



**TOWN OF LOS GATOS
PLANNING COMMISSION
REPORT**

MEETING DATE: 4/10/2024

ITEM NO: 2

DESK ITEM

DATE: April 10, 2024
TO: Planning Commission
FROM: Joel Paulson, Community Development Director
SUBJECT: Forward a Recommendation to the Town Council on Amendments to Chapter 29 (Zoning Regulations) of the Town Code for Senate Bill 9 Regarding a Change to Required Second-Story Step-Backs and Other Clarifying Revisions. The Proposed Amendments to the Town Code Are Not Considered a Project Under Section 15378 of the California Environmental Quality Act, and in Accordance with Government Code Section 66411.7(n) and 66452.21(g), Senate Bill 9 Ordinances Are Not a Project Subject to the California Environmental Quality Act. Town Code Amendment Application A-24-003.
Project Location: Town Wide. Applicant: Town of Los Gatos.

REMARKS:

Exhibit 5 includes additional information provided by a Commissioner.

EXHIBITS:

Previously received with the April 10, 2024, Staff Report:

1. Required Findings
2. Current Senate Bill 9 Ordinance 2334
3. Covered Porch Step-Back Diagram
4. Draft Senate Bill 9 Ordinance Amendments

Received with this Desk Item Report:

5. Commissioner Comment

PREPARED BY: Ryan Safty
Associate Planner

Reviewed by: Planning Manager and Community Development Director

***This Page
Intentionally
Left Blank***

From: [REDACTED]
To: [Ryan Safty](#)
Subject: Objective Design Standards for SB 9 Units
Date: Tuesday, April 9, 2024 3:00:31 PM
Attachments: [Interim Objective Design Standards Two Unit Overlay District.pdf](#)

[EXTERNAL SENDER]

Dear Ryan.

Thank you so much for your prompt and detailed responses to my questions.

I would be very grateful if you would submit a desk item for tomorrow's PC meeting, at a Commissioner's request, for consideration of additional objective design standards similar to those of the County of San Mateo Interim Building and Design Guidelines, attached below.

With thanks in advance.

Jeffrey



Two – Unit Development Overlay District

Interim Objective Building and Design Standards

Purpose. The purpose of this document is to establish interim objective building and design standards for ministerial single-family and two-unit SB 9 development planning applications. These standards are intended to provide for high-quality building designs that fit contextually and respect the scale and design of existing single-family neighborhoods and district where new residential development is proposed.

Applicability. The interim standards set forth herein shall be applicable to all ministerial single-family and two-unit SB 9 development projects and shall apply in addition to the development standards in Chapter 27.21. In the event of a conflict between these standards and the standards of Chapter 27.21, the more restrictive standards shall apply except that no standard shall preclude the development of at least two dwelling units that are at least 800 square feet each as permitted by Sections 65852.21 and 66411.7, of the California Government Code, as amended.

Definitions. The following definitions shall apply. Terms not defined herein shall defer to the definitions contained in Chapters 26 and 27 of the San Mateo Municipal Code. Where definitions conflict, the definitions below shall prevail.

- (a) “Architectural Features” shall include but are not limited to bay windows, box windows, projections of at least 18 inches, balconies, balconettes, insets of at least 18 inches, and dormers.
- (b) “Attic” means a non-habitable space within the roof of a building as defined by the California Building Code.
- (c) “Dormer” means a roofed projecting window structure, set upright in a sloping roof, that projects vertically beyond the plane of the pitched roof. The face of a dormer shall be setback at least 1 foot from the wall below, with a roof pitch no less than half the main roof and a ridge below the main roof ridge.
- (d) “Utilities and Mechanical Equipment” means, but is not limited to, air conditioners; heaters; utility meters; cable and similar telecommunications equipment; backflow preventions; irrigation control valves; electrical transformers; pull boxes; all ducting for air conditioning, heating, and blower systems; fire protection equipment; and all roof-mounted equipment.

Objective Building and Design Standards. All development shall conform with the following:

- (a) Architectural Style
 - (1) Attached units shall be of the same architectural style including:
 - (A) Roof form
 - (B) Windows
 - (C) Entrances
 - (D) Massing/scale/proportions
 - (E) Colors/Materials
 - (F) Architectural detailing/fenestration.

(b) Massing and Scale

- (1) Structures shall provide a plane offset of a minimum of two feet per each 30 feet of horizontal length along the primary frontage and a street side yard. Structures shall provide a minimum 2-foot setback for second story elements on side elevations and on a rear elevation when it is within 15 feet of the rear lot line.

(c) Entries and Entry Ways

- (1) Individual entries shall be provided to each dwelling unit.
- (2) All primary entries to a dwelling unit shall incorporate at least one of the following elements at front entrances:
 - (A) Front porches
 - (B) Stoops
 - (C) Recessed entry with a depth of at least 3 feet
- (3) At least one principal entryway shall face the primary street frontage, primary right-of-way, or access corridor.
- (4) When an exterior staircase is proposed for an upper-level primary dwelling unit, it shall have a setback of at least 5 feet from nearest lot line and shall have a landing limited to the minimum area required to allow ingress and egress as specified by the California Building Code.

(d) Windows

- (1) Window type, style, recess depth, and mullions shall be consistent across elevations.
- (2) Location and Privacy
 - (A) Second story windows and balconies shall be offset from the window locations and balconies of neighboring residences to maximize privacy.
 - (B) When located within 5 feet of a lot line of an abutting residential lot, second story windows up to 5 feet from the finished floor shall provide and maintain obscured glazing.

(e) Materials and Colors

- (1) A building shall carry the same theme on all elevations. A theme includes primary (non-accent) material(s) and color(s).
- (2) The following materials are prohibited on building exteriors:
 - (A) Exterior Foam Molding
 - (B) Corrugated Metal
 - (C) Vinyl Siding
 - (D) Plywood
 - (E) Exterior Insulation Finishing System (EIFS)
 - (F) Any material with a light reflection value of <45.

- (f) Lightwells. Lightwells shall not be located along the primary front façade of a structure. All light wells shall be screened from public view

- (g) Lighting. All exterior lighting shall be downward directed (excluding landscaping uplighting), have a shielded light source, and be designed so that light is not directed-off site.

(h) Utilities and Mechanical Equipment

Ground-mounted utilities, mechanical equipment, generators, and AC units that directly serve the development shall be screened from view from adjacent properties and the public right-of-way by either an enclosure designed as part of the building and/or fencing.

***This Page
Intentionally
Left Blank***