



**TOWN OF LOS GATOS
COUNCIL AGENDA REPORT**

MEETING DATE: 11/05/2019

ITEM NO: 14

DATE: October 7, 2016
TO: Mayor and Town Council
FROM: Laurel Prevetti, Town Manager
SUBJECT: Town Code Amendment Application A-19-007. Project Location: **Town Wide.**
Applicant: Town of Los Gatos.
Consider Amendments to Chapter 29 (Zoning Regulations) of the Town Code
Regarding Demolition Regulations

RECOMMENDATION:

Introduce an Ordinance (Attachment 4), by title only, effecting amendments to Chapter 29 (Zoning Regulations) of the Town Code regarding demolition regulations.

BACKGROUND:

On February 26, 2019, the Policy Committee reviewed an outline of possible streamlining opportunities that relate to the land use process and costs for businesses and residents. The Policy Committee provided direction to include demolition regulations as a future discussion topic.

In April and May 2019, the Policy Committee, the Historic Preservation Committee, and the Planning Commission reviewed and made recommendations to Town Council for changes to demolition regulations. These changes included removing the contiguity requirement from the demolition definition, and allowing an exception to the demolition requirements for repair of non-historic homes.

In addition to these specific recommended changes, on May 22, 2019, the Planning Commission also considered public comment and expressed support for a reconsideration of larger concepts within the demolition definition. Specifically, whether structural elements (framing) alone should be considered, in place of a combination of framing and wall covering, when determining the retention of existing exterior walls for non-historic structures.

PREPARED BY: Jennifer Armer, AICP
Senior Planner

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

SUBJECT: Consider Amendments to Chapter 29 (Zoning Regulations) of the Town Code
Regarding Demolition Regulations

DATE: October 7, 2019

BACKGROUND (continued):

On June 4, 2019, Town Council introduced an Ordinance effecting amendments to Chapter 29 (Zoning Regulations) of the Town Code regarding demolition regulations. These amendments included removing the contiguity requirement from the demolition definition, and allowing an exception to the demolition requirements for repair of non-historic homes. The Town Council referred the issue of whether framing alone should be considered to the Policy Committee for further discussion.

On June 24, 2019, the Policy Committee reviewed and recommended approval of amendments to the Town Code (Attachment 1, Exhibit 4) that would:

- Delete “The remaining exterior walls must retain either the existing interior or existing exterior wall covering”;
- Revise the repair exception to remove the reference to wall coverings; and
- Revise the definition of wall to delete the reference to wall covering.

DISCUSSION:

A. Planning Commission

On September 11, 2019, the Planning Commission reviewed the proposed Town Code amendments from the Policy Committee.

The public comment received at the Planning Commission hearing included:

- Support for the proposed changes;
- Descriptions of difficulties with maintaining wall coverings; and
- Statements that support considering wall framing/structural elements as wall area.

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

The Planning Commission recommended approval of the Policy Committee’s draft ordinance language based on public comments and discussion at the hearing (see draft Ordinance, Attachment 4).

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;

SUBJECT: Consider Amendments to Chapter 29 (Zoning Regulations) of the Town Code
Regarding Demolition Regulations

DATE: October 7, 2019

DISCUSSION (continued):

- 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 amendments to Chapter 29 of the Town Code regarding demolition regulations are consistent with the General Plan (Attachment 3); and
3. Introduce the Ordinance of the Town of Los Gatos effecting the amendments of the Town Code regarding demolition regulations A-19-007 (Attachment 4), by title only, 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 Town Code unchanged.

COORDINATION:

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

PAGE 4 OF 4

SUBJECT: Consider Amendments to Chapter 29 (Zoning Regulations) of the Town Code
Regarding Demolition Regulations

DATE: October 7, 2019

ENVIRONMENTAL ASSESSMENT:

The project is Categorical 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:

No written public comments have been received.

Attachments:

1. September 11, 2019 Planning Commission Staff Report with Exhibits 1 - 4
2. September 11, 2019 Planning Commission Verbatim Minutes
3. Required Findings
4. Draft Ordinance