



## City Council Agenda Report

**Meeting Date:** November 12, 2024

**Prepared By:** Nick Zornes

**Approved By:** Gabe Engeland

**Subject: Zone Text Amendments for Zoning Definitions, Administration and Procedures.**

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### **COUNCIL PRIORITY AREA**

- Business Communities
- Circulation Safety and Efficiency
- Environmental Sustainability
- Housing
- Neighborhood Safety Infrastructure
- General Government

### **RECOMMENDATION**

Introduce and waive second reading considering the Los Altos Planning Commission October 17, 2024, unanimous recommendation on the proposed ordinance which includes the addition of Chapter 14.01 and 14.81 and amending Chapter 14.02 of the Los Altos Municipal Code and find that the proposed amendments are exempt from environmental review pursuant to Section 15061(b)(3) of the California Environmental Quality Act (CEQA) Guidelines.

### **FISCAL IMPACT**

Not Applicable.

### **ENVIRONMENTAL REVIEW**

The proposed amendments are exempt from environmental review pursuant to Section 15061(b)(3) of the California Environmental Quality Act (CEQA) Guidelines.

### **PREVIOUS COUNCIL CONSIDERATION**

Not Applicable.

### **BACKGROUND**

The Los Altos Municipal Code contains several rules and regulations as it relates to local land use controls, however, several provisions are contained within State Planning & Zoning law but not explicitly identified within the Zoning Code. Provisions such as Zoning definitions, and general administrative procedures do exist within the Zoning Code today, however they are not comprehensive.

### **ANALYSIS**

The Los Altos Municipal Code Title 14 (Zoning) provides the City with overall land use controls. Title 14 however does not contain comprehensive provisions and procedures for administration of zoning. The lack of standard applicable procedures leaves the city staff to frequently deviate to State Planning & Zoning law, which is acceptable, however is not best practice or easily accessible to the public. The proposed amendments are allowed under State Planning & Zoning law and help to comingle the existing zoning regulations with necessary administrative procedures for transparency and consistency of the application of zoning.

#### Chapter 14.01 – Administration of Zoning

The proposed chapter is new, with most regulations not presently within the Zoning Code today. The proposed chapter will incorporate existing procedures and best practices into the code which include:

- Administration (authority and enforcement)
- Discretionary Applications (limit of one discretionary action at a time)
- Discretionary Application Review Procedures
- Expiration and Extensions (allowances for discretionary applications)
- Fees and Deposits (financial requirements for discretionary applications)
- Amendments and Modifications to Discretionary Permits
- Amendments to Land Use Documents (requests for Zone Text or General Plan Amendments)
- Preliminary Reviews
- Appeal Procedures (detailed appeal procedures for zoning)
- Revocation and Modifications (of discretionary applications)
- Administrative Modification of Standards (allowance and procedures for administrative modification procedures or relief from certain zoning provisions)
- Public Notice Requirements
- Indemnification of City of Los Altos
- Public Projects
- No relief from other provisions (statement of requirements)

#### Chapter 14.02 – Definitions

The proposed chapter is existing, with most regulations present today within the Zoning Code. The proposed chapter incorporates several missing definitions which are necessary for continued consistent application of the code.

#### Chapter 14.81 – Variance

The proposed chapter is new, with most regulations not presently within the Zoning Code today. The proposed chapter will incorporate existing procedures and best practices into the code which include:

- Applicability
- Submittal Requirements and Review
- Findings and Decision
- Conditions of approval/guarantees
- Precedents
- Runs with the Land (statement of entitlement continuation)

## **DISCUSSION**

On October 17, 2024, the Los Altos Planning Commission received a report, received clarification, accepted public testimony, and discussed the item. The Planning Commission made one minor clarifying modification to the Zoning definition for “Office-Administrative”; the modification has been incorporated into the zone text amendments included within this agenda item.

If introduced tonight, on November 12, 2024, the ordinance will return on consent for adoption on December 10, 2024. The ordinance would become effective on the 31<sup>st</sup> day post adoption (January 10, 2025).

## **ATTACHMENTS**

- 1. Draft Ordinance**
- 2. Appendix A – Administration of Zoning**
- 3. Appendix B – Definitions**
- 4. Appendix C – Variance**