



## City Council Agenda Report

**Meeting Date:** January 28, 2025

**Prepared By:** Nick Zornes

**Approved By:** Gabe Engeland

**Subject:** Private Zone Text Amendment Request

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### **COUNCIL PRIORITY AREA**

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

### **RECOMMENDATION**

Authorize or Reject Private Zone Text Amendment Request

### **FISCAL IMPACT**

Not Applicable.

### **ENVIRONMENTAL REVIEW**

This action involves only feasibility or planning study for possible future action and as such is statutorily exempt from environmental review pursuant to Section 15262 of the California Environmental Quality Act (CEQA) Guidelines.

### **PREVIOUS COUNCIL CONSIDERATION**

Not Applicable.

### **BACKGROUND**

Pursuant to Section 14.01.080(B) of the Los Altos Municipal Code, Amendments to Land Use Documents are allowed of any person who can demonstrate ownership interest in real property located within the City of Los Altos. An interested party shall make their request in writing to the Zoning Administrator. The written request shall be reviewed by the Zoning Administrator and analyzed for initial potential impacts associated with the request. Once reviewed, the Zoning Administrator will present the amendment request to the City Council for authorization or denial to submit a formal application for further consideration.

### **ANALYSIS**

The Zone Text Amendment Request was received in late 2024 by one of the owners of 962 Acacia Ave, Los Altos, CA, 94022. The request would necessitate modification to Section 14.40.030 of

the Los Altos Municipal Code which contains provisions for Permitted Uses in the Commercial Neighborhood (CN) District.

**Section 14.40.030 – Permitted uses (CN).**

The following uses shall be permitted in the CN District:

- A. Office-administrative services located above the ground floor;
- B. Office-administrative services uses located on the ground floor on Sherwood Avenue within the Sherwood Gateway specific plan area, and in existing commercial buildings constructed before February 22, 2013, on Grant Road between Newcastle Drive and Farndon Avenue within the Woodland Plaza area, provided that any site with over five thousand (5,000) square feet of existing retail or restaurant space on the ground floor shall retain an equal or greater amount of its existing retail and/or restaurant space on the ground floor;
- C. Parking spaces and loading areas;
- D. Recycling facilities: (i) small collection facilities, and (ii) reverse vending machines, as provided for in Chapter 14.68 of this title;
- E. Restaurants, excluding drive-through services;
- F. Retail and personal service establishments;
- G. Medical and dental offices that are less than five thousand (5,000) gross square feet;
- H. Mixed use development(s) which shall consist of residential uses and a minimum floor area ratio of twenty (20) percent nonresidential uses or a maximum thirty-three (33) percent nonresidential uses; and
- I. Uses which are determined by the zoning administrator to be of the same general character.

The above-listed Permitted Uses of the Commercial Neighborhood (CN) District does not provide allowance for a 100% residential housing development as an allowed use. Based on the private zone text amendment requested this would effectively change the permitted uses within the district which would necessitate modification of the adopted chapter contained within the Zoning Code.

**DISCUSSION**

The existing Zoning regulations applicable to the Commercial Neighborhood (CN) District were last modified in late 2023 as part of the Housing Element implementation process. At that time the City Council did not include the allowance for a 100% residential housing development instead allowing mixed use development(s) to consist of residential uses and a minimum floor area ratio of twenty (20) percent nonresidential uses in the Commercial Neighborhood (CN) District. The adopted provision would not allow the desired conversion of existing nonresidential square footage at 962 Acacia Avenue to residential square footage.

The legal mechanism to allow for such a modification of allowed uses in the Commercial Neighborhood (CN) would be initiation of a Zone Text Amendment which applies to all parcels located within the zoning district. The specific modification(s) to Chapter 14.40 of the Los Altos Municipal Code and any other conflicting land use documents would be determined through the formal review process if authorized by the City Council.

**ATTACHMENTS**

- 1. Letter of Request Received