



**TOWN OF LOS GATOS
COUNCIL AGENDA REPORT**

MEETING DATE: 12/17/2024

ITEM NO: 5

DATE: December 5, 2024

TO: Mayor and Town Council

FROM: Gabrielle Whelan, Town Attorney

SUBJECT: Adopt an Ordinance Amending Chapter 29 (Zoning Regulations) of the Town Code to Add Low Barrier Navigation Centers as a By-Right Use in Mixed-Use and Nonresidential Zones, Pursuant to Implementation Program AD of the 2023-2031 Housing Element. Adoption of this Ordinance is Exempt Pursuant to CEQA, Section 15061(b)(3) in That It Can be Seen with Certainty That It Will Not Impact the Environment, Because the Town is Already Subject to Government Code Sections 65660 - 65668. Town Code Amendment Application A-24-006. **Project Location: Town Wide.** Applicant: Town of Los Gatos.

Ordinance Title: An Ordinance of the Town Council of the Town of Los Gatos to Add Division 11, "Low Barrier Navigation Centers," to Article I, "General" of Chapter 29, "Zoning Regulations," of the Town Code.

RECOMMENDATION:

Adopt an ordinance amending Chapter 29 (Zoning Regulations) of the Town Code to add Low Barrier Navigation Centers as a by-right use in mixed use and nonresidential zones where multi-family uses are permitted, pursuant to Implementation Program AD of the 2023-2031 Housing Element.

BACKGROUND:

At the regular meeting of December 3, 2024, the Town Council held a public hearing to consider the introduction of an Ordinance Amending Chapter 29 (Zoning Regulations) of the Town Code to Add Low Barrier Navigation Centers (LBNC) as a By-Right Use in Mixed-Use and Nonresidential Zones, Pursuant to Implementation Program AD of the 2023-2031 Housing Element.

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

PAGE 2 OF 2

SUBJECT: Low Barrier Navigation Center Ordinance

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At the meeting, it was discussed that the Planning Commission had recommended that a sunset clause be added to the ordinance so that the ordinance will cease to be in effect when the state law requiring the ordinance ceases to be in effect. Currently, the state law is set to expire on January 1, 2027. Accordingly, a corresponding sunset clause was added to the ordinance at the meeting and is reflected in the ordinance being presented for adoption.

The Town Council voted 4-1 (Vice Mayor Hudes voted no) to approve the introduction of the ordinance with the addition of a sunset clause.

This ordinance is returning to the Town Council for final adoption. The ordinance will take effect 30 days after its adoption.

COORDINATION:

This report was coordinated with the Community Development Department and the Town Attorney's Office.

FISCAL IMPACT:

The Town does not anticipate a fiscal impact from this requirement, because the Town will adopt a fee to cover the cost of processing the planning applications.

ENVIRONMENTAL ASSESSMENT:

Adoption of this ordinance is exempt pursuant to CEQA, Section 15061(b)(3) in that it can be seen with certainty that it will not impact the environment, because the Town is already subject to Government Code Sections 65660 - 65668. State law already requires the Town to allow LNBCs as by-right uses in the specified zones so long as they meet the criteria set forth in state law.

Attachments:

1. Draft Ordinance