looks up at three- and four-story houses all the time. Some are done poorly, and some aren't. The third-story steps with the hill, they do not appear as massive.

Chair Lubin said she doesn't feel that the ASRB could continue the project to Formal Design Review with staff.

Member Mah said she's also concerned about the points Ms. Pati brought up, and looks forward to the opportunity to see the project from their property.

Director Young requested a break at 5:53 PM to speak with the applicant.

Chair Lubin reconvened the meeting at 6:00 PM.

Director Young said she had a conversation with the project architect and the property owner. They discussed potential ideas for the three-story element, and preparing a three-dimensional presentation for the ASRB's review in two weeks. On the materials board, the stone for the base is much lighter than the presentation on the plans. Plans don't print the exact colors. They discussed making that stone base on the building darker. One Member had noted that the structure in the renderings is all white. The roof is proposed to be a dark grey color. The roof will be

different from the proposed wall color. Another approach is darkening the base. They discussed ways to work with the center portion of the building. They would like to continue to a date certain of two weeks from today.

Member Reyerling said she wondered how to make the design more rural. If the lower third portion disappeared more, it would look more like two stories, which would be helpful.

Director Young said the stone is so bright that it's going to read as part of the overall elevation. If that stone base was darker, it would help ground the building. The three-dimensional presentation will help as well. She pointed to the deep recesses on the first floor plan on Sheet A-4. There is further articulation with the deck.

Member Reyerling asked if the ASRB can ask them to consider darker plaster color on the third-story that would make it recede. She asked if there will be a model or three-dimensional renderings.

Director Young said they will provide a digital three-dimensional presentation.

Chair Lubin said her concerns are similar to the last meeting, regarding the Great Room, the stacking as shown on Sheet A-8, combined with the bank of windows in the same plane.

Director Young said some solutions were discussed during the break. She wanted to give the property owners and the project architect the chance to work on the design together and decide what is acceptable for them.

Chair Lubin asked for a summation.

Director Young thanked the neighbor for coming. Ms. Pati has provided staff with her contact information. Staff will coordinate with Ms. Pati regarding times for the ASRB to view the story poles from her property. The project is continued to a date certain of December 5, 2016. It will not be re-noticed. The project architect will bring a three-dimensional digital presentation. He will specify a darker stone on the base, and look at ways of dealing with the central portion on the North Elevation, particularly the stacking view of the windows in the center portion. The ASRB commended the applicant for looking at the glass specifications (i.e., turtle glass), and foregoing fencing the property. She will remove the comment regarding glare off the glass. She asked if Mr. Simpson has specified glazing at this point.

Mr. Simpson said no, just plan on shading.

Director Young said because he is specifying low-emission glass, she is not forwarding glazing as a comment.

Member Mah asked how much light emission is reduced by turtle glass.

Member Carlsmith said the applicant noted that the industry specification was in excess of 45% degradation inside-out. It basically cuts light emission in half.

Director Young said the project architect will submit the actual cut sheet for the proposed material.

Member Mah said in the past, the ASRB has seen depictions of light emission from a structure. Is that a possibility?

Director Young said she doesn't know how successful that has been in the past (i.e., representing light emission). We need to concentrate more on the square footage of the glass, how interior lighting is done, and looking at ways to diminish the three-story aspect of glazing.

Chair Lubin asked if staff is addressing the quantity of glazing.

Director Young said okay. The project architect will be returning with the specifications for the turtle glass, a three-dimensional representation of the project, darker stone on the base, looking at potential ways to deal with the three stories of windows on the North Elevation, looking at the quantity of glazing in general, and also looking at some variations to the colors of the exterior materials as a way to help visually reduce mass, and use color to make it more rural. She asked if anyone had any additions, corrections, or questions.

Chair Lubin said it sounds like the neighbors need to meet.

Director Young said it sounds like they did that during the break, so that's wonderful.

Member Reyerling asked if the applicant could tweak square footage.

Chair Lubin said, as an option to reduce appearance of mass and bulk.

Director Young asked the project architect to speak to that.

Mr. Simpson said they'll take that into consideration. They would like to try to achieve those goals in other ways. Given the size of the site, and what they're proposing, the square footage should not be the issue. He would first like to resolve the other issues without doing that.

Director Young said just to be really clear, Mr. Simpson hears the comment about the square footage as another potential way of dealing with mass; however, he will try to achieve that in another way. Is that acceptable?

Member Reyerling said yes.

Chair Lubin said we would like them to strongly look at it; however, she's not sure there is a strong consensus on the Board for how to go about it.

## ACTION

The ASRB commended the applicant for specifying "turtle glass", and foregoing fencing to maintain wildlife friendliness.

The ASRB recommended that consideration of the Formal Design Review be continued to a date certain of December 5, 2016, to give the applicant the opportunity to complete the following:

### I. Community Character:

- a. Meet with the neighbor at 151 Marva Oaks to review the project proposal, and hear any concerns. (Additionally, per the neighbor's request, staff will contact the neighbor to set up times to allow the ASRB to view the story poles from this neighboring property.)

### II. Building Design:

- a. Prepare a digital 3D model of the residence, for presentation on December 5, 2016.
- b. Consider ways to reduce apparent mass (e.g., darken the stone base and exterior materials) and/or mass (e.g., reduce square footage). The project architect expressed a first preference for reducing apparent mass over reducing square footage.
- c. Consider exterior materials which are more rural in character, and less suburban.

- d. Submit a glazing specification data sheet (i.e., quantification of light emission reduction).
- e. Reduce the amount of glazing on the North Elevation, particularly on the central "three story" element.

Motion: Vice Chair Larson/ Second: Member Reyerling  
Ayes: Chair Lubin; Vice Chair Larson; Members Carlsmith, Mah, and Reyerling  
Noes: None  
Absent: None  
Abstain: None

The motion carried.

2. Minutes of September 19, 2016

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ACTION

The ASRB approved the Minutes of September 19, 2016.

Motion: Vice Chair Larson/ Second: Chair Lubin  
Ayes: Chair Lubin; Vice Chair Larson; Members Carlsmith, and Mah  
Noes: None  
Absent: None  
Abstain: Member Reyerling

The motion carried.

3. Minutes of October 17, 2016

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Member Reyerling noted minor corrections on Pages 15 and 23.

ACTION

The ASRB approved the Minutes of October 17, 2016, with minor corrections.

Motion: Member Reyerling/ Second: Vice Chair Larson  
Ayes: Chair Lubin; Vice Chair Larson; Members Mah, and Reyerling  
Noes: None  
Absent: None  
Abstain: Member Carlsmith

The motion carried.

REPORTS

Director Young said that AB2299 and SB1069, regarding accessory dwelling units, were recently signed by the Governor. Everyone in San Mateo County has been trying to figure out how to respond to these. There are some conflicting provisions. If the Town Ordinance doesn't comply with these two Bills, then it is null and void on January 1, 2017, and must adhere to the provisions in these Bills. No municipality will have a new Ordinance by January 1<sup>st</sup> because there are a number of required public hearings before a new Ordinance can be passed. Staff already had one conference call with all the municipalities in San Mateo County and the Department of Housing

and Community Development. There is another conference call mid-December. One of the changes puts a timeline for how long accessory dwelling unit applications are reviewed. If not approved within six months, the project is automatically approved. It also limits second units to 1,200 square feet. That potentially impacts what can be counted as affordable units under the Town's Housing Element. These Senate and Assembly Bills are mandatory. Updating the Town Ordinance is not going to be done by January 1st. In the mean time, staff will review the Bills, figure out where the conflicting areas are, decide how the Town will interpret it, and create a written policy. That will be given to the ASRB, Planning Commission, and the Town Council.

Member Mah asked how it will affect what is considered an accessory living quarter (ALQ).

Director Young said under the current WMC, properties are allowed second units up to 1,500 square feet. The State is mandating a maximum of 1,200 square feet. It is not saying someone cannot build a second unit that is 1,500 square feet. They're saying it wouldn't be considered a second unit. It will be considered something else.

Chair Lubin asked if that affects the previously approved 1,500 square foot accessory units.

Director Young said no. The legal question would be: if someone builds a structure larger than 1,200 square feet, would the Town still be able to count it as a second unit in the Housing Element? The Bills also have rules for the percentage of a house that can be converted to a second unit. She doesn't want to go into a substantive conversation because staff still needs to work out potentially conflicting provisions of the two Bills. At the Planning Commission meeting of November 16, 2016, there was a conversation about density due to confusion about not counting 1,200 square feet. That's not what the Bills mean. In a single-family zoning district (e.g., R-1), a city couldn't prohibit a property owner from building one because it's single family, and if they build one, they would have two units. There is a difference between density and allowable square footage. That was clarified at the Planning Commission.

Chair Lubin asked what prompted these Bills.

Director Young said the purpose is to remove barriers to the construction of second units because the State has a housing supply challenge. It's to make it easier for people to build second units, which in turn will make it easier for people to find affordable housing.

Chair Lubin asked how it affects the R-1 zoning district.

Director Young said she doesn't want to dive too deep into the conversation without putting it into a policy document.

Chair Lubin asked if it would affect how projects come to the ASRA and the ASRB.

Director Young said it wouldn't affect how projects come forward since those parameters are already set. There is a question, however, about Design Review on a standalone project.

Member Mah asked how it affects projects that are currently in process.

Director Young said any project submitted by December 31, 2016, will be processed under the old Ordinance.

Member Reyring asked for clarification about standalone projects under the new rules.

Director Young said the State doesn't want to require Design Review on a project that only involves a second

unit.

Member Mah said there's another thing in here about intensity of land use.

Chair Lubin said we had situations like this where there were several zoning changes in Town, and automatically, it becomes a legal non-conforming structure. The Woodside Glens is an example. She wonders what will happen to all existing 1,500 square foot units.

Director Young said they would be legal non-conforming; however, when they were built, they were bonafide second units.

Chair Lubin adjourned the ASRB meeting at 6:26 P.M.