



1 North San Antonio Road  
Los Altos, California 94022-3087

**M E M O R A N D U M**

**DATE:** January 10, 2023  
**TO:** Los Altos City Council  
**FROM:** Nick Zornes, Development Services Director  
**SUBJECT:** **6<sup>TH</sup> CYCLE HOUSING ELEMENT (2023-2031)**  
**PROGRAM 1.F REZONE VILLAGE COURT PARCEL**

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This memo shall serve as informational to provide clarification to the Los Altos City Council on information contained within the January 10, 2023, City Council Agenda Report and attachments therein.

On January 9, 2023, the City received written public comment regarding Program 1.F Rezone Village Court Parcel from ViNA.

On November 13, 1962, the Los Altos City Council approved 62-PUD/C-7 a request to construct and operate a planned unit development on a parcel just over 5 acres in size. As included in the original project approval the Maximum Height for 62-PUD/C-7 zoning is “2 story or 30’, 1 story if within 100’ of R-1”.

Staff has reviewed the records provided to City late last night (January 9, 2023) that can also be found here:

[https://www.losaltosca.gov/sites/default/files/fileattachments/community\\_development/page/39021/background\\_records\\_for\\_village\\_corner\\_-\\_el\\_camino\\_real\\_at\\_san\\_antonio\\_road.pdf](https://www.losaltosca.gov/sites/default/files/fileattachments/community_development/page/39021/background_records_for_village_corner_-_el_camino_real_at_san_antonio_road.pdf)

Additionally, staff has reviewed the Los Altos Municipal Code that was in effect at the original date of approval in 1962 and can confirm that the height requirements placed on 62-PUD/C-7 are standard pursuant to Sec. 10-2.1807 and have not changed since the adoption of Ordinance No. 146 titled Zoning Ordinance, effective March 6, 1958.

**14.62.070 - Height of structures adjacent to single-family districts (PUD).**

- A. In all PUD/R, PUD/OA, and PUD/C Districts, the maximum height of commercial, professional-administrative, and multiple-family structures shall be one story or fifteen (15) feet within one hundred (100) feet of the R1-10 District.

A copy of the Los Altos Municipal Code Chapter 14.62 can be found here:

[https://library.municode.com/ca/los\\_altos/codes/code\\_of\\_ordinances?nodeId=TIT14ZO\\_CH14.62PUBLUNDE\\_14.62.070HESTADSIMIDIPU](https://library.municode.com/ca/los_altos/codes/code_of_ordinances?nodeId=TIT14ZO_CH14.62PUBLUNDE_14.62.070HESTADSIMIDIPU)

### **Draft Housing Element as Proposed**

#### **Program 1.F: Rezone Village Court parcel.**

To facilitate housing, the Village Court parcel at 4546 El Camino Real (APN 16712042) will be rezoned from R1-10 to Commercial Thoroughfare (CT), and modifications made to the Planned Unit Development (62-PUD/C7), as necessary for consistency with the CT District. The City will consult with adjacent property owners and interested parties throughout the Village Court rezone program.

**Responsible Body:** Development Services Department, Planning Commission, City Council

**Funding Source:** General Fund

**Time Frame:** December 2025

### **Summary of Program 1.F**

Program 1.F was developed in tandem with Program 1.G (Rezone housing sites from previous Housing Elements). Under AB 1397, certain rezoning requirements apply if a lower income housing site identified in the sites inventory was identified as a housing site (for any income level) in a previous housing element's site inventory. The identification of the Village Court site was previously identified in the 5<sup>th</sup> Cycle Housing Element (2015-2023) and was not successfully rezoned as previously indicated thus necessitating the inclusion of the site again in the 6<sup>th</sup> Cycle Housing Element (2023-2031). Additional requirements can be found in Program 1.G as follows:

#### **Program 1.G: Rezone housing sites from previous Housing Elements.**

Under AB 1397, certain rezoning requirements apply if a lower income housing site identified in the sites inventory (Appendix B) was identified as a housing site (for any income level) in a previous housing element's site inventory. The following vacant and nonvacant lower income sites are subject to the rezoning requirements:

- Vacant lower income sites that have been included in at least two consecutive housing element sites inventories.
- Nonvacant lower income sites that have been included in a prior housing element sites inventory.

The City will make necessary zoning amendments to allow development by right pursuant to Government Code §65583.2(i) when 20 percent or more of the units are affordable to lower income households on sites identified in Table IV-1.

**Table IV-1: Previous Housing Element Cycle Sites to be Rezoned**

Address	APN	Parcel Size (ac)	Zone	Lower Income Units Capacity <sup>1</sup>
El Camino Real	17003084	0.54	CT	22
4844 El Camino Real	17002023	0.55	CT	22
5000 El Camino Real	17004050	0.62	CT	25
4546 X El Camino Real	16712047	1.69	CT	67
4546 El Camino Real	16712042*	2.78	R1-10*	111

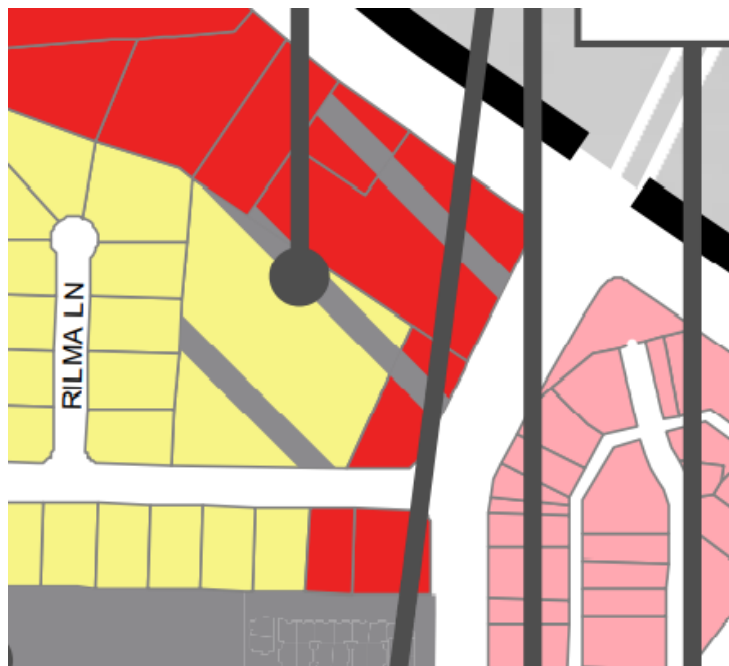
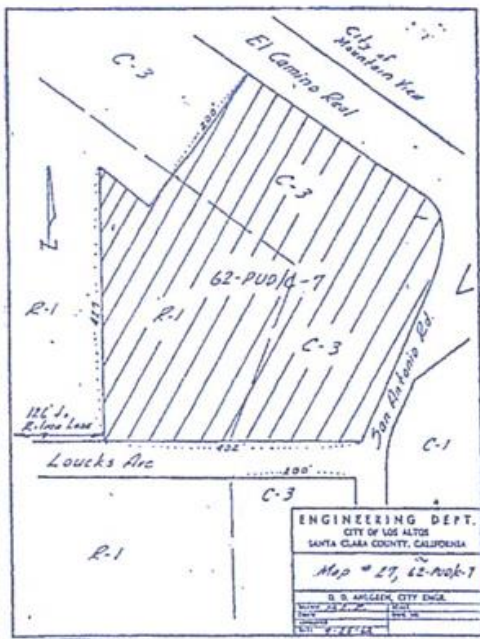
<sup>1</sup>These figures represent the total units accounted for after implementation of Program 1.B to increase density in the CT District (not net units arising from that Program). Currently, prior to implementation of Program 1.B, the CT District allows a density of 38 dwelling units per acre.

\* To be rezoned CT. See Program 1.F above.

Source: City of Los Altos, Santa Clara County Assessor, LWC










**Responsible Body:** Development Services Department, Planning Commission, City Council  
**Funding Source:** General Fund  
**Time Frame:** January 2024

**Los Altos Zoning Map for Village Court**










## ZONING DESIGNATIONS



### **Residential**

	Single-Family (R1-H)
	Single-Family (R1-10)
	Single-Family (R1-20)
	Single-Family (R1-40)
	Multiple-Family (R3-1)
	Multiple Family (R3-1.8)
	Multiple-Family (R3-3)
	Multiple-Family (R3-4.5)
	Multiple-Family (R3-5)

### **Commercial/Office**

	Commercial Neighborhood (CN)
	Commercial Thoroughfare (CT)
	Commercial Downtown (CD)
	Commercial Downtown/ Multiple-Family (CD/R3)
	Commercial Retail Sales (CRS)
	Commercial Retail Sales/ Office (CRS/OAD)
	Office/Administrative (OA)

### **Planned**

	Planned Community (PC)
	Planned Unit Development (PUD)

\*The Zoning Designation Legend provided above shows the R1-10 Zoning District, CT Zoning District, and Planned Unit Development (PUD) which is graphically displayed accurately on the zoomed in sections of the Zoning Map.

Public comment regarding the City of Los Altos Zoning map for Village Court asserts that map incorrectly identifies the placement of R1 and CT Zoning at the Parcel. The City has verified and provided zoomed in sections of the City's adopted Zoning Map for reference. It is important to note that the Affidavit of Publication being reference is dated 10/4/1962, and with the vast improvements of technology the graphical depiction of the Zoning lines have been corrected over time. Additionally, the following links are provided for further transparency purposes, however the City confirms that these maps have been on the City's website for several years:

#### **Location of Page where Maps are available:**

<https://www.losaltosca.gov/development-services/page/adopted-plans>

#### **City of Los Altos Zoning Map:**

[https://www.losaltosca.gov/sites/default/files/fileattachments/community\\_development/page/39021/los\\_altos-zoning\\_final\\_w\\_labels-24x36-20181026.pdf](https://www.losaltosca.gov/sites/default/files/fileattachments/community_development/page/39021/los_altos-zoning_final_w_labels-24x36-20181026.pdf)

#### **City of Los Altos Land Use Map (General Plan Designation):**

[https://www.losaltosca.gov/sites/default/files/fileattachments/community\\_development/page/39021/los\\_altos-land\\_use\\_final\\_w\\_labels-24x36-20181026.pdf](https://www.losaltosca.gov/sites/default/files/fileattachments/community_development/page/39021/los_altos-land_use_final_w_labels-24x36-20181026.pdf)

## **Conclusion**

The Village Court parcel was identified and determined to be an underutilized site in the 2015-2023 Housing Element adopted on May 26, 2015. Since the site was previously identified in a prior Housing Element the rezoning included in Program 1.F is applicable under AB 1397. The proposed Program 1.F is a Rezone of from R1-10 to Commercial Thoroughfare (CT), and any necessary modifications to 62-PUS/C7 for consistency with the CT District. Under existing zoning, and circumstances development other than what exists today onsite at Village Court would not be permitted. However, Program 1.F identifies the need to modify the existing zoning.

Lastly, as provided graphically above the City has verified the adopted Zoning Map for Village Court is accurate and reflects the zoning designations noted on the October 4, 1962 Affidavit of Publication referenced in public comment.