



**TOWN OF LOS GATOS
PLANNING COMMISSION
REPORT**

MEETING DATE: 08/26/2020

ITEM NO: 2

DATE: August 19, 2020
TO: Planning Commission
FROM: Joel Paulson, Community Development Director
SUBJECT: Forward a Recommendation to the Town Council for Approval of Amendments to Chapter 29 (Zoning Regulations) of the Town Code Regarding Outdoor Lighting and Modifications to the Residential Design Guidelines.
Location: Town Wide. Town Code Amendment Application A-20-005.
Applicant: Town of Los Gatos.

RECOMMENDATION:

Forward a recommendation to the Town Council for approval of amendments to Chapter 29 (Zoning Regulations) of the Town Code regarding outdoor lighting and modifications to the Residential Design Guidelines.

CEQA:

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 this project will have a significant effect on the environment.

FINDINGS:

- As required, pursuant to the adopted Guidelines for the Implementation of the California Environmental Quality Act, this project is Exempt, Section 15061(b)(3);
- The amendments to Chapter 29 of the Town Code are consistent with the General Plan; and
- The modifications to the Residential Design Guidelines are consistent with the General Plan.

PREPARED BY: JENNIFER ARMER, AICP
Senior Planner

Reviewed by: Planning Manager and Community Development Director

BACKGROUND:

On October 22, 2019, the Town Council Policy Committee discussed Town Code Section 29.10.09015, below, which limits outdoor lighting and prohibits “shoestring lights.” The Policy Committee motion was to temporarily suspend the prohibition of shoestring lighting while the Town considered new lighting regulations for different zones throughout Town.

On November 25, 2019, and January 28, 2020, the Town Council Policy Committee discussed and provided direction on potential outdoor lighting regulation modifications in order to better reflect the current interest in allowing decorative string lighting while limiting light impacts on neighbors.

DISCUSSION:

On July 28, 2020 the Town Council Policy Committee recommended the following modifications to the Town Code and Residential Design Guidelines. These modifications are shown below with additions underlined and deletions shown in strikethrough font.

A. Zoning Code

The following Section could be revised to read:

Sec. 29.10.09015. - ~~Control of~~ Residential outdoor lighting.

~~Outdoor lights must be shielded and directed to shine on improvements including plants on the zoning plot where the lights are located and not directly on other property or any public right-of-way. Shoestring lighting is not permitted.~~

All permanent exterior light fixtures should utilize shields so that no bulb is visible and to ensure that light is directed to the ground surface and does not spill light onto neighboring parcels or produce glare when seen from nearby homes. Decorative lighting fixtures are preferred for security lighting fixtures.

Modify the sports court lighting to prohibit high-intensity lights. The following section could be revised to read:

Sec. 29.40.025. - Court game areas.

Tennis, volleyball, basketball, badminton and similar court game areas may be located anywhere on the lot except in the required front yard or side yard abutting the street. Fences over six (6) feet high are allowed to enclose court game areas, when approved through the Administrative Procedure for Minor Residential Projects. Lighting for court game areas is prohibited unless approved through the Administrative Procedure for

DISCUSSION (continued):

Minor Residential Projects and unless it is in compliance with the following standards to the satisfaction of the Planning Director:

- (1) Game court lighting shall incorporate cut-off fixtures and lighting shall be shielded and directed onto the court.
- (2) Lighting for game court areas shall not be used after 10:00 p.m.
- (3) High-intensity lights are not permitted.
- (4) Lighting in the hillside areas is prohibited. Hillside areas are defined by the hillside area map in the Hillside Development Standards and Guidelines.

B. Residential Design Guidelines

Residential Design Guideline 3.11.5 could be revised to read:

Minimize exterior lighting impacts on neighbors:

- All permanent exterior light fixtures should utilize shields so that no bulb is visible and to ensure that light is directed to the ground surface and does not spill light onto neighboring parcels or produce glare when seen from nearby homes.
- Decorative residential light fixtures are preferred ~~should be chosen~~ rather than strictly utilitarian security lighting fixtures.

PUBLIC COMMENTS:

Public comments received by 11:00 a.m., Friday, August 21, 2020 are included as Exhibit 8.

CONCLUSION:

A. Recommendation

Based on the direction of the Town Council Policy Committee, staff recommends that the Planning Commission review the information included in the staff report and forward a recommendation to the Town Council for approval of the amendments to Chapter 29 of the Town Code in the Draft Ordinance and the modifications proposed to the Residential Design Guidelines. The Commission should also include any comments or recommended changes in taking the following actions:

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)] (Exhibit 1);

CONCLUSION (continued):

2. Make the required finding that the amendments to Chapter 29 of the Town Code in the Draft Ordinance are consistent with the General Plan (Exhibit 1);
3. Make the required finding that the modifications to the Residential Design Guidelines are consistent with the General Plan (Exhibit 1);
4. Forward a recommendation to the Town Council for approval of the amendments to Chapter 29 of the Town Code in the Draft Ordinance (Exhibit 6); and
5. Forward a recommendation to the Town Council for approval of the proposed modifications to the Residential Design Guidelines (Exhibit 7).

B. Alternatives

Alternatively, the Commission can:

1. Forward a recommendation to the Town Council for approval of the Draft Ordinance and proposed modifications to the Residential Design Guidelines with modifications; or
2. Forward a recommendation to the Town Council for denial of the Draft Ordinance and proposed modifications to the Residential Design Guidelines; or
3. Continue the matter to a date certain with specific direction.

EXHIBITS:

1. Required Findings
2. Town Council Policy Committee Minutes, October 22, 2019
3. Town Council Policy Committee Minutes, November 25, 2019
4. Town Council Policy Committee Minutes, January 28, 2020
5. Town Council Policy Committee Minutes, July 28, 2020
6. Draft Ordinance
7. Draft Modifications to the Residential Design Guidelines
8. Public comments received by 11:00 a.m., Friday, August 21, 2020