



**TOWN OF LOS GATOS  
COUNCIL AGENDA REPORT**

MEETING DATE: 01/21/2025

ITEM NO: 16

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DATE: January 16, 2025

TO: Mayor and Town Council

FROM: Chris Constantin, Town Manager

SUBJECT: Introduce an Ordinance Amending Chapter 29 (Zoning Regulations) of the Town Code Regarding Parking Standards Pursuant to Implementation Program AA of the 2023-2031 Housing Element. Adoption of this Ordinance is Exempt Pursuant to CEQA, Section 15061(b)(3) in That It Can be Seen with Certainty That It Will Not Impact the Environment. Town Code Amendment Application A-24-009. **Project Location: Town Wide.** Applicant: Town of Los Gatos.

**Ordinance Title:** An Ordinance of the Town Council of the Town of Los Gatos Amending Chapter 29, "Zoning Regulations," of the Town Code Regarding Parking Standards, Pursuant to Implementation Program AA of the 2023-2031 Housing Element.

**RECOMMENDATION:**

Introduce an ordinance (Attachment 5) amending Chapter 29 (Zoning Regulations) of the Town Code regarding parking standards pursuant to Implementation Program AA of the 2023-2031 Housing Element.

**BACKGROUND:**

Implementation Program AA of the Housing Element requires that the Town initiate a study and outreach, including developers, to make specific updates that would reduce parking standards in the Town by taking the following actions:

1. Align parking requirements with the preparation of Objective Design Standards (ODS).
2. Reduce parking requirements near transit.
3. Remove guest parking requirements for all residential and mixed-use projects in all zones.
4. Allow parking to be unbundled from residential units.

**PREPARED BY:** Sean Mullin, AICP  
Planning Manager

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Reviewed by: Town Manager, Assistant Town Manager, Town Attorney, and Community Development Director

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On December 11, 2024, the Planning Commission voted (3-1) to recommend to the Town Council approval of the amendments to Chapter 29 (Zoning Regulations) regarding Parking Standards with an additional recommendation that a clearer definition of *transit stop* be incorporated into the Town Code (Attachments 1 and 2). As discussed below, the term *public transportation* has been incorporated into Item #3 in response to the recommendation of the Planning Commission.

DISCUSSION:

The following items included in Program AA have been forwarded to the Town Council ahead of completing the study and outreach process due to their relative simplicity and in an effort to continue making progress on the Implementation Programs included in the 2023-2031 Housing Element. Staff anticipates returning with additional Town Code amendments related to parking standards in Spring 2025.

Item #1

Item #1 requires that the Town's parking requirements align with the preparation of the ODS. This item was developed with the assumption that the ODS, which was still being developed at the time, would include parking requirements stipulating the quantity of parking required for qualifying projects. During the development of the ODS document, it was determined that the existing parking requirements included in the Town Code were objective and it was not necessary to repeat these requirements in the ODS document. Therefore, no parking requirements were included in the final ODS and no action is needed by the Town to complete Item #1.

Item #2

Item #2 requires that the Town reduce parking requirements near transit. The Town Code currently requires multi-family developments to provide one and one-half parking spaces per dwelling unit, plus one additional guest parking space per unit. Since the term "transit" is ambiguous and open to interpretation, the following provides several defined terms in state law and the Town Code related to transit in the context of parking requirements.

State law primarily relies on two definitions when addressing parking requirements near transit: a *major transit stop*; and a *high-quality transit corridor*.

Public Resources Code Section 21064.3 defines a *major transit stop* as a site containing any of the following:

- (a) An existing rail or bus rapid transit station.
- (b) A ferry terminal served by either a bus or rail transit service.

- (c) The intersection of two or more major bus routes with a frequency of service interval of 20 minutes or less during the morning and afternoon peak commute periods.
- (d) A site in an urbanized area that is served by an on-demand transit service at least 12 hours each day, seven days per week.

Public Resources Code 21155 defines a *high-quality transit corridor* as a corridor with fixed route bus service with service intervals no longer than 20 minutes during peak commute hours.

State Density Bonus Law allows the following parking ratios by-right:

- (A) Zero to one bedroom: one onsite parking space.
- (B) Two to three bedrooms: one and one-half onsite parking spaces.
- (C) Four and more bedrooms: two and one-half onsite parking spaces.

Density Bonus Law allows for further parking ratio reductions for specific scenarios when a development is located within one-half mile of a *major transit stop*.

The Town's ADU ordinance eliminates additional parking requirements for ADUs located within one-half mile walking distance of *public transit*, consistent with CA Government Code Section 65852.2 (d). The Town's ADU ordinance defines *public transit* as a location, such as a bus stop or train station, where the public may access buses, trains, subways, and other forms of transportation that charge set fares, run on fixed routes, and are available to the public. This provision of the ADU ordinance applies to those areas of the Town within one-half mile walking distance of the three VTA bus routes currently serving the Town.

The Town's SB 9 ordinance eliminates parking requirements for units located within one-half mile walking distance of a *major transit stop*, *high-quality transit corridor*, or where there is a designated parking area for one or more car-share vehicles within one block of the parcel. As noted below, there are no *major transit stops* in the Town and only a limited area of the Town within one-half mile of a *high-quality transit corridor*.

Based on an analysis of VTA's system map (Attachment 1, Exhibit 3) and frequency tables (Attachment 1, Exhibit 4), there are no *major transit stops* within Town boundaries or within one-half mile of the Town boundary. Portions of Bascom Avenue and Samaritan Drive meet the definition of a *high-quality transit corridor*, as they are served by VTA bus Route 61 having a peak service interval of 15 minutes. The other two VTA routes serving the Town have peak service intervals of 30 minutes (Route 27) and 60 minutes (Route 37) and would not qualify as *high-quality transit corridors*.

To implement Item #2, staff recommends that Town Code Section 29.10.150 (c)(3) be amended to reduce the parking requirements for multi-family residential developments and mixed-use developments that include a multi-family residential component from one and one-half parking spaces per dwelling unit to one parking space per dwelling unit when the

parcel is located within one-half mile walking distance of *public transportation*, which would be defined as a high-quality transit corridor, as defined in subdivision (b) of Public Resources Code Section 21155, or a major transit stop, as defined in Public Resources Code Section 21064.3. Staff recommends using *public transportation, as defined*, to ensure that residents of multi-family dwellings where parking requirements would be reduced through this Ordinance will have access to adequate transit options.

- (3) Multiple-unit dwellings in all zones and two-family dwellings in the R-1D zone. One and one-half (1½) times the number of living units in such dwellings, except multiple-unit dwellings and mixed-use developments that include a multiple-unit dwelling component that are located within one-half (½) mile walking distance of public transportation shall provide one (1) parking space per dwelling unit. For the purposes of this subsection, public transportation means a high-quality transit corridor, as defined in subdivision (b) of Public Resources Code Section 21155, or a major transit stop, as defined in Public Resources Code Section 21064.3.

Item #3

Item #3 requires that the guest parking requirements for all residential and mixed-use developments included in the Town Code be eliminated. Currently, in addition to other parking requirements, the Town Code requires one visitor parking space for each residential unit other than a detached single-family or two-family dwelling throughout the Town. The Town Code does not require guest parking for single-family and two-family dwellings. The proposed amendments to the Town Code would eliminate the guest parking requirements contained in Town Code Section 29.10.150 (b) and (c) for multi-family developments. This item of Implementation Program AA requires amendments to Chapter 29 (Zoning Regulations) of the Town Code for multi-family developments townwide and are not limited to the Sites Inventory sites of the 2023-2031 Housing Element.

- (b) *Parking requirements for downtown.* ~~In addition to other parking requirements, one (1) visitor parking space for each residential unit other than detached single family or two-family dwelling shall be required unless the Planning Commission makes a finding that more or less visitor parking is necessary due to the size or type of housing unit(s).~~ The parking requirements for various uses in the downtown are as follows:
- (c) *Outside downtown parking requirements.* The number of off-street parking spaces required for areas outside the downtown is set in this subsection. When a use is not listed in this subsection, the Planning Director shall determine the parking requirements by analogy to the requirements for the listed uses. ~~In addition to other parking requirements, one (1) visitor parking space for each residential unit other than a detached single family or two-family dwelling shall be required, unless the Planning Commission makes a finding that more or less visitor parking is necessary due to the size or type of housing unit(s).~~

Item #4

Item #4 requires that the Town allow parking to be unbundled from residential units. California Civil Code § 1947.1 defines “unbundled parking” as the practice of selling or leasing parking spaces separate from the lease of the residential property. Staff is currently studying existing state laws and programs in other municipalities regarding unbundled parking to determine an appropriate approach for the Town. Staff anticipates returning to the Planning Commission and Town Council with amendments to the Town Code regarding unbundled parking in Spring 2025.

Additional Code Amendments for Parking

In addition to the items above, staff has included the following clean-up amendments to the parking division of the Town Code:

- Reintroduce the following parking requirements in Section 29.10.150 (b) that were erroneously removed through a Town Code amendment related to economic vitality completed in 2023.
  - (3) Theaters. One (1) parking space for each three hundred (300) square feet of gross floor area.
  - (4) For uses not specifically listed in this subsection the requirements shall be as set forth in subsection (c).
- Remove language from Section 29.10.150 (c)(6), parking requirements for hospitals, that is unrelated to parking requirements for hospitals.
  - (6) Hospitals. One and one-half (1½) parking spaces for each bed. ~~For uses not specifically listed in this subsection the requirements shall be as set forth in subsection 29.10.150(c).~~

CONCLUSION:

If the Town Council introduces the proposed ordinance (Attachment 5), it will be placed on the February 4, 2025, Town Council agenda for adoption and the ordinance will take effect 30 days after adoption.

COORDINATION:

This report was coordinated with the offices of the Town Manager and Town Attorney.

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SUBJECT: Zoning Code Amendments, Implementation Program AA

DATE: January 16, 2025

FISCAL IMPACT:

Adoption of this ordinance does not impact the Town's budget and is required under Program AA of the 2023-2031 Housing Element.

ENVIRONMENTAL ASSESSMENT:

Adoption of this ordinance is exempt pursuant to CEQA, Section 15061(b)(3) in that it can be seen with certainty that it will not significantly affect the physical environment in that it will make modifications to parking standards.

ATTACHMENTS:

1. December 11, 2024, Planning Commission Staff Report, with Exhibits 1 through 4
2. December 11, 2024, Planning Commission Verbatim Minutes
3. Implementation Program AA
4. Redline Town Code
5. Draft Ordinance