



**TOWN OF LOS GATOS
COUNCIL AGENDA REPORT**

MEETING DATE: 2/1/2022

ITEM NO: 5

DESK ITEM

DATE: February 1, 2022
TO: Mayor and Town Council
FROM: Laurel Prevetti, Town Manager
SUBJECT: Adopt an Extension of an Urgency Ordinance for a Period of 10 Months and 15 Days to Implement Senate Bill 9 to Allow for Two-Unit Housing Developments and Urban Lot Splits in All Single-Family Residential Zoning Districts

REMARKS:

The following information is provided in response to Council Member questions:

- *Do we know what, if any, Ordinance the County has passed or is considering?*

Santa Clara County has not adopted an Urgency Ordinance or Ordinance addressing Senate Bill (SB) 9 and is currently implementing SB 9 based on State law for parcels in the unincorporated areas of Santa Clara County. They are targeting April for adoption of an Ordinance to implement the provisions of SB 9.

- *Can we have a map that shows the locations of the Hillside Residential (HR), Single-Family Residential (R-1), and Single-Family Residential Downtown (R-1D)?*

Maps for these zones are included as Attachment 5. Please note that the map of the HR zone also includes the Town boundary and the boundary of the Hillside Area, and the map of the R-1D zone provides additional details, including the boundaries of the Historic Districts, the parcels that are considered pre-1941, and the estimated 626 parcels that could qualify for a SB 9 permit.

PREPARED BY: Jennifer Armer, AICP
Planning Manager

Reviewed by: Assistant Town Manager, Town Attorney, and Public Works Director

REMARKS (continued):

- *Provide some language that could be used to prohibit an Urban Lot Split in High or Very High Fire Hazard Severity Zones where there is a single egress route. Can we view a map of what areas might qualify for SB 9?*

As stated in the Hillside Residential discussion in Section J of the staff report, one possible option is, "For subdivisions in the Wildland Urban Interface (WUI), development will only be allowed where existing roads provide adequate emergency ingress and egress. For subdivisions under consideration where roads only provide one-way ingress/egress access, subdivisions will only be considered if the roadway clearance meets the current legal standard of 20 feet of clear horizontal width and 13 feet of vertical clearance."

Creation of a map to show where the hillside roads comply with this requirement would require verification of the data included in the Town's StreetSaver database. While there was not enough time to prepare the map for tonight's meeting, this is work that could be done as part of the development of a permanent ordinance for future Council consideration to implement SB 9.

Attachment 6 includes additional public comment received between 11:01 a.m., Monday, January 31, 2022, and 11:00 a.m., Tuesday, February 1, 2022.

Attachments:

Previously received with the Staff Report:

1. Draft Urgency Ordinance Extension with Exhibit A Urgency Ordinance Number 2326
2. Senate Bill 9
3. Public Comments received between 11:01 a.m., Tuesday, December 21, 2021 and 11:00 a.m., Friday, January 28, 2022

Previously received with the Addendum Report:

4. Public Comments received between 11:01 a.m., Friday, January 28, 2022 and 11:00 a.m., Monday, January 31, 2022

Received with this Desk Item:

5. Maps of Hillside Residential, Single-Family Residential, and Single-Family Residential Downtown
6. Public Comments received between 11:01 a.m., Monday, January 31, 2022 and 11:00 a.m., Tuesday, February 1, 2022