

ORDINANCE NO. 2023-__

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LOS ALTOS
AMENDING CHAPTERS 2.08, 12.44, 13.04, 14.76, AND 14.78 OF THE LOS ALTOS
MUNICIPAL CODE TO IMPLEMENT CERTAIN PROVISIONS OF PROGRAM 3.H
AND 3.K OF THE SIXTH CYCLE HOUSING ELEMENT UPDATE**

WHEREAS, the City Council is empowered pursuant to Article XI, Section 7 of the California Constitution to make and enforce within the City all local, police, sanitary, and other ordinances and regulations not in conflict with general laws; and

WHEREAS, on January 24, 2023, the City Council approved the City's Sixth Cycle Housing Element Update; and

WHEREAS, the Housing Element Update includes programs to eliminate unnecessary governmental constraints to housing development within the City of Los Altos; and

WHEREAS, Program 3.H of the Housing Element Update calls for the dissolution of the Design Review Commission, and indicates that housing development projects of five or fewer units should be subject to staff-level review and approval; and

WHEREAS, Program 3.H of the Housing Element Update calls for the modification of the design review process and applicability so that City Council serves only as the decision-making authority for appeal of design review and land use decisions; and

WHEREAS, Program 3.H of the Housing Element Update sets a maximum of 14 calendar days post project approval to file an appeal on decisions of housing developments, and sets forth that any appeal filed shall be on the basis of objective standards consistent with State law; and

WHEREAS, Program 3.K of the Housing Element Update calls for the standardization of multimodal transportation review to be incorporated into the Los Altos Zoning Code allowing for transparent and consistent application of the code; and

WHEREAS, Public Hearing Notice shall be consistent with Government Code Section 65091 to effectively further implement the Housing Element Update by eliminating impediments in the creation of housing; and

WHEREAS, having committed itself to implement Housing Element Update in its entirety, the City Council now desires to adopt this Ordinance; and

WHEREAS, this Ordinance is exempt from environmental review pursuant to Section 15061(b)(3) of the State Guidelines implementing the California Environmental Quality Act of 1970, as amended; and

WHEREAS, this Ordinance and Design Review Regulations shall be reviewed for its effectiveness no later than two (2) years post adoption;

NOW, THEREFORE, the City Council of the City of Los Altos does hereby ordain as follows:

SECTION 1. AMENDMENT OF CHAPTER 2.08 OF THE MUNICIPAL CODE. Certain provisions of Chapter 2.08 of the Los Altos Municipal Code are hereby amended as set forth in Appendix D to this Ordinance, ~~strikeout~~ indicating deletion and underline indicating addition.

SECTION 2. AMENDMENT OF CHAPTER 12.44 OF THE MUNICIPAL CODE. Certain provisions of Chapter 12.44 of the Los Altos Municipal Code are hereby amended as set forth in Appendix A to this Ordinance, ~~strikeout~~ indicating deletion and underline indicating addition. Except as otherwise shown in Appendix A, no other provision of Chapter 12.44 is amended hereby.

SECTION 3. AMENDMENT OF CHAPTER 13.04 OF THE MUNICIPAL CODE. Section 13.04.030 are hereby added to the Los Altos Municipal Code to read as follows: “Notwithstanding any other provision of this title, the approval authority for any tentative or parcel map for a housing development project of five or fewer units shall be the zoning administrator, as further set forth in section 14.78.020.D of this code.”

SECTION 4. AMENDMENT OF CHAPTER 14.76 OF THE MUNICIPAL CODE. Chapter 14.76 of the Los Altos Municipal Code are hereby amended as set forth in Appendix B to this Ordinance, ~~strikeout~~ indicating deletion and underline indicating addition.

SECTION 5. AMENDMENT OF CHAPTER 14.78 OF THE MUNICIPAL CODE. Chapter 14.78 of the Los Altos Municipal Code are hereby amended as set forth in Appendix C to this Ordinance, ~~strikeout~~ indicating deletion and underline indicating addition.

SECTION 6. CONSTITUTIONALITY; AMBIGUITIES. If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions hereof. Any ambiguities in the Los Altos Municipal Code created by this Ordinance shall be resolved by the Director of Development Services, in their reasonable discretion, after consulting the City Attorney.

SECTION 7. PUBLICATION. This Ordinance shall be published as provided in Government Code Section 36933.

SECTION 8. EFFECTIVE DATE. This Ordinance shall be effective upon the commencement of the thirty-first day following the adoption hereof.

The foregoing Ordinance was duly and properly introduced at a regular meeting of the City Council of the City of Los Altos held on __, 2023, and was thereafter, at a regular meeting held on __, 2023, passed and adopted by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Sally Meadows, MAYOR

Attest:

Angel Rodriguez, INTERIM City Clerk

APPENDIX A
AMENDMENTS TO CHAPTER 12.44

APPENDIX B
AMENDMENTS TO CHAPTER 14.76

APPENDIX C
AMENDMENTS TO CHAPTER 14.78

APPENDIX D
AMENDMENTS TO CHAPTER 2.08

