



E. Objectives of the Hillside Development Standards and Guidelines

The following objectives are intended to implement the Town of Los Gatos' vision statement for its hillside and to ensure that all development is in compliance with the goals, policies, and implementing strategies of the General Plan.

1. Ensure high quality projects.
2. Ensure that projects are designed to fit with and avoid the site constraints.
3. Minimize the potential for geologic failures, fires, and floods that result from or adversely impact new development.
4. Maintain the natural appearance of the hillsides from all vantage points including the valley floor.
5. Protect ridgelines from development.
6. Maximize contiguous natural open space.
7. Maintain the rural, natural, open space character of the hillsides.
8. Promote residents enjoyment of the hillsides, including the creation of hillside hiking/biking trails.
9. Ensure that development does not dominate, but rather visually blends and achieves harmony between the natural and built environment.
10. Conserve the natural features of the site such as topography, natural drainage, vegetation, wildlife habitats, movement corridors and other physical features.
11. Promote sustainability.
12. Incorporate the above objectives in a development's overall site plan

Photo by Deborah Ellis



F. Standards versus Guidelines

The Hillside Development Standards and Guidelines contain both standards and guidelines. Standards are mandatory nondiscretionary regulations that must be followed. The words “shall” or “prohibited” denotes a standard or mandatory regulation. Guidelines are discretionary. They are statements that present good ideas or recommendations on how to achieve the objectives established by these Hillside Development Standards and Guidelines. The word “should” denotes a guideline. If a statement does not include the words “shall” or “prohibited” it is a guideline.

Development plans must demonstrate full compliance with all standards, and substantial compliance with all applicable guidelines whenever site conditions require and there is not a substantial reason why the guideline should not be followed. The degree to which a guideline is addressed and the method used to comply is flexible. If an applicant believes a standard or guideline does not apply to their project the burden is on the applicant to demonstrate why and to suggest or provide a creative solution that still meets the intent of the goal and objectives of the HDS&G.

Site characteristics and constraints along with the implementation of the Hillside Standards & Guidelines may not allow a specific site to achieve the maximum density or intensity otherwise permitted by the Zoning Ordinance.

When a conflict arises between the implementation of two standards or two guidelines, a design solution will be sought that balances the objectives of the two standards or guidelines. However, when a conflict arises between a standard and a guideline the standard shall take precedence.

G. Relationship of the Hillside Development Standards and Guidelines to the Town’s General Plan, Zoning Ordinance and Los Gatos Hillside Specific Plan

The Hillside Development Standards & Guidelines are used along with other policy plans and regulatory documents adopted by the Town. These include the General Plan, Zoning Ordinance, Blossom Hill Comprehensive Open Space Study and Hillside Specific Plan. It is important that anyone intending to build or grade in the Town’s hillside area become familiar with these documents.

The Los Gatos General Plan contains many important goals and policies that are designed to preserve the natural character of the Town’s hillside areas. All projects must be consistent with the goals and policies of the General Plan.

The Los Gatos Zoning Ordinance establishes allowable land uses for all properties, regulates the intensity of development, and establishes the density of new subdivisions.

The Hillside Specific Plan addresses hillside development through its expression of two main goals: (1) preserve the irreplaceable natural environment of the mountains, and (2) address the



differences in development policies, regulations, and standards between the Town and County and to study possible new standards that could be adopted by the County.

H. Project Review and Approval Process.

The Town's process for reviewing and approving development projects in the hillside areas is discussed in Chapter IX.





II. CONSTRAINTS ANALYSIS AND SITE SELECTION

A. Prior to Selecting a Building Site.

1. Constraints analysis.

Each development application subject to the Hillside Development Standards and Guidelines shall be accompanied by a constraints analysis when it is deemed necessary by the Town to identify the most appropriate area or areas on the lot for locating buildings given the existing constraints of the lot. This is a critical step in the overall planning and design of projects in the hillsides. When all constrained areas have been identified and mapped, the remaining area(s) will be designated as the "LEAST RESTRICTIVE DEVELOPMENT AREA" (LRDA). These are the areas most appropriate for development.

To ensure that new development is sensitive to the goal and objectives of the Hillside Development Standards and Guidelines and respects the existing site constraints, the following elements shall be mapped by appropriate professionals and taken into consideration when determining a site's LRDA:

- Topography, with emphasis on slopes over 30%
- Vegetation such as individual trees, groupings of trees and shrubs, habitat types
- Drainage courses and riparian corridors
- Septic systems
- Geologic constraints including landslides and active fault traces
- Wildlife habitats and movement corridors
- Visibility from off site
- Areas of severe fire danger
- Solar orientation and prevailing wind patterns
- Significant Ridgelines



Many of the above topics are covered in more detail in Chapter II.B. and Chapter III. The accurate determination of the LRDA early in the planning process could avoid delays once an application has been submitted. Site specific studies such as geotechnical or other environmental evaluations, tree survey and/or topographic survey may be necessary to accurately determine the LRDA.



2. Consultation with Neighbors.

Before siting and designing the house and landscaping, the property owner, architect or builder should meet with neighbors to discuss any special concerns they might have. Resolution of issues early in the design process can save time and cost as well as reducing the processing time for applications. If a conflict occurs between a property owner's desire to develop their property and legitimate issues raised by a neighbor, a design solution will be sought that attempts to balance all issues or concerns that are raised by both parties.

3. Pre-application meeting/staff consultation/site visit.

Before designing a project, the property owner/architect/builder is strongly encouraged to meet with Town staff to consider a building location that best preserves the natural terrain and landscape of the lot and positively addresses the objectives of the Hillside Development Standards and Guidelines. On heavily wooded lots, or on lots where trees may be impacted by proposed development, an arborist's report shall be prepared which evaluates potential tree impacts. The report shall be prepared at the applicant's expense.

B. Visibility Analysis.

1. Viewing areas.

Each development project with the potential for being visible (see glossary for definition) from any established viewing area shall be subject to a visibility analysis. ("Potential" is defined as capable of being seen from a viewing area if trees or large shrubs are removed, significantly pruned, or impacted by construction.) The visibility analysis shall be conducted in compliance with established Town procedures using story poles that identify the building envelope. After installing the story poles, the applicant shall take photographs of the project from appropriate established viewing areas that clearly show the story poles and/or house and subject property. Visual aids such as photo simulations or three dimensional illustrations and/or a scale model may be required when it is deemed necessary to fully understand the impacts of a proposed project.

The following steps shall be taken in completing a visibility analysis:

- a. Install story poles per adopted policy.
- b. After the installation of story poles, photographs of the project shall be taken from the applicable viewing areas using 50 MM and 300 MM lenses. Other location(s) as deemed appropriate by the Community Development Director may be chosen in addition to the existing viewing areas.



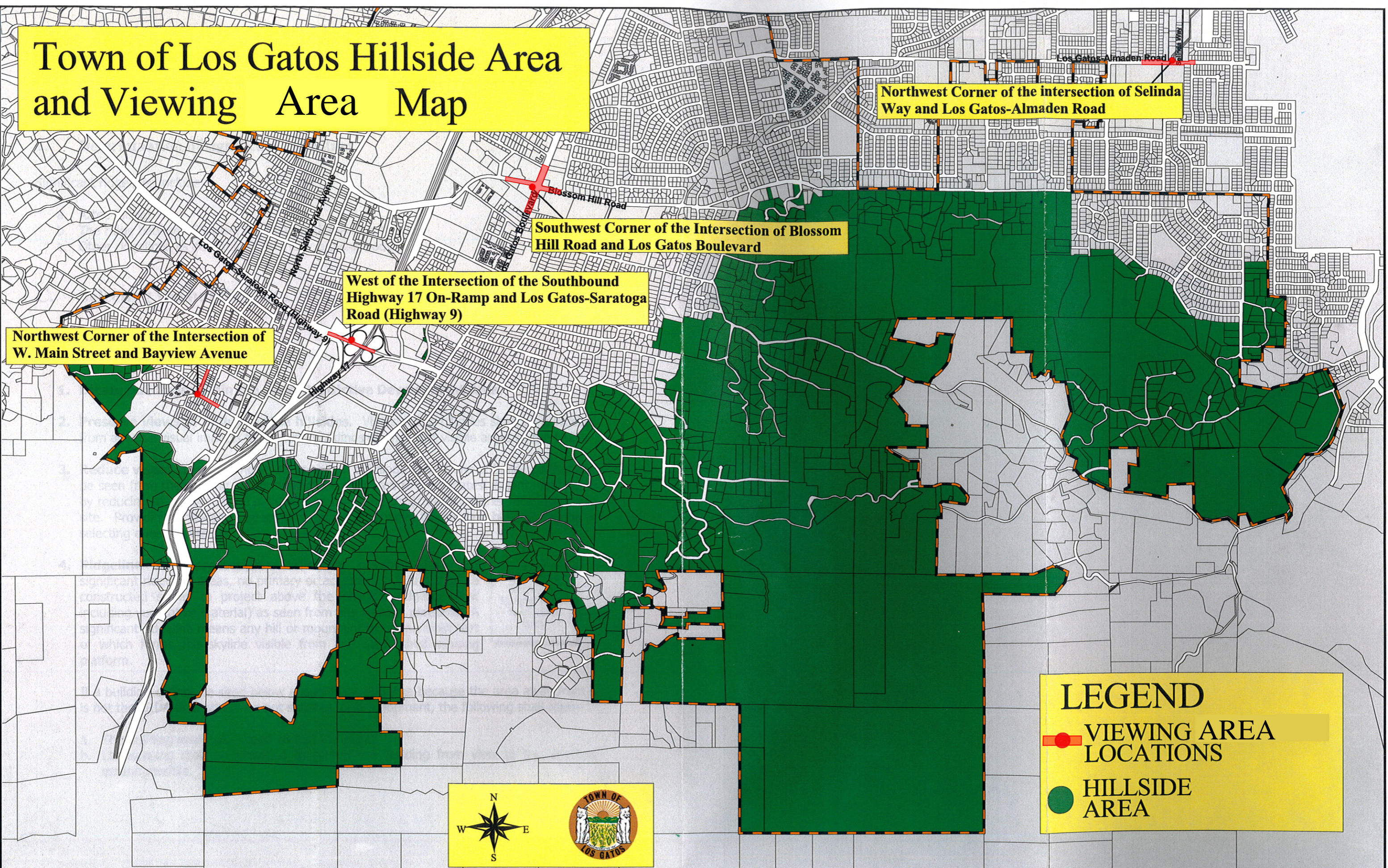
- c. A photograph with a 50 MM lens will represent the visibility of the proposed residence from the naked eye.
- d. A photograph with a 300 MM lens will represent an up-close perspective and help identify any visible story poles, netting, trees, and/or shrubbery.
- e. Existing vegetation and/or landscaping proposed to be removed entirely or partially shall not be included in the visibility analysis.
- f. If determined necessary by the Community Development Director, three dimensional illustrations or photo simulations of the structure may be required.
- g. A visible home is defined as a single-family residence where 24.5% or more of an elevation can be seen from any of the Town's established viewing areas, and/or determined by the Community Development Director. Percentages shall be rounded to the nearest whole number.
- h. A Deed Restriction shall be required that identifies the on-site trees that were used to provide screening in the visibility analysis and requires replacement screening pursuant to the Hillside Development Standards and Guidelines and/or the Tree Protection Ordinance, if these trees die or are removed.
- i. Trees with a poor health rating (less than 50 percent overall condition rating) shall not be included in the visibility analysis.
- j. The Community Development Director shall determine if the use of a third party consultant is required to peer review an applicant's visibility analysis.
- k. A five-year Maintenance Agreement shall be required for on-site trees that were used to provide screening in the visibility analysis and requires their preservation.

The locations of the viewing areas are shown on the map on the next page, and are as follows:

1. Blossom Hill Road/Los Gatos Boulevard
2. Los Gatos - Almaden Road/Selinda Way (across from Leigh High School)
3. Hwy 17 overcrossing/Los Gatos - Saratoga Road (Highway 9)
4. Main Street/Bayview Avenue
5. Other location(s) as deemed appropriate by the Community Development Director

Viewing area locations are intended to provide a general vicinity for the visibility analysis and photo locations. Where there are obstructions (buildings, signs, or foreground vegetation) that block a clear and unobstructed view of the site, the origination point shall be adjusted in consultation with staff to the nearest point that provides a clear and unobstructed view by moving away from the viewing area location along a public road up to 500 feet in any direction.

Town of Los Gatos Hillside Area and Viewing Area Map





Northwest Corner of the intersection of Selinda Way and Los Gatos-Almaden Road

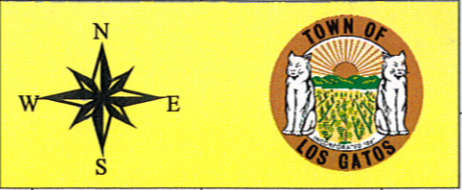
Southwest Corner of the Intersection of Blossom Hill Road and Los Gatos Boulevard

West of the Intersection of the Southbound Highway 17 On-Ramp and Los Gatos-Saratoga Road (Highway 9)

Northwest Corner of the Intersection of W. Main Street and Bayview Avenue

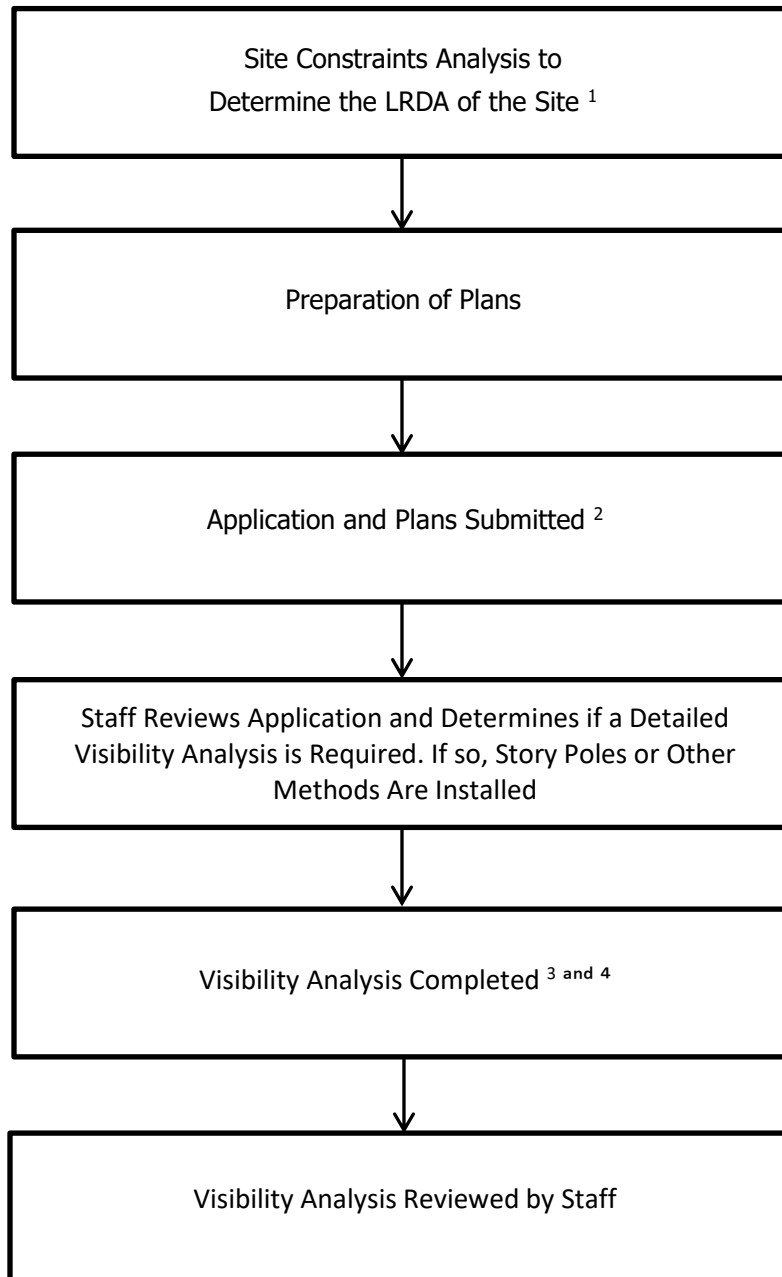
LEGEND

-  VIEWING AREA LOCATIONS
-  HILLSIDE AREA





2. Visibility Analysis Processing Flow Chart



¹ Page 12 and page 56 of the HDS&G <http://www.losgatosca.gov/DocumentCenter/View/168> and <http://www.losgatosca.gov/DocumentCenter/View/175>

² Page 63 of the HDS&G <http://www.losgatosca.gov/DocumentCenter/View/175>

³ Page 13 of the HDS&G <http://www.losgatosca.gov/DocumentCenter/View/168>

⁴ Division 2 – Tree Protection Ordinance https://library.municode.com/ca/los_gatos/codes/code_of_ordinances?nodeId=CO_CH29ZORE_ARTIINGE_DIV2TRPR



2. Determination of significant ridgelines.

Significant ridgelines include:

- a. Aztec Ridge;
- b. The ridge between Blossom Hill Road and Shannon Road;
- c. Other ridgelines as determined by the approving body

C. Selecting the building site.

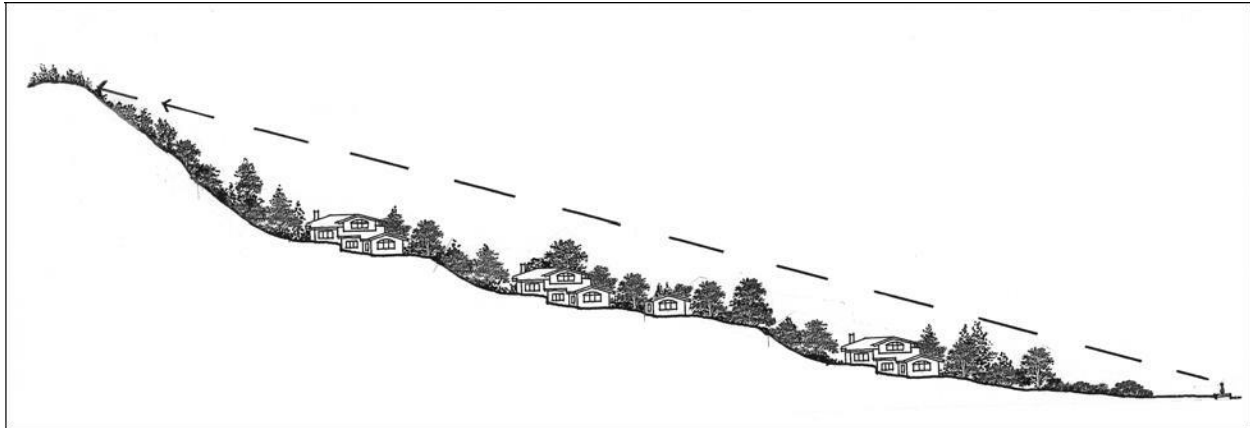
Standards:

1. **Locate buildings within the Least Restrictive Development Area.**
2. **Preserve views of highly visible hillsides.** Views of the hillsides shall be protected from adverse visual impacts by locating buildings on the least visible areas of the LRDA.
3. **Reduce visual impact.** The visual impact of buildings or portions of buildings that can be seen from the viewing areas shall be mitigated to the greatest extent reasonable by reducing the height of the building or moving the structure to another location on the site. Providing landscape screening is not an alternative to reducing building height or selecting a less visible site.
4. **Ridgeline view protection.** Whenever possible within the significant ridgeline areas, no primary or accessory building shall be constructed so as to project above the physical ridgeline (not including vegetative material) as seen from any viewing areas.

Refer to the
Blossom Hill
Comprehensive
Open Space
Study

If a building cannot be sited below a significant ridgeline because the area away from it is not the LRDA or is otherwise not suitable for development, the following shall apply:

- a. The building shall not exceed 18 feet in height.
- b. Landscaping shall be provided to screen the building from view to the greatest extent possible.



Houses do not project above significant ridgeline

- 5. Preserve natural features.** Existing natural features shall be retained to the greatest extent feasible and integrated into the development project. Site conditions such as existing topography, drainage courses, rock outcroppings, trees, significant vegetation, wildlife corridors, and important views will be considered as part of the site analysis and will be used to evaluate the proposed site design.
- 6. Avoid hazardous building sites.** Building in areas with more than 30 percent slope or areas containing liquefiable soil with poor bearing capacity, slide potential, fault rupture zones and other geotechnical or fire hazards shall be avoided unless no alternative building site is available.
- 7. Protect riparian corridors.** Building sites shall be set back an appropriate distance from riparian corridors to be determined on a site by site basis. Natural drainage courses should be preserved in as close to their natural location and appearance as possible.
- 8. Protect wildlife.** Existing wildlife usage of the site and in particular any existing wildlife corridors shall be identified and avoided to the maximum extent possible.

Guidelines:

- 1. Solar orientation.** Building sites should be selected to take maximum advantage of solar access.
- 2. Solar orientation.** Building sites should be selected to take maximum advantage of solar access.



- 3. Impact on adjacent properties.** Building sites should be located where they will have the least impact on adjacent properties and respect the privacy, natural ventilation and light, and views of neighboring homes.
- 4. Minimize grading.** The building site should be located to minimize grading.