

**ORDINANCE NO. 2015-414**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY  
OF LOS ALTOS AMENDING TITLE 14 ZONING OF THE  
LOS ALTOS MUNICIPAL CODE**

**WHEREAS**, the City of Los Altos initiated an application (15-CA-03) to amend Title 14 of the Los Altos Municipal Code pertaining to updating the personal service definition to include pet grooming and tutoring centers; clarifying what constitutes front yard landscaping in R1 districts; setting a threshold for covering basement light wells; establishing reduced side yard setbacks for narrow lots in the R1-20 District; clarifying how to measure a pool setback; updating the permitted uses in the OA District to be consistent with the office-administrative definition; correcting where medical office uses can be located in the CRS District; removing an outdated code section related to nonconforming structures; updating height limitations to allow solar and PV panels to exceed the height limit in non-R1 districts; requiring off-site parking agreements to be subject to public review; and correcting references to the Sign Ordinance, referred herein as the “CA”; and

**WHEREAS**, said CA has been reviewed and considered by the City Council in accordance with the provisions of the California Environmental Quality Act of 1970 (CEQA), as amended, and the guidelines promulgated thereunder, and Council finds that it can be seen with certainty that there are no significant environmental impacts on the environment resulting from these amendments and said amendments are therefore exempt from the requirements of the CEQA; and

**WHEREAS**, required public notices and public hearings were duly given and duly held according to law; and

**WHEREAS**, the Planning and Transportation Commission held a duly noticed public hearing on the CA on July 16, 2015 and the City Council held a duly noticed public hearing on the CA on August 25, 2015; and

**WHEREAS**, the CA was processed in accordance with the applicable provisions of the California Government Code and the Los Altos Municipal Code; and

**WHEREAS**, the location and custodian of the documents or other materials which constitute the record of proceedings upon the City Council’s decision is based in the Office of the City Clerk.

**NOW THEREFORE**, The City Council of the City of Los Altos does hereby ordain as follows:

**SECTION 1. AMENDMENT OF CODE:** Portions of Section 14.02.070 of Chapter 14.02 of the Los Altos Municipal Code entitled “Definitions” are hereby amended as follows:

“Personal service” means a use, not conducted within an office, providing services for the personal care of an individual or the fitting, cleaning, repair, or maintenance of personal effects and not primarily for the sale of goods or merchandise. Personal services include beauty shops, barber shops and nail salons, pet grooming, shoe repair, laundry and cleaning services, repair and fitting of clothes, and other similar services. Personal

services also include art, dance, music, tutoring centers, ~~and~~ fitness studios and health clubs that do not exceed seven thousand (7,000) gross square feet.

**SECTION 2. AMENDMENT OF CODE:** A portion of Section 14.06.080 of Chapter 14.06, Section 14.08.080 of Chapter 14.08, Section 14.10.080 of Chapter 14.10 and Section 14.12.080 of Chapter 14.12 of the Los Altos Municipal Code entitled “Setbacks” is hereby amended as follows:

B. A minimum of fifty (50) percent of the required front yard area shall be a combination of pervious landscape material and landscape.

**SECTION 3. AMENDMENT OF CODE:** A portion of Section 14.06.110 of Chapter 14.06, Section 14.08.110 of Chapter 14.08, Section 14.10.110 of Chapter 14.10 and Section 14.12.110 of Chapter 14.12 of the Los Altos Municipal Code entitled “Basements” is hereby partially amended as follows:

A. Basements shall not extend beyond the floor area of the first floor footprint of the main or accessory structure above;

D. Light wells, ingress and egress wells, patio wells, and other similar elements shall be at least 75 percent open in area to light and air above.

**SECTION 4. AMENDMENT OF CODE:** A portion of Section 14.10.080 of Chapter 14.10 of the Los Altos Municipal Code entitled “Setbacks” is hereby partially amended as follows:

G. On a lot less than 100 feet in width, the minimum width of side yards shall be as required for lots in the R1-10 District per Section 14.06.080.

**SECTION 5. AMENDMENT OF CODE:** A portion of Section 14.06.120 of Chapter 14.06, Section 14.08.120 of Chapter 14.08, Section 14.10.120 of Chapter 14.10 and Section 14.12.120 of Chapter 14.12 of the Los Altos Municipal Code entitled “Accessory structures, outdoor barbeques and swimming pools” is hereby partially amended as follows:

D. Swimming pools, hot tubs, and spas located within the required rear yard setback shall be set back a minimum of five feet from any property line. The setback shall be measured from the outside edge of the pool structure. Said structures shall not be located in a required front or side yard setback area.

**SECTION 6. AMENDMENT OF CODE:** Section 14.34.040 of Chapter 14.34 of the Los Altos Municipal Code entitled “Permitted Uses (OA)” is hereby amended as follows:

**Permitted uses (OA).**

The following uses shall be permitted in the OA Districts:

A. Accessory structures and uses customarily incidental to permitted uses;

~~B. Banks and savings and loan institutions, excluding drive-in facilities;~~

~~C. Copy reproduction shops;~~

~~D. Office-administrative uses; services;~~

~~E. Travel agencies;~~

~~F. D. Parking spaces and loading areas; and~~

~~G. E. Other uses which are determined by the Commission and the Council to be of the same general character.~~

**SECTION 7. AMENDMENT OF CODE:** Section 14.36.040 of Chapter 14.36 of the Los Altos Municipal Code entitled “Permitted Uses (OA-1 and OA-4.5)” is hereby partially amended as follows:

- A. Office-administrative uses ~~services~~;

**SECTION 8. AMENDMENT OF CODE:** Section 14.36.040 of Chapter 14.36 of the Los Altos Municipal Code entitled “Conditional Uses and Structures (CRS)” is hereby partially amended as follows:

- G. Medical and dental clinics, except when located in a ground floor building space that fronts directly onto First Street, Main Street or State Street;
- H. Medical and dental offices that are five thousand (5,000) gross square feet or more, except when located in a ground floor building space that fronts directly onto First Street, Main Street or State Street; and

**SECTION 9. AMENDMENT OF CODE:** Section 14.66.080 of Chapter 14.66 of the Los Altos Municipal Code entitled “Nonconforming Structures - Elimination” is hereby deleted.

**~~14.66.080 – Nonconforming structures—Elimination.~~**

- ~~A. A nonconforming structure having an assessed valuation of not more than five hundred dollars (\$500.00) shall be removed from its site on or before March 6, 1961.~~
- ~~B. All other nonconforming structures, except dwellings, shall be removed from their sites or altered to comply with the regulations for the district within which the site is located within the periods of time as specified in the following schedule:~~
  - ~~1. For structures defined in the Building Code of the city as Type 1, fifty (50) years from the date the structure was originally erected;~~
  - ~~2. For structures defined in the Building Code of the city as Type 2 or Type 3, forty (40) years from the date the structure was originally erected; and~~
  - ~~3. For structures, defined in the Building Code of the city as Type 4 or Type 5, thirty-five (35) years from the date the structure was originally erected.~~
- ~~C. Restoration, additions to, or remodeling of a structure, or any part thereof, shall not be deemed to have extended the structure's lifetime beyond the periods of time as specified in this chapter for the original structure, unless such restoration, addition, or remodeling results in the structure's full compliance with the required provisions for the district within which the site is located.~~
- ~~D. Whenever a structure becomes nonconforming because of a change of district or a change of the regulations for the district in which the site is located, the period of time prescribed for the removal of the structure shall be computed from the effective date of the change of district or regulations.~~

**SECTION 10. AMENDMENT OF CODE:** Section 14.66.240 of Chapter 14.66 of the Los Altos Municipal Code entitled “Height Limitations – Exceptions” is hereby partially amended as follows:

- A. Towers, spires, cupolas, chimneys, flagpoles, radio and television antennas, and transmission towers, except as noted below, may be erected to a height not more than fifteen (15) feet above the height limit prescribed by the regulations for the

district in which the site is located, excluding R1 districts, provided no such structure shall be used for dwelling purposes or for commercial or advertising purposes.

- E. Completely enclosed penthouses or other similar roof structures for the housing of elevators, stairways, tanks, or electrical or mechanical equipment required to operate and maintain the building, solar thermal and photovoltaic panels, ~~and~~ parapet walls and skylights may project not more than eight feet above the roof and the permitted building height, provided the combined area of all roof structures, excluding solar thermal and photovoltaic panels, does not exceed four percent of the gross area of the building roof. However, no penthouse or roof structure or any space above the height limit shall be allowed for the purpose of providing additional usable floor space for dwelling, retailing, or storage of any type.

**SECTION 11. AMENDMENT OF CODE:** Section 14.74.170 of Chapter 14.74 of the Los Altos Municipal Code entitled “Common Parking Facilities” is hereby amended as follows:

**14.74.170 - Common parking facilities.**

- A. Parking space requirements prescribed in this chapter may be satisfied by the permanent allocation of the required area or number of spaces for each permitted use in a common parking facility, cooperatively established and operated, either under private auspices or a public assessment district, which includes the site of any use permitted under this chapter, provided the total number of spaces allocated shall be not less than the sum of the individual requirements, and provided also that the parking facility shall be within three hundred (300) feet of the site of the permitted use, and further provided that the parking facility meets the design standards set forth in this chapter.
- B. The Planning and Transportation Commission shall review and approve a common parking facility proposal to ensure that it meets the intent of this chapter.
- C. When off-site parking spaces are provided a common parking facility is approved as prescribed per subsections A and B, appropriate legal documents, as approved by the City Attorney and the City Planner, shall be executed to insure permanent use of such spaces.

**SECTION 12. AMENDMENT OF CODE:** The section in chapters 14.06, 14.08, 14.10, 14.12, 14.16, 14.18, 14.20, 14.22, 14.24, 14.34, 14.36, 14.40, 14.42, 14.44, 14.48, 14.50, 14.52, 14.54, 14.56, 14.58, 14.60, 14.62 of the Los Altos Municipal Code entitled “Signs” is hereby amended as follows:

**Signs**

As provided in Chapter ~~14.04~~ 14.68 of this code.

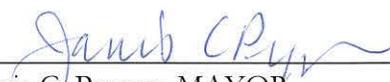
**SECTION 13. CONSTITUTIONALITY.** If any section, subsection, sentence, clause or phrase of this code is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this code.

**SECTION 14. PUBLICATION.** This ordinance shall be published as provided in Government Code section 36933.

**SECTION 15. EFFECTIVE DATE.** This ordinance shall be effective upon the commencement of the thirty-first day following the adoption date.

The foregoing ordinance was duly and properly introduced at a regular meeting of the City Council of the City of Los Altos held on August 25, 2015 and was thereafter, at a regular meeting held on September 8, 2015 passed and adopted by the following vote:

AYES: BRUINS, PEPPER, PROCHNOW, SATTERLEE  
NOES: NONE  
ABSENT: MORDO  
ABSTAIN: NONE

  
\_\_\_\_\_  
Janis C. Pepper, MAYOR

Attest:

  
\_\_\_\_\_  
Jon Maginot, CMC, CITY CLERK



STATE OF CALIFORNIA )  
COUNTY OF SANTA CLARA ) CERTIFIED COPY OF ORDINANCE  
CITY OF LOS ALTOS ) SECOND READING/ADOPTION

I, Jon Maginot, City Clerk for the City of Los Altos in said County of Santa Clara, and State of California, do hereby certify that the attached is a true and correct copy of Ordinance No. 2015-414, adopted by the Los Altos City Council on September 8, 2015 by the following vote:

AYES: BRUINS, PEPPER, PROCHNOW, SATTERLEE  
NOES: NONE  
ABSENT: MORDO  
ABSTAIN: NONE

I hereby further certify that a summary of the ordinance was published in accordance with Government Code Section 36933 on the following dates: September 2, 2015 and September 16, 2015. Said ordinance shall be effective October 9, 2015

Dated this 12th day of November, 2015.

  
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Jon Maginot, CMC  
City Clerk