



**TOWN OF LOS GATOS
COUNCIL AGENDA REPORT**

MEETING DATE: 06/16/2020

ITEM NO: 13

DATE: June 4, 2020
TO: Mayor and Town Council
FROM: Laurel Prevetti, Town Manager
SUBJECT: Consider Approval of Amendments and Introduce the Draft Ordinance by Title Only to Amend Chapter 29 (Zoning Regulations) of the Town Code Regarding Vehicle Sales, Town Wide. Town Code Amendment Application A-20-003. Applicant: Town of Los Gatos

RECOMMENDATION:

Consider approval of amendments and introduce the draft Ordinance by title only to amend Chapter 29 (Zoning Regulations) of the Town Code regarding vehicle sales (Attachment 2).

BACKGROUND:

Sections 29.20.180 through 29.20.200 of the Town Code regulate conditional uses. The Table of Conditional Uses in Section 29.10.185, requires approval of a Conditional Use Permit (CUP) for new vehicle sales and rental in the C-2, LM, and CH zones. Additionally, used vehicle sales are allowed with approval of a CUP in the C-2, LM, and CH zones only when their sale is incidental to new vehicle sales and rental. Standalone used vehicle sales are not currently allowed as a permitted or conditional use in any zone.

The Town was approached by a business seeking to locate a standalone used vehicle sales business in the C-2 zone. Given the unique business model proposed by the business owner, staff forwarded the issue to the Town Council Policy Committee to seek input and direction on the appropriateness of standalone used vehicle sales in commercial and industrial zones.

On January 28, 2020, the Policy Committee discussed the matter and recommended that standalone used vehicle sales be allowed with an approved CUP for vehicle sales and rental in the C-2, LM, and CH zones (Attachment 3, Exhibit 2). The Policy Committee recognized that vehicle sales would continue to require a CUP, and that the Planning Commission would

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Associate Planner

Reviewed by: Town Manager, Assistant Town Manager, Town Attorney, and Finance Director

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BACKGROUND (continued):

consider whether a vehicle sales and rental use at a specific site is appropriate or not when reviewing the CUP application.

DISCUSSION:

On May 27, 2020, the Planning Commission reviewed the proposed Town Code amendments regarding vehicle sales (Attachment 3). The Planning Commission had no recommendations for modifications to the draft Ordinance language and forwarded a recommendation of approval to the Town Council. Attachment 4 contains the verbatim minutes for the Planning Commission meeting.

CONCLUSION:

Staff recommends that the Town Council:

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)] (Attachment 1);
2. Make the required finding that the amendments to Chapter 29 of the Town Code regarding vehicle sales are consistent with the General Plan (Attachment 1); and
3. Introduce the Ordinance of the Town of Los Gatos effecting the amendments of the Town Code regarding vehicle sales A-20-003 (Attachment 2), by title only, with any specific changes identified and agreed upon by the majority of the Town Council.

ALTERNATIVES:

Alternatively, the Council may:

1. Continue this item to a date certain with specific direction to staff;
2. Refer the item back to the Planning Commission with specific direction; or
3. Take no action, leaving the Town Code unchanged.

ENVIRONMENTAL ASSESSMENT:

The project is Categorically 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 amendments to the Town Code will have a significant effect on the environment.

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ATTACHMENTS:

1. Findings
2. Draft Ordinance
3. May 27, 2020 Planning Commission Staff Report (with Exhibits 1 through 3)
4. May 27, 2020 Planning Commission Verbatim Minutes