



**TOWN OF LOS GATOS
COUNCIL AGENDA REPORT**

MEETING DATE: 11/15/2022

ITEM NO: 5

DATE: November 10, 2022
TO: Mayor and Town Council
FROM: Laurel Prevetti, Town Manager
SUBJECT: Adopt an Ordinance Effecting Amendments to Chapter 29 (Zoning Regulations) of the Town Code to Regulate Urban Lot Splits and Two-Unit Housing Developments in Compliance with Senate Bill 9. Town Code Amendment Application A-22-002. Location: Town-wide. Applicant: Town of Los Gatos

RECOMMENDATION:

Adopt an Ordinance effecting amendments to Chapter 29 (Zoning Regulations) of the Town Code to regulate urban lot splits and two-unit housing developments in compliance with Senate Bill 9.

DISCUSSION:

On November 1, 2022, the Town Council considered and voted unanimously to introduce an Ordinance amending Chapter 29 (Zoning Regulations) of the Town Code to regulate urban lot splits and two-unit housing developments in compliance with Senate Bill 9 (SB 9), with specific modifications. Adoption of the attached Ordinance (Attachment 1) would finalize this decision and includes the modifications requested by the Town Council described below.

The Town Council motion included four specific modifications to the Draft Ordinance, which are reflected in Attachment 1:

1. Removal of the front setback requirement for flag/corridor lots (Table 1-2, Exception (5) of Section 29.10.630);
2. Reduction of the driveway depth requirement from 25 feet to 18 feet to match the garage entry setback requirement in Table 1-2 (Section 29.10.630(a)(2)b);

PREPARED BY: Ryan Safty
Associate Planner

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

DISCUSSION (continued):

3. Removal of second-floor step-back requirement for two-unit developments facing a street (Section 29.10.630 (b)(5)); and
4. Inclusion of neighborhood notification requirements consistent with those specified in Town Code Section 29.20.480 for Minor Residential Planning Applications [Sections 29.10.640(a)(3) and 29.10.660(a)(3)].

The Town Council also provided the following direction to staff:

1. Revise the Occupancy Affidavit for SB 9 Urban Lot Split applications to be modeled on those used by the Town of Atherton and Santa Clara County;
2. Return to Council in three months with information regarding Very High Fire Hazard Severity Zone exclusions; applicability of Hillside Residential zones; and affordability models; and
3. Return to Council in one year to report on and receive direction on continuation of the new public noticing provision.

Attachment 2 contains public comments received following the November 1, 2022 Town Council hearing.

ENVIRONMENTAL ASSESSMENT:

In accordance with Government Code Section 66411.7(n) and 66452.21(g), SB 9 ordinances are not a project subject to CEQA.

Attachments:

1. Draft Ordinance
2. Public comments received between 11:01 a.m., Tuesday, November 1, 2022, and 11:00 a.m., Thursday, November 10, 2022