

# APPLICATION FOR AN URBAN LOT SPLIT

## TOWN OF LOS GATOS - COMMUNITY DEVELOPMENT DEPARTMENT

110 E MAIN STREET, LOS GATOS, CA 95030

[PLANNING@LOSGATOSCA.GOV](mailto:PLANNING@LOSGATOSCA.GOV)

(408) 354-6872

**PLEASE SUBMIT APPLICATION WITH ALL REQUIRED DOCUMENTS VIA THE CITIZEN'S PORTAL:**

<https://permits.losgatosca.gov/Login-and-Manage-My-Records>

PLEASE TYPE OR PRINT CLEARLY

**1. PROPERTY LOCATION:**

Address of subject property \_\_\_\_\_

**Zoning:** ☐ R-1

☐ R-1D

☐ HR

**2. PROPERTY DETAIL:**

Lot Area: \_\_\_\_\_ APN: \_\_\_\_\_ Number of existing units: \_\_\_\_\_

**3. APPLICANT:**

Name \_\_\_\_\_ Phone: \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Email \_\_\_\_\_

**4. NAME OF PROPERTY OWNER: (If same as above, check here ☐)**

Name \_\_\_\_\_ Phone: \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Email \_\_\_\_\_

I hereby certify that I am the owner of record of the property described in Boxes #1 and 2 above, and that I approve of the action requested herein.

**SIGNATURE OF OWNER** \_\_\_\_\_ **DATE** \_\_\_\_\_

**DO NOT WRITE IN THIS SPACE.**

	FEES PAID:
PLPERMIT	\$ 1,643.00
PLTRACK	\$ 65.72
PLANAP	\$ 164.30
ENGDEV*	\$ 2,155.00
TOTAL	\$ 4,028.02

\*When applicable

The information contained in this application is considered part of the public record. Therefore, it will appear in both the public record file for the site address, which is available upon request, and on the permitting system on the official Town of Los Gatos website at [www.losgatosca.gov](http://www.losgatosca.gov).

# **Community Development Application Process Agreement**

## **Two-Unit Residential Development and Urban Lot Split Applications**

*This document explains the decision-making process used by the Town of Los Gatos for ministerial land-use related applications and permits being considered by the Community Development Director. All applicants and their representatives/professionals are required to read, understand, acknowledge, and sign this disclosure prior to their application being deemed complete and ready for consideration.*

Staff review of Two-Unit Residential Development and Urban Lot Split Applications are based solely on the application of the Town's General Plan, Zoning and other ordinances, Specific Plans, Guidelines, and adopted policies. Staff's role is not to advocate for or support the interests of the applicant, but to ensure compliance with the applicable regulations.

Those signing below grant the Town of Los Gatos release to copy and reproduce electronically, in whole or in part, drawings and all other materials submitted with this development application for the Town's regulatory, administrative, and legal functions, including sharing of information with other governmental entities and for compliance with the California Public Records Act.

***The undersigned have reviewed this document and acknowledge and agree to the statements above.***

**Property Owner:** \_\_\_\_\_

**DATE:** \_\_\_\_\_

**Architect/Designer:** \_\_\_\_\_

**DATE:** \_\_\_\_\_

**Civil Engineer:** \_\_\_\_\_

**DATE:** \_\_\_\_\_

**Other:** \_\_\_\_\_

**DATE:** \_\_\_\_\_



# OWNER AFFIDAVIT – URBAN LOT SPLIT APPLICATION

Community Development Department

Planning Division – 110 East Main Street, CA 95030 – Phone 408-354-6872

Property Address: \_\_\_\_\_ APN: \_\_\_\_\_

## Property Owner Information

Name: \_\_\_\_\_

City: \_\_\_\_\_

Address: \_\_\_\_\_

State: \_\_\_\_\_ Zip: \_\_\_\_\_

Email: \_\_\_\_\_

Phone: \_\_\_\_\_

## Declaration

I, [insert name] \_\_\_\_\_, declare and state:

1. I am the owner of record of the property described above.
2. I am proposing demolition or alteration of an existing housing unit.  
Yes: \_\_\_\_ (If “Yes”, fill out 2.a below)  
No: \_\_\_\_ (If “No”, skip 2.a below)  
  
2.a. The housing unit(s) proposed to be demolished or altered in connection with the above application for an Urban Lot Split is not subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of moderate, low, or very low income; is not subject to any form of rent or price control through a public entity’s valid exercise of its police power; and has not been occupied by a tenant at any time in the last three years [insert date of application] \_\_\_\_\_. [owner initial] \_\_\_\_.
3. I intend to occupy one of the housing units on the newly created parcels as my principal residence for a minimum of three years from either the date of approval of the urban lot split when the intent is to live in an existing residence, or three years from certificate of occupancy when the intent is to occupy a newly constructed residential unit.
4. Neither I, nor any person acting as my agent or representative, have or has acted in concert with another person to subdivide the subject parcel or an adjacent parcel using an Urban Lot Split.
5. If any existing dwelling unit is proposed to be demolished, I will replace the dwelling unit in compliance with the replacement housing provisions of Government Code Section 66300 (d).

I understand, agree, and authorize the Town of Los Gatos to undertake such action as it deems necessary to verify both the accuracy and veracity of this declaration. Such actions may include, but are not limited to, scheduled inspections and property record searches. I further authorize any person or entity contacted by the Town during such verification to release such pertinent information as the Town seeks.



# OWNER AFFIDAVIT – URBAN LOT SPLIT APPLICATION

Community Development Department  
Planning Division – 110 East Main Street, CA 95030 – Phone 408-354-6872

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If I fail to comply with this declaration, I authorize the Town of Los Gatos to pursue code enforcement or any other legal action authorized by law, to collect fines as described in the Los Gatos Municipal Code, and to recoup all reasonable attorneys' fees and costs associated with any enforcement of a violation of this Affidavit.

I declare under penalty of perjury of the laws of the State of California that the foregoing is true and correct.

Executed on (date): \_\_\_\_\_

Name (Print): \_\_\_\_\_

Signature: \_\_\_\_\_

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OFFICE USE ONLY

Application Number:		
Accepted By	Filing Date	
		By
		For the Director of Community Development      Date

**TOWN OF LOS GATOS  
COMMUNITY DEVELOPMENT DEPARTMENT**

**REQUIREMENTS FOR SUBMITTAL OF AN URBAN LOT SPLIT**

The following is a list of the minimum requirements for the submittal of plans to the Community Development Department. Applicants are to use this as a checklist to ensure completeness of the proposal.

**A. GENERAL REQUIREMENTS:**

- ☐ 1. Title each sheet "Urban Lot Split Plans."
- ☐ 2. Scale on each sheet.
- ☐ 3. North arrow on each sheet as applicable.
- ☐ 4. Sheet size not to exceed 24" x 36" size.
- ☐ 5. Plans fully dimensioned.
- ☐ 6. Address on each sheet.
- ☐ 7. Zoning Designation on cover sheet.

**B. PLAT OR SITE PLAN WITH THE FOLLOWING  
MINIMUM INFORMATION:**

- ☐ 1. All property lines (existing and proposed).
- ☐ 2. All existing building setbacks.
- ☐ 3. Use of all existing buildings.
- ☐ 4. Table including the following:
  - a. Lot area (existing and proposed);
  - b. Lot width (existing and proposed);
  - c. Lot depth (existing and proposed); and
  - d. Lot frontage (existing and proposed).
- ☐ 5. Name and address of owner, subdivider, and registered civil engineer or licensed surveyor.
- ☐ 6. Locations, names, and widths of all adjoining highways, streets or ways.
- ☐ 7. Widths, locations, and type of all existing or proposed easements, whether public or private.
- ☐ 8. Lot layout, including the dimension of each lot line, and exact square footage of each lot.
- ☐ 9. Existing contour lines showing one (1) foot contours for ground slopes of less than five (5) percent, and five (5) feet horizontal distance, and five-foot contours for ground slopes in excess thereof.

- ☐ 10. Location or vicinity map, date, north arrow, and scale.
- ☐ 11. Number or letter identification for each lot.
- ☐ 12. Location and outline of each existing building and an accompanying note as to whether or not it is to be removed.

**C. DOES THE PROPOSAL COMPLY WITH THE  
REQUIREMENTS OF ORDINANCE 2359:**

Yes No

- |                          |                          |   |
|--------------------------|--------------------------|---|
| <input type="checkbox"/> | <input type="checkbox"/> | 1. In a Single-Family Residential zone.   |
| <input type="checkbox"/> | <input type="checkbox"/> | 2. On a legal parcel.   |
| <input type="checkbox"/> | <input type="checkbox"/> | 3. On an historic property.   |
| <input type="checkbox"/> | <input type="checkbox"/> | 4. In a Very High Fire Hazard Severity Zone.  |
| <input type="checkbox"/> | <input type="checkbox"/> | 5. On a Hazardous Waste Site.   |
| <input type="checkbox"/> | <input type="checkbox"/> | 6. Located within an Earthquake Fault Zone.   |
| <input type="checkbox"/> | <input type="checkbox"/> | 7. Located in a Flood Zone.   |
| <input type="checkbox"/> | <input type="checkbox"/> | 8. Have natural habitat.  |
| <input type="checkbox"/> | <input type="checkbox"/> | 9. On prime farmland or wetlands.   |
| <input type="checkbox"/> | <input type="checkbox"/> | 10. New lot is no less than 40% of the existing lot.  |
| <input type="checkbox"/> | <input type="checkbox"/> | 11. New lot size is at least 1,200 square feet.   |
| <input type="checkbox"/> | <input type="checkbox"/> | 12. Lot has not previously been split by an urban lot split.  |
| <input type="checkbox"/> | <input type="checkbox"/> | 13. Existing building(s) cross new property line.   |
| <input type="checkbox"/> | <input type="checkbox"/> | 14. Two or fewer existing units on each proposed lot.   |
| <input type="checkbox"/> | <input type="checkbox"/> | 15. Demolition or alteration of existing affordable housing, rent/price-controlled housing, rental housing occupied by a tenant in the last three years, and/or housing subject to the Ellis Act. |

## **ADMINISTRATIVE PROCEDURE FOR THE PROCESSING OF APPLICATIONS FOR AN URBAN LOT SPLIT**

1. The following materials constitute an application package and must be submitted through the Town's online portal:
  - a. Completed Application Package, including Application Form, Process Agreement, Owner Affidavit, and Submittal Requirements Checklist.
  - b. Filing fee.
  - c. One set of plans to include the minimum submittal requirements (see attached).
  - d. Verification of property ownership and easements (grant deed and preliminary title report).
  - e. Comprehensive occupancy history if demolition or alteration of an existing housing unit is proposed.
  - f. One set of stamped, addressed envelopes for the neighbor notification letters. The Planning Department will assist the applicant in determining the neighboring properties to be notified.
2. The Director of Community Development reviews the application using the applicable Town Code requirements and Ordinance 2359, available online here:  
<https://www.losgatosca.gov/2703/Senate-Bill-9>.

### **Other Requirements**

1. If demolition is proposed, approval must be received from the Bay Area Air Quality Management District prior to obtaining a Building Permit. Contact the Building Division at 354-6876 for more information. When existing dwelling units are demolished with the urban lot split, replacement dwelling units must be constructed in accordance with the replacement housing provisions of Government Code Section 66300 (d).
2. The Town Engineer may require recording of easements necessary for the provision of future public services, facilities, and future public improvements.
3. The applicant shall submit a signed affidavit to the Community Development Director attesting that the applicant intends to occupy one of the newly created parcels as their principal residence for a minimum of three years from either the date of the approval of the urban lot split when the intent is to live in an existing residence or certificate of occupancy when the intent is to occupy a newly constructed residential unit.
4. If demolition or alteration is proposed, the applicant shall submit a signed affidavit to the Community Development Director attesting that the existing housing unit is not subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to a persons and families of moderate, low, or very low income; is not subject to any form of rent or price control; and has not been occupied by a tenant in the last three years.
5. At time of urban lot split approval, the Town will provide the deed restriction form for documenting that the new parcels shall be limited to residential uses only; leases for durations of less than 30-days on any primary dwelling unit are prohibited; no further subdivision using an Urban Lot Split is allowed; and that one of the parcels shall be used as the owner's principal

residence for a minimum of three years. The signed and notarized deed restriction form shall be submitted to the Planning Department prior to Urban Lot Split Parcel Map application with Parks and Public Works.

6. Following approval of the urban lot split, an Urban Lot Split Parcel Map shall be submitted (with fees paid) to the Parks and Public Works Department for review and County recordation of the map.