



## IX. PROJECT REVIEW AND APPROVAL PROCESS

### A. Architecture and Site Approval

Architecture and site approval is required for all new construction including major additions and remodels in all areas of the Town shown on the Hillside Area Map on page 8. A subdivision or Planned Development application is required for any proposed land division.

The flow chart on page 66 outlines the steps an application for architecture and site approval will go through. The process begins with a meeting with the Community Development Department. It is highly recommended that applicants considering the design of a new home or remodel of an existing home discuss their ideas with Town staff **before** any plans are actually drawn and money and time are expended on a project that may not be entirely feasible.

An application for architecture and site approval or subdivision shall be accompanied by a written letter of justification that describes how the proposed project complies with the General Plan, Hillside Specific Plan and the Hillside Development Standards and Guidelines.

### B. Project Approval Authority

Projects may be approved by the Planning Commission, Development Review Committee (DRC), or Director of Community Development (Director) depending on a project's potential impact on surrounding properties and the overall community.

The Planning Commission is the decision making body for projects that have the greatest potential impact, while the DRC and Director make decisions on projects with less impact, as described in Subsections below.



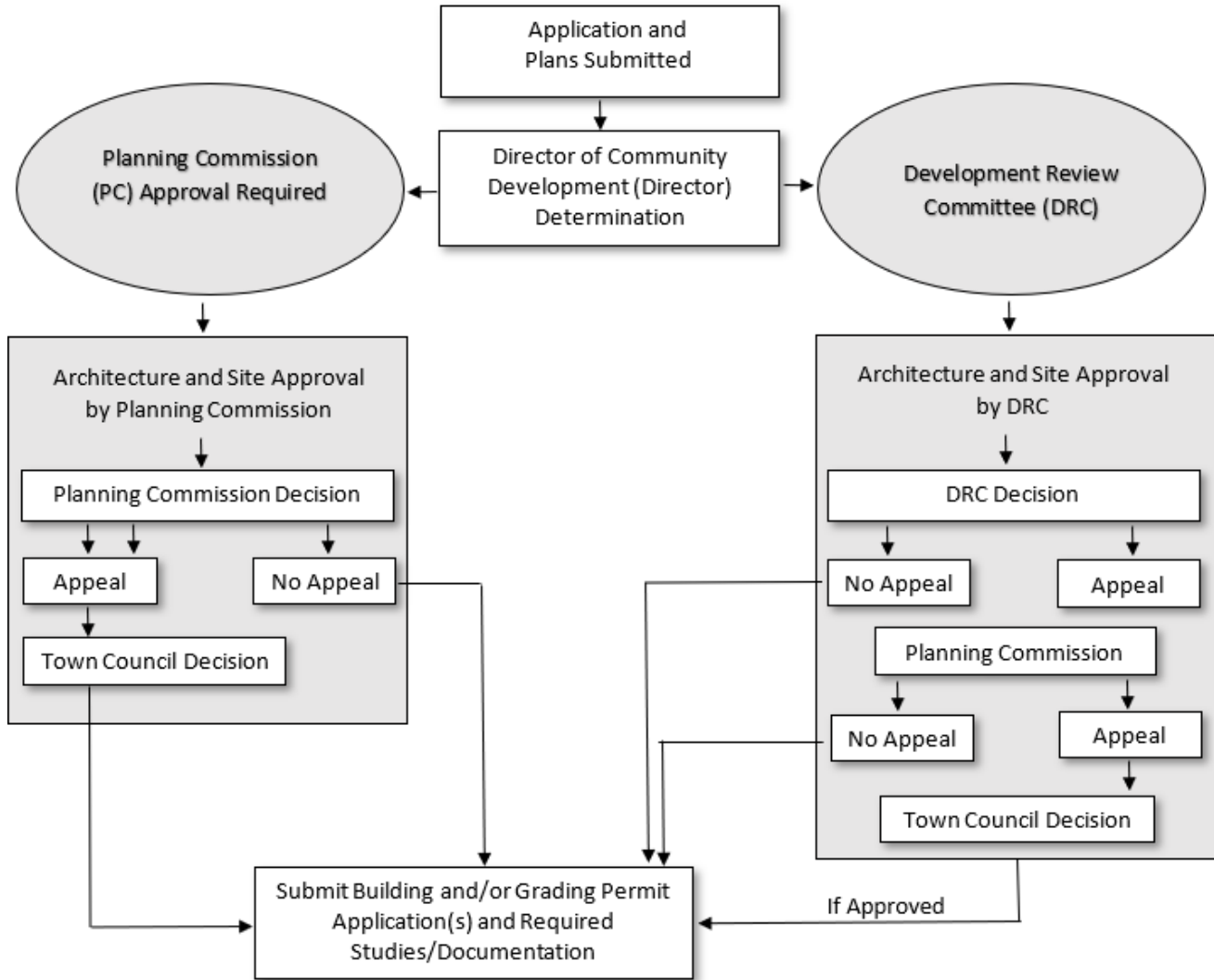
The subdivision and architecture and site approval processes are discretionary actions on the part of all decision making bodies. When reviewing projects, the decision making body may:

- (1) approve a project without imposing extra or special conditions;
- (2) approve a project and add special conditions to reduce the impact(s) of the project to an acceptable level and/or achieve compliance with these standards and guidelines; or
- (3) deny the project by stating specific reasons for its action.

The Director of Community Development may refer an application to the Planning Commission. The decisions of the Planning Commission, DRC, and Director are final unless appealed. Decisions of the Director and DRC may be appealed to the Planning Commission and decisions of the Planning Commission may be appealed to the Town Council. Appeal procedures are outlined in the Town's Zoning Regulations.



## Architecture and Site Review Process





## **1. Projects That May be Approved by the Director of Community Development**

The Director has the authority to review and approve the following types of projects provided they comply with all development standards and guidelines:

- a. Accessory dwelling units pursuant to Section 29.10.320 of the Town Code.
- b. Accessory buildings that have a combined gross floor area greater than 450, but less than 600 square feet may be approved with a Minor Residential Application pursuant to Section 29.20.480 of the Town Code.
- c. Swimming pools that do not require a grading permit.

## **2. Projects That May be Approved by the Development Review Committee**

The (DRC) has the authority to review and approve the following types of projects provided they comply with all development standards and guidelines:

- a. New houses that meet the allowable floor area ratio and that are not visible from any established viewing area.
- b. Accessory buildings, that have a combined gross floor area of 600 square feet or more but do not exceed 1,000 square feet in combined gross floor area.
- c. Swimming pools and game courts requiring a grading permit and/or retaining walls.
- d. Grading permits.



### 3. Projects That Require Planning Commission Approval

The Planning Commission has the authority to approve all architecture and site projects that do not fall within the authority of the DRC and any projects referred to it by the Director. The Planning Commission approves standard subdivisions and makes recommendations to the Town Council on Planned Development applications.

#### C. Application Period of Validity

An approved architecture and site application shall be valid for the period of time specified in the Town's Zoning Regulations.

#### D. Required findings

In addition to the considerations for architecture and site approval provided in the Town's Zoning Regulations, the decision making body shall also find that the proposed project meets or exceeds the objectives and requirements of the Hillside Development Standards and Guidelines and shall provide supportive evidence to justify making such findings.

#### E. Exceptions

Exceptions from the standards in this document may only be granted after carefully considering the constraints of the site. Any deviation from the standards contained in this document shall include the rationale and evidence to support the deviation. The burden of proof shall be on the applicant to show that there are compelling reasons for granting the requested deviation.

**Major exceptions** may only be granted by the Town Council or Planning Commission. Major exceptions include the following:

- a. building height
- b. maximum floor area

**TOWN OF LOS GATOS**  
**HILLSIDE DEVELOPMENT STANDARDS AND GUIDELINES**

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