



**TOWN OF LOS GATOS
COUNCIL AGENDA REPORT**

MEETING DATE: 02/20/2024

ITEM NO: 16

DATE: February 15, 2024
TO: Mayor and Town Council
FROM: Laurel Prevetti, Town Manager
SUBJECT: Hear Protests and Adopt a Resolution Making Determinations and Approving the Reorganization of an Uninhabited Area Designated as Blackberry Hill Road No. 06, Approximately 2.1 Acres on Property Pre-Zoned HR-2½. APN 532-25-011. Annexation Application AN23-001. Project Location: 15405 Blackberry Hill Road. Property Owner/Applicant: Maurice Brewster.

RECOMMENDATION:

Open public hearing to hear any protests and adopt a resolution (Attachment 1) making determinations and approving the reorganization of an uninhabited area designated as Blackberry Hill Road No. 06, approximately 2.1 acres, located at 15405 Blackberry Hill Road (APN 532-25-011).

BACKGROUND:

The Town has an agreement with Santa Clara County that requires annexation of any property located within the Town's Urban Service Area boundary that is either contiguous to a Town boundary or within 300 feet of a Town maintained roadway if a use is proposed to intensify. The subject property is contiguous to a Town boundary. Section 56757 of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 gives cities in Santa Clara County the authority to annex territory without application to and hearing by the Santa Clara County Local Agency Formation Commission (LAFCO).

Annexation has been requested by the property owner of 15405 Blackberry Hill Road in anticipation of a future application for a new single-family residence. The total annexation area (approximately 2.1 acres) includes no County street right-of-way.

PREPARED BY: Jocelyn Shoopman
Associate Planner

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

BACKGROUND (continued):

The Town is required to hold a protest proceeding even if the area proposed for annexation is uninhabited (less than twelve registered voters) and all property owners have consented to the annexation. This annexation was introduced at the February 6, 2024, Town Council meeting and the protest proceedings are set for February 20, 2024.

DISCUSSION:

The Town has received a petition requesting annexation to the Town of Los Gatos from Maurice Brewster, owner of the property at 15405 Blackberry Hill Road. The property is located on the southern side of Blackberry Hill Road in an unincorporated County pocket.

The property is in the Town's Urban Service Area, is contiguous to a Town boundary, and is pre-zoned HR-2½ (Hillside Residential, 2½ to 10 acres for each dwelling unit). Annexation would allow Town services to be extended to the property and reduce an existing County pocket.

The Santa Clara County Planning Division was notified in writing of the annexation request.

COORDINATION:

The preparation of this report was coordinated with the County of Santa Clara Infrastructure Development Division, LAFCO, County of Santa Clara Assessor, County of Santa Clara Surveyor, and the County of Santa Clara Planning Division.

FISCAL IMPACT:

Once the annexation is certified by the State Board of Equalization, the Town will receive approximately 9.3 percent of the property taxes.

ENVIRONMENTAL ASSESSMENT:

The project is exempt pursuant to the California Environmental Quality Act Guidelines under Section 15061(b)(3): Review for Exemption, in that it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment. A Notice of Exemption will not be filed.

Attachments:

1. Resolution, with Exhibits A and B
2. Location Map