



**TOWN OF LOS GATOS  
PLANNING COMMISSION  
REPORT**

MEETING DATE: 6/22/2022

ITEM NO: 3

DESK ITEM

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DATE: June 22, 2022  
TO: Planning Commission  
FROM: Joel Paulson, Community Development Director  
SUBJECT: Review and Recommendation of the Draft Objective Standards to the Town Council.

DISCUSSION:

Exhibit 8 includes suggestions from a Planning Commissioner for additions and modifications to the Draft Objective Standards based on the Palo Alto Objective Standards, which were included as Exhibit 7 to the June 22, 2022, Addendum Report.

EXHIBITS:

Previously received with the June 22, 2022, Staff Report:

1. Town Council Resolution 2019-053
2. Summary of feedback received during community engagement meetings
3. Draft Objective Standards
4. Public Comments received prior to 11:00 a.m., Friday, June 17, 2022

Previously received with the June 22, 2022, Addendum Report:

5. Staff response to Commissioner's questions
6. Issues considered by the Objective Standards Subcommittee
7. Commissioner email regarding City of Palo Alto Objective Standards

Received with this Desk Item Report:

8. Suggested additions and modifications provided by a Planning Commissioner

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Senior Planner Associate Planner

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Reviewed by: Planning Manager and Community Development Director

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## **JAB Proposed Considerations Regarding Town of Los Gatos based on City of Palo Alto Objective Standards**

### **1. Page 52 – Possible Introduction:**

Housing development Development projects Projects are required to comply with objective standards in order to take advantage of streamlined review pursuant to Section 18.77.073; . However, applicants may choose to forgo one or more objective standards, in which case the housing development project no longer meets the definition of a Housing Development Project and will be evaluated to the spirit of the relevant intent statements based on Context-Based Design Criteria for the zoning district.

### **2. Page 55 – Hierarchy in Site Circulation and Access**

18.24.030 Site Access

#### **(a) Contextual Design Criteria Intent Statement**

To provide facilities and accommodations for pedestrians, vehicles, cyclists, and transit users to safely and efficiently access and circulate both within individual sites and in the site's surrounding context. Site access should include the following elements:

(1) Site circulation and access that presents a clear hierarchy and connectivity pattern both within a project and to adjacent sidewalks and transit stops. This hierarchy should prioritize pedestrians, bikes, vehicles, and utility/loading access in the order listed. This hierarchy may provide separate access for vehicles and other modes, or demonstrate how all modes are accommodated in shared access points.

(2) Connections to side streets, open spaces, mews, alleys, and paseos

(3) Vehicle, loading and service access that is integrated into building and landscape design and located to prevent conflicts with pedestrians and cyclists, while also provided convenient access to building entries.

(3)(4) Shared access agreements among property owners, where feasible, to reduce

### **3. Page 56 - Loading Docks**

(4) Loading Docks and Service Areas.

Loading and service areas shall be integrated into building and landscape design and located to minimize impact on the pedestrian experience as follows:

(A) Loading docks and service areas shall be located on facades other than the primary building frontage: on alleys, from parking areas, and/or at the rear or side of building if building includes these frontages. When only primary building frontage is available, loading docks and service areas shall be recessed a minimum five feet from the primary façade and shall be screened in accordance with Chapter 18.23.050.

(B) Loading dock and service areas located within setback areas shall be screened in accordance with Chapter 18.23.050 and separated from pedestrian access to the primary building entry to avoid impeding pedestrian movement and safety.

#### **4. Pages 56-57 – Corner Buildings Less Than 40 Feet**

(b) Objective Design Standards

(1) Treatment of Corner Buildings (less than 40 feet)

Corner buildings less than 40 feet in height and end units of townhouses or other attached housing products that face the street shall include the following features on their secondary building frontage:

(A) A height to width ratio greater than 1.2:1

(B) A minimum of 15 percent fenestration area.

#### **5. Pages 57-59 – Corner Buildings More Than 40 Feet**

(2) Treatment of Corner Buildings (40 feet and higher)

Corner buildings 40 feet or taller in height shall include at least one of the following special features:

(A) Street wall shall be located at the minimum front yard setback or build-to line for a minimum aggregated length of 40 feet in length on both facades meeting at the corner and shall include one or more of the following building features: (continued)

#### **6. Page 76 – Entry Dimensions**

(A) Building Entries Within Façade Design

(i) Primary building entries shall be scaled proportionally to the number of people served (amount of floor-area or number of units accessed). Building entries inclusive of doorway and facade plane shall meet the following minimum

dimensions:

- a. Individual residential entries: five feet in width
- b. Shared residential entry, such as mixed-use buildings: 8 feet in width
- c. Commercial building entry: 20 feet in width
- d. Storefront entry: six feet in width

(ii) Primary building entries (not inclusive of individual residential entries) shall include a façade modulation that includes at least one of the following:

- a. A recess or projection from the primary façade plane with a minimum depth of two feet.

#### **7. Pages 78-81 – More detailed objective standards for entries**

#### **8. Page 82 – Private Open Space**

b) Objective Design Standards

(1) Private Open Space

If Private Open Spaces is provided, it shall meet the following standards:

(A) Floor area shall include a clear space with a minimum dimension of a circle with a six-foot diameter.

(B) Minimum clear height dimension of 8'-6" feet

(C) Be accessed directly from a residential unit

(D) Balconies shall not be located within the daylight plane

(E) Notwithstanding subsection (a), ground floor patios shall meet the following minimum requirements:

(i) RM-20 and RM-30 districts: Minimum 100 square feet of area, the least dimension of which is eight feet for at least 75% of the area

(ii) RM-40 districts: Minimum 80 square feet of area, the least dimension of which is six feet for at least 75% of the area

(iii) Street facing private open space on the ground floor shall meet the finished floor height for ground floor residential standards in section 18.24.040(b)(4)

(2) If Common Open Space is provided, it shall meet the following standards:

(A) Minimum size of 200 square feet

(B) Area shall include a space with a minimum dimension of a circle with a 10-foot diameter.

(C) A minimum of 60% of the area shall be open to the sky and free of permanent weather protection or encroachments. Trellises and similar open-air features are permitted.

(D) Notwithstanding subsection (1), courtyards enclosed on four sides shall have a minimum dimension of 40 feet and have a minimum courtyard width to building height ratio of 1:1.25

### **9. Pages 120-122 - Streamlined Processing**

#### 18.77.073 Streamlined Housing Development Project Review Process

##### (a) Applicability

This section shall apply to applications for residential mixed-use and multifamily housing development projects, as defined in Government Code Section 65589.5(h)(2), that comply with all objective standards in this code and thereby qualify for streamlining under Government Code sections 65589.5 or 65905.5.

##### (b) Preliminary Board Review

Applicants are encouraged to seek preliminary review by the Architectural Review Board pursuant to Section 18.76.020(c) prior to submitting a formal application.

##### (c) Public Study Session

(1) Prior to preparing a written decision, the Director may, in his or her sole discretion, refer the application to the Architectural Review Board or to other advisory boards or committees for the purpose of determining whether minor adjustments to the application would result in closer adherence to the contextual design criteria and/or objective design standards contained in Chapter 18.24. An application should normally not be considered at more than one meeting of the Architectural Review Board.

(2) Notice of a public meeting to consider the application shall be given at least 7 days prior to the meeting by mailing to the applicant and all residents and owners of property

2.b

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within 600 feet of the project. Notice shall include the address of the property, a brief description of the proposed project, and the date and time of the hearing.

(d) Decision by the Director

(1) The Director shall prepare a written decision to approve the application, approve it with conditions, or deny it.

(2) Neither the Director, nor the City Council on appeal, shall approve an application unless it is found that:

(A) The application complies with all applicable and objective standards in the Comprehensive Plan, the Palo Alto Municipal Code, and other City plans or policies.

(B) Approving the application will not result in a specific, adverse, impact upon the public health or safety, which cannot feasibly be mitigated or avoided in a satisfactory manner. As used in this Section, a “specific, adverse impact” means a significant, quantifiable, direct, and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete.

(3) Notice of the proposed director’s decision shall be given by mail to owners and residents of property within 600 feet of the property, and by posting in a public place. The notice shall include the address of the property, a brief description of the proposed project, a brief description of the proposed director’s decision, the date the decision will be final if it is not appealed, and a description of how to file an appeal.

(4) The Director’s decision shall become final 10 days after the date notice is mailed unless an appeal is filed.

(e) Appeals

(1) Any party, including the applicant, may file an appeal of the Director’s decision in written form in a manner prescribed by the director.

(2) An appeal seeking disapproval of a project or a reduction in density shall be limited to the grounds that both of the following exist:

(A) The project would have a specific, adverse impact upon the public health or safety unless the project is disapproved or approved upon the condition that the project be developed at a lower density. And

(B) There is no feasible method to satisfactorily mitigate or avoid the adverse impact identified pursuant to subsection (d)(2)(B)(i), other than the disapproval of the housing development project or the approval of the project upon the condition that it be developed at a lower density.

(f) Decision by the City Council

At the Director's discretion, an appeal may be set for hearing before the City Council or may be placed on the Council's consent calendar, within 45 days. The city council may:

(1) Adopt the findings and decision of the director; or

(2) If the item is on the consent calendar, city council may remove the appeal from the consent calendar, which shall require three votes, and direct that the appeal be set for a new noticed hearing before the city council, following which the city council shall adopt findings and take action on the application.

(g) Final Decision by the Council

The decision of the council on the appeal is final.