



**TOWN OF LOS GATOS  
COUNCIL AGENDA REPORT**

MEETING DATE: 04/07/2020

ITEM NO: 11

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**DATE:** April 1, 2020  
**TO:** Mayor and Town Council  
**FROM:** Laurel Prevetti, Town Manager  
**SUBJECT:** Introduce an Ordinance, by Title Only, Effecting Amendments to Chapter 29 (Zoning Regulations) of the Town Code Regarding Family Daycare Home Regulations. Town Code Amendment Application A-20-002. Applicant: Town of Los Gatos.

**RECOMMENDATION:**

Introduce an Ordinance (Attachment 4), by title only, effecting amendments to Chapter 29 (Zoning Regulations) of the Town Code regarding family daycare home regulations.

**BACKGROUND:**

This item was previously scheduled for the March 17, 2020 Town Council meeting and the Town Council continued the item to the April 7, 2020 meeting.

In September of 2019, Governor Newsom signed Senate Bill 234 (Attachment 1, Exhibit 3), amending sections 1596.72 – 1597.543 of the Health and Safety Code regarding large family daycare homes.

On February 26, 2020, the Planning Commission considered and forwarded a recommendation to the Town Council for approval of the proposed amendments to Chapter 29 of the Town Code to align with new State law regarding family daycare homes. The new State law requires small and large family daycare homes to be allowed by right in all districts where residential uses are allowed. The new law also increases the number of participants in small and large family daycare homes (Attachment 1, Exhibit 1).

**PREPARED BY:** Diego Mora  
Assistant Planner

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

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DISCUSSION:

Planning Commission

On February 26, 2020, the Planning Commission reviewed the proposed Town Code amendments (Attachment 4). Details of the proposed Town Code amendments may be found in the staff report for the Planning Commission as Attachment 1, Exhibit 1. No public comment was received at the Planning Commission public hearing.

Attachment 2 contains the verbatim minutes for the Planning Commission meeting. The Planning Commission recommended approval of the draft Ordinance language with no changes.

PUBLIC OUTREACH:

Public input has been requested through the following media and social media resources:

- An eighth-page public notice in the newspaper;
- A poster at the Planning counter at Town Hall;
- The Town's website home page, What's New;
- The Town's Facebook page;
- The Town's Twitter account;
- The Town's Instagram account; and
- The Town's NextDoor page.

PUBLIC COMMENTS:

At the time of this report's preparation, the Town has not received any public comment.

CONCLUSION:

Staff recommends that the Town Council:

1. Make the finding that the project is Exempt pursuant to the adopted Guidelines for the Implementation of the California Environmental Quality Act, Section 15061(b)(3) (Attachment 3);
2. Make the finding as required that the amendments to the Town Code (Zoning Regulations) are consistent with the General Plan (Attachment 3); and
3. Introduce the Ordinance of the Town of Los Gatos effecting the amendments of the Town Code regarding family daycare home regulations A-20-002 (Attachment 4), by title

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CONCLUSION (continued):

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 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 this project will have a significant effect on the environment.

Attachments:

1. February 26, 2020 Planning Commission Staff Report with Exhibits 1-4
2. February 26, 2020 Planning Commission Verbatim Minutes
3. Required Findings
4. Draft Ordinance