

**DRAFT ORDINANCE 2020-\_\_\_\_**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF LOS GATOS  
AMENDING CHAPTER 29 (ZONING REGULATIONS) OF THE TOWN CODE REGARDING  
OUTDOOR LIGHTING**

**WHEREAS**, Chapter 29 (Zoning Regulations) of the Town Code of the Town of Los Gatos regulates outdoor lighting and prohibits “shoestring lighting”; and

**WHEREAS**, on October 22, 2019, the Town Council Policy Committee held a public hearing to consider possible changes to the current regulations on outdoor lighting and prohibition of “shoestring lights.” The Policy Committee continued the matter to November 28, 2019, and directed staff to bring back possible modifications to Town Code and the Residential Design Guidelines for further discussion; and

**WHEREAS**, staff prepared draft modifications for the Policy Committee’s consideration; and

**WHEREAS**, on November 28, 2019, January 28, 2020, and July 28, 2020, the Policy Committee held public hearings to consider modifications to Sections 29.40.09015 and 29.40.025 of the Town Code; and

**WHEREAS**, this matter was regularly noticed in conformance with State and Town law and came before the Planning Commission for public hearing on August 26, 2020; and

**WHEREAS**, on August 26, 2020, the Planning Commission held a public hearing to consider modifications to Sections 29.40.09015 and 29.40.025 of the Town Code. The Planning Commission recommended that the Town Council approve the modifications; and

**WHEREAS**, this matter was regularly noticed in conformance with State and Town law and came before the Town Council for public hearing on October 6, 2020; and

**WHEREAS**, on October 6, 2020, the Town Council reviewed and commented on the amendments to Chapter 29 of the Town Code and the Town Council voted to introduce the Ordinance.

ATTACHMENT 3

**NOW, THEREFORE, THE TOWN COUNCIL OF THE TOWN OF LOS GATOS DO  
HEREBY ORDAIN AS FOLLOWS:**

**SECTION I**

Chapter 29 of the Los Gatos Town Code is hereby amended as follows:

**ARTICLE I. – IN GENERAL**

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**Sec. 29.10.09015. - ~~Control of~~ Residential outdoor lighting.**

~~Outdoor lights must be shielded and directed to shine on improvements including plants on the zoning plot where the lights are located and not directly on other property or any public right-of-way. Shoestring lighting is not permitted.~~

All permanent exterior light fixtures should utilize shields so that no bulb is visible and to ensure that light is directed to the ground surface and does not spill light onto neighboring parcels or produce glare when seen from nearby homes. Decorative lighting fixtures are preferred for security lighting fixtures.

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**ARTICLE IV. – RESIDENTIAL ZONES**

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**Sec. 29.40.025. - Court game areas.**

Tennis, volleyball, basketball, badminton and similar court game areas may be located anywhere on the lot except in the required front yard or side yard abutting the street. Fences over six (6) feet high are allowed to enclose court game areas, when approved through the Administrative Procedure for Minor Residential Projects. Lighting for court game areas is prohibited unless approved through the Administrative Procedure for Minor Residential Projects and unless it is in compliance with the following standards to the satisfaction of the Planning Director:

- (1) Game court lighting shall incorporate cut-off fixtures and lighting shall be shielded and directed onto the court.
- (2) Lighting for game court areas shall not be used after 10:00 p.m.
- (3) High-intensity lights are not permitted.
- (3)(4) Lighting in the hillside areas is prohibited. Hillside areas are defined by the hillside area map in the Hillside Development Standards and Guidelines.

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## **SECTION II**

With respect to compliance with the California Environmental Quality Act (CEQA) and General Plan, the Town Council finds as follows:

A. These Town Code amendments are exempt from review under CEQA pursuant to sections and 15061(b)(3), in that it can be seen with certainty that there is no possibility that the amendments to the Town Code would have a significant effect on the environment; and

B. The amendments to the Town Code are consistent with the General Plan.

## **SECTION III**

If any provision of this Ordinance or the application thereof to any person or circumstances is held to be invalid, such invalidity shall not affect other provisions or applications of the Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are severable. The Town Council hereby declares that it would have adopted this Ordinance irrespective of the invalidity of any particular portion thereof and intends that the invalid portions should be severed and the balance of the ordinance be enforced.

## **SECTION IV**

Except as expressly modified in this Ordinance, all other sections set forth in the Los Gatos Town Code shall remain unchanged and shall be in full force and effect.

**SECTION V**

This Ordinance was introduced at a regular meeting of the Town Council of the Town of Los Gatos on the 6<sup>th</sup> day of October 2020, and adopted by the following vote as an ordinance of the Town of Los Gatos at a regular meeting of the Town Council of the Town of Los Gatos on the \_\_\_\_ day of \_\_\_\_ 20 . This ordinance takes effect 30 days after it is adopted. In lieu of publication of the full text of the ordinance within fifteen (15) days after its passage a summary of the ordinance may be published at least five (5) days prior to and fifteen (15) days after adoption by the Town Council and a certified copy shall be posted in the office of the Town Clerk, pursuant to GC 36933(c)(1).

COUNCIL MEMBERS:

AYES:

NAYS:

ABSENT:

ABSTAIN:

SIGNED:

MAYOR OF THE TOWN OF LOS GATOS  
LOS GATOS, CALIFORNIA

DATE: \_\_\_\_\_

ATTEST:

TOWN CLERK OF THE TOWN OF LOS GATOS  
LOS GATOS, CALIFORNIA

DATE: \_\_\_\_\_