

# DEVELOPMENT REVIEW APPLICATION PACKAGE

## TOWN OF LOS GATOS COMMUNITY DEVELOPMENT DEPARTMENT

CIVIC CENTER  
110 E. MAIN STREET  
LOS GATOS, CA 95030

I. **PURPOSE:** All applications for development approval by the Town are submitted to the Community Development Department. This handout provides general information regarding the development review process and application submittal requirements. The Community Development Department is the central point of contact for all Development Applications in Los Gatos.

II. **ENCLOSURES:** The materials in this handout include:

- A. Applicant Submittal Checklist
- B. Application for Development Permits
- C. Hazardous Wastes and Substances Statement
- D. Requirements for Preparation of Development Plans
- E. Fee Schedule
- F. Restaurant and CUP Checklist
- G. Community Development Application Process Agreement

III. **PRE-SUBMITTAL:** Prior to the formal submittal of a specific development application, it is recommended that an applicant contact or meet with a planner at the counter and various departments/divisions to determine specific requirements and to assess completeness of the proposal. Pre-submittal review can reduce the time required for processing the application. Phone numbers of departments/divisions are:

Community Development	Planning Division	354-6874
	Building Division	354-6876
Parks and Public Works	Engineering Division	399-5771
Police Department		354-6859
Santa Clara County Fire Department		378-4010

IV. **SUBMITTAL REQUIREMENTS:** The following constitutes a complete application package and must be submitted through the Town's online portal (incomplete submittals will not be accepted) - <https://www.losgatosca.gov/897/Planning>:

- A. Applicant Submittal Checklist (attached).
- B. Application for Development Permits - All sections completed and all required signatures (attached).
- C. Hazardous Wastes and Substances Statement (attached).

- D. Plans – One set of plans. Plans submitted shall include all of the applicant’s information detailed in the Requirements for Preparation of Development Plans included in this packet (Attachment D).
  - E. Fee Schedule - Application, Consultant, and Environmental Study fees are required to be paid at the time the application is filed (Attachment E).
  - F. Signed Community Development Application Process Agreement (Attachment G).
  - G. One (1) copy of the Grant Deed for the subject property.
  - H. Two (2) copies of Chain of Title and one (1) copy of all recorded documents - Required for properties not part of a recorded subdivision where it is necessary to document when and by what means a parcel was created.
  - I. Two copies of a Preliminary Title Report - Updated to reflect current ownership and conditions of property. Dated within thirty (30) days of filing. Policies of title insurance are not acceptable.
  - J. Letter of Justification - Letter shall include the evolution of the project, and where applicable, required findings, and compliance with the General Plan.
  - K. Photographs of the site and existing development.
  - L. Environmental Checklist Form.
  - M. Structure Condition Report - Required only when a demolition of an existing residence is proposed. Must be prepared by a licensed architect or structural engineer not associated with the project. See Section I-7 on the Requirements for Preparation of Development Plans supplement.
  - N. Restaurant and Conditional Use Permit Checklist - If application involves a restaurant use.
  - O. Build It Green GreenPoint Rated Checklist - For single-family remodel, new single-family, and new multi-family projects.
  - P. Hillside Development Standards & Guidelines Compliance Checklist - For hillside projects. If the criteria is not applicable, please mark as ‘n/a.’
- V. **DEVELOPMENT REVIEW PROCESS:** All development applications of any type are required to go through a three (3) or four (4) step process, depending on the type of application. This process is:
- A. **Technical Review:**
    - 1. Staff representatives of Town departments, which include Community Development (Planning and Building Divisions), Fire, and Parks and Public Works (Engineering Division) meet with the project applicant to ensure that the project:
      - a. Is complete;
      - b. Meets all code and policy requirements; and
      - c. Meets the requirements of the California Environmental Quality Act.

Applications that do not meet all of these requirements are continued at this level until the application is complete. Pursuant to adopted fee schedule, if the requested information from any of the Technical Reviews is not submitted within one hundred eighty (180) days of a Technical Review meeting, the applicant will be required to pay a fee of ten (10) percent of the current application fee. Applications not proceeding in a reasonable manner to complete these requirements will be considered abandoned, denied, or recommended for denial.

2. Technical Review meetings are held Wednesday mornings beginning at 9:00 A.M.. Applicants are informed in writing of this review meeting. These meetings are not open to the general public. The applicants and/or their representatives are required to be present.
3. To be scheduled for a Technical Review meeting, applications must be submitted with all required information by **Wednesday, 11:00 A.M., twenty-one (21) days in advance of the next Technical Review date**. Complex projects may require a longer review period prior to a meeting date.

**B. Development Review Committee:**

1. When complete, the application is forwarded to either the Development Review Committee (DRC) or Planning Commission. The DRC is a staff committee which includes the members of the technical review process.
2. The DRC meets Tuesday mornings beginning at 10:00 A.M.. Applicants are mailed a copy of the DRC agenda. Please note that these are public meetings and the applicants and/or their representatives are required to be present.
3. The DRC has the authority to approve certain applications pursuant to Town Code and/or policy requirements. Public hearing notices are mailed pursuant to Town Code requirement.
4. If any applicants or members of the public wish to appeal an action or decision of the DRC, such appeal must be made in writing with the required fee, to the Community Development Department within ten (10) calendar days of the DRC's action or decision. The matter will then be set for hearing on the next available Planning Commission agenda.
5. Applications that the DRC cannot act on, are forwarded to the Planning Commission when they are deemed complete.
6. Any development application approved by the DRC automatically expires two (2) years from the date of approval unless the use for which approval is granted is vested, or substantial construction has taken place. A one-time extension may be granted by the DRC. If the development application approval expires, the application becomes void.

**C. Planning Commission:**

1. The Planning Commission meets at 7:00 P.M. on the second (2<sup>nd</sup>) and fourth (4<sup>th</sup>) Wednesdays of each month (except for November and December). In order for an

application to be scheduled for a Planning Commission hearing, the following must be completed at least twenty-one (21)-days before the hearing:

- a. Staff certification of completeness;
  - b. Receipt of an electronic copy of the development plans;
  - c. One copy of any application materials that have color graphics;
  - d. One (1) or two (2) full-size display sets; and
  - e. Story Pole installation and certification.
2. The staff report and agenda will be posted online prior to the meeting. Planning Commission meetings are advertised public hearings and the applicants and/or their representatives must be present to respond to questions.
  3. The action of the Planning Commission is final on all applications except for certain applications, such as, zone changes, planned developments, and/or Conditional Use Permits with alcohol service. In these cases, a Planning Commission recommendation will be forwarded to the Town Council. Final actions of the Planning Commission can be appealed to the Town Council. No building permits shall be filed for any approval until the end of the ten (10) day appeal period or until any appeal is heard. Appeals to the Town Council must be filed with the Town Clerk within ten (10) calendar days of the Planning Commission's action or decision. The appeal must be accompanied by the required fees and be on forms available in the Town Clerk's Office.
  4. Any development application approved by the Planning Commission automatically expires two (2) years from the date of approval unless the use for which approval is granted is vested, or substantial construction has taken place. A one-time extension may be granted by the Planning Commission. If the development application approval expires, the application becomes void.

**D. Town Council**

1. Town Council meets at 7:00 P.M. on the first (1<sup>st</sup>) and third (3<sup>rd</sup>) Tuesdays of each month (except July) in the Town Council Chambers on the lower level of Town Hall.
2. The staff report and agenda will be posted online prior to the meeting. Town Council meetings are advertised public hearings and the applicants and/or their representatives must be present to respond to questions.
3. The action of the Town Council is final on all applications.
4. Any development application approved by Town Council automatically expires two (2) years from the date of approval unless the use for which approval is granted is vested, or substantial construction has taken place. A one-time extension may be granted by the Town Council. If the development application approval expires, the application becomes void.

**VI. GENERAL INFORMATION:**

- A. Other data such as letters, petitions, drawings, and/or photographs that the applicant wishes to present with the application, may be submitted. Additional information may also

be required by the Director of Community Development. All such exhibits become part of the public record and cannot be returned.

- B. The Town strongly recommends that applicants for any development proposal make contact with surrounding neighbors to determine their concerns prior to submittal of the development application. Neighborhood concerns should then be incorporated into the proposal to the extent feasible.
- C. At the time any development proposal is agendaized for a Planning Commission hearing, all property owners and residents within a minimum of three hundred (300) feet of the property will be advised of the hearing and invited to participate in the hearing process.
- D. There is no way to anticipate potential changes to the Zoning Ordinance. Amendments to the Zoning Ordinance occasionally occur in all zones. It is the responsibility of every applicant who is submitting a development application to keep track of changes in the Zoning Ordinance.
- E. Plans submitted for Building Permit approval shall be prepared and certified by the person qualified under applicable State Code provisions to submit for Building Permit approval. Other than single-family buildings, this usually means a licensed architect or engineer.
- F. No Building Permits or other entitlements shall be granted by the Town until all Conditions of Approval are satisfied.
- G. The following additional information may be required to be shown on the development plans, depending on the type of application:
  - 1. Energy Considerations - The Town has made a commitment to maximize both active and passive solar opportunities to reduce our dependence on fossil fuels. As a result of this commitment, development plans or proposals submitted to the Town must exhibit the following:
    - a. Solar access to existing building and all installed solar energy systems on adjacent properties shall be identified and protected.
    - b. The provision and protection of solar access in all new development shall be required through the dedication of private solar access covenants.
    - c. The design of all new developments shall be required to the extent feasible, to take advantage of passive solar heating and cooling opportunities.
    - d. The use of solar water heaters on all new residential buildings shall be required where solar access is available and natural gas is not available. Pre-plumbing for solar water heaters shall be required on all other new residential construction where solar access is available.
    - e. Solar energy shall be required as the primary means of heating new swimming pools, where solar access is available.
  - 2. Alarm Systems - The Police Department recommends that intrusion alarm systems be installed in all single-family homes and be so noted on the plans.

**VII. The minimum time limits for the processing Development Applications is as follows:**

Filing for Technical Review is twenty-one (21) days minimum. A more accurate time schedule will depend on a number of factors, including the completeness of the submittal, the complexity of the proposal, and the applicant's responses. Because of these variables, time limits can vary considerably.