



**TOWN OF LOS GATOS  
COUNCIL AGENDA REPORT**

MEETING DATE: 11/2/2021

ITEM NO: 4

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**DATE:** October 26, 2021  
**TO:** Mayor and Town Council  
**FROM:** Laurel Prevetti, Town Manager  
**SUBJECT:** Adopt a Resolution to Set a Date for Consideration of the Reorganization of an Uninhabited Area Designated as Winterbrook No. 7, Approximately 0.95 Acres on Property Pre-Zoned R-1:8. APN 523-26-017. Annexation Application AN21-002. Project Location: 16010 Winterbrook Road. Property Owner/Applicant: Drew and Kari Brown.

**RECOMMENDATION:**

Adopt a resolution (Attachment 1) to set a date for consideration of the reorganization of an uninhabited area designated as Winterbrook No. 7, approximately 0.95 acres, located at 16010 Winterbrook Road (APN 523-26-017).

**BACKGROUND:**

The Town has an agreement with Santa Clara County that requires annexation of any property located within the Town's Urban Service Area boundary that is either contiguous to a Town boundary or within 300 feet of a Town maintained roadway if a use is proposed to intensify. The subject property is contiguous to a Town boundary. Annexation has been requested in conjunction with a proposal to demolish an existing single-family residence and construct a new single-family residence on the property. The total annexation area (0.95 acres) does not include any County street right-of-way.

Section 56757 of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 gives cities in Santa Clara County the authority to annex territory without application to and hearing by the Santa Clara County Local Agency Formation Commission (LAFCO).

**PREPARED BY:** Ryan Safty  
Associate Planner

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Reviewed by: Town Manager, Assistant Town Manager, Town Attorney, Community Development Department Director, and Finance Director

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SUBJECT: Winterbrook No. 7/AN21-002

DATE: October 26, 2021

BACKGROUND (continued):

The Town is required to hold a protest proceeding even if the area proposed for annexation is uninhabited (less than twelve registered voters) and all property owners have consented to the annexation. This first meeting and resolution establishes the date for the consideration of the annexation and the protest proceeding.

DISCUSSION:

The Town has received a petition requesting annexation to the Town of Los Gatos from Drew and Kari Brown, owners of the property at 16010 Winterbrook Road. The property is located on the east side of Winterbrook Road in an unincorporated County pocket (Attachment 2).

The property is in the Town's Urban Service Area, is contiguous to a Town boundary, and is zoned R-1:8 (Single-Family Residential, 8,000 square foot minimum lot size). Annexation would allow Town services to be extended to the property and reduce the size of an existing County pocket. Santa Clara County Planning and the County Library Service Area have been notified in writing of the annexation request. This agenda item, if approved, would set the date for consideration of the annexation application for November 16, 2021.

COORDINATION:

The preparation of this report was coordinated with the Santa Clara County Library District, Santa Clara County Infrastructure Development Division, LAFCO, Santa Clara County Assessor, Santa Clara County Surveyor, and the Santa Clara County Planning Division.

FISCAL IMPACT:

Once the annexation is certified by the State Board of Equalization, the Town will receive approximately 9.3 percent of the property taxes.

ENVIRONMENTAL ASSESSMENT:

The project is exempt pursuant to the California Environmental Quality Act Guidelines under Section 15061(b)(3): Review for Exemption, in that it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment. A Notice of Exemption will not be filed.

Attachments:

1. Resolution (includes Exhibits A and B)
2. Location Map