



**TOWN OF LOS GATOS
PLANNING COMMISSION
REPORT**

MEETING DATE: 08/14/2019

ITEM NO: 2

DATE: August 6, 2019
TO: Planning Commission
FROM: Joel Paulson, Community Development Director
SUBJECT: Project Location: **Town Wide**. Applicant: Town of Los Gatos.
Consider Modifications to Chapter III (Site Planning), Chapter IV (Development Intensity), Chapter V (Architectural Design), Chapter VI (Site Elements), Chapter VIII (Subdivision and Planned Development Projects), Chapter IX (Project Review and Approval Process), and Chapter X (Glossary) of the Hillside Development Standards and Guidelines

RECOMMENDATION:

Forward a recommendation to the Town Council for approval of the modifications to Chapter III (Site Planning), Chapter IV (Development Intensity), Chapter V (Architectural Design), Chapter VI (Site Elements), Chapter VIII (Subdivision and Planned Development Projects), and Chapter IX (Project Review and Approval Process) of the Hillside Development Standards and Guidelines.

CEQA:

The project is Categorical 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 the proposed modifications 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
- That the modifications to the Hillside Development Standards and Guidelines are consistent with the General Plan.

PREPARED BY: Jocelyn Shoopman
Associate Planner

Reviewed by: Planning Manager and Community Development Director

BACKGROUND:

On February 26, 2019, the Policy Committee reviewed possible streamlining opportunities that relate to the land use process and costs for businesses and residences. Potential modifications to the Hillside Development Standards and Guidelines (HDS&G) regulations was one of the topics identified by staff as an opportunity to streamline the land use process and costs. Following a brief discussion, the Policy Committee provided direction to bring back HDS&G regulations for further discussion.

On May 28, 2019, the Policy Committee reviewed potential modifications to Chapter IV (Development Intensity) and Chapter IX (Project Review and Approval Process) of the HDS&G regarding certain project review processes. After discussion, the Committee recommended approval of the modifications to Chapter IV (Development Intensity) and Chapter IX (Project Review and Approval Process) of the HDS&G and provided direction to staff to modify language in all chapters of the HDS&G to be consistent with previous HDS&G amendments and recent amendments to the Zoning Ordinance.

DISCUSSION:

Chapter IV (Development Intensity) of the HDS&G contains information regarding the maximum allowed gross floor area. The maximum allowed gross floor area for a house includes floor area for the house and accessory buildings, including garages that are larger than 400 square feet. This limits the development intensity for houses on hillside lots where property owners choose to have garages and/or other accessory buildings that are larger than 400 square feet.

Chapter IX (Project Review and Approval Process) of the HDS&G uses the proposed gross floor area of a home as a factor to determine the deciding body that can approve various applications. Depending on the type of structure and proposed square footage, remodels and smaller additions are either processed as Minor Residential Applications or Building Permits, approved by the Community Development Director; while larger additions and new homes are processed as Architecture and Site Applications, approved by the Development Review Committee (DRC) or Planning Commission.

A. Proposed Modifications

Based on the direction provided by the Policy Committee, staff has prepared modifications to the HDS&G, (Exhibits 6 through 12) for the Planning Commission's consideration. These modifications would allow for more remodels and single-story additions to be processed as Building Permits, modify the deciding body for new homes over 5,000 square feet, and modify language within the HDS&G to be consistent with the Zoning Ordinance. The potential modifications shown in ~~strike through~~ and underline font in Exhibits 6 through 12, would make the following changes:

DISCUSSION (continued):

- Modify the deciding body for single-story additions over 800 square feet or greater than 20 percent of the existing floor area from the DRC to the Community Development Director, to be processed as Building Permits;
- Modify the deciding body for new homes over 5,000 square feet that do not exceed the maximum allowable floor area and are not visible, from the Planning Commission to the DRC;
- Remove the requirement that subsequent Architecture and Site Applications may not be applied for, for the same property for a period of three years following issuance of an occupancy permit; and
- Modify language regarding accessory dwelling units, viewing areas, below grade square footage, fences, and entry gates to be consistent with previous HDS&G amendments and recent amendments to the Zoning Ordinance.

B. Public Outreach

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

- A poster at the Planning counter at Town Hall;
- 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 modifications:

- 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

CONCLUSION (continued):

recommendation to the Town Council for approval of the proposed modifications. The Commission should also include any comments or recommended changes 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 modifications to the Hillside Development Standards and Guidelines are consistent with the General Plan (Exhibit 1); and
3. Forward a recommendation to the Town Council for approval of the proposed modifications to Chapters III, IV, V, VI, VIII, IX, and X of the Hillside Development Standards and Guidelines (Exhibits 6 through 12).

B. Alternatives

Alternatively, the Commission can:

1. Forward a recommendation to the Town Council for approval of the modifications to Chapters III, IV, V, VI, VIII, IX, and X of the Hillside Development Standards and Guidelines with modifications; or
2. Forward a recommendation to the Town Council for denial of the proposed modifications to Chapters III, IV, V, VI, VIII, IX, and X of the Hillside Development Standards and Guidelines; 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 without attachments, 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 Modifications to Chapter III (Site Planning) of the HDS&G (10 pages)
7. Draft Modifications to Chapter IV (Development Intensity) of the HDS&G (four pages)
8. Draft Modifications to Chapter V (Architectural Design) of the HDS&G (11 pages)
9. Draft Modifications to Chapter VI (Site Elements) of the HDS&G (eight pages)
10. Draft Modifications to Chapter VIII (Subdivision and Planned Development Projects) of the HDS&G (seven pages)
11. Draft Modifications to Chapter IX (Project Review and Approval Process) of the HDS&G (five pages)
12. Draft Modifications to Chapter X (Glossary) of the HDS&G (five pages)