
Sec. 29.10.020. Definitions.

For the purposes of this chapter, the following words and phrases shall have the meanings ascribed to them in this section unless the context clearly indicates otherwise:

(.....)

Dwelling, unit means a building or portion thereof intended for occupancy or occupied by one (1) family exclusively, and containing but one (1) kitchen. Transitional housing and supportive housing are considered a residential use of property in any dwelling type as defined by Government Code 65582 (n) and (q) as it may be amended from time to time.

(.....)

Emergency shelter means a housing facility as defined by Health and Safety Code Section 50801 that provides people shelter with minimal support services for ~~homeless persons that is a time period~~ limited to temporary occupancy of six (6) months or less ~~by a homeless person per person per year~~. Emergency shelters may include other interim interventions, including, but not limited to low barrier navigation centers, bridge housing, and respite or recuperative care.

Employee housing means any portion of any housing accommodation, or property upon which a housing accommodation is located, if both of the following factors exist: (1) The accommodations consists of living quarters or other housing accommodations, maintained in one or more buildings or one or more sites, and the premises are provided for employees by the employer; and (2) The accommodations are maintained in connection with any work or place where work is being performed, whether or not rent is involved. The definition of employee housing is as otherwise defined by California Health and Safety Code Section 17008 as it may be amended from time to time.

(.....)

Group home ~~shall means housing shared by unrelated persons with disabilities that provides peer and other support for residents' disability related needs and in which residents share cooking, dining, and living areas, and may participate in communal living activities. This use excludes hotels and residential care facilities. have the same meaning as a residential care facility, small family home.~~

Class 1: The group home does not provide licensable services to the residents.

Class 2: The group home provides licensable services to six or fewer residents.

Class 3: The group home provides licensable services to more than six residents.

(.....)

Sec. 29.10.530. Review of a request for reasonable accommodation.

(a) *Findings.* The deciding body, on the basis of the evidence submitted, may approve a request for reasonable accommodation if it finds all of the following:

- (1) The housing will be used by an individual disabled under the Federal Fair Housing Act and the California Fair Employment and Housing Act.
- (2) The request is necessary to make specific housing available to an individual with a disability under the Federal Fair Housing Act and the California Fair Employment and Housing Act.
- (3) The request would not impose an undue financial or administrative burden on the Town.
- (4) The request would not require a fundamental alteration in the nature of a Town program or law, including but not limited to land use and zoning.

~~(5) There would be no impact on surrounding uses.~~

~~(6)~~ Due to physical attributes of the property or structures the request is necessary.

(76) There is no alternative reasonable accommodation which may provide an equivalent level of benefit.

Sec. 29.20.185. Table of conditional uses.

An "X" indicates that an activity is allowed in a zone if a conditional use permit is issued. Activities listed in this table are only allowed where a conditional use permit is issued, or where the activity is specifically listed in the permitted uses for the zone.

TABLE OF CONDITIONAL USES			RC	HR	R1	RD	R-M	R-1D	RMH	O	C-1	C-2	CH	LM	CM
(5)	Health Services														
	d.	Residential care facility-large family home	X	X	X	X	X	X		X	X	X	X		
	e.	Residential care facility-group-Group home	X	X	X	X	X	X		X	X	X	X		

Sec. 29.40.160. Permitted uses.

The following uses are permitted in the RC or resource conservation zone in the Town:

- (1) Single-family dwelling, provided that there is not more than one (1) principal residential structure on a lot.
- (2) Agriculture, except dairying.
- (3) Botanical conservatory.
- (4) Family daycare home.
- (5) Residential care facility, small family home.
- (6) Group homes, Class 1, 2, and 3.
- (7) Employee housing consisting of up to thirty-six (36) beds or up to twelve (12) units.
- (8) Small employee housing consisting of up to six (6) or fewer employees.
- (9) Transitional and supportive housing as defined by Government Code Section 65582, as this section may be amended from time to time.

Sec. 29.40.235. Permitted uses.

The following uses are permitted in the HR zone in the Town:

- (1) Single-family dwelling, provided that there is not more than one (1) principal residential structure on a lot.
- (2) Agriculture, except dairying.
- (3) Family daycare home.
- (4) Residential care facility, small family home.
- (5) Group homes, Class 1, 2, and 3.
- (6) Employee housing consisting of up to thirty-six (36) beds or up to twelve (12) units.
- (7) Small employee housing consisting of up to six (6) or fewer employees.

(8) Transitional and supportive housing as defined by Government Code Section 65582, as this section may be amended from time to time.

Sec. 29.40.385. Permitted uses.

The following uses are permitted in a R-1 or single-family residential zone:

- (1) Single-family dwelling, provided that there is not more than one (1) principal residential structure on a lot.
- (2) Raising of trees, vegetables and horticultural specialties, but not including commercial greenhouses, retail nurseries, or storage of landscaping equipment, products or supplies for commercial uses.
- (3) Family daycare home.
- (4) Group homes, Class 1, 2, and 3.
- (5) Residential care facility, small family home.
- (6) Small employee housing for six (6) or fewer employees.
- (7) Transitional and supportive housing as defined by Government Code Section 65582, as this section may be amended from time to time.

Sec. 29.40.510. Permitted uses.

The following uses are permitted in a R-D or duplex residential zone:

- (1) Single-family dwelling.
- (2) Two-family dwelling.
- (3) Family daycare home.
- (4) Group homes, Class 1, 2, and 3.
- (5) Residential care facility, small family home.
- (6) Small employee housing for six (6) or fewer employees.
- (7) Transitional and supportive housing as defined by Government Code Section 65582, as this section may be amended from time to time.

Sec. 29.40.610. Permitted uses.

The following uses are permitted in a R-M or multiple-family residential zone:

- (1) Single-family dwelling.
- (2) Two-family dwelling.
- (3) Family daycare home.
- (4) Group homes, Class 1, 2, and 3.
- (5) Residential care facility, small family home.
- (6) Multi-family dwelling.
- (7) Transitional Housing facility as defined by Health and Safety Code section 50675.2
- (8) Small employee housing for six (6) or fewer employees.

(9) Transitional and supportive housing as defined by Government Code Section 65582, as this section may be amended from time to time.

Sec. 29.40.725. Permitted uses.

The following uses are permitted in a R-1D or multiple-family residential downtown zone:

- (1) Single-family dwelling, provided that there is not more than one (1) principal residential structure on a lot.
- (2) Two-family dwelling, provided that there is not more than one (1) principal residential structure on a lot.
- (3) Family daycare home.
- (4) Group homes, Class 1, 2, and 3.
- (5) Residential care facility, small family home.
- (6) Small employee housing for six (6) or fewer employees.
- (7) Transitional and supportive housing as defined by Government Code Section 65582, as this section may be amended from time to time.

Sec. 29.40.835. Permitted uses.

The following uses are permitted in a RMH or mobile home residential zone:

- (1) Mobile home parks for single-family dwelling uses.
- (2) Common recreational facilities and structures.
- (3) Administrative offices for mobile home park use.
- (4) Residential quarters for use by manager or other park employees.
- (5) Accessory uses normally incidental to a mobile home park and accessible only through the internal park circulation system.
- (6) Family daycare home.
- (6) Group homes, Class 1, 2, and 3.
- (7) Small employee housing for six (6) or fewer employees.
- (8) Transitional and supportive housing as defined by Government Code Section 65582, as this section may be amended from time to time.

Sec. 29.60.085. Permitted uses.

Activities allowed in the O or office zone must be those which would not unreasonably interfere with residential uses or other activities within the O zone, and which are in the following categories:

- (1) Offices, administrative, professional, medical, dental and optical laboratories associated with a professional use, real estate, insurance, stocks and bonds; and other similar offices characterized by absence of retail sales.
- (2) Retail sales by a pharmacy within a medical building.

-
- (3) Group classes.
 - (4) Personal service businesses.
 - (5) [Supportive housing as defined by Government Code Section 65651, as this section may be amended from time to time.](#)

Sec. 29.60.210. Permitted uses.

- (a) Activities allowed in the C-1 or neighborhood commercial zone are those which do not unreasonably interfere with nearby residential uses and which are in the following categories:
 - (1) Retailing, including formula retail up to ten thousand (10,000) square feet.
 - (2) Personal service businesses and service businesses necessary for the conduct of households.
 - (3) Office activities.
 - (4) Limited manufacturing activities when a majority of sales are made, on site, to the ultimate consumer.
 - (5) Activities permitted in the LM zone which were approved on or before February 1, 1993, provided any change of use must be a conforming use in the C-1 zone.
 - (6) Group classes.
 - (7) Specialty food retail without alcoholic beverages.
 - (8) [Supportive housing as defined by Government Code Section 65651, as this section may be amended from time to time.](#)
- (b) Examples of proper C-1 activities are grocery stores, laundrettes, or dry cleaning agencies, drugstores, barbershops, appliance repair shops, and offices. Examples of activities which are not proper in the C-1 zone are vehicle service and sales, palmists and soothsayers, manufacturing, wholesaling, or laundry.

Sec. 29.60.320. Permitted uses.

- (a) Activities permitted in the C-2 or Central District Commercial Zone are those involving the conduct of commerce and general business and the sale of commodities necessary for the needs of residents and visitors of the Town, such as:
 - (1) Retailing, including formula retail up to ten thousand (10,000) square feet.
 - (2) Reserved.
 - (3) Reserved.
 - (4) Office activities subject to subsection (c) below.
 - (5) Limited manufacturing activities when a majority of sales are made, on site, to the ultimate consumer.
 - (6) Wholesaling without warehousing on the premises.
 - (7) Single-family and two-family uses, in conjunction with the other uses permitted in this section.
 - (8) Personal service businesses.
 - (9) Specialty food retail without alcoholic beverages.
 - (10) [Supportive housing as defined by Government Code Section 65651, as this section may be amended from time to time.](#)

-
- (b) Examples of proper C-2 activities are apparel stores, antique stores, artist studios, craft studios, auto part sales, artist supply shops, and EV sales, service, and repair. Examples of activities which are not proper in the C-2 zone are manufacturing, warehousing, laundry or dry cleaning plants.
- (c) Office activities in the C-2 zone shall not be located on the ground floor along any street, alleyway, or public parking lot except in the areas described below:
- (1) Lyndon Avenue;
 - (2) Properties abutting Wood Road;
 - (3) The west side of Victory Lane;
 - (4) The south side of Los-Gatos-Saratoga Road excluding:
 - a. That portion of the property located at the southwest corner of Los-Gatos Saratoga Road and Santa Cruz Avenue described more precisely as located between a straight line extended northerly along the west side right-of-way line of Santa Cruz Avenue and one hundred forty (140) feet west of that extended line.
 - b. The south side of Los Gatos-Saratoga Road between Santa Cruz Avenue and University Avenue; and
 - (5) The east side of South Santa Cruz Avenue directly across the street from Wood Road.
 - (6) The north and south side of West Main Street west of Victory Lane.
 - (7) Tenant suites located at 114 Royce Street with entries at the rear of the building and that do not have street frontage.
- (d) Notwithstanding subsection (c), office activities on ground floors described below shall be considered conforming and shall be allowed to continue so long as the office use is not discontinued for one hundred and eighty (180) consecutive days. If the office use is discontinued for such a period, then the office use shall not be resumed, and token use shall not toll or interrupt a period of discontinuance.
- (1) Office activities existing on June 17, 1991; or
 - (2) Office activities in a building under construction on July 16, 1990, if the applicable architecture and site approval specifically stated that the building was approved for office activities.

Sec. 29.60.420. Permitted uses.

- (a) Activities allowed in the CH or restricted highway commercial zone are those which do not unreasonably interfere with nearby residential uses and which are in the following categories:
- (1) Retailing, including formula retail up to ten thousand (10,000) square feet.
 - (2) Personal service businesses and service businesses necessary for the conduct of households.
 - (3) Office activities.
 - (4) Limited manufacturing activities when a majority of sales are made on site to the ultimate consumer.
 - (5) Group classes.
 - (6) Specialty food retail without alcoholic beverages.
 - (7) Supportive housing as defined by Government Code Section 65651, as this section may be amended from time to time.

-
- (b) Examples of proper CH activities are grocery stores, laundrettes or dry-cleaning agencies, drugstores, barbershops, appliance repair shops, and offices. Examples of activities which are not proper in the CH zone are palmists and soothsayers, manufacturing, wholesaling, or laundry or dry-cleaning plants.

Sec. 29.70.100. Permitted uses.

- (a) Activities allowed in the LM or commercial-industrial zone are those service-oriented and light industrial uses which may be inappropriate in a general commercial zone and which are in the following categories:
- (1) Retailing, including formula retail up to ten thousand (10,000) square feet.
 - (2) Personal service businesses.
 - (3) Service businesses necessary for the conduct of households or businesses.
 - (4) Office activities approved on or before July 1, 1982; provided, that no change of use to office shall be permitted in the LM zone.
 - (5) Limited manufacturing.
 - (6) Wholesaling and warehousing.
 - (7) Group classes.
 - (8) Specialty food retail without alcoholic beverages.
 - (9) Emergency shelters as defined by Health and Safety Code section 50801 and consistent with the following defined operational standards:
 - a. Beds shall not exceed a total of twenty (20);
 - b. Administrative staff members or employees shall not exceed a total of six (6) and shall include on-site management;
 - c. Operating hours shall be limited to 5:00 p.m. to 9:00 a.m. daily;
 - d. Compliance with all applicable State and local uniform building and housing codes, as determined by the Building Official;
 - e. Facilities shall have on-site security during all hours when the shelter is in operation;
 - f. Facilities shall provide exterior lighting on pedestrian pathways and parking lot area on the property and lighting shall reflect away from residential areas and public streets;
 - g. Facilities shall provide secure areas for personal property;
 - h. On-site parking shall be provided at a rate of at least one (1) space per employee; and
 - i. Emergency shelters shall not be required to be more than 300 feet apart.

Sec. 29.70.220. Permitted uses.

- (a) Activities allowed in the CM or controlled-manufacturing zone must be those which would not unreasonably interfere with residential uses in the vicinity or other activities within the CM zone and which are in the following categories:
- (1) Activities involving controlled manufacturing, research and development, wholesaling, warehousing, and other light industrial uses.
 - (2) Sales to the ultimate consumer of articles manufactured on the premises to the customer's order.

-
- (3) Professional and administrative offices.
- (4) Emergency shelters as defined by Health and Safety Code section 50801 and consistent with the following defined operational standards:
- a. Beds shall not exceed a total of ~~Twenty~~ (20) ~~or fewer beds~~;
 - b. Administrative staff members or employees shall not exceed a total of ~~Six~~ (6) ~~or fewer administrative staff members or employees, and shall include on-site management~~;
 - c. Operating hours shall be limited ~~from to~~ 5:00 p.m. to 9:00 a.m. daily;
 - d. Conforming Compliance with ~~to~~ all applicable State and local uniform building and housing codes, as determined by the Building Official;
 - e. Facilities shall have on-site security during all hours when the shelter is in operation;
 - f. Facilities shall provide exterior lighting on pedestrian pathways and parking lot area on the property and lighting shall reflect away from residential areas and public streets;
 - g. Facilities shall provide secure areas for personal property;
 - h. On-site parking shall be provided at a rate of at least one (1) space per employee; and
 - i. Emergency shelters shall not be required to be more than 300 feet apart.
- (b) Examples of activities which are not proper in the CM zone are retailing except articles manufactured and sold as provided in subsection (2), personal services, and vehicle sales and service.