



MINUTES

Meeting of the
Scotts Valley City Council
Date: December 3, 2025
Time: 6:00 PM

CONTACT INFORMATION	MEETING LOCATION	POSTING
City of Scotts Valley 1 Civic Center Drive Scotts Valley, CA 95066 (831) 440-5600	City Council Chambers 1 Civic Center Drive Scotts Valley, CA 95066 OR Zoom Video Conference https://us02web.zoom.us/j/83295730901	The agenda was posted on 11-26-2025 at City Hall, SV Senior Center, SV Public Works Building, and on the Internet at www.scottsvally.gov .
CALL TO ORDER 6:00 PM		

The City Council meeting was called to order at 6:00 PM.

Mayor Timm announced that Bryleigh Zeller is Mayor for the Day and will open the meeting, lead the pledge of allegiance, and stay through public comment time.

PLEDGE OF ALLEGIANCE and MOMENT OF SILENCE

ROLL CALL

ELECTED OFFICIALS PRESENT: Derek Timm, Mayor Donna Lind, Vice Mayor Steve Clark, Council Member Krista Jett, Council Member Greg Wimp, Council Member MAYOR FOR THE DAY: Bryleigh Zeller	CITY STAFF MEMBERS PRESENT: Mali LaGoe, City Manager Kirsten Powell, City Attorney Ben Noble, Consultant Planner Cathie Simonovich, City Clerk
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COMMITTEE REPORTS

VM Lind attended a Santa Cruz Metropolitan Transit District (METRO) Board of Directors meeting where they received information on federal and state legislative updates which relate to the budget.

CITY MANAGER REPORT

Street Sweeping Enforcement Program: There are new "no parking" areas on Technology Circle and El Pueblo Drive to accommodate street sweeping, which is necessary for environmental reasons including protecting Carbonera Creek. The program started this week, and a lot of debris was removed.

Repair Work — Glenwood Drive: Public Works staff will be holding a mobilization meeting with Anderson Pacific this week regarding the necessary repair work due to the Glenwood Drive slide. City Manager LaGoe noted that residents can expect traffic control as one lane will be closed during construction.

Shop Local Win Local Holiday Campaign: This campaign was launched last week in partnership with the Chamber of Commerce to encourage people to shop local this holiday season. Simply spend \$10 or more at any local business and enter the receipt for a chance to win prizes. Full details can be found on the City's website.

Crafts and Cocoa Event: The Recreation Department will host the annual Crafts and Cocoa event on December 12. This is a fun family event with cookie decorating and much more.

Special Planning Commission Meeting: There will be a special meeting of the Planning Commission on December 4 at 7:30 PM to review the Town Center Environmental Impact Report (EIR) and the Town Center Specific Plan. This meeting will be held in the City Council Chambers.

New Drainage - Siltanen Park: The new drainage project between Siltanen and the Glenwood preserve is complete. The Santa Cruz Land Trust completed the retaining wall and the City followed up with the new drainage below the retaining wall.

PUBLIC COMMENT TIME

Mayor for the Day, Bryleigh Zeller, expressed that there should be more homes available for people who are homeless, and that this housing should be very affordable.

John Lewis spoke on behalf of Yes In My Back Yard (YIMBY) regarding the Town Center Specific Plan and feels that the plan falls short by 300 units in one parcel. In his opinion, this does not comply with the City's Housing Element.

Matthew Hakimi, a resident of Scotts Valley, feels that the pickleball courts are illegal, and also spoke about sewage issues, herbicide spraying, and soil toxicity.

Don Dietrich, a resident of Scotts Valley, expressed concern over the ingress and egress from the Valley Gardens project area, and suggested that this be on Mt. Hermon rather than Lockwood Lane.

CM Clark and CM Wimp attended the Scotts Valley Boys & Girls Club's annual *Clubsgiving* event and learned about the various programs and recreation activities. They also were able to see first-hand the improvements which are a direct result of the City's community grant program.

VM Lind thanked the Police Officers Association (POA) for the toy drive on Black Friday and noted that the POA will collect more toys at the tree lighting on Saturday, December 6 from 5:00 PM to 7:00 PM. All toys and non-perishable food donations will benefit Valley Churches United.

CM Wimp added that the Light up the Night celebration is a great community event with dancing, singing, and more.

CM Wimp noted that he enjoyed the event at the Boys and Girls Club, and the personal stories were particularly impactful.

ALTERATIONS TO CONSENT AGENDA

City Manager LaGoe requested that the special meeting minutes from November 19 be removed from the Consent Agenda in order to add more detail. These minutes will be updated and placed on the next City Council agenda.

M/S: Lind/Jett

To approve the Consent Agenda with the alteration of removing the 11-19-2025 special meeting minutes as noted above.

Carried 5/0 (AYES: Timm, Lind, Clark, Jett, Wimp)

CONSENT AGENDA

1. Approve City Council Special Meeting minutes of 11-19-2025 and Regular Meeting minutes of 11-19-2025
2. Approve check register dated 11-15-2025 through 11-26-2025
3. Approve Resolution No. 1955.32 Affirming the City Salary Schedules are Monthly Amounts
4. Approve Resolution No. 2076.1 Continuing the Declared Emergency for the Glenwood Drive Slide Pursuant to Public Contract Code §1102 and Authorizing the City Manager to Cause the Repair of the Slide Pursuant to Public Contract Code §§22035 and 22050.

5. Approve contract amendment with Ross Recreation Equipment, Inc. to add 10% contingency and amend scope of work to include unanticipated drainage work

PUBLIC HEARINGS

Due to the timing of the public hearing, this item was heard after Regular Agenda Item 1.

1. Public hearing to consider the Planning Commission's recommendation to amend Scotts Valley Municipal Code Title 16 (Subdivisions) and Title 17 (Zoning) to clarify requirements for accessory dwelling units, junior accessory dwelling units, urban lot splits, SB 9 residential development, and ministerial design review

City Manager LaGoe introduced this item, and Ben Noble, Contract Planner, presented this item. Contract Planner Noble and staff responded to questions from the Council.

Mayor Timm opened the public hearing at 7:49 PM. No members of the public came forward to speak on this item, and Mayor Timm closed the public hearing at 7:49 PM.

A letter received from CalHDF was received on December 3, 2025 and has been made part of the record.

M/S: Clark/Lind

To introduce Ordinance No. 16.143 with amendments to Municipal Code Title 16 (Subdivisions) and Title 17 (Zoning) to clarify requirements for accessory dwelling units, junior accessory dwelling units, urban lot splits, SB 9 residential development, and ministerial design review, and waive the reading thereof. Carried 5/0 (AYES: Timm, Lind, Clark, Jett, Wimp)

M/S: Clark/Lind

To direct staff to maintain a policy on noticing for ADU and SB9 projects which will have ministerial Community Development Director hearings. Carried 5/0 (AYES: Timm, Lind, Clark, Jett, Wimp)

ALTERATIONS TO REGULAR AGENDA

M/S: Lind/Clark

To approve the Regular Agenda with no alterations. Carried 5/0 (AYES: Timm, Lind, Clark, Jett, Wimp)

REGULAR AGENDA

Due to the timing of the public hearing, this item was heard before Public Hearing Item 1.

1. Approve a Resolution of Intention to form an Enhanced Infrastructure Financing District (EIFD)

City Manager LaGoe introduced this item and Joe Dieguez from Kosmont Companies presented the item.

Scotts Valley Fire Chief Mark Correira noted that the Fire District Board of Directors has expressed interest in this partnership.

Matthew Hakimi, a resident of Scotts Valley, expressed concern over his perception that there is no revenue stream for the bonds.

Don Dietrich, a resident of Scotts Valley, expressed his support for the EIFD and volunteered to assist with speaking with the County Supervisors.

M/S: Lind/Clark

To adopt Resolution No. 2080 a resolution of the City Council of the City of Scotts Valley declaring its intention to establish the Scotts Valley Enhanced Infrastructure Financing District to finance the construction , repair, acquisition, and/or maintenance of capital improvements and facilities, including the acquisition and/or remediation of land for such improvements and facilities; establish a public financing authority; and authorizing certain other actions related thereto.

Carried 5/0 (AYES: Timm, Lind, Clark, Jett, Wimp)

M/S: Lind/Jett

To appoint Mayor Timm and Councilmember Clark to the Public Financing Authority Board, and to appoint Councilmember Jett as the alternate Board Member.

Carried 5/0 (AYES: Timm, Lind, Clark, Jett, Wimp)

2. Future Council Agenda Items

None

CONVENE TO CLOSED SESSION

The City Council convened to closed session at 7:56 PM to discuss the following item:

CLOSED SESSION SUBJECT(S)

1. Conference with legal counsel regarding real property negotiations
Legal Authority: Government Code Section 54956.8
Location: 2 lots between 201 and 241 Kings Village Road, Scotts Valley;
APNs 022-601-05 and 022-601-13
Staff Present: City Manager, City Attorney

RECONVENE TO OPEN SESSION

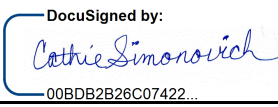
The City Council reconvened to open session at 8:23 PM.

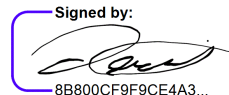
REPORT ON ACTION TAKEN DURING CLOSED SESSION

Mayor Timm announced that there is no report from the closed session meeting.

ADJOURNMENT

The meeting adjourned at 8:23 PM.

Attest: 
Cathie Simonovich, City Clerk

Approved: 
Derek Timm, Mayor



Dec 3, 2025

**City of Scotts Valley
1 Civic Center Drive
Scotts Valley, CA 95066**

By Email: dtimm@scottsvalley.gov; dlind@scottsvalley.gov; sclark@scottsvalley.gov;
kjett@scottsvalley.gov; gwimp@scottsvalley.gov

CC: mlagoe@scottsvalley.gov; kpowell@scottsvalley.gov; csimonovich@scottsvalley.gov;
planningdepartment@scottsvalley.gov

Re: Proposed Changes to the City's ADU Ordinance

Dear Scotts Valley City Council,

The California Housing Defense Fund ("CalHDF") submits this letter regarding the proposed amendments to the City's accessory dwelling unit ("ADU") ordinance, which are calendared as Public Hearing agenda item 1 for the December 3, 2025 Council hearing.

CalHDF would like to thank the City for exempting section 66323 ADUs from parking requirements, as is required by state law. (Gov. Code, § 66323, subd. (b).) However, the proposed ordinance's geographic restrictions on ADUs violate state law, as discussed further *infra*.

Background

The law gives local governments authority to enact zoning ordinances that implement a variety of development standards on ADUs. (Gov. Code, § 66314.) The standards in these local ordinances are limited by state law so as not to overly restrict ADU development. (See *id.*) Separately from local ADU ordinances, Government Code section 66323 establishes a narrower set of ADU types that local governments have a ministerial duty to approve. "Notwithstanding Sections 66314 to 66322 ... a local agency shall ministerially approve" these types of ADUs. (*Id.* at subd. (a).) This means that ADUs that satisfy the minimal requirements of section 66323 must be approved regardless of any contrary provisions of the local ADU ordinance. (*Ibid.*) Local governments may not impose their own standards on such ADUs. (Gov. Code, § 66323, subd. (b)) ["A local agency shall not impose any objective development or

design standard that is not authorized by this section upon any accessory dwelling unit that meets the requirements of any of paragraphs (1) to (4), inclusive, of subdivision (a).”].)

In addition, ADUs that qualify for the protections of Government Code section 66323, like other ADUs, must be processed by local governments within 60 days of a complete permit application submittal. (Gov. Code, § 66317, subd. (a).)

State law also prohibits creating regulations on ADU development not explicitly allowed by state law. Government Code Section 66315 states, “No additional standards, other than those provided in Section 66314, shall be used or imposed, including an owner-occupant requirement, except that a local agency may require that the property may be used for rentals of terms 30 days or longer.”

Impermissible Geographic Restriction

Code section 17.57.030(Q) prohibits all ADUs, including section 66323 ADUs, in certain portions of the City.

However, under no circumstances may the City prohibit ADUs developed pursuant to Government Code section 66323. Government Code section 66323, subdivision (a) imposes a duty on the City to permit ADUs in all residential and mixed-use zoning districts. Government Code section 66323, subdivision (b) forbids the City from applying local standards. This means that the City must allow section 66323 ADUs in all residential and mixed-use districts.

The City’s staff report (pp. 53-54) contains the following legal explanation for this restriction:

The location prohibition is necessary to protect the public health and safety and is authorized by Government Code Section 66314(a) which states that a local ADU ordinance shall “designate areas within the jurisdiction of the local agency where accessory dwelling units may be permitted. The designation of areas may be based on the adequacy of water and sewer services and the impact of accessory dwelling units on traffic flow and public safety.”

However, the City may not use a provision of Government Code section 66314 to justify a restriction on section 66323 ADUs. This is because Government Code section 66323, subdivision (a) reads as follows (emphasis added):

Notwithstanding Sections 66314 to 66322, inclusive, a local agency shall ministerially approve an application for a building permit within a residential or mixed-use zone to create any of the following:

The authority found in Government Code section 66314, subdivision (a) therefore does not apply to section 66323 ADUs. Furthermore, an outright ban on all ADUs is an “objective development or design standard” and the City therefore may not apply it to section 66323 ADUs. (See Gov. Code, § 66323, subd. (b).)

The City must amend its ADU code to allow section 66323 ADUs on all parcels within residential and mixed-use zoning districts, as is required by Government Code section 66323.

Impermissible Discretionary Process

Code section 17.57.060(A)(2) requires Planning Commission review of certain ADUs. However, Government Code sections 66316 and 66317 explicitly prohibit any discretionary processes and all public hearings for ADUs.

The City may not conduct discretionary, public review of any ADUs. If the City wishes to allow creative designs that do not comport with the standards in its ADU ordinance, then it must establish objective criteria and approve such ADUs via a ministerial process without public hearing, as is required by state law.



CalHDF appreciates that the City is updating its zoning code to keep pace with changes in state law. However, CalHDF urges the City to make sure its zoning code actually complies with state law.

CalHDF is a 501(c)(3) non-profit corporation whose mission includes advocating for increased access to housing for Californians at all income levels, including low-income households. You may learn more about CalHDF at www.calhdf.org.

Sincerely,

A handwritten signature in blue ink, appearing to read "Dylan Casey", with a long horizontal flourish extending to the right.

Dylan Casey
CalHDF Executive Director

A handwritten signature in black ink, appearing to read "James M. Lloyd", with a stylized, cursive script.

James M. Lloyd
CalHDF Director of Planning and Investigations