



**TOWN OF LOS GATOS  
COUNCIL POLICY COMMITTEE**

MEETING DATE: 07/23/2019

ITEM NO: 2

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DATE: July 17, 2016  
TO: Council Policy Committee  
FROM: Laurel Prevetti, Town Manager  
SUBJECT: Review and Provide Direction on Regulations for Dedications of Public Right-of-Way, Installation of Curbs, Gutters, and Sidewalk, and Undergrounding of Utilities

**RECOMMENDATION:**

Review and provide direction on regulations for dedications of public right of way, installation of curbs, gutters, and sidewalks, and undergrounding of utilities.

**BACKGROUND:**

As part of the development process, jurisdictions typically require public right of way dedications, new or upgraded curbs, gutters, and sidewalks, and/or utility undergrounding for new construction or projects with significant modifications to existing buildings. Historically, Parks and Public Works (PPW) reviews the proposed development and identifies appropriate conditions regarding these items for the following applications:

- New subdivisions;
- New commercial and single-family home developments; and
- Remodels of commercial and single-family home developments where the building permits go through the discretionary Architectural and Site application process.

On June 18, 2019, the Town Council approved modifications to the demolition policy to allow for streamlining of the building permit process. The modifications will allow buildings to go through a standard building permit application process as opposed to the previously required Architectural and Site application process. Due to this change, these projects will not be

**PREPARED BY:** Matt Morley  
Director of Parks and Public Works

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Reviewed by: Town Manager, Town Attorney, and CDD Director

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JULY 19, 2019

BACKGROUND (continued):

reviewed by PPW for right-of-way dedication, inclusion of curbs, gutters, and sidewalks, and undergrounding of utilities.

The requirements for right-of-way dedication, curbs, gutters and sidewalk and undergrounding of utilities are often stipulated under a jurisdiction's municipal code. The Town of Los Gatos code specifies these elements for subdivisions (see Attachment 1) and is silent on other types of development projects.

DISCUSSION:

Requiring improvements to curbs, gutters, and sidewalks with development projects is an important way for safe and accessible passage for pedestrians on Town roadways. To obtain these improvements, it is often necessary for the development to provide a right-of-way dedication. Dedications can also provide the needed width for inclusion of important bicycle improvements as outlined in the Town Council adopted Bicycle and Pedestrian Master Plan. Undergrounding of utilities allows for removal of unsightly lines and poles, adding to the beautification of the Town.

To provide clarity on these issues to developers and property owners, staff recommends development of an ordinance to fully cover property dedications, installation of curbs, gutters, and sidewalks, and undergrounding of utilities. It is recommended that along with new commercial and residential developments, the ordinance cover substantial remodels of commercial and residential developments. Attachment 2 contains examples from the cities of Campbell and Cupertino.

RECOMMENDATIONS:

Staff recommends that the Council Policy Committee provide direction on regulations for dedications of public right-of-way, installation of curbs, gutters, and sidewalks, and undergrounding of utilities. Based on the Committee's direction, staff can return to the Committee with a proposed ordinance for any additional review and direction.

COORDINATION:

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

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SUBJECT: Regulations for Dedications, Curb, Gutter, Sidewalk, and Undergrounding of  
Utilities

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ENVIRONMENTAL ASSESSMENT:

This is not a project defined under CEQA and no further action is required.

Attachments:

1. Subdivision Ordinance
2. Sample Ordinance language from Campbell and Cupertino