

2.2 LAND USE GOALS AND POLICIES

This section establishes land use policies formulated to guide the implementation of the Specific Plan vision. The land use policies provide direction for the development regulations and permitted uses found later in this chapter. In addition, proposed individual development projects must be consistent with the following land use policies.

***Goal:** To provide land uses within the North 40 Specific Plan Area that are consistent with the Town of Los Gatos General Plan, the Town Council Vision Statement and Guiding Principles and the goals and policies set forth herein.*

Land Use Policies

Policy LU1: Land Use Designations

The Specific Plan shall be implemented through the approval of development projects that are consistent with the land uses and the Council Vision as outlined in this chapter.

Policy LU2: Specific Plan Amendments

Specific Plan Amendments must be consistent with the Vision Statement and Guiding Principles and the goals and policies set forth herein.

Policy LU3: Mix of Uses

Provide a mix and size of uses to promote the creation of a lively, walkable neighborhood that makes the North 40 Specific Plan Area a resource to North 40 residents, businesses and adjacent neighborhoods.

Policy LU4: Maximum Commercial Development

Commercial development within the Specific Plan Area shall be complementary to Downtown through the careful control of uses and permitted square footage as set forth in the Maximum Development Capacity Table (refer to Table 2-2.)

Policy LU5: Building Height

Building heights within the Specific Plan Area shall be consistent with the Specific Plan Development Standards.

Policy LU6: Retail

Retail uses within the Specific Plan Area are intended to serve North 40 residents, adjacent neighborhoods, nearby employment centers and the unmet needs of the Town of Los Gatos.

Policy LU7: Restaurants

Eating and drinking establishments within the Specific Plan Area are intended to serve North 40 residents, adjacent neighborhoods and nearby employment centers.

Policy LU8: Hotel/Conference Facilities

A hotel facility developed within the North 40 Specific Plan Area should include a conference/meeting space to accommodate 200 to 250 people.

Policy LU9: Residential

Provide and integrate a mix of residential product types designed to minimize impacts on schools, while complying with Senate Bill 50, Schools Facilities Act and serve the unmet housing needs within the Town of Los Gatos.

Policy LU10- Economic Balance

Proposed uses should complement the existing balance and diversity of businesses located along Los Gatos Boulevard and in Downtown Los Gatos

2.5 AREA-WIDE DEVELOPMENT REGULATIONS

An important objective of this Specific Plan is to set the parameters for development within the Specific Plan Area. The goal is to offer a compatible mix of land uses in a pedestrian-friendly environment. The following development standards tailor the existing Town standards to shape the desired built form and ensure compatibility with the surrounding neighborhoods and Los Gatos' small town character. This section initially addresses development regulations that apply throughout the Specific Plan Area, followed by development regulations that are specifically designed for non-residential and residential land uses.

2.5.1 Maximum Development Capacity

A maximum development capacity of 501,000 square feet (sf) has been provided to limit the overall build-out of the Specific Plan Area and provide an appropriate balance of land uses that meet the goals and objectives of the Specific Plan.

Table 2-2 defines maximums of 250,000 sf of new office/hotel, 400,000 sf of other new commercial (includes: restaurants, retail, specialty market, health club, personal services and entertainment), and residential units. In no event shall a residential project be developed below the minimum density of 30 dwelling units per acre or above the maximum of 40 dwelling units per acre. Residential units shall occupy at least 50 percent of the floor area in all mixed-use projects. More restrictive than the Town's General Plan, the Specific Plan has a maximum capacity of 501,000 sf which includes 435,000 sf of new non-residential square footage and 66,000 sf of existing commercial uses.

Development Capacity Submittal Requirement:

Every application for Architecture and Site Review shall include a table that identifies the following:

- Proposed project building floor area categorized by land use.
- New total developed building floor area categorized by land use.
- Balance of allowed land use square footage shown in Table 2-2.

Table 2-2 Maximum Development Capacity

Land Use	Square Feet
Residential	N/A
Office/Hotel	250,000
Commercial (Excluding office/Hotel) • Restaurants • Retail • Specialty market • Health club • Personal service (beauty supply, nail salon, etc.) • Entertainment	400,000

Note: The new non-residential portion of the project shall include a mixture of commercial (shopping center), and/or hotel, and/or stand-alone general office that does not create a significant unavoidable impact as a result of the development. The total new square footage shall not exceed 435,000 square feet (sf). With the exception of Assessor Parcel Numbers 424-07-102 through -112, 424-07-099, and 424-06-129, no new Medical Office will be permitted. If destroyed, the existing buildings on the parcels referenced above are allowed to rebuild in substantially the same manner as they existed before their destruction. The existing 66,000 sf of recently constructed buildings on the parcels referenced above is in addition to the 435,000 sf of new non-residential square footage. Each project shall provide a current traffic analysis demonstrating compliance with this requirement.

2.5.7 Perimeter Overlay Zone

The following standards apply within the Perimeter Overlay Zone:

- Buildings or portions of buildings located within 50 feet of Lark Avenue shall be restricted to a maximum building height of 25 feet.
- Buildings or portions of buildings located within 50 feet of Los Gatos Boulevard shall be restricted to a maximum building height of 25 feet.
- Additional setback requirements are provided in Table 2-5 of this chapter.
- No building shall be located within 30 feet of a property line adjacent to the freeway.

2.5.8 Parking Requirements

Parking provided within the Specific Plan Area shall adhere to the standards provided in Division 4 of the Zoning Ordinance.

Number of Off-Street Spaces Required:

- Non-Residential Use: The number of off-street parking spaces shall be consistent with parking required in Downtown as required within Division 4 of the Zoning Ordinance.
- Residential Use: Parking provided within the Specific Plan Area shall be as follows:

Table 2-4 Residential Off-Street Parking Space Requirement

Unit Type	Spaces Required
Senior/Affordable Housing Unit <i>Note: Director of Community Development shall approve this requirement given that the applicant presents findings that the product type parking demand warrants .5 spaces per unit and surrounding neighborhoods will not be negatively impacted.</i>	.5 space
1 Bedroom Unit	1 space
2+ Bedroom Unit	2 spaces

Mixed-Use Parking:

When a project contains a vertical mix of uses composed of commercial uses with residential, hotel, and/or office use above in the same building, the non-residential portion of the mixed-use building may be eligible to receive a reduction in the parking requirements established by this Specific Plan of up to 25%, subject to Architecture and Site Review and approval.

Shared Parking Reduction:

Shared (alternating use) parking agreements may be developed if two or more land uses or businesses have different hours of operation or hours that do not substantially overlap with each other (e.g., office).

When the above criteria are met, such uses may develop shared parking agreements to satisfy the parking requirements of this Specific Plan, with review and approval by Director of Community Development and in accordance with the following:

- a. Residential units shall range in size. Refer to Residential Unit Size Mix in Glossary (Chapter 6).
- b. Affordable housing (Below Market Price housing) requirements shall be met pursuant to Town Code.
- c. New residential shall be a maximum of:
 - 400,000 gross square feet for Cottage Cluster, Garden Cluster, Townhome and Rowhouse products
 - 300,000 net square feet for Condominium, Multi-Family, Apartments and Affordable products
 - These are maximums, not a goal
- d. Single family detached units shall be a maximum of 1,200 square feet and be designed as a cottage cluster product type as defined in Glossary (Chapter 6).

2.7.2 Setbacks (Residential)

- a. All setbacks interior to the Specific Plan Area are measured from the face of curb. Lark Avenue and Los Gatos Boulevard setbacks are measured from property line.
- b. Residential setbacks along primary streets (Lark Avenue, Los Gatos Boulevard, South 'A' Street, North 'A' Street, Neighborhood Street, Noddin Avenue, and Burton Road) follow setback standards on Table 2-5. Residential setbacks on all other interior

streets shall be determined at Architecture and Site Review. Setback examples are illustrated in Table 2-7, 2-8 and 2-9 to show desired character.

- c. Setback diagrams containing an asterisk (*) are permitted a five foot encroachment for up to 50% of linear building facade length to allow for porches, balconies, and other building elements (including livable space) that will add visual interest and minimize the appearance of a solid wall plane.
- d. All landscaped areas and planting strips shall be planted with trees identified within the Landscape Palette provided in Chapter 3 of this document.
- e. Cornices, belt courses, sills, canopies, cantilevered bay windows, chimneys or other similar architectural features may extend or project into a required setback not more than 30 inches. Eaves may encroach up to 36 inches.

5.8.2 Public Schools

There are no schools located within the boundaries of the Specific Plan, however the Specific Plan Area will be serviced by the Los Gatos Union School District, Campbell Union School District, Los Gatos – Saratoga Union High School District, and Campbell Union High School District.

The following is a summary of two studies that were conducted to determine student generation for the Specific Plan Area.

a. Student Projections

The following summarizes two separate processes that the Town, the Los Gatos School Districts, and Campbell School Districts used to derive student population projections for the Town, including the Specific Plan Area.

Town 2020 General Plan EIR Student Generation Rates: The first set of data is from the Town’s adopted 2020 General Plan EIR. This data was developed in 2010, using both Los Gatos Union School District (LGUSD) and Los Gatos-Saratoga Joint Union High School District (LGSJUHSD) actual enrollment and some data from another high performing school district. The General Plan EIR data is based on housing types, including single-family detached, attached (condominiums and townhomes), apartments, below market rate apartments, or integrated mixed-use. Since the Town did not have any large developments that were exclusively below market rate apartments or integrated mixed-use to survey, this data was derived from the Irvine School District, which has a similar Academic Performance Index.

Based on the previous proposal of a maximum 364 residential units, if the units were a combination of attached product types (Townhouse and Condominium), the development would generate 67 children in grades K through 12 at any given time

once all residential product types were built and occupied, which would be in a timeframe of 2015 to 2020. This same number of single-family units (364) would generate 205 children in grades K through 12.

LGUSD draft Student Population Projections for 2012/13 to 2021/22: In July 2012, the LGUSD released a recently prepared Student Population Projections for 2012/13 to 2021/22. This report assumes four different projection assumptions, including Projection A (no future development), Projection B (only development that has been approved), C (all development in B + development in early planning stages, including the Specific Plan Area, but a 50% of maximum build-out), and D (all of Projection C, but at 100% build-out). The study further used existing development to define the generation rates. This included Bella Vista on Bersano Lane to represent single-family, Creekside Village off of Woodland Avenue to represent an attached product and Riviera Apartments on Riviera Terrace for an apartment housing type. The report categorizes the Specific Plan Area in the Creekside Village product category, and based on this classification indicates that the Specific Plan Area would generate 53 K-12 children by 2022 for Projection C and 106 K-12 children by 2022 for Projection D. It is important to note that these LGUSD projections are based on 400 residential units.

Residential and commercial developments within the Specific Plan Area would be required to pay school impact fees to reduce impacts to the schools system.

PRIMARY STREET.

Primary Streets are identified as Lark Avenue, Los Gatos Boulevard, South 'A' Street, North 'A' Street, Neighborhood Street, Noddin Avenue, Burton Road, and Commercial Streets within the Northern District.

PRIVATE OPEN SPACE

Grass, landscaped area or hardscaped area (patio/balcony), that for exclusive use of an individual unit's residents and their guests. This space can be either green space or hardscape. For purposes of this Specific Plan, private open space is included in the 30% Open Space requirement.

PUBLIC/PUBLICLY ACCESSIBLE OPEN SPACE

Open space, streets and sidewalks in the North 40 will be privately owned, but publicly accessible. For purposes of this Specific Plan "public" refers to publicly owned, or publicly accessible spaces or uses.

RESIDENTIAL TYPES

Residential types descriptions are in this glossary:

- Cottage Cluster
- Townhomes/Garden Clusters
- Multi-Family Flats
- Condominiums
- Live/Work Lofts

RESIDENTIAL UNIT SIZE MIX EXAMPLE

The Specific Plan encourages a mix of residential types and sizes but does not specify exact sizes. The types and sizes are targeting the unmet needs in Los Gatos. A **hypothetical example** of how the mix of residential uses can be realized is illustrated in the table below. This table is only intended as an example of how a mix of residential uses could be proposed on the North 40. It does not represent a target or requirement.

Conceptual Model of Residential Sizes					
Types	Net Unit Area Range	Gross Unit Area Range	Approx. Unit Range	Percent of Total Range	Approx. Total Area
Cottage Cluster (Detached Product)		1,000 - 1,200 sf	40-50	20-25%	40,000 - 60,000
Garden Cluster		1,000 - 1,999 sf	40-50	20-25%	40,000 - 60,000
Townhomes, Rowhouses		1,000 - 1,999 sf	130 - 140	30 - 40%	130,000 - 280,000
Gross Unit Area Total					210,000 - 400,000
Condos/ Multi-Family	1,300 - 2,350 sf		90 - 110	25 - 30%	117,000 - 258,000
Apartments/ Affordable	500 - 750 sf		45 - 55	10 - 15%	22,000 - 42,000
Net Unit Area Total					139,000 - 300,000

Refer to definitions for Net Unit Area and Gross Unit Area.

Note: 100% is not intended to be achieved by adding the example Percent of Total Range numbers, as it is not required to use every residential product type listed in the table.