



**TOWN OF LOS GATOS
PLANNING COMMISSION
REPORT**

MEETING DATE: 08/14/2019

ITEM NO: 3

DATE: August 5, 2019
TO: Planning Commission
FROM: Joel Paulson, Community Development Director
SUBJECT: Town Code Amendment Application A-19-004. Project Location: **Town Wide.**
Applicant: Town of Los Gatos.
Consider amendments to Chapter 29 (Zoning Regulations) of the Town Code regarding parking lot improvement regulations.

RECOMMENDATION:

Forward a recommendation to the Town Council for approval of the amendments to Chapter 29 (Zoning Regulations) of the Town Code regarding parking lot improvement regulations.

CEQA:

The project is Categorically 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 this project will have a significant effect on the environment.

FINDINGS:

- As required, pursuant to the adopted Guidelines for the Implementation of the California Environmental Quality Act, this project is Exempt, Section 15061(b)(3); and
- The amendments to Chapter 29 of the Town Code are consistent with the General Plan.

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 residences. Following a brief discussion, the Policy Committee provided direction to bring back the parking lot improvement regulations for further discussion. Potential amendments to the

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Associate Planner

Reviewed by: Planning Manager and Community Development Director

BACKGROUND (continued):

regulations for parking lot improvements was one of the topics identified by staff as an opportunity to streamline the land use process and costs.

On May 28, 2019, the Policy Committee reviewed potential changes to the parking lot improvement regulations, and recommended approval of the changes.

DISCUSSION:

Section 29.10.145 (h), (l), (m), and (n) of the Town Code contains regulations regarding Building Permits for parking lot improvements. Additionally, Section 29.20.745 (4) of the Town Code designates the Development Review Committee (DRC) as the deciding body for these Building Permits.

The existing Town Code requires Building Permits for parking lot improvements to be reviewed by the DRC. DRC review of the Building Permits does not require an additional fee, and typically does not add significant processing time to the Building Permit process. While there are no additional costs nor significant processing time related to the DRC review, the Policy Committee did not believe that the additional layer of review was necessary, given that the same departments that are represented on the DRC already review the Building Permits. This additional layer of review could be eliminated if Section 29.10.145 (l), (m), and (n) and Section 29.20.745 (4) were amended.

A. Existing Town Code

Existing Town Code Section 29.10.145 (l), (m), and (n) of the Town Code discusses parking lot improvement regulations:

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(l) *Determination.* Applications for permits for parking lot improvements shall be determined by the Planning Director. When compliance with State disabled-accessibility statutes and regulations will result in a reduction in the number of spaces remaining in the parking lot below the number required by this chapter, the application shall be determined by the Development Review Committee through the building permit process.

(m) *Standards for disabled accessibility.* Parking lot improvements shall be rendered disabled-accessible. Each application for a permit for parking lot improvements shall be reviewed and determined in accordance with the requirements for disabled-accessibility as set forth in title 24 of the California Administrative Code. The Development Review Committee may approve a permit for parking lot improvements which reduces the number of parking spaces required pursuant to section 29.10.150. This approval must

DISCUSSION (continued):

be based upon a finding that public necessity for disabled-accessible parking spaces outweighs the need for the number of parking spaces required by section 29.10.150.

- (n) *Effect of Development Review Committee approval.* No penalties shall apply to and no assessments shall be based on an increased parking space deficiency or a created parking space deficiency pursuant to section 29.10.150 resulting from the Development Review Committee approval of a parking lot permit under subsection (l) of this section. This subsection (n) shall not apply to an increased parking space deficiency or a created parking space deficiency due to an addition to a building or a structure or to an intensification of use.

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Existing Town Code Section 29.20.745 discusses the assignment of duties for the DRC:

The Development Review Committee shall:

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- (4) Review and make recommendations on parking lot permits under section 29.10.155(l) including reconfiguration or trade-off of zoning requirements under other sections of this chapter, and under section 29.10.145(g) on use of valet parking for parking lots within a town parking assessment district. The development review committee has the authority to make final determinations for approval and revocation of parking lot permits for valet parking.

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B. Proposed Modifications

Based on the discussion above, as recommended by the Policy Committee, staff has prepared a Draft Ordinance implementing the amendments, (Exhibit 6) for the Planning Commission's consideration. The potential amendments, shown in ~~strike through~~ and underline font in Exhibit 6, would make the following change:

- Modify the deciding body for Building Permits for parking lot improvements from the DRC to the Director of Community Development.

C. Public Outreach

Public input has been requested through the following media and social media resources:

- A poster at the Planning counter at Town Hall;

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, 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).

PUBLIC COMMENTS:

At this time, the Town has not received any public comment.

CONCLUSION:

A. Recommendation

Based on the direction of the Town Council Policy Committee, staff recommends that the Planning Commission review the information included in the staff report and forward a recommendation to the Town Council for approval of the amendments to Chapter 29 of the Town Code in the Draft Ordinance. The Commission should also include any comments or recommended changes to the Draft Ordinance in taking the following actions:

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)] (Exhibit 1);
2. Make the required finding that the amendments to Chapter 29 of the Town Code in the Draft Ordinance are consistent with the General Plan (Exhibit 1); and
3. Forward a recommendation to the Town Council for approval of the amendments to Chapter 29 of the Town Code in the Draft Ordinance (Exhibit 6).

B. Alternatives

Alternatively, the Commission can:

1. Forward a recommendation to the Town Council for approval of the Draft Ordinance with modifications; or

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CONCLUSION (continued):

2. Forward a recommendation to the Town Council for denial of the Draft Ordinance; or
3. Continue the matter to a date certain with specific direction.

EXHIBITS:

1. Required Findings (one page)
2. Town Council Policy Committee Minutes, February 26, 2019 (three pages)
3. Town Council Policy Committee Report, February 26, 2019 (two pages)
4. Town Council Policy Committee Minutes, May 28, 2019 (two pages)
5. Town Council Policy Committee Report without attachments, May 28, 2019 (two pages)
6. Draft Ordinance (one page)