



**TOWN OF LOS GATOS
COUNCIL AGENDA REPORT**

MEETING DATE: 11/05/2019

ITEM NO: 13

DATE: October 24, 2019
TO: Mayor and Town Council
FROM: Laurel Prevetti, Town Manager
SUBJECT: Project Location: **Town Wide**. Applicant: Town of Los Gatos.
Consider Modifications to Chapter III (Site Planning), Chapter IV (Development Intensity), Chapter V (Architectural Design), Chapter VI (Site Elements), Chapter VIII (Subdivision and Planned Development Projects), Chapter IX (Project Review and Approval Process), and Chapter X (Glossary) of the Hillside Development Standards and Guidelines

RECOMMENDATION:

Adopt a resolution (Attachment 4), to amend Chapter III (Site Planning), Chapter IV (Development Intensity), Chapter V (Architectural Design), Chapter VI (Site Elements), Chapter VIII (Subdivision and Planned Development Projects), Chapter IX (Project Review and Approval Process), and Chapter X (Glossary) of the Hillside Development Standards and Guidelines.

BACKGROUND:

On February 26, 2019, the Policy Committee reviewed possible streamlining opportunities that relate to the land use process and costs for businesses and residents. Potential modifications to the Hillside Development Standards and Guidelines (HDS&G) were identified by staff as one opportunity to streamline the land use process and costs. Following a brief discussion, the Policy Committee provided direction to bring back modifications to the HDS&G for further discussion.

On May 28, 2019, the Policy Committee reviewed potential modifications to Chapter IV (Development Intensity) and Chapter IX (Project Review and Approval Process) of the HDS&G regarding certain project review processes. After discussion, the Committee recommended approval of the modifications to Chapter IV (Development Intensity) and Chapter IX (Project Review and Approval Process) of the HDS&G and provided direction to staff to modify language

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Associate Planner

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

BACKGROUND (continued):

in all chapters of the HDS&G to be consistent with previous HDS&G amendments and recent amendments to the Zoning Ordinance.

DISCUSSION:

A. Planning Commission

On August 14, 2019, the Planning Commission reviewed the proposed modifications to the HDS&G from the Policy Committee (Attachment 1, Exhibits 2 through 5) that would:

- Modify the deciding body for single-story additions over 800 square feet or greater than 20 percent of the existing floor area from the Development Review Committee (DRC) to the Community Development Director, to be processed as Building Permits;
- Modify the deciding body for new homes over 5,000 square feet that do not exceed the maximum allowable floor area and are not visible, from the Planning Commission to the DRC;
- Remove the requirement that subsequent Architecture and Site Applications not be applied for, for the same property for a period of three years following issuance of an occupancy permit; and
- Modify language regarding accessory dwelling units, viewing areas, below grade square footage, fences, and entry gates to be consistent with previous HDS&G amendments and recent amendments to the Zoning Ordinance.

The Planning Commission recommended modifications to the Policy Committee's draft language based on the discussion at the hearing. The modifications as recommended by the Planning Commission are included in the draft resolution (Attachment 4, Exhibits A through G), and would maintain the existing language in Chapter IX (Project Review and Approval Process), which requires that the Planning Commission is the deciding body for any residential project greater than 5,000 square feet in gross floor area.

The potential modifications shown in ~~strike-through~~ and underline font as recommended by the Planning Commission are contained in Attachment 4, Exhibits A through G.

The Planning Commission also recommended a modification to Chapter IV (Development Intensity) to remove a significant below grade square footage element as a condition to approve a residential project in excess of the maximum floor area (Attachment 4, Exhibit B, Page 30).

The Planning Commission discussed adding language to Chapter V (Architectural Design) to encourage applicants to place additional square footage below grade to reduce the visual appearance of above grade bulk and mass. Should the Council determine it is appropriate,

DISCUSSION (continued):

the following language shown in underline font could be added to Section F. Minimize building bulk and mass, Guideline 1., k. (Attachment 4, Exhibit C, Page 38):

- k. Excavate or use below-grade rooms to reduce effective bulk. The visual area of the building can be minimized through a combined use of grading and landscaping techniques. Utilize below-grade rooms for additional floor area to reduce the appearance of above grade bulk and mass.

Attachment 2 contains the verbatim minutes for the Planning Commission meeting.

B. Public Outreach

Public input has been requested through the following media and social media resources:

- An eighth-page public notice in the newspaper;
- A poster at the Planning counter at Town Hall;
- The Town's website home page, What's New;
- The Town's Facebook page;
- The Town's Twitter account;
- The Town's Instagram account; and
- The Town's Nextdoor page.

In addition, interested architects and the following organizations have been contacted regarding the amendments:

- American Institute of Architects (AIA) Silicon Valley;
- Santa Clara County Association of Realtors (SCCAR); and
- Silicon Valley Association of Realtors (SILVAR).

CONCLUSION:

Staff recommends that the Town Council:

1. Make the finding that there is no possibility that this project will have a significant impact on the environment; therefore, the project is not subject to the California Environmental Quality Act [Section 15061 (b) (3)] (Attachment 3);
2. Make the required finding that the modifications to the HDS&G are consistent with the General Plan (Attachment 3); and
3. Adopt a resolution to modify Chapters III, IV, V, VI, VIII, IX, and X of the HDS&G (Attachment 4), with any specific changes identified and agreed upon by the majority of the Town Council.

ALTERNATIVES:

Alternatively, the Council may:

1. Continue this item to a date certain with specific direction to staff;
2. Refer the item back to the Planning Commission with specific direction; or
3. Take no action, leaving the HDS&G unchanged.

COORDINATION:

The evaluation of the application was coordinated with the Town Attorney.

ENVIRONMENTAL ASSESSMENT:

The project is Categorically Exempt pursuant to the adopted Guidelines for the Implementation of the California Environmental Quality Act, Section 15061(b)(3), in that it can be seen with certainty that there is no possibility that the proposed amendments to the Town Code will have a significant effect on the environment.

PUBLIC COMMENTS:

Written comments received before 11:00 A.M. on, Thursday, October 31, 2019, are included as Attachment 5.

Attachments:

1. August 14, 2019 Planning Commission Staff Report with Exhibits 1 - 12
2. August 14, 2019 Planning Commission Verbatim Minutes
3. Required Findings
4. Draft Resolution with Exhibits A through G
5. Public comments received by 11:00 a.m., Thursday, October 31, 2019