SPECIAL MEETING OF THE TOWN COUNCIL AGENDA
DECEMBER 02, 2026
TOWN COUNCIL CHAMBERS, 110 EAST MAIN STREET, LOS GATOS, CA 95030
5:00 PM

Rob Moore, Mayor
Maria Ristow, Vice Mayor
Mary Badame, Council Member
Matthew Hudes, Council Member
Rob Rennie, Council Member

IMPORTANT NOTICE

This is a hybrid meeting and will be held in-person at the Town Council Chambers at 110 E. Main Street and virtually through Zoom Webinar (log-in information provided below). You may watch the Council meeting without providing public comment on Comcast cable channel 15 or at www.LosGatosCA.gov/TownYouTube. Members of the public may provide public comments for agenda items in-person or virtually by following the instructions listed at the end of the agenda.

To watch and participate via Zoom, please go to:
https://losgatosca-gov.zoom.us/j/86730363468?pwd=pfKQoh92JnbwOYwFvZqIdSSWpjxYoK.1
Enter Passcode: 577971

CALL MEETING TO ORDER

ROLL CALL

VERBAL COMMUNICATIONS *(Members of the public are welcome to address the Town Council only on matters listed on the agenda. Town resources may not be used to facilitate audio or visual presentations. Each speaker is limited to no more than three (3) minutes or such time as authorized by the Mayor.)*

PUBLIC HEARINGS *(Presentations during the Public Hearings portion of the agenda by appellants and applicants, including any expert or consultant assisting with the presentation, shall be limited to a total of no more than five (5) minutes for all speakers. Appellants and applicants shall be provided no more than three (3) minutes to rebut at the end of the public hearing. Visual presentations that require the use of staff resources shall be limited to appellants and applicants. Members of the public testifying at public hearings shall be limited to no more than three (3) minutes, or such time as authorized by the Mayor.)*

1. **Consider Appeals of the Planning Commission Decision to Approve a Request for Modification of an Existing Conditional Use Permit for Expanded Hours of Operation in an Institution for Religious Observance (West Valley Muslim Association) on Property Zoned R-1:8. Located at 16769 Farley Road. APN 424-21-062. Categorically Exempt Pursuant to CEQA Guidelines Section 15301, "Existing Facilities." Property Owner: West Valley Muslim Association, Osmar Ghafoor, President. Applicant/Appellant 1: Razi Mohiuddin. Appellant 2: Farley Road Neighborhood Coalition. Project Planner: Jocelyn Shoopman.**

ADJOURNMENT *(Council policy is to adjourn no later than eleven p.m. unless a majority of Council votes for an extension of time.)*

ADA NOTICE - In compliance with the Americans with Disabilities Act, if you require special assistance to participate in this meeting, please contact the Clerk's Office at (408) 354-6834. Please notify the Clerk's Office at least two (2) business days prior to the meeting so that reasonable arrangements can be made to ensure accessibility in compliance with 28 CFR §35.102-35.104 and related provisions.

NOTICE REGARDING SUPPLEMENTAL MATERIALS - Materials related to an item on this agenda submitted to the Town Council after initial distribution of the agenda packets are available for public inspection in the Clerk's Office at Town Hall, 110 E. Main Street, Los Gatos and on the Town's website at www.losgatosca.gov. Town Council agendas and related materials can be viewed online at https://losgatos-ca.municodemeetings.com/.

HOW TO PARTICIPATE

Members of the public may provide public comments for agenda items in-person or virtually through the Zoom Webinar by following the instructions listed below.
The public is welcome to provide oral comments in real-time during the meeting in three ways:
Zoom Webinar (Online): To participate from a PC, Mac, iPad, iPhone or Android device. Please use this URL to join: https://losgatosca-gov.zoom.us/j/86730363468?pwd=pfKQoh92JnbwOYwFvZqIdSSWpjxYoK.1
Passcode: **577971**. You can also type in **867 3036 3468** in the "Join a Meeting" page on the Zoom website at www.zoom.us and use passcode **577971**. When the Mayor announces the item for which you wish to speak, click the "raise hand" feature in Zoom.
Telephone: To participate by phone please dial 1 (408) 961-3927 or 1 (855) 758-1310 for US Toll-free and use Meeting ID: **867 3036 3468**. When the Mayor announces the item for which you wish to speak, press *9 on your telephone keypad to raise your hand.
In-Person: Please complete a "speaker's card" located on the back of the chamber benches and submit it to the Town Clerk before the meeting or when the Mayor announces the item for which you wish to speak.

NOTES: Comments will be limited to three (3) minutes or less at the Mayor's discretion. If you are unable to participate in real-time, you may email to Clerk@losgatosca.gov the subject line "Public Comment Item #__ " (insert the item number relevant to your comment).
Deadlines to submit written comments are:
-3:00 p.m. the business day before the Council meeting for inclusion in an addendum.
-11:00 a.m. the day of the Council meeting for inclusion in a desk item.

TOWN OF LOS GATOS
COUNCIL AGENDA REPORT

MEETING DATE: 12/02/2026
ITEM NO: 1

DATE: November 25, 2026

TO: Mayor and Town Council

FROM: Chris Constantin, Town Manager

SUBJECT: **Consider Appeals of the Planning Commission Decision to Approve a Request for Modification of an Existing Conditional Use Permit for Expanded Hours of Operation in an Institution for Religious Observance (West Valley Muslim Association) on Property Zoned R-1:8. Located at 16769 Farley Road. APN 424-21-062. Categorically Exempt Pursuant to CEQA Guidelines Section 15301, "Existing Facilities." Property Owner: West Valley Muslim Association, Osmar Ghafoor, President. Applicant/Appellant 1: Razi Mohiuddin. Appellant 2: Farley Road Neighborhood Coalition. Project Planner: Jocelyn Shoopman.**

BACKGROUND:

As the Town Council will recall, this application for a modification to an existing Conditional Use Permit ("CUP") is seeking to extend operating hours in the evening to accommodate Ramadan. Additional services are not proposed.

A. Existing CUP:

The existing CUP provides the following with regard to hours of operation: "The maximum hours of operation shall not extend past 10:00 p.m. except for 30 days during religious service for the month of Ramadan which hours of operation shall not extend past 11:00 p.m." The existing CUP does not limit morning activity or address occupancy limits, traffic, parking, lighting, or noise.

Under existing conditions, the applicant holds five services daily – beginning at approximately 5 a.m. to 6:30 a.m., depending upon the time of sunrise, and ending at 10 p.m. Because the existing CUP does not address morning hours and the impacts of ancillary activities, staff proposed adding several conditions of approval as part of the requested CUP modification to extend evening hours. Town staff and the Planning Commission heard concerns from

PREPARED BY: Jocelyn Shoopman
Senior Planner

Reviewed by: Town Manager, Assistant Town Manager, Town Attorney, and Finance Director

neighboring residents regarding traffic, parking overflow, glare from vehicle headlights at night, and noise from the existing use. To that end, the Planning Commission approved the application for a modification to the CUP and added a number of conditions of approval. Both the applicant and the Farley Road Neighborhood Association have appealed the decision of the Planning Commission to the Town Council.

On August 18, 2026, the Town Council considered a request to continue the public hearing for the appeals or to hear the appeals of the Planning Commission decision to approve a request for modification of an existing Conditional Use Permit (CUP) for expanded hours of operation in an institution for religious observance (West Valley Muslim Association). The applicant requested the continuance in order to provide time for the applicant to submit a Building Permit to the Town for an architectural egress analysis.

The Town Council received the staff report, testimony from both appellants, opened the item for public input that was limited to whether the Council should continue the item, and unanimously voted to continue the matter to a date to be determined pending the submittal of an architectural egress analysis.

On September 17, 2026, the West Valley Muslim Association (WVMA) submitted a Building Permit application for review of an architectural egress analysis. The Building Permit was reviewed by the Building Division and the Santa Clara County Fire Department.

On October 23, 2026, the Building Permit was determined to be complete, and the permit was subsequently issued. The architectural egress analysis established a maximum building occupancy of 789 persons (Attachment 43).

Additional information from Appellant 1 (WVMA) is provided in Attachment 44.

Additional information from Appellant 2 (Farley Road Neighborhood Coalition) is provided in Attachments 45 and 46.

Appellant 2 requested that the Town Council continue its consideration of the appeals to a date certain following the conclusion of Ramadan 2027 to allow the Town to conduct traffic safety and sound studies (Attachment 47). The request was shared with Appellant 1, who does not agree with the requested continuance (Attachment 48).

ENVIRONMENTAL ASSESSMENT:

The project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301, “Existing facilities.” This exemption applies to the operation, permitting, licensing, leasing, and minor alteration of existing public or private facilities involving negligible or no expansion of an existing or former use.

The project consists of a modification to an existing CUP for an existing institution for religious observance located at 16769 Farley Road. The property has long been used as a religious institution and the proposed project would continue that established use. The project does not include additional services, an increase in building floor area, or an expansion of any existing structures. No new buildings are proposed as part of this application. The existing religious use of the property would remain unchanged. Based on the new occupancy limit of 789, the number of attendees is not anticipated to increase from the existing use.

The requested modification is limited to operational changes involving the hours of operation for an existing use within an existing facility. The project does not increase the approved occupancy of the facility or expand building capacity. Staff reviewed the existing operational characteristics of the site and determined that the proposed modification to the hours of operation represents a negligible expansion of use within the meaning of CEQA Guidelines Section 15301.

None of the exceptions to categorical exemptions set forth in the CEQA Guidelines Section 15300.2 apply to this project. The use of the facility remains consistent with the March 11, 2020, Planning Commission approval as a religious institution. Under the current conditions, vehicles enter and exit the property for multiple services until 10:00 p.m. for most of the year and until 11:00 p.m. during Ramadan. Because the parking lot capacity is 180 spaces, it is estimated that the number of vehicles currently entering and exiting the property is approximately 180 vehicles at the heavily-attended services. In addition, vehicles currently park on public right of way at heavily-attended services. The proposed modification would extend this use by ½ hour for most of the year and for one hour during Ramadan, which is a negligible change in the hours of operation.

PUBLIC COMMENTS:

Written notice of this Council hearing was sent to property owners and tenants within 300 feet of the subject property. Public comments received between 11:01 a.m., Tuesday, August 18, 2026, and 3:00 p.m., Wednesday, November 25, 2026, are included as Attachment 49.

RECOMMENDATION:

The Town Council has the following options:

1) Adopt proposed resolution granting one or both appeals and revise conditions of approval;
2) Grant one or both appeals and remand to Planning Commission with specific direction;
3) Deny one or both appeals; and
4) Continue the public hearing.

Should the Town Council adopt the draft Resolution granting one or both appeals and approving the application (Attachment 42), subject to the modified conditions of approval set forth in Exhibit A to Attachment 42, staff recommends the following modification:

1. Modify Conditions #13 (a), as reflected in the strikeout and underlined text:

   Seasonal Late-Hours Exception
   Thirty (30) day period during Ramadan, services may extend beyond 10:30 p.m. as follows:
   - Until 11:30 p.m. when sunset is before 7:30 p.m.
   - Until 12:00 a.m. when sunset is after 7:30 p.m.

   The applicant shall maintain a publicly available website and list on an annual basis the dates seasonal late hours will be exercised for Ramadan. Seasonal-late hours in this Section are not transferable to another owner or use for which nighttime worship is not a component of their religion.
   a. The congregation for seasonal late-hour worship services shall be limited to a maximum of 789~~869~~ persons.

Previously Received with the August 18, 2026, Staff Report:

1. March 25, 2026, Planning Commission Staff Report, with Exhibits 1 through 11
2. March 25, 2026, Planning Commission Addendum Report, with Exhibit 12
3. March 25, 2026, Planning Commission Addendum Report 2, with Exhibit 13
4. March 25, 2026, Planning Commission Desk Item Report, with Exhibits 14 through 16
5. March 25, 2026, Planning Commission Verbatim Minutes
6. March 31, 2026, Planning Commission Staff Report, with Exhibit 17
7. March 31, 2026, Planning Commission Addendum Report, with Exhibit 18
8. March 31, 2026, Planning Commission Desk Item Report, with Exhibits 19 through 23
9. March 31, 2026, Planning Commission Verbatim Minutes
10. April 22, 2026, Planning Commission Staff Report, with Exhibits 24 through 26
11. April 22, 2026, Planning Commission Addendum Report, with Exhibits 27 and 28
12. April 22, 2026, Planning Commission Addendum Report 2, with Exhibit 29
13. April 22, 2026, Planning Commission Desk Item Report, with Exhibits 30 through 33
14. April 22, 2026, Planning Commission Verbatim Minutes
15. May 13, 2026, Planning Commission Staff Report, with Exhibits 34 through 37
16. May 13, 2026, Planning Commission Addendum Report, with Exhibits 38 and 39
17. May 13, 2026, Planning Commission Desk Item Report, with Exhibits 40 through 43
18. May 13, 2026, Planning Commission Verbatim Minutes
19. May 21, 2026, Planning Commission Staff Report, with Exhibits 44 through 46
20. May 21, 2026, Planning Commission Addendum Report, with Exhibits 47 through 49
21. May 21, 2026, Planning Commission Desk Item Report, with Exhibits 50 and 51
22. May 21, 2026, Planning Commission Verbatim Minutes
23. June 16, 2026, Town Council Staff Report
24. June 16, 2026, Town Council Addendum Report with Attachment 1

25. Appeal of the Planning Commission Decision 1, received June 1, 2026
26. Appeal of the Planning Commission Decision 2, received June 1, 2026
27. Additional Information from Appellant 2, received June 12, 2026
28. Track Changes Draft Modified Resolution to Deny the Appeals and Approve the Application Subject to the Modified Conditions of Approval (included as Exhibit A)
29. Draft Modified Resolution to Deny the Appeals and Approve the Application Subject to the Modified Conditions of Approval (included as Exhibit A)
30. Draft Resolution to Grant the Appeals and Remand the Project to the Planning Commission
31. Public Comments Received Between 11:01 a.m., Thursday, May 21, 2026, and 3:00 p.m., Thursday, August 13, 2026
32. Appellant 1 Request for Continuance
33. Appellant 2 Response

Previously Received with the August 14, 2026, Addendum Report:

34. Supplemental Information from Appellant 2
35. Public Comments received by 3:00 pm, Friday, August 14, 2026

Previously Received with the August 17, 2026, Addendum 2 Report:

36. Additional Information from Appellant 2
37. Supplemental Information from Appellant 2
38. Traffic Engineering Assessment Report from Appellant 2
39. Public Comments Received Between 3:01 p.m., Friday, August 14, 2026, and 3:00 p.m., Monday, August 17, 2026

Received with the August 18, 2026, Desk Item Report:

40. Acoustics Technical Analysis Report from Appellant 2
41. Public Comments Received Between 3:01 p.m., Monday, August 17, 2026, and 11:00 a.m., Tuesday, August 18, 2026

Received with this December 2, 2026, Staff Report:

42. Draft Resolution to Grant Both Appeals and Approve the Application Subject to the Modified Conditions of Approval (included as Exhibit A)
43. Architectural Egress Analysis
44. Additional Information from Appellant 1
45. Additional Information from Appellant 2
46. Supplemental Information from Appellant 2
47. Request for a Continuance from Appellant 2
48. Appellant 1 Response to Request for a Continuance

49. Public Comments Received Between 11:01 a.m., Tuesday, August 18, 2026, and 3:00 p.m., Wednesday, November 25, 2026

Links to 8- 18 Report and Attachments 1-41

8-18 Council Report and Attachments 1-27:

https://www.losgatosca.gov/DocumentCenter/View/48158/8-18-Staff-Report-with-Attachments-1-27

Attachments 28-41:

https://www.losgatosca.gov/DocumentCenter/View/48158/8-18-Staff-Report-with-Attachments-1-27

RESOLUTION 2026-

RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOS GATOS GRANTING BOTH APPEALS OF THE DECISION OF THE PLANNING COMMISSION TO APPROVE CONDITIONAL USE PERMIT U-24-010 FOR A REQUEST TO MODIFY AN EXISTING CONDITIONAL USE PERMIT FOR EXPANDED HOURS OF OPERATION IN AN INSTITUTION FOR RELIGIOUS OBSERVANCE (WEST VALLEY MUSLIM ASSOCIATION) ON PROPERTY ZONED R-1:8 AND UPHOLDING THE APPROVAL WITH MODIFICATIONS TO THE CONDITIONS OF APPROVAL.

PROPERTY LOCATION: 16769 FARLEY ROAD
APN 424-21-062
CONDITIONAL USE PERMIT APPLICATION: U-24-010
PROPERTY OWNER: WEST VALLEY MUSLIM ASSOCIATION,
OSMAR GHAFOOR, PRESIDENT. APPLICANT: RAZI MOHIUDDIN.

WHEREAS, the applicant requests approval to modify an existing Conditional Use Permit (CUP) to expand the hours of operation in an institution for religious observance (West Valley Muslim Association) on property located at 16769 Farley Road (Santa Clara County Assessor Parcel Number 424-21-062); and

WHEREAS, a CUP (U-89-11) was approved for this location on January 10, 1990; and

WHEREAS, the original CUP (U-89-11) authorized maintaining an existing church facility and allowed the improvement and expansion of an existing institution for religious observance facility with hours of operation that were not allowed to extend past 10:00 p.m.; and

WHEREAS, on March 11, 2020, the Planning Commission approved a modification to the original CUP (U-20-001); and

WHEREAS, the modified CUP (U-20-001) changed the hours of operation to allow for operation from 10:00 p.m. to 11:00 p.m., for 30 days annually during the month of Ramadan for religious services; and

WHEREAS, the applicant seeks a modification of the current CUP to expand the hours of operations to be: 1.5 hours before sunrise and to 10:30 p.m., seven days a week; and during the 30-day month of Ramadan, 1.5 hours before sunrise to 11:30 p.m., whenever the sunset is prior to 7:30 p.m., or until 12:00 a.m. whenever the sunset is after 7:30 p.m.; and

WHEREAS, in accordance with Town Code Section 29.20.200, modifications to CUPs are required under the following circumstances:

1. Intensification of use. Changes of use that will result in an increase of five (5) or more peak hour trips.

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2. Commencement of new activities that could have a material adverse impact on the surrounding area.
3. Any change that is a substantial departure from plans which were the basis of the conditional use permit approval; and

WHEREAS, the project requires approval of a modification to an approved CUP because it will involve expanded hours of operation pursuant to Town Code Section 29.20.200; and

WHEREAS, on March 25, 2026, the Planning Commission held a public hearing, received testimony from the applicant and all interested persons who wished to testify or submit documents, and continued the item to a date certain of March 31, 2026; and

WHEREAS, on March 31, 2026, the Planning Commission held a public hearing, received testimony from the applicant and all interested persons who wished to testify or submit documents, and continued the item to a date certain of April 22, 2026; and

WHEREAS, on April 22, 2026, the Planning Commission held a public hearing, received testimony from the applicant and all interested persons who wished to testify or submit documents, and continued the item to a date certain of May 13, 2026; and

WHEREAS, on May 13, 2026, the Planning Commission held a public hearing, received testimony from the applicant and all interested persons who wished to testify or submit documents, and continued the item to a date certain of May 21, 2026; and

WHEREAS, on May 21, 2026, the Planning Commission held a public hearing, considered all testimony and materials submitted along with all subsequent reports and materials submitted regarding the planning application, and added modified conditions of approval to address the impacts to neighboring residences resulting from the added hours of operation. The Planning Commission voted four-to-one to approve the modification to an existing Conditional Use Permit; and

WHEREAS, on June 1, 2026, the appellants, an interested person (Appellant 2), and the applicant (Appellant 1), filed a timely appeal of the decision of the Planning Commission to approve a modification to an existing Conditional Use Permit on property zoned R-1:8, located at 16769 Farley Road; and

WHEREAS, on June 16, 2026, the Town Council continued the matter to a date certain of August 18, 2026; and

WHEREAS, this matter came before the Town Council for public hearing on August 18, 2026, and was regularly noticed in conformance with state and Town law; and

WHEREAS, the applicant requested a continuance to provide time for the applicant to obtain an Architectural Egress Study from the Santa Clara County Fire Department; and

WHEREAS, the Town Council received testimony and documentary evidence from the appellants and all interested persons who wished to testify or submit documents. The Town Council considered all testimony and materials submitted, including the record of the Planning Commission proceedings and the packet of materials contained in the Council Agenda Report for their meeting on August 18, 2026, along with any and all subsequent reports and materials prepared concerning this application; and

WHEREAS, the Town Council voted to continue the public hearing to a date uncertain in order to provide time for the applicant to submit a building permit application for review of an architectural egress analysis; and

WHEREAS, Town Code Section 29.20.295 provides that an appellants bear the burden of proof to demonstrate that there was error or abuse of discretion (including decisions that are not supported by substantial evidence in the record) by the Planning Commission.

NOW, THEREFORE, THE TOWN COUNCIL FINDS THAT:

1. Both appellants have demonstrated that the Planning Commission's decision to approve a modification to an existing Conditional Use Permit was in error or an abuse of discretion.
2. California Environmental Quality Act.
    a. The project is categorically exempt pursuant to the CEQA Guidelines Section 15301, "Existing Facilities." The change to the existing conditions is negligible, because the request is solely for an addition of evening operating hours to accommodate Ramadan. No additional services are proposed. The approved maximum building occupancy of 789 does not authorize an increase in building capacity, and attendance is not anticipated to increase as a result of the requested modification, the project uses an existing structure with no proposed changes to the building size or parking lot size, and no increase in floor area.
    b. None of the exceptions to categorical exemptions set forth in the CEQA Guidelines Section 15300.2 apply to this project. The use of the facility remains consistent with the March 11, 2020, Planning Commission approval as a religious institution. The applicant's request for approval to modify the existing CUP is limited to the hours of operation. No additional requested modifications to the CUP or existing structures are proposed. Under the current conditions, vehicles enter and exit the property for multiple services until 10:00 p.m. for most of the year and until 11:00 p.m. during Ramadan. Because the parking lot capacity is 180 spaces, it is estimated that the number of vehicles currently entering and exiting the property is approximately 180 vehicles at the heavily-attended services. In addition, vehicles currently park on public right of way at heavily-attended services. The proposed modification would extend this use by ½ hour for most of the year and for one hour during Ramadan, which is a negligible change in the

hours of operation.

3. Findings Required for Compliance with Zoning Regulations: The project meets the objective standards of Chapter 29 of the Town Code (Zoning Regulations) in an institution for religious observance is a conditionally permitted use in residential zones with a CUP and CUP U-24-001 was previously approved for this use at this location.
4. Findings Required for a Conditional Use Permit: As required by Town Code Section 29.20.190, the Town Council finds that, with the conditions of approval:
   a. The proposed use of the property is essential or desirable to the public convenience or welfare because the use will continue providing an existing facility for religious observance; and
   b. The proposed use would not impair the integrity and character of the residential zone in that conditions of approval addressing the impacts to the neighboring residences of night-time light intrusion from light standards and vehicle headlights, overflow parking, noise, pedestrian safety, and traffic are included; and
   c. The proposed use would not be detrimental to public health, safety, or general welfare because the conditions of approval address the impacts to the neighboring residences of traffic, pedestrian safety, overflow parking, and night-time light intrusion in that the hours of operation shall not begin prior to one and one-half hours before sunrise nor extend past 10:30 p.m., seven days a week to accommodate indoor, morning and nighttime prayer services; and during the 30-day month of Ramadan, indoor nighttime prayer services shall not extend past 11:30 p.m. whenever sunset is prior to 7:30 p.m., or until 12:00 a.m. whenever sunset is after 7:30 p.m.; and the use is required to comply with the noise mitigation, light mitigation, parking lot monitoring, traffic monitoring, and overflow parking plan set forth in the conditions of approval; and
   d. The proposed use of the property is in harmony with the various elements or objectives of the General Plan and the purposes of the Town Code, because it will continue an existing use for religious observance and there is no additional building square footage being proposed.
5. Religious Land Use and Institutionalized Persons Act Findings.
   a. The conditions of approval listed below do not constitute a “substantial burden” to the permittee in that the conditions of approval are manageable in light of the permittee’s resources.
   b. Even if any of these conditions were to constitute a “substantial burden,” they are the least restrictive means to address compelling government interests in traffic safety and neighborhood preservation.
   c. As demonstrated on the comparison chart distributed as a desk item for the May 13, 2026, Planning Commission meeting, the conditions of approval treat this use on “equal terms” with nonreligious uses and in a non-discriminatory manner with regard to other religious uses to the extent this use is similarly situated to those uses. The conditions of approval have been

developed to address the unique impacts of night and day-time services in a residential zone on a parcel surrounded by thirteen single-family residences and the traffic and pedestrian safety issues affecting the larger neighborhood. The conditions addressing serious vehicle and pedestrian safety risks in the neighborhood and those crafted to mitigate material sound and light pollution adversely affecting the lives of certain neighbors do not require significant costs to the mosque and are the least expensive means to address the compelling Town's governmental interest in neighborhood preservation and protection as set forth in land use element of the general plan.

6. The facts and evidence that support these findings are also contained and explained in the record of proceedings for the proposed request, including without limitation the staff report for the Planning Commission and Town Council hearings.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. In accordance with Town Code Section 29.20.295, the Town Council grants both appeals.
2. Based on the findings set forth above, the modification to an existing Conditional Use Permit on property zoned R-1:8, located at 16769 Farley Road and Assessor Parcel Number 424-21-062 is approved, subject to the attached Conditions of Approval attached as Exhibit A to this Resolution.
3. The original CUP, U-89-11, and the modification CUP, U-20-001, are superseded.
4. This decision constitutes a final administrative decision pursuant to Code of Civil Procedure section 1094.6 as adopted by section 1.10.085 of the Town Code of the Town of Los Gatos. Any application for judicial relief from this decision must be sought within the time limits and pursuant to the procedures established by Code of Civil Procedure section 1094.6, or such shorter time as required by state and federal Law.
5. If any section, subsection, sentence, clause, or phrase of this resolution is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this resolution.

PASSED AND ADOPTED at a regular meeting of the Town Council of the Town of Los Gatos, California, held on the 2nd day of December, 2026, by the following vote:

COUNCIL MEMBERS:

AYES:

NAYS:

ABSENT:

ABSTAIN:

SIGNED:

_____
MAYOR OF THE TOWN OF LOS GATOS
LOS GATOS, CALIFORNIA

ATTEST:

_____
TOWN CLERK OF THE TOWN OF LOS GATOS
LOS GATOS, CALIFORNIA

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Town Council – *August 18, 2026*
CONDITIONS OF APPROVAL

16769 Farley Road
Conditional Use Permit Application U-24-010

Requesting Approval to Modify an Existing Conditional Use Permit for Expanded Hours of Operation in an Institution for Religious Observance (West Valley Muslim Association) on Property Zoned R-1:8. APN 424-21-062. Categorically Exempt Pursuant to CEQA Guidelines Section 15301: Existing Facilities.
Property Owner: West Valley Muslim Association, Osman Ghafoor, President.
Applicant: Razi Mohiuddin.

TO THE SATISFACTION OF THE DIRECTOR OF COMMUNITY DEVELOPMENT:

A. General Conditions

1. **Approval and Substantial Conformance**
   This application shall be completed in accordance with all conditions of approval and in substantial compliance with the approved plans. Any changes or modifications shall be approved by the Community Development Director, Development Review Committee (DRC), or the Planning Commission, depending on the scope.
2. **Expiration**
   The approval will expire two years from the approval date pursuant to Section 29.20.320 of the Town Code, unless the approval has been vested.
3. **Lapse for Discontinuance**
   If the activity for which the Conditional Use Permit has been granted is discontinued for one (1) year, the approval lapses pursuant to Section 29.20.340 of the Zoning Ordinance.
4. **Compliance Memorandum**
   A memorandum, consistent with Town practice, shall be prepared and submitted with the building permit detailing how each condition of approval will be addressed.
5. **Interpretation and Implementation**
   No verbal interpretation, directive, or guidance shall be considered valid or binding for purposes of compliance with this Conditional Use Permit. The applicant shall not rely on any direction or approval unless it is documented in writing and expressly authorized by the Community Development Director.
6. **Town Indemnity**
   Applicants are notified that Town Code Section 1.10.115 requires that any applicant who receives a permit or entitlement ("the Project") from the Town shall defend (with counsel approved by Town), indemnify, and hold harmless the Town, its agents, officers, and employees from and against any claim, action, or proceeding (including without limitation any appeal or petition for review thereof) against the Town or its agents, officers or employees related to an approval of the Project, including without limitation any related application, permit, certification, condition, environmental determination, other approval, compliance or failure to comply with applicable laws and regulations, and/or

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processing methods ("Challenge"). Town may (but is not obligated to) defend such Challenge as Town, in its sole discretion, determines appropriate, all at applicant's sole cost and expense.

Applicant shall bear any and all losses, damages, injuries, liabilities, costs and expenses (including, without limitation, staff time and in-house attorney's fees on a fully-loaded basis, attorney's fees for outside legal counsel, expert witness fees, court costs, and other litigation expenses) arising out of or related to any Challenge ("Costs"), whether incurred by Applicant, Town, or awarded to any third party, and shall pay to the Town upon demand any Costs incurred by the Town. No modification of the Project, any application, permit certification, condition, environmental determination, other approval, change in applicable laws and regulations, or change in such Challenge as Town, in its sole discretion, determines appropriate, all at the applicant's sole cost and expense. No modification of the Project, any application, permit certification, condition, environmental determination, other approval, change in applicable laws and regulations, or change in processing methods shall alter the applicant's indemnity obligation.

7. **Compliance Review**
   For the three years following approval, the Planning Commission shall conduct an annual compliance review of the Conditional Use Permit. This compliance review shall be completed at the applicant's expense.
8. **Compliance with Laws**
   The applicant shall comply with all applicable federal, state, and local laws, including the Town Code, as they may be amended from time to time. This includes, but is not limited to, compliance with all updated zoning, building, noise, traffic, parking, and environmental regulations enacted by the Town Council.

B. Use and Occupancy

9. **Permitted Use**
   Operate an existing institution for religious observance. In addition to worship services, the applicant may use the facility for religious exercise, including but not limited to prayers, religious educational classes, Sunday school, as well as community events, charitable events, and other activities related to the religious mission of the institution. Facility may be rented to community members or by organizations providing educational, charitable, religious or other services for the benefit of the institution's members.
10. **Living Quarters**
    The leaders' quarters shall not be used for any purpose other than living quarters for visiting scholars and/or leaders associated with the institution.
11. **Occupancy Limits**
    On-site events shall be limited to the maximum building occupancy established by Fire and Building Code.

DRAFT

C. Facility Operations

12. General Hours

a. Worship services shall not begin earlier than 1.5 hours before sunrise or extend past 10:30 p.m. daily, except as specified in Condition 13, Seasonal Late-Hours Exception.
b. Other activities are limited to the hours of 8 a.m. to 10 p.m.
c. The congregation for general worship services shall be limited to a maximum of 720 persons.

13. Seasonal Late-Hours Exception

Thirty (30) day period during Ramadan, services may extend beyond 10:30 p.m. as follows:

- Until **11:30 p.m.** when sunset is before 7:30 p.m.
- Until **12:00 a.m.** when sunset is after 7:30 p.m.

The applicant shall maintain a publicly available website and list on an annual basis the dates seasonal late hours will be exercised for Ramadan. Seasonal-late hours in this Section are not transferable to another owner or use for which nighttime worship is not a component of their religion.

a. The congregation for seasonal late-hour worship services shall be limited to a maximum of 869 persons.

14. Intentionally omitted.

15. Lot Closure Rule

Notwithstanding the Quiet Hours limitation, for worship the parking lot shall be vacated by 11:00 p.m. during general hours of operation and within 30 minutes of the end of the last service during seasonal late hours, with staff or volunteers reminding attendees to leave quietly. The lot can be opened two hours prior to sunrise for the pre-sunrise services. For all other activities, the parking lot shall be vacated by 10 p.m.

16. Windows and Doors

Windows and doors on the west elevation shall remain closed when indoor services are taking place, except for ingress and egress to the building.

17. Deliveries

Deliveries by vehicles exceeding 26,000 pounds GVWR shall occur between 8:00 a.m. and 6:00 p.m., Monday through Friday.

18. Food Vendors

Food vendors associated with events shall be located at least 20 feet from the property line abutting residences.

19. High Attendance Guidelines

At least thirty (30) days before any recurring or seasonal period of high attendance where on-site parking is insufficient to accommodate parking demand, the applicant shall provide members and attendees written reminders regarding:

a. Respectful parking practices, including use of on-site spaces, carpooling where possible, and avoidance of spillover impacts on surrounding residential streets.
b. Minimizing congregating in the parking lot to adhere to Quiet Hours requirements.
c. Compliance with all applicable Conditions of Approval.

DRAFT

Documentation of this communication (e.g., copy of written notice, email, and posting on the facility's website) shall be maintained on file and made available to the Community Development Director upon request.

D. Noise

20. Noise Mitigation

Quiet Hours are established as 10:00 p.m. – 8:00 a.m. daily. During Quiet Hours:

a. **Noise Standard** – All activities shall comply with the Town's Noise Ordinance residential standard in effect at the time of the activity measured at the property line during 10:00 p.m. – 8:00 a.m.
b. **Parking Lot Operations** – During Quiet Hours when a service is not in session, the lot may only be used for ingress, egress, security, emergency access, or use by the leaders' quarters occupants or their guests.
c. **Building Operations** – Windows facing residences shall remain closed during Quiet Hours. Doors facing residences shall remain closed during Quiet Hours, except when necessary to permit ingress and egress to the building for morning and nighttime services. Doors may be opened for the limited purpose of ingress and egress.
d. **Signage and Communication** – The applicant shall maintain posted "Quiet Hours" signage and provide reminders to attendees regarding minimizing noise when leaving. Such signage specifying the established quiet hours shall be prominently displayed and appropriately maintained on the building in such a manner to ensure signs are clearly visible and easily readable at all times to individuals entering and exiting the building.

21. Noise Ordinance

The Noise Ordinance of the Town of Los Gatos is specifically adopted as conditions of approval for the Conditional Use Permit.

Intentionally Omitted.

E. Parking and Traffic

22. Monthly Communication

The applicant shall continue monthly outreach to members encouraging carpooling, use of on-site spaces, and to be sensitive to the concerns of the neighborhood residents.

23. Parking Lot Monitoring

For events anticipated to exceed available on-site parking, the applicant shall implement traffic management measures which may include directional signage, carpooling encouragement, or other measures. The applicant shall designate a person, volunteer, or parking attendant to monitor on-site parking during any service or event expected to generate attendance that may approach or exceed available on-site parking capacity, with training as available by an entity that provides this type of training. The monitor shall make reasonable efforts to ensure that:

a. All on-site spaces are utilized before attendees seek parking off-site.
b. All vehicles parked on-site shall maintain emergency vehicle access.

DRAFT

24. Driveway Operations

During events expected to generate traffic volumes that may result in queuing or neighborhood spillover, both driveways shall be used for exiting the property, with traffic attendants provided as necessary to facilitate circulation. Applicant shall make accommodations to facilitate access by public safety resources when necessary. The applicant is required to remove the right turn only sign at the end of the egress driveway and install a left turn only sign. The applicant shall ensure that ingress and egress to neighboring driveways is preserved.

25. Event Parking Overflow Plan

For events where on-site parking is insufficient to accommodate parking demand, the applicant shall implement an overflow parking plan.

26. Parking Lot Expansion

The applicant shall provide at least 180 parking spaces. An application proposing additional parking spaces shall be submitted to the Community Development Department for review within six months of the final approval date and complete the construction improvements within one year of the final approval date. The parking lot expansion shall add 23 parking spaces or up to as many as possible based on compliance with Town Code standards. Within six months of the final approval date, the existing parking lot shall be repaired on a local basis so that cracks, bumps, or other anomalies do not unreasonably contribute to additional noise generation of passing vehicles. Thereafter the parking lot shall continue to be maintained to avoid conditions like cracks and bumps which generate noise.

F. Facilities and Site Design

27. Electric Gate

Any future modification to the existing electronic sliding gate, or installation of a new electronic sliding gate shall include sound dampening approaches and technologies.

28. Landscape Plantings

For the purposes of sound and light mitigation, the applicant shall fill in any existing gaps in plantings or fencing by either planting a hedgerow to fill in gaps at adjacent residences, planting a variety of native trees and shrubs for the purpose of sound and light mitigation, or installing screens for those perimeters adjacent to residential uses, as approved by the Community Development Director within one year of the final approval date. If plantings are selected, they shall be a minimum size of three gallons and the selected plantings shall grow two to four feet per year. The specific plantings shall be based on discussions with the applicant and the Community Development Director. The plantings shall be maintained at a height of eight feet. Additionally, the applicant shall offer to provide plantings or moveable barriers to the neighbor across the street in order to reduce headlight intrusion into the residential property across the street.

29. Portable Screening

Prior to the mature growth of landscape plantings, as detailed in Condition #30, the applicant shall obscure vehicle headlights on the perimeter properties to the facility through the use of privacy mesh, wind screens, or the use of portable planters/screening

DRAFT

as proposed by Zayn Zaafran's letter dated, April 20, 2026, included in Exhibit 29 of the April 22, 2026, Planning Commission staff report packet.

30. Fencing

As portions of the fencing are replaced in the future, the applicant shall submit an application for a fence height exception to the Community Development Department for the purpose of increasing the height of existing fences around the perimeter of the property to eight feet for the purpose of mitigating noise and light pollution.

31. Pedestrian Ingress and Egress

The applicant shall submit a Building Permit application and receive final inspection to construct an opening in the concrete wall in front of the property for the purpose of allowing pedestrian ingress and egress to the site without walking in the driveway within one year of the final approval date.

32. Lighting

All site and parking lot lighting shall be full-cutoff, downward directed, and at the Building Code minimum brightness level during Quiet Hours within one year of the final approval.

G. Community Interface

33. Activity Calendar and Community Interface

The applicant shall maintain a publicly accessible website that includes information on services, programs, classes, and events open to its members. The website shall list a monthly calendar of scheduled events, which includes services offered and the hours when services are in session. The applicant's online calendar shall provide at least a 30-day notice in advance of events and activities scheduled to take place at the facility, to the extent practicable. The applicant shall provide contact information for multiple board members and staff on the applicant's website. The application shall explore setting up a single phone number that makes all neighborhood inquiries, comments, and complaints accessible by board members and staff, and if it does so, then it need only provide that contact information on its website.

The applicant will provide a monthly notice to members reminding them of the speed limit on Farley Road and neighboring streets, a recommendation to carpool, and to avoid generating noise during ingress and egress.

H. Other Conditions
Intentionally omitted.

34. Los Gatos-Monte Sereno Police Department
Intentionally omitted.

DRAFT

WEST VALLEY MUSLIM ASSOCIATION

EGRESS ANALYSIS

16769 Farley Rd
Los Gatos, CA 95032

ABBREVIATIONS

&	And	(E)	Existing	Perp, ⊥	Perpendicular
∠	Angle	Eq	Equal	PH	Panic Hardware
@	At	EW	Each Way	PL	Plate
°	Degree (Angle, Bearing, Temp)	Exh	Exhaust	PLam	Plastic Laminate
Ø	Diameter	Exp	Expansion, Expanding	Plmbg	Plumbing
Δ	Delta, Revision	Ext	Exterior	Plywd	Plywood
/	Divide, Divided By, Sequence			Pnl	Panel
~, ≠	Equal (To), Not Equal (To)	Fab	Fabricate, Fabrication	Pol	Polished
'	Foot/Feet, Minutes (Bearing)	FD	Floor Drain	Pr	Pair
"	Inch(es), Seconds (Bearing)	Fdn	Foundation	Prefab	Prefabricated
>, ≥	Greater Than, Or Equal To	FE, FEC	Fire Extinguisher, FE Cabinet	PSF	Pounds Per Square Foot
<, ≤	Less Than, Or Equal To	FF	Finish Floor	PSI	Pounds Per Square Inch
-	Minus, Subtract(Ed)	FG	Fiberglass	Pt, PT	Point, Pressure Treated
#	Number, Pound(S)	FH	Fire Hydrant	PTD	Paper Towel Dispenser
%	Percent	FHD	Feminine Hygiene Dispenser	Ptn	Partition
+	Plus, Add(Ed)	FHR	Feminine Hygiene Receptacle		
±	Plus/Minus (Approximately)	Fin	Finish	R	Riser
		Flr	Floor	(R)	Replaced, Relocated
AB	Anchor Bolt	FOC	Face Of Concrete	Rad	Radial, Radius
Abv	Above	FOF	Face Of Finish	RCP	Reflected Ceiling Plan
AC	Asphaltic Concrete	FOS	Face Of Stud	Rd	Roof Drain
A/C	Air Conditioning	FRP	Fiberglass Reinforced Panel	Recpt	Receptacle
Acoust	Acoustic(al)	FS	Far Side	Ref	Reference
AD	Area Drain	Ft	Foot, Feet	Reinf	Reinforce(ment)
Addl	Additional	Ftg	Footing	Reqd	Required
Adj	Adjust(able)	Furr	Furring	Reqmts	Requirements
AFF	Above Finish Floor	Fut	Future	Resil	Resilient
AHJ	Authority Having Jurisdiction	FV	Field Verify	Rev	Revise
AIA	American Institute of Architects			Rm	Room
Alt	Alternate, Alternative	Ga	Gauge	RV	Roof Vent
Alum	Aluminum	Gal	Gallon	RWL	Rain Water Leader
Amp	Ampere	Galv	Galvanized		
Approx	Approximately	GB	Grab Bar	S	South
Arch	Architect(Ural)	GC	General Contractor	SAD	See Architectural Drawings
Asph	Asphalt	GD	Garbage Disposal	San	Sanitary
Assoc	Association	GL	Glass	SASM	Self Adhered Sheet Membrane
Awn	Awning	Gnd	Ground	SC	Solid Core
		GSM	Galvanized Sheet Metal	SCD	Seat Cover Dispenser
Bd	Board	Gyp	Gypsum	Sched	Schedule
Bldg	Building			Sec, Sect	Section
Blk, Blkg	Block, Blocking	HB	Hosebib	SF	Square Foot, Feet
Bm	Beam	HD	Holddown, Hold Down	Sht	Sheet
Bot	Bottom	Hdr	Header	Shwr	Shower
BS	Both Sides	Hdwd	Hardwood	Sim	Similar (To)
Btu	British Thermal Unit	Hdwr	Hardware	SJ	Seismic Joint
Btwn	Between	He	High Efficacy	SLD	See Landscape Drawings
		Hgr, Hngr	Hanger	SM	Sheet Metal
Cab	Cabinet	HM	Hollow Metal	SMS	Sheet Metal Screw
CB	Column Base	Horiz	Horizontal	Spec(s)	Specification(s)
CBB	Cementitious Backer Board	Ht	Height	SPN	Sole Plate Nailing
CBC	California Building Code	HVAC	Heat Vent & Air Conditioning	Sq	Square
CEC	California Electrical Code			Sq Ft	Square Foot, Feet
Cem	Cement(itious)	ID	Inside Diameter	SSD	See Structural Dwgs
Cer	Ceramic	In	Inch	SS, SStl	Stainless Steel
CF	Cubic Feet	Incl	Include(s), Including	St, ST	Street, Strap Tie
CFC	California Fire Code	Info	Information	Sta, Stn	Station
CFM, CFS	Cubic Feet Per Minute, Second	Insul	Insulation	Ste	Suite
CI	Cast Iron	Inv	Inverted	Stl	Steel
Cir	Circle, Circular	Int	Interior	Susp	Suspended
Circ	Circulation			Sy, Sq Yd	Square Yard(s)
CJ	Control Joint	Jan	Janitor	Sym	Symmetrical
CL	Center Line	Jbox	Junction Box	SW	Shear Wall
Clg	Ceiling	Jct	Junction		
Clo	Closet	Jh	Joint Hanger	T, Trd	Tread
Clr	Clear	Jt	Joint	TB	Towel Bar
CMC	California Mechanical Code			T&B	Top And Bottom
Cntr	Counter	Kit	Kitchen	TBC	To Be Confirmed
CO, Co	Clean Out, Company	KW, KWH	Kilowatt, Kilowatt Hour	TBS	To Be Selected
Col	Column			TD	Tie Down
Comp	Composite	Lav	Lavatory	Tel	Telephone
Conc	Concrete	Lat	Lateral	Temp	Temporary, Temperature
Const	Construction	Lb, Lbs	Pound, Pounds	Tmpd	Tempered
Cont	Continue(ual/uous)	LF	Lineal Feet, Linear Feet	Ter	Terrazzo
Corr	Corridor	Lin	Lineal, Linear	Thresh	Threshold
CPC	California Plumbing Code	Lt	Light	T&G	Tongue and Groove
Cpr	Copper	Lvr	Louver	Thk	Thick(ness)
Cpt	Carpet	M, m	Meter	Thru	Through
CRC	California Residential Code	Mat	Material	TOC	Top Of Concrete
Csmt	Casement	Max	Maximum	TOS, TS	Top Of Slab
Ctrl	Control	MB	Machine Bolts	TP	Top Plate, Toilet Paper Dispenser
CW	Cold Water	Mech	Mechanical	Trans	Transformer
Cu	Cubic	Memb	Membrane	TSCD	Toilet Seat Cover Dispenser
		Mfr, Mnf	Manufacturer	TStat	Thermostat
Dbl	Double	Min	Minimum, Minute	TV	Television
Dbl Hng	Double Hung	Mir	Mirror	Typ	Typical
Deg	Degree	Mtd	Mounted		
Dept	Department	Mtl	Metal	U/	Under
Det	Detail	Mul	Mullion	UC, U/C	Under-Counter
Df	Douglas Fir, Drinking Fountain			Unf	Unfinished
Dia	Diameter	N	North	UNO	Unless Noted Otherwise
Diag	Diagonal	NFPS		UON	Unless Otherwise Noted
Dim	Dimension	NIC	Not In Contract	Ur	Urinal
Disp	Dispenser, Disposal	Nom	Nominal		
Dist	Distance	NS	Near Side	V	Volt
Div	Divide, Division	NTS	Not To Scale	VB	Vapor Barrier
Dn	Down	(N)	New	VCT	Vinyl Composition Tile
Dr	Drain, Door			Ven	Veneer
Dwg	Drawing	O/	Over (order of installation)	Vert	Vertical
Dtl	Detail	OAI	Outside Air Intake	Vest	Vestibule
DW	Dishwasher	OC	On Center	VIF	Verify In Field
		Occ	Occupant(s)	Vol	Volume
E	East	Od	Outside Diameter	W	West
Ea	Each	OFCI	Owner Furnished GC Installed	W/	With
El	Elevation	OFOI	Owner Furnished & Installed	W/O	Without
Elec	Electrical	Opng	Opening	WC	Water Closet
Elev	Elevation, Elevator	OC	Occupant Load	Wd	Wood
Emer	Emergency	Opp	Opposite	Wdw	Window
EN	Edge Nailing	Orig	Original	WH	Water Heater
Encl	Enclosure			Where Occurs	
Engr	Engineer			WO	
EP	Electrical Panel	P, |, //	Parallel	WP	Waterproof(ing)
Eq	Equal	P&P	Prime & Paint	Wt	Weight
Equip	Equipment	Pc	Piece		
				Yd	Yard

PROJECT TEAM

CLIENT

West Valley Muslim Association
ATTN: Lubna Shaikh, Executive Director
16769 Farley Rd
Los Gatos, CA 95032
(408) 800-4887
lubna@wvmuslim.org

ARCHITECT

Terry J. Martin Associates, A.I.A.
Terry J. Martin, AIA
1615 Westwood Dr
San Jose, CA 95125
(408) 395-8016
terry@tma-arch.com
CA Lic # C-23221

SHEET INDEX

A-0	Cover Sheet
A-2.1	Schematic Egress Site Plan
A-3	Overall Exiting Floor Plan

PROJECT SCOPE

Egress Analysis Only; No Changes to Building or Site Proposed.
Protect (E) Structural Envelope / Shell, (E) Path Of Travel, and (E) Restrooms to Remain.

ADDITIONAL DOCUMENTS & REQUIREMENTS

FIRE SAFETY

Construction sites shall comply with applicable provisions of the CFC Chapter 33 and Los Gatos Fire Department's specifications for Construction Site Fire Safety.

Fire Department access to the site, the building, & to all fire protection systems shall be maintained at all times per CFC Chapter 5. No obstruction such as vehicles, storage, and/or other materials or objects shall be placed or kept near fire hydrants, fire department inlet connections, or fire protection system control valves in a manner that would prevent such equipment or fire hydrants from being immediately discernible, per CFC 505.5.4.

Offce will be occupied during the demolition and construction phases of the project. Verify that free and unobstructed egress is maintained in the means of egress paths during both the demolition and construction phases of the project, per CFC, Section 1003.6.

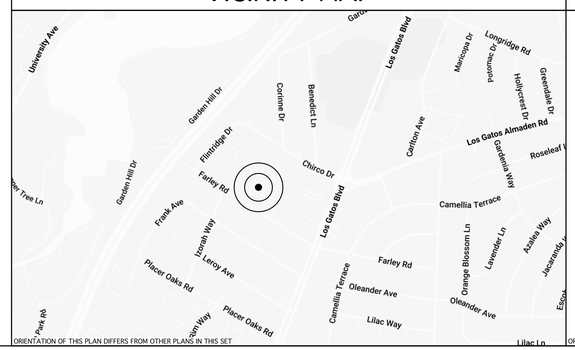
COORDINATION REQUIREMENTS

See Construction Observation Note on this sheet. Coordinate with Architect to provide required notice & to schedule mandatory construction observation. Provide minimum 48 hours advance notice and the opportunity to be present for all site visits & construction observation attended by Architect. Submit all Requests For Information to architect. Copy architect on all correspondence with any project Engineers, & all other project consultants.

PROJECT DATA

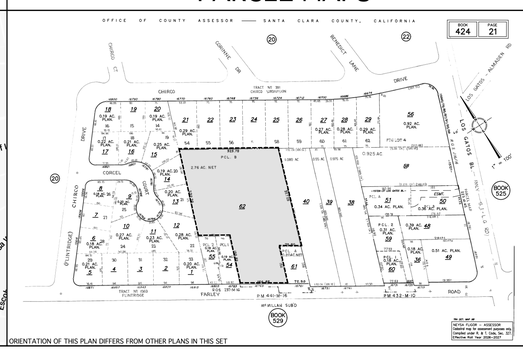
PROJECT ADDRESS:	16769 Farley Rd Los Gatos CA 95032
CLIENT:	West Valley Muslim Association, ATTN: Lubna Shaikh
APN:	086-42-021
ZONING:	R-1-8: Single Family Residential (Conditional Use Permit)
BUILDING AREA:	10,650 Sq Ft ±
STORIES:	Existing 1 Story
CONSTRUCTION TYPE:	TYPE III-B
OCCUPANCY:	Group A3 Assembly, Group B Offices, Group S-1 Supplies Nonseparated Occupancies / No Separation Required
APPLICABLE CODES:	Los Gatos Municipal Code 2025 CA Bldg Code, 2025 CA Elec Code, 2025 CA Mech Code, 2025 CA Plmbg Code, 2025 CA Energy Code, 2025 CA Fire Code, 2025 CalGreen Code, 2025 CA Ref Stds Code All as amended by The State Of California and Local Jurisdiction(s)

VICINITY MAP



ORIENTATION OF THIS PLAN DIFFERS FROM OTHER PLANS IN THIS SET

PARCEL MAPS



ORIENTATION OF THIS PLAN DIFFERS FROM OTHER PLANS IN THIS SET

SCCFD CONDITIONS OF APPROVAL

SANTA CLARA COUNTY FIRE DEPARTMENT
Fire Prevention Division
1315 Dell Avenue
Campbell, CA 95008
(408) 378-4010 Ext: 4420

FIRE PREVENTION REVIEW COMMENTS

PROJECT INFO:

FIRE DEPT PERMIT #: 262783-1
SUBMITTAL TYPE: New Plans
BUILDING PERMIT #: B26-0762
PLANNING PERMIT #:
LOCATION: 16769 FARLEY ROAD

PREPARED BY:

NAME: Michael Beam
EMAIL: michael.beam@sccfd.org
DATE: 2026-09-25

Project Name: WEST VALLEY MUSLIM ASSOCIATE

Scope of Work:

ARCHITECTURAL EGRESS ANALYSIS. NO CHANGES TO BUILDING OR SPACE.

All work shall be in accordance with the 2025 Los Gatos Fire, Building, Electrical and Mechanical Codes.

Status: APPROVED subject to compliance with the following comments, and field inspection.

Plan Review Comments:

1. The following items shall be verified during a fire and life safety inspection:

a. Exit signs shall be provided for all exit and exit access doorways as designated by the provided egress analysis. CFC 1013

b. Emergency lighting shall be provided and maintained in accordance with CFC 1008.3.

c. Every room or space which is used for assembly purposes having an occupant load of 50 or more shall have the occupant load of the room or space posted in a conspicuous place, near the main exit or exist access doorway. CFC 1004.9.

2. Note, this review is limited to a fire and life safety review of the provided egress analysis. It does not give authorization to exceed any other occupancy limits established by the Town of Los Gatos.

Town of Los Gatos
BUILDING DIVISION
PLAN APPROVED
BY _____ DATE 10.21.2026
Robert Gray
Plan check approval of documents does not authorize construction to proceed in violation of any federal, state, nor local regulations.

Town of Los Gatos
PLANNING DIVISION
APPROVED
10/21/2026
JOCELYN SHOOPMAN
THESE PLANS HAVE BEEN APPROVED AS SHOWN. ANY MODIFICATION TO WHAT HAS BEEN PROPOSED OR TO WHAT IS SHOWN AS EXISTING MAY REQUIRE A SEPARATE APPROVAL.

SCHEDULE FINAL INSPECTIONS PLEASE CONTACT THE FOLLOWING DEPARTMENTS SEVEN (7) DAYS IN ADVANCE OF FINAL BUILDING INSPECTION:

- ☐ PLANNING DIVISION: (408) 354-6874
- ☐ ENGINEERING/PUBLIC WORKS: (408) 399-5771
- ☑ SANTA CLARA COUNTY FIRE DISTRICT: (408) 378-4010
- ☐ WEST VALLEY SANITATION DISTRICT: (408) 378-2407
- ☐ SANTA CLARA CO. ENVIR. HEALTH: (408) 918-3400

Inspections and Testing:

Contact this office (408-341-4420) at least 72 hours prior to desired inspection schedule appointment. To avoid additional fees, provide 24 hours notice if the scheduled inspection needs to be canceled.

This review shall not be construed to be an approval of a violation of the provisions of the California Fire Code or of other laws or regulations of the jurisdiction. A permit presuming to give authority to violate or cancel the provisions of the fire code or other such laws or regulations shall not be valid. Any addition to or alteration of approved construction documents shall be approved in advance. [CFC, Ch. 1, 105.3.6]

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License # C23221

LICENSED ARCHITECT
TERRY J. MARTIN
C 23221
DEC 31 2027
RENEWAL DATE
STATE OF CALIFORNIA

Revisions & Dates

Rev	Description	Date:
1	Fire Egress Analysis Submittal	09/14/2026
2	Fire Egress Analysis Resubmittal	10/16/2026

Project

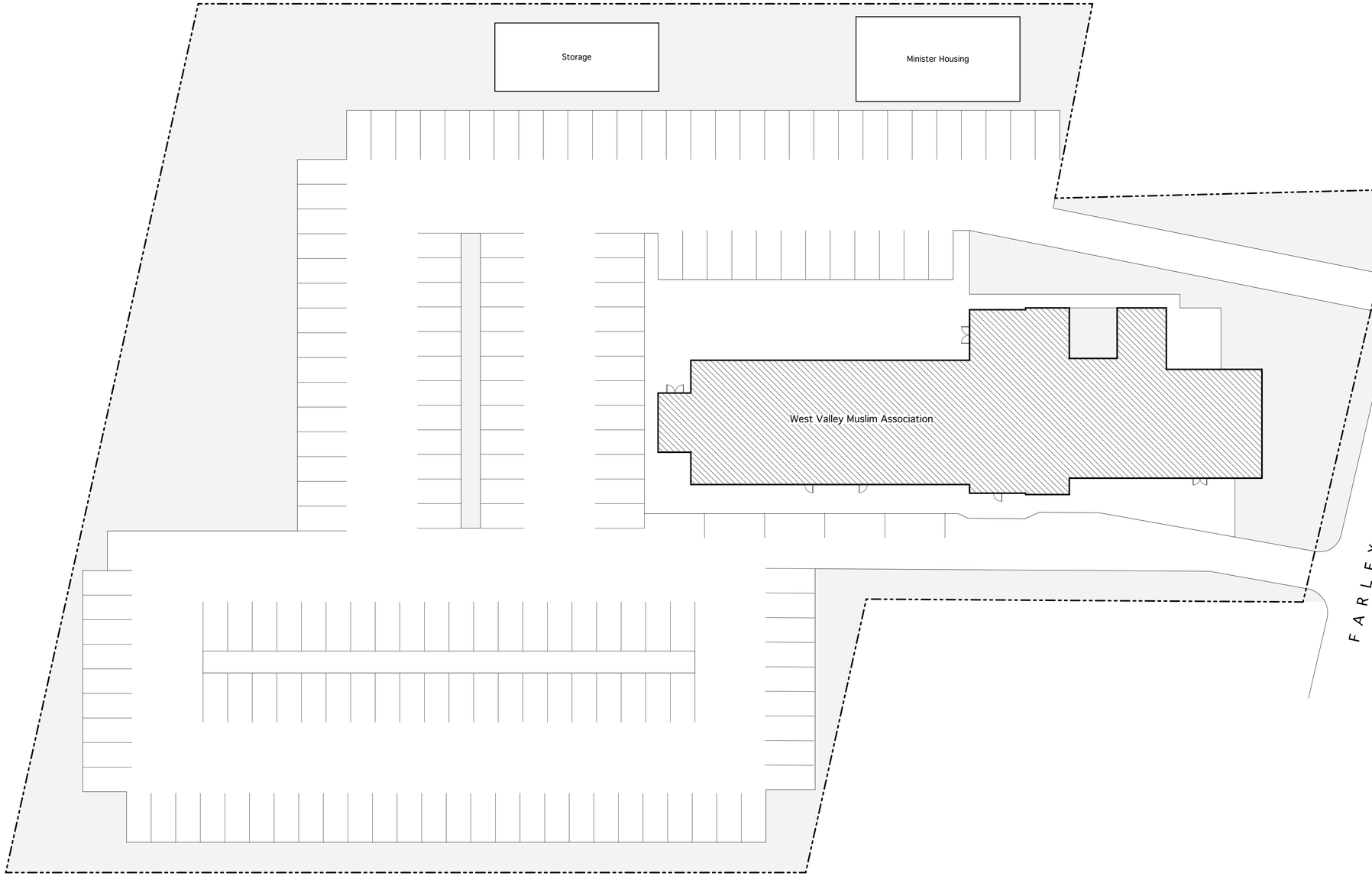
WEST VALLEY MUSLIM ASSOCIATION
EGRESS ANALYSIS
16769 Farley Rd
Los Gatos, CA 95032

Print Date:	10/16/2026
Project:	26016
Scale:	N/A
Drawn by:	RTP

Sheet Title:

COVER SHEET

A-0



1 SCHEMATIC EGRESS SITE PLAN

ALL DIMENSIONS ARE APPROXIMATE AND HAVE BEEN ROUNDED.
FIELD VERIFY ALL DIMENSIONS & SITE CONDITIONS PRIOR TO COMMENCING WORK.

0' 5' 10' 20' 40'
Scale: 1"= 20'-0"

NORTH

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Revisions & Dates

Rev	Description	Date:
1	Fire Egress Analysis Resubmittal	10/16/2026
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Project

WEST VALLEY MUSLIM ASSOCIATION
EGRESS ANALYSIS
16769 Farley Rd
Los Gatos, CA 95032

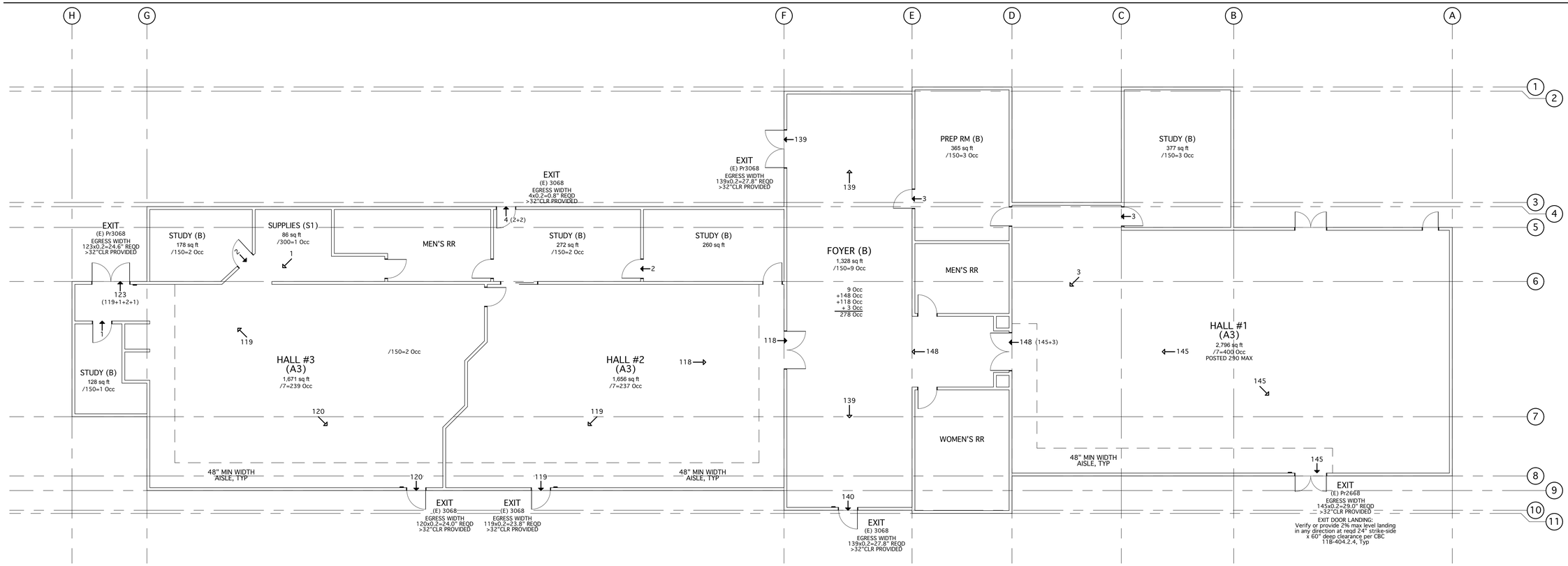
Print Date:	10/16/2026
Project:	26016
Scale:	AS NOTED
Drawn by:	RTP

Sheet Title:

SCHEMATIC EGRESS SITE PLAN

PLAN REVIEW APPROVAL
10.21.2026
TOWN OF LOS GATOS
BUILDING DIVISION

A-2.1



1 OVERALL EXITING FLOOR PLAN

ALL DIMENSIONS ARE APPROXIMATE AND HAVE BEEN ROUNDED. FIELD VERIFY ALL DIMENSIONS & SITE CONDITIONS PRIOR TO COMMENCING WORK.

0' 2' 4' 8' 12' 20'

Scale: 1/8" = 1'-0"

NORTH

OCCUPANCY LOAD TABLE

Room Name	SF	OL	Occupants
TYPE A3			
Hall #1	2,796	7	290 (Max Posted)
Hall #2	1,656	7	237
Hall #3	1,671	7	239
TYPE B			
Study	377	150	3
Prep Room	365	150	3
Foyer	1,328	150	9
Study	260	150	2
Study	272	150	2
Study	178	150	2
Study	128	150	1
TYPE S1			
Supplies	86	300	1
TOTAL OVERALL OCCUPANCY:			789

1

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Revisions & Dates

Rev	Description	Date:
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Project

WEST VALLEY MUSLIM ASSOCIATION
EGRESS ANALYSIS
16769 Farley Rd
Los Gatos, CA 95032

Print Date:	10/16/2026
Project:	26016
Scale:	1/8" = 1'-0"
Drawn by:	RTP

Sheet Title:

OVERALL EXITING FLOOR PLAN

PLAN REVIEW APPROVAL
10.21.2026
TOWN OF LOS GATOS
BUILDING DIVISION

A-3

From: Razi Mohiuddin [redacted]
Sent: Tuesday, September 29, 2026 3:06 PM
To: Jocelyn Shoopman <jshoopman@losgatosca.gov>
Subject: UCLA & UC Santa Cruz Study: Parking policy masks anti-Muslim discrimination

Jocelyn,

Can you please include this message and the attached article in the packet shared with the council when our item goes up for review.

This is a recent study published September 28, 2026 in the Journal of the American Planning Association, led by researchers from UCLA and UC Santa Cruz, that is directly relevant to our CUP. Three key findings:

- Newly proposed mosques are 16-18% more likely to experience opposition than newly proposed churches nearby.

- Citizen complaints around whether a new mosque will have enough parking lend an appearance of legitimacy to prejudice against Muslims, and city planners often impose arbitrary or ad-hoc requirements that delay and raise costs of mosque construction.

- Researchers recommend eliminating minimum parking requirements and allowing city staff to handle permitting decisions to remove this avenue of discrimination.

https://news.ucsc.edu/2026/09/parking-policy-masks-anti-muslim-discrimination/

I have also attached a PDF - please include that in the packet. The article contains links to the detailed study: https://escholarship.org/uc/item/2wg7q195 by the UCLA Institute of Transportation Studies, Center for Parking Policy.

Thanks,
Razi

SOCIAL JUSTICE & COMMUNITY

Parking policy masks anti-Muslim discrimination for communities building new mosques

New research shows that disputes around parking during the urban planning process are disproportionately used to fight the construction of mosques across the country

September 28, 2026 · By **Emily Cerf**



The Islamic Society of Santa Barbara's new mosque in Goleta, California was delayed in the city's permitting process for 10 years.

Appleton Partners LLP.

Press Inquiries

PRESS CONTACT

Emily Cerf

ecerf@ucsc.edu

KEY TAKEAWAYS

- Newly proposed mosques are 16-18% more likely to experience opposition than newly proposed churches nearby.
- Citizen complaints around whether a new mosque will have enough parking lend an appearance of legitimacy to prejudice against Muslims, and city planners often impose arbitrary or ad-hoc requirements that delay and raise costs of mosque construction.

- Researchers recommend eliminating minimum parking requirements and allowing city sta to handle permitting decisions to remove this avenue of discrimination.

When the Islamic Society of Santa Barbara finally welcomed their community to their newly built mosque in 2019, nearly 19 years had passed since they purchased the property, with 10 years alone spent on the city's permitting process. The development faced delays during 16 public hearings, during which residents of the suburban town of Goleta voiced a range of concerns, particularly around where worshippers would park their cars.

While objections like these might seem legitimate in isolation, a new study led by scholars at the University of California, Santa Cruz, and UCLA reveals that Muslim communities building new mosques disproportionately face opposition in the form of parking disputes, and that this procedural delay may often be used to mask anti-Muslim prejudice.

Published in the *Journal of the American Planning Association*, the country's leading journal for urban planning, their research shows that newly proposed mosques are 16-18% more likely to experience opposition than newly proposed churches nearby—significantly more than what might be expected by chance.

The researchers argue that because both religion and parking cause deep, fear-based responses for many people, the two can fuse together as community members and city officials take action that delay and derail mosque construction.

"A fear of religion and religious minorities exists in many areas of America, as much as we care about religious freedom. But there's also the fear of not enough parking," said UC Santa Cruz Professor of Politics and Legal Studies Mark Fathi Massoud, the study's senior author. "You put religion and parking together, and it results in this conflagration of emotion that is very visceral for people. We are trying to surface that viscerality of parking and of religion, and the ways that they come together, even in progressive towns and cities, that ultimately hurts Muslim communities."

Prejudice in planning

Land use processes across the U.S. often provide space for public input, and while some objections are made in good faith, urban planning research has shown that this can provide an avenue to disguise prejudices as planning objections. Affordable housing projects, for example, frequently face opposition masked as procedural complaints.

"Opposition to new development comes from many places, including from people who are trying to hide socially unacceptable, prejudicial, or racist opinions," said Adam Millard-Ball, study author and professor of urban planning at UCLA. "Objectors rarely say 'we don't want low-income people living here.' Instead, they say, 'well, the building doesn't have enough parking.' It's attractive as a disguise because parking is also a genuine concern for many people, and so separating the parking from the prejudice is a challenge."

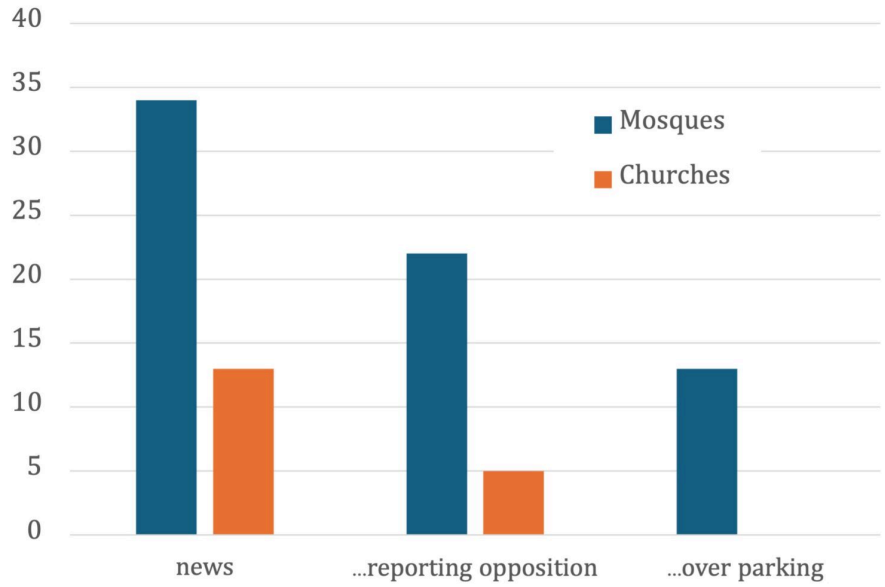
Massoud and Millard-Ball sought to understand if similar weaponization was at play against Muslim nunities—a question no academic research had previously addressed. UC Santa Cruz Ph.D. student

and undergraduate alumni Huzaifa Shahbaz joined their team, bringing his expertise as a former Se Researcher for the Council on American Islamic Relations (CAIR). The San Francisco Bay Area chapter of CAIR served as a community partner on this research, and the UC Institute for Transportation Studies provided funding.

To understand if discrimination was taking place, the researchers examined whether new mosques experienced complaints on the grounds of parking during the planning process at the same frequency as new churches, which represent the U.S.'s dominant religion. They identified 107 newly built mosques with a newly built church nearby as a point of comparison, and studied any opposition reported in local news coverage. To understand the larger qualitative landscape, they examined public records of city council hearings related to mosque construction across the country, and interviewed planners, elected officials, and religious leaders from case studies in the West Coast, Midwest, the South, and the East Coast.

Comparing churches and mosques

Their data revealed that mosques regularly faced opposition, even after complying with or exceeding parking requirements. The majority of both mosques and churches provided more parking than required by their local governments, with median capacities at 113% for mosques and 107% for churches.



News coverage of planning for new mosques and paired churches.

Despite meeting parking requirements, the mosques still faced frequent challenges. Local news coverage revealed that about 20% of the 107 new mosques faced opposition, with parking as a theme in more than half the instances of opposition. In comparison, only five of the 107 new churches faced opposition as reported in local news, and parking did not emerge as a theme in any of these cases.

"Both mosques and churches are providing more parking than needed, but the mosques were receiving all sorts of opposition disguised under the veil of parking," Massoud said. "That's not to say concerns over parking are not legitimate—these are real issues, but real issues can also be used to discriminate."

The parking cover

Interviews and public records demonstrated how citizen complaints over lot sizes, driveways, fire hydrants, and more could be used to delay and derail mosque construction—which the researchers say lends a

smokescreen of legitimacy to underlying prejudice. Executive Director of CAIR-San Francisco Zahra community partner on this research, dubbed this pattern “the parking cover.”

“When more process is involved, that opens up more space for public comment, and for rules to be applied inconsistently,” Shahbaz said.

When community members raised complaints, city officials often imposed additional arbitrary or ad-hoc requirements, ordering mosque leaders to conduct additional parking studies, hire traffic engineers and consultants, or build more spaces. In one instance, planners asked for the dimensions of prayer rugs to determine how many parking spaces would be imposed on the mosque; in another, a city changed the zoning code to double the amount of parking required after a mosque applied for their permit. These costly processes posed logistical and financial barriers to development.

“As proposed mosques get delayed, the Muslim communities have to come up with additional money to fund additional studies,” Massoud said. “Meanwhile construction costs are going up across the country, so they have to fundraise even more, which often delays or prevents projects from going forward entirely. Parking can actually stop people from building places of worship that matter for a lot of people.”

City council transcripts revealed that many of the complaints surrounding parking were made during hearings in which other community members displayed micro- or outright aggressions against Muslims. Some accused mosques of being a “threat” to home values, and one person expressed that it would be upsetting to hear a daily call to prayer.

And while U.S. laws like the First Amendment and the Religious Land Use and Institutionalized Persons Act (RLUIPA) bar religious discrimination in land development, Muslim leaders often hesitated to protect themselves through the legal system in order to preserve a positive relationship with their town or city. Even so, nearly 40% of federal RLUIPA investigations of cities and towns involve Muslims, who make up only 1.1% of the population.

“Many mosque communities we talked with were reluctant to even mention RLUIPA, because they felt that would alienate their colleagues in the city who they would later need to work with. Many mosques wanted to do right by the city. What things look like on the ground can be very different from what the law might provide,” Massoud said.

“Parking can actually stop people from building places of worship that matter for a lot of people.”

MARK FATHI MASSOUD

Eliminating parking requirements

The researchers found the parking cover at play in communities across the country, regardless of t political leanings. Millard-Ball noted that liberal cities tend to have more processes for citizen participation in public hearings, which offer more inroads for people to object.

Due to this pattern of discrimination, the researchers propose that cities eliminate minimum parking requirements as a way to take away this mechanism for prejudice. They advise that city staffers should approve most new places of worship that comply with zoning codes, rather than allowing these decisions to go to public hearings.

Their policy recommendation joins a chorus of other planners who suggest eliminating minimum parking requirements as a way to encourage more sustainable and healthy modes of transportation, as research shows these minimums reinforce a car-oriented transportation system that discourages walking, biking, and public transit. Some places across the country, particularly in California, are already starting to eliminate parking requirements around major public transit hubs on these grounds.

More details are available in the full study, the researchers' StoryMap article, and their policy brief.

RELATED TOPICS

Social Justice & Community

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Related Stories

From: Farley Road Neighborhood Coalition <[redacted]>
Sent: Tuesday, September 22, 2026 9:41 PM
To: Rob Moore <RMoore@losgatosca.gov>; Maria Ristow <MRistow@losgatosca.gov>; Mary Badame <MBadame@losgatosca.gov>; Rob Rennie <RRennie@losgatosca.gov>; Matthew Hudes <MHudes@losgatosca.gov>
Cc: Chris Constantin <CConstantin@losgatosca.gov>; Allen Meyer <AMeyer@losgatosca.gov>; Sean Mullin <SMullin@losgatosca.gov>; Joel Paulson <jpaulson@losgatosca.gov>; Town Manager <Manager@losgatosca.gov>; Jocelyn Shoopman <jshoopman@losgatosca.gov>; Alexa Nolder <ANolder@losgatosca.gov>; Planning <Planning@losgatosca.gov>; Gabrielle Whelan <GWhelan@losgatosca.gov>
Subject: WVMA CUP Condition #10 Violation — September 22

Dear Mayor Moore and Town Council Members,

We are writing to formally report another apparent violation the current Conditional Use Permit for West Valley Muslim Association (WVMA).

Today, Tuesday, September 22, **the west-facing window at the WVMA facility was observed open at approximately 4:00 p.m. and remained open when the observation concluded at approximately 5:10 p.m.**

This appears to be a direct violation of **16769 Farley Road Conditional Use Permit Application U-20-001, Condition #10, which states: "Windows on the west elevation shall remain closed."** During that same period, **from approximately 4:00 p.m. to 5:00 p.m., children yelling inside the facility were clearly audible** to neighboring residents from inside their homes.
It is unacceptable that neighbors continue to be placed in the position of monitoring and documenting WVMA's compliance with its existing CUP conditions.

These conditions were imposed by the Town for a reason, and compliance should not depend on surrounding residents having to repeatedly identify violations and bring them to the Town's attention. The expectation is that the CUP conditions be complied, maintained and managed in by the Applicant and any person(s) utilizing their facility.

As directed by Chris Constantine, we have submitted a 311 complaint regarding this incident. We have also added this latest violation to the matrix, occurring since June 2026. The residents have submitted and documented more than 30 reported CUP violations by WVMA previously. We encourage the Planning Commission, Town Council, Town Manager, Town Lawyer and Code Enforcement to familarize themselves with the list of documented violation, and stop responding with surprise and awe when FRNC raises these statistics and share data with the Town of Los Gatos government representatives.

We respectfully ask that the Town Council and Planning Commission consider the ongoing and continued pattern of reported noncompliance when evaluating WVMA's pending CUP

modification. The facility's compliance with its existing conditions is directly relevant to the Town's consideration of any additional operational privileges or expanded hours.
Neighbors should not have to spend their time policing a facility's compliance with conditions that the Town has already established and approved.

Thank you for your attention to this matter. We look forward to a timely response to the new violation, and acknowledgement that all representatives are in receipt of the violations captured by residents (FRNC).

Sincerely,

Farley Road Neighborhood Coalition (FRNC)

#	Date(s)	Description of Incident	Reported?	Action
CURFEW VIOLATIONS (Code Section 29.20.305)				
1	3/22/24	WVMA held two events that started at 10 pm and 10:30 pm - curfew violation; attendees left and walked to cars at midnight	Yes	Emailed Town manager on 4/1/24; code compliance - linked to WVMA website - no action
2	4/7/24	Vehicles exited and members walked to cars at midnight	Yes	Emailed code compliance submitted video documentation - no action
3	4/8/24	CUP Code Violation: Code section 29.20.305	Yes	Documented Video sent to Town
4	5/13/24	Vehicles entered and exited WVMA at 10:30 pm	No	No action
5	5/20/24	Vehicles entered and exited WVMA at 10:30 pm	No	Documented
6	5/21/24	Vehicles entered and exited WVMA at 10:30 pm	Yes	Emailed video, video and video to Code Compliance - no action
7	5/22/24	Vehicles enter and exit WVMA at 10:50 pm	Yes	Emailed video to Code Compliance- no action
8	5/28/24	Vehicles exit WVMA at 10:50 pm	No	video
9	5/31/24	Vehicles enter and exit WVMA at 10:50 pm	No	video
10	6/1/24	Vehicles enter and exit WVMA at 10:50 pm	No	video
11	1/24/26	Vehicles exited 10:15 to 10:40 pm, van idled next to WVMA's auditorium door; vehicle double parked on Farley Rd; last vehicle left at 11:24 pm.	Yes	Called the non-emergency police line(408.354.8600) and emailed photos to Code Compliance (incident #2601250038) - No action
12	3/15/26	Multiple vehicles exited the facility past 11 pm	Yes	Called the non-emergency police line(408.354.8600) and emailed Code Compliance. Incident #2603150092. No action
13	3/18/26	Multiple vehicles exited WVMA's facility after 11 pm Ramadan curfew	Yes	Reported to Code Compliance and submitted video - - administrative warning sent for

				“alleged code violation”
PARKING & PUBLIC SAFETY (CVC 22500e, 22514 / 18 U.S.C. 1701)				
14	5/22/24	Vehicle blocked Ratcliff driveway	No	Did not call LG-MS PD
15	10/4/2025	Blocked driveway during large WVMA event	No	Did not report - Texted WVMA ex Dir and asked traffic guard to take action; WVMA made announcement to move vehicle
16	2/18/26	Vehicle blocked Ratcliff driveway	No	Did not report. See video time stamp 02:47
17	3/13/26	Blocked mainbox during WVMA Friday service	No	Did not report
18	3/13/2026	Ramadan attendee Vehicle blocked fire hydrant	Yes	Called non-emergency police line(408.354.8600) and emailed Planning Commission
19	3/15/2026	Ramadan attendee Vehicle blocked fire hydrant	Yes	Called non-emergency police line(408.354.8600) and emailed Planning Commission
20	3/27/26	Tow truck blocked fire hydrant during Friday afternoon services	Yes	The call to LGPD was made after the time of the incident. Reported to Allen Meyer; emailed photos.
21	2/28/25–3/29/25	Speeding during Ramadan	Yes	Called LG-MS PD Incident # 2503240083
CONSTRUCTION & ZONING (Code Section 29.20.750 / 30.10.030)				
22	3/28/24	Construction outside approved hours; members building Tough Sheds on Sunday	No	Spoke to Lubna; Did not contact code compliance
23	4/20/24	Construction outside approved hours; members building Tough Sheds on Sunday	No	Did Not Report - Video
24	7/2024	Any storage unit or shed in the front yard or in the side yard and visible from a public right-of-way.	Yes	Emailed photos to Code Compliance - no action
25	10/23/24	Construction without obtaining a permit 12-foot wall constructed in public right of way	Yes	Emailed code compliance July 17, 2024- issued an Administrative warning Oct. 2024

26	7/29/25	Construction outside approved hours; workers on roof until 6:45 pm	Yes	Emailed code compliance - WVMA stated workers were there to repair AC... Code compliance deemed this work as emergency work and no action was taken. No action
27	8/2/25	Construction outside approved hours at 7:30 am	Yes	Emailed code compliance - WVMA stated workers were there to repair AC... Code compliance deemed this work as emergency work and no action was taken. No action
28	8/9/25	Construction on Saturday outside approved hours; workers up roof.	Yes	Emailed Code Compliance—WVMA stated they were doing rodent entry preventative measures - Code Compliance issued Administrative warning.
29	8/21/25	Construction outside approved hours; workers up on roof until 7:30 pm	Yes	Emailed code compliance - WVMA stated workers were there to repair AC... Code compliance deemed this work as emergency work and no action was taken.
30	2/14/26	Construction hours violation before 9 AM on Saturday -	Yes	Called the non-emergency police line(408.354.8600) and emailed photos to Code Compliance (incident #260140023) - no action
NOISE, LIGHTING & MAINTENANCE (Code Section 29.10.09015 / 16.20.015 / 16.20.010 / 16.20.060)				
31	5/3/21	Amplified music and voices operated at high volume at various times daily	Yes	Administrative Warning; verify audio equipment is within legal limits and suggestion to purchase a decibel meter
32	6/29/22	Residential Outdoor Lighting (Section 29.10.09015)	Yes	Administrative Warning; Electrical permit required
33	4/20/24	Gas Leaf Blower	No	Did Not Report - video
34	6/9/24	CUP Code Violation: Code section 29.20.305 - facility rental	Yes	Emailed Code Compliance; Gabrielle Whelan sent letter asking WVMA to come into compliance

35	6/9/24	Town Code Section 16.20.015 - Outside amplification	Yes	Emailed Code Compliance; Gabrielle Whelan sent letter asking WVMA to come into compliance - video see 01:58 for amplification
36	6/24/25	Gas Leaf Blower	Yes	Emailed video to Code Compliance - administrative warning issued

Since 6/9/26

#	Online Form Submission #	Date	Submitter	Brief description of Code Violation:	How long has this code violation occurred?
1	17653	6/9/26	Kim	West Valley Muslim Association is operating a for-profit summer camp for commercial use, which has changed the intensity of WVMA's operation. WVMA does not have a condition in its Conditional Use Permit (CUP) or an approved modification that would legally allow it. A third-party, for-profit summer camp introduces new impacts to the neighborhood.	6/8/26

#	Online Form Submission #	Email or Phone	Date	Submitter	Brief description of Code Violation	How long has this code violation occurred?
1	17653	Email, phone, in-person mtg with Chris Constantine	6/9/26	Kim Ratcliff	West Valley Muslim Association is operating a for-profit summer camp for commercial use, which has changed the intensity of WVMA's operation. WVMA does not have a condition in its Conditional Use Permit (CUP) or an approved modification that would legally allow it. A third-party, for-profit summer camp introduces new impacts to the neighborhood. They are offering after hours daycare.	6/8/26
2	487	None	6/23/26	Michelle Seger	Members of WVMA are conducting meetings or socializing in the parking lot in violation of operating hours (after 11pm) and outdoor quiet hours on a week night.	6/23/26
3	N/A	Called into LGPD	8/14/26	Jim Ratcliff	Double parked car on Farley Road during Friday prayer services	8/14/26
4	#1309	Email	9/22/26	Kim Ratcliff	The west-facing window at the WVMA facility was observed open at approximately 4:00 p.m. and remained open when the observation concluded at approximately 5:10 p.m. This appears to be a direct violation of CUP Condition #10, which states: “Windows on the west elevation shall remain closed.”	9/22/26

From: Farley Road Neighborhood Coalition <[redacted]>
Sent: Friday, October 9, 2026 1:22 PM
To: Jocelyn Shoopman <jshoopman@losgatosca.gov>; Rob Moore <RMoore@losgatosca.gov>
Cc: Gabrielle Whelan <GWhelan@losgatosca.gov>; Allen Meyer <AMeyer@losgatosca.gov>; Alexa Nolder <ANolder@losgatosca.gov>; Joel Paulson <jpaulson@losgatosca.gov>; Sean Mullin <SMullin@losgatosca.gov>; Robert Gray <RGray@losgatosca.gov>; Chris Constantin <CConstantin@losgatosca.gov>; Rob Rennie <RRennie@losgatosca.gov>; Mary Badame <MBadame@losgatosca.gov>; Maria Ristow <MRistow@losgatosca.gov>; Matthew Hudes <MHudes@losgatosca.gov>; Farley Road Neighborhood Coalition <[redacted]>
Subject: Re: Certificate of Occupancy & Use Request, PENDING, Certificate Missing

Jocelyn,

FRNC would like to request that this email exchange and the Certificate of Use document (attached), shared by you in your email dated 10-6-2026, **be included as public record** as part of the Town of Los Gatos Planning Commission Meeting(s) packet(s) for (10/14/26 & 10/28/26, 7 PM), as well as public record as part the Town of Los Gatos Town Council meeting(s) packet(s), (10/20/26, 10/29/26, 11/2/26, 11/17/26).

In addition, can you provide the method in which to obtain copies or photos of the approved occupant load cards currently posted at the facility? It would be appreciated if the Town of Los Gatos Building Official or Town Planning Department would request, obtain and share such posting documentation, as part of the public record for the ongoing continuance period of the Appeal.

FRNC appreciates the Town's willingness and diligence with this ongoing matter and is looking forward to the Town's full support.

If you have questions, please respond to this email. FRNC is also open to an in-person meeting to discuss this request and any related or outstanding items associated to this request and FRNC's Appeal.

Regards,

Farely Road Neighborhood Coalition

On Tue, Oct 6, 2026 at 2:49 PM Jocelyn Shoopman <jshoopman@losgatosca.gov> wrote:

Good afternoon,

Please see below for responses from Town staff to each of your individual requests. Town staff's responses are provided in **bold text** for each of reference:

— The new Certificate of Occupancy obtained in 2020 as required as a condition of WVMA's 2020 CUP.
Condition #4 of Conditional Use Permit Application U-20-001 is related to an applicant submitting a Certificate of Use and Occupancy application. A Certificate of Use and Occupancy application is submitted as part of obtaining a business license. A Certificate of Use and Occupancy application was approved on July 16, 2019 (see attachment).

—The Building Permit as required by CBC 105.1 for alterations to remove fixed pews at 16769 Farley Road. The permit requirement was also triggered by changes to occupant load calculation methods (from fixed to standing) and means of egress. Fixed seating is itself part of the means of egress, so removing it is altering the means of egress.
A Building Permit was not obtained for the removal of seating by the property owner. To obtain a copy of all Building permit records for the property, with exception of stamped and approved drawings, a Public Records Request may be submitted via the Town's online portal: https://losgatosca.nextrequest.com/.

— The Certificate of Occupancy obtained after the alterations to seating were completed. This was required since it was a change of occupancy per CBC 202.2 and CEBC Chapter 10.
A Building Permit was not obtained for the removal of seating by the property owner; therefore, an updated Certificate of Occupancy was not issued.

— The CBC 111.2 and CEBC 110.2 are very clear about what items must be listed on a Certificate of Occupancy. Included in that list of required items are "the design occupant load" and "any special stipulations and conditions of the building permit."
A Building Permit was not obtained for the removal of seating by the property owner; therefore, an updated Certificate of Occupancy was not issued. The property owner has since submitted an application for an occupant load and exiting review, which is currently under review. This application will determine the allowable occupant load based on the space as it is currently configured.

—Copies or photos of the approved occupant load cards for the facility.
The Town does not have copies or photos of occupant load postings.

Sincerely,

Jocelyn Shoopman ● Senior Planner
Community Development Department ● 110 E Main Street, Los Gatos CA 95030
Ph: 408.354.6875 ● JShoopman@losgatosca.gov
www.losgatosca.gov ● www.LosGatosCA.gov/MyLosGatos311

COMMUNITY DEVELOPMENT HOURS:
Counter Hours: 8:00 AM – 1:00 PM, Monday – Friday
Phone Hours: 8:00 AM – 5:00 PM, Monday – Friday

NOTICE: The Town is aware of scam emails requesting wire transfers to pay permit, or other, fees. The Town will NOT ever request wire transfers to pay for permits. Please call your assigned staff, or the Community Development Department, if you receive a payment request that does not look legitimate. You can also log into your Citizen's Portal account to see if you have any outstanding invoices.

All permit submittals are to be done online via our Citizen's Portal platform. All other services can be completed at the counter. For more information on permit submittal, resubmittal, and issuance, please visit the Building and Planning webpages.

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P Think Green, please consider the environment before printing this e-mail.

From: Jocelyn Shoopman <jshoopman@losgatosca.gov>
Sent: Wednesday, September 30, 2026 3:26 PM
To: [redacted] <[redacted]>
Cc: Joel Paulson <jpaulson@losgatosca.gov>; Sean Mullin <SMullin@losgatosca.gov>; Gabrielle Whelan <GWhelan@losgatosca.gov>; Chris Constantin <CConstantin@losgatosca.gov>; Robert Gray <RGray@losgatosca.gov>
Subject: Re: Certificate of Occupancy & Use Request, PENDING, Certificate Missing

Good afternoon,

Thank you for your email.

Staff is coordinating with the Building Division to prepare a response and will follow up with you once additional information is available.

Sincerely,

Jocelyn Shoopman ● Senior Planner
Community Development Department ● 110 E Main Street, Los Gatos CA 95030
Ph: 408.354.6875 ● JShoopman@losgatosca.gov
www.losgatosca.gov ● www.LosGatosCA.gov/MyLosGatos311

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P Think Green, please consider the environment before printing this e-mail.

From: Farley Road Neighborhood Coalition [redacted]
Sent: Wednesday, September 30, 2026 2:15 PM
To: Jocelyn Shoopman <jshoopman@losgatosca.gov>; Gabrielle Whelan <GWhelan@losgatosca.gov>; Planning <Planning@losgatosca.gov>; Chris Constantin <CConstantin@losgatosca.gov>; Joel Paulson <jpaulson@losgatosca.gov>
Cc: Mary Badame <MBadame@losgatosca.gov>; Matthew Hudes <MHudes@losgatosca.gov>
Subject: Re: Certificate of Occupancy & Use Request, PENDING, Certificate Missing

Dear Planning,

We are following up on our request from 9)24/26. Please provide a reply estimating when the information will be provided.

We are utilizing the Town Council's continuance approval of the appeals for the modification to the CUP to gather data, and this written request is important.

We look forward to receiving the Town of Los Gatos Planning

Regards,

FRNC
On Thu, Sep 24, 2026, 3:56 PM Farley Road Neighborhood Coalition <[redacted]> wrote:

Dear Planning,

In April 2025, we emailed former Town employee Henry Read and requested WVMA's Certificate of Occupancy. Henry emailed us the Certificate of Occupancy & Use Application from when WVMA first moved into the facility in 2019 but did not send the actual **certificate**. FRNC is requesting that now.

Additionally, we would like to request the following:

— The new Certificate of Occupancy obtained in 2020 as required as a condition of WVMA's 2020 CUP.

—The Building Permit as required by CBC 105.1 for alterations to remove fixed pews at 16769 Farley Road. The permit requirement was also triggered by changes to occupant load calculation methods (from fixed to standing) and means of egress. Fixed seating is itself part of the means of egress, so removing it is altering the means of egress.

— The Certificate of Occupancy obtained after the alterations to seating were completed. This was required since it was a change of occupancy per CBC 202.2 and CEBC Chapter 10.

The CBC 111.2 and CEBC 110.2 are very clear about what items must be listed on a Certificate of Occupancy. Included in that list of required items are "the design occupant load" and "any special stipulations and conditions of the building permit."

—Copies or photos of the approved occupant load cards for the facility.

Thank you,

Farley Road Neighborhood Coalition

E2 $65.00

ITEM NO. 1.

TOWN OF LOS GATOS

Community Development

110 E. Main Street
Los Gatos, CA 95030
(408) 354-6874 • FAX: (408) 354-7593
Planning@LosGatosCA.gov

PAID
JUL 16 2019
TOWN OF LOS GATOS
BP25113

SIC Code: _____

Business License Routing Form

Date: 7/16/19

Business License # 41367

☒ New Business ☐ Business Name Change ☐ Address Change ☐ Ownership Change

Business Name: West Valley Muslim Association

Applicant's Name: Imtiaz Qureshi

Business Address: 16769 Farley RD **Suite #** _____ **ZIP Code** 95032

Phone Number: [redacted] **Applicant's Email:** _____

Non-Religious Non-Profit
Description of Business Activity

Previous Location of Business (address change only):

* * * \

TOWN of LOS GATOS
PLANNING DEPARTMENT
(408) 354-6872

January 25, 1990

Keith Marshall
257 Las Miradas Drive
Los Gatos, CA 95030

RE: 16769 Farley Road
a. Conditional Use Permit Application U-89-11
b. Architecture and Site Application S-89-53

Requesting permission to maintain an existing church facility, to remove existing and rebuild a caretaker's unit, construct library and hallway addition and to make other miscellaneous building, parking and landscaping modifications.
PROPERTY OWNER: Los Gatos Congregation of Jehovah's Witnesses, Inc.
APPLICANT: Keith Marshall

The Town of Los Gatos Planning Commission, at its meeting of January 10, 1990, approved the above application subject to the following conditions:

TO THE SATISFACTION OF THE PLANNING DIRECTOR:

1. A Tree Removal Permit is to be obtained prior to the issuance of a Building Permit.

2. The ministers' quarters shall not be allowed for any use other than living quarters for ministers associated with the church facility.

3. Hours of Operation shall not extend past 10:00 p.m.

4. Windows on the west elevation shall remain closed.

5. The new fence on the easterly side of the property shall be of the same type of redwood as currently exists there now.

TO THE SATISFACTION OF THE TOWN ENGINEER:

6. Final drainage driveway plan to be provided.

7. An Encroachment Permit shall be obtained for any work in the public right-of-way.

If you have any questions, please contact Kirk Heinrichs of this department.

Lee E. Bowman
Planning Director

LEB:smk

cc: Los Gatos Congregation of Jehovah's Witnesses, Inc.,
Development Review Committee (7)

PC ACT 4

CERTIFICATE OF USE & OCCUPANCY APPLICATION

TOWN OF LOS GATOS - COMMUNITY DEVELOPMENT DEPARTMENT

CIVIC CENTER:
110 E. MAIN STREET
LOS GATOS, CA 95030
(408) 354-6874

APPLICATION #: UU - 19-052

1. **ADDRESS OF SUBJECT PROPERTY:** Religious - 16769 Farley Rd Los Gatos

2. **APPLICANT REQUEST:**
Present or last known use: Religious Date of last known use: 2018

Has the space been vacant and/or unoccupied for more than five years? NO

Proposed use (if retail, list nature / type of sales): Religious

TYPE OF REQUEST (check one):
____ Change of Use (e.g. retail to office)
__✓__ Change of Occupancy (e.g. retailer) New Church
____ Use/Occupancy Clearance if Conditional Use Permit is required (no fee)

3. **PROPERTY OWNER:**
Name: RIAZUDDIN KHAJA Phone: [redacted]
Address: 16769 FARLEY RD.
City: LOS GATOS State: CA ZIP: 95032

I hereby certify that as the property owner I authorize the filing of this application. I understand that pursuant to the Town of Los Gatos Municipal Code, conditions of approval are binding upon both the applicant and property owner(s).

SIGNATURE OF PROPERTY OWNER: [signature] DATE: 07-16-2019
(or copy of signed lease agreement)

4. **APPLICANT:** (If same as above, check here ____)
Name: Mahmed Ashrak Saiyed Phone: [redacted]
Address: [redacted]
City: [redacted] State: [redacted] ZIP: [redacted]

I hereby certify under penalty of perjury that all application materials and plans are true and correct.

SIGNATURE OF APPLICANT: [signature] DATE: 07-16-2019

FOR DEPARTMENT USE ONLY:
(✓) Planning
( ) Building
( ) Engineering
( ) Fire Marshall
( ) Environmental Health Services
( ) Other

Please recommend approval or denial for the proposed use. If you should deny the application, indicate the reason(s) in the comment section below. Return the application to the Counter Technician.

(X) APPROVED ( ) DENIED

COMMENTS: zone: R-1:8

CHANGE OF USE	
CUO1 / PLPERMIT	$230.00
CUO1 / PLTRACK	9.20
CUO1 / PLANAP	23.00
TOTAL FEE	**$262.20**

CHANGE OF OCCUPANCY	
CUO2 / PLPERMIT	$ 155.00
CUO2 / PLTRACK	6.20
CUO2 / PLANAP	15.50
TOTAL FEE	**$176.70**

7/1/2019

No fee

N:\DEV\FORMS\Planning\2019-20 Forms\Use and Occupancy.docx

From: Farley Road Neighborhood Coalition <[redacted]>
Sent: Tuesday, November 17, 2026 3:02 PM
To: Matthew Hudes <MHudes@losgatosca.gov>; Mary Badame <MBadame@losgatosca.gov>; Gabrielle Whelan <GWhelan@losgatosca.gov>; Rob Moore <RMoore@losgatosca.gov>; Rob Rennie <RRennie@losgatosca.gov>; Maria Ristow <MRistow@losgatosca.gov>; Chris Constantin <CConstantin@losgatosca.gov>; Town Manager <Manager@losgatosca.gov>; Planning <Planning@losgatosca.gov>; Joel Paulson <jpaulson@losgatosca.gov>; Jocelyn Shoopman <jshoopman@losgatosca.gov>; Sean Mullin <SMullin@losgatosca.gov>; [redacted]; [redacted]; Alina Hernes <[redacted]>
Subject: FRNC Respectfully demands TC Delay the WVMA CUP Modification Vote

Dear Los Gatos Town Council,

In advance of your closed session with outside counsel tonight and the December 2 Special Town Council Meeting, the Farley Road Neighborhood Coalition respectfully demands that you, our elected representatives, postpone any decision on the 16769 Farley Road CUP Modification until you can base this landmark CUP modification on **true facts**.

Your decision must be delayed until Ramadan 2027 -- three months from now -- so that the Town can conduct the appropriate traffic safety and sound studies and base any CUP decisions and conditions on **empirical evidence.**

FRNC's traffic safety expert, Paul Krupka, expressed concern that the "**unsafe and incompatible public safety conditions will lead to accidents resulting in injuries and fatalities."**

Krupka stated that the actual parking spillover **clashes** with the approved WVMA CUP modification conditions. He concluded that "The Town's lack of site-specific traffic data is **significant**. There is no quantitative basis for the Town and WVMA to analyze the actual effects of LGIC high-attendance activities and WVMA Conditional Use Permit conditions on traffic volumes and safety."

Similarly, the Council does not have the true facts if you rely on the applicant funded sound study. As pointed out by members of the public during the Planning Commission meetings, and FRNC's acoustics specialist, Sundance Acoustics, WVMA's funded study **was not conducted during Ramadan**, during which the attendance increases dramatically. It had other myriad other limitations, as noted in the attached report.

Thank you,

Farley Road Neighborhood Coalition

krupka.

August 12, 2026

Town Council Members *by email only > clerk@losgatosca.gov*
Town of Los Gatos
110 E. Main Street
Los Gatos, CA 95030

RE: Public Comment Item #__

Dear Town Council Members:

I am supporting the Farley Road Neighborhood Coalition (FRNC) by providing a traffic engineering assessment of existing access conditions at the West Valley Muslim Association's Los Gatos Islamic Center (LGIC) at 16769 Farley Road in Los Gatos. This letter presents my summary qualifications and documents my work.

Summary Qualifications

I am a registered Civil Engineer and Traffic Engineer in California and have 45 years of diverse experience across all phases of project delivery, including preliminary assessment, conceptual planning, feasibility analysis, design, and construction. I have demonstrated expertise in transportation, traffic, and transit planning, engineering, and design related to transit-oriented development, transit facilities, parking facilities, roadway and highway improvements, large and small development projects, neighborhood, community, downtown, city, subarea, county, and sub-regional plans, and transit and highway corridors.

Purpose

The purpose of this traffic engineering assessment was to assess existing access conditions at the LGIC based on limited observations, available data, and communications with the Client, the Town, and the West Valley Muslim Association (WVMA).

Scope of Assessment

The assessment included the following activities.

- Review relevant materials regarding the existing WVMA Conditional Use Permit and the proposed modification under consideration by the Town.
- Observe the layout and operational conditions at the LGIC on Farley Road during Friday prayer.
- Conduct two sample peak-hour vehicle and pedestrian counts using the Client's videos of Farley Road during typical and Ramadan conditions.
- Gather street classifications, traffic data, and crash history from the Town.
- Communicate with the Client, Town planning, engineering, and police department staff, the Santa County Fire Department, and WVMA.

KRUPKA CONSULTING
431 Yale Drive | San Mateo, CA | 94402
650.504.2299 | paul@pkrupkaconsulting.com | pkrupkaconsulting.com

Findings

Layout and Operational Conditions at the LGIC

The services at the mosque include the customary five daily prayers, community support activities, and programs for all community members.

Site access for vehicles and pedestrians is provided by two one-lane, one-way driveways on Farley Road, inbound abutting the east property line and outbound abutting the west property line. The site has 180 parking spaces that are fully occupied during high-attendance events under typical operations, such as Friday prayer and, during Ramadan, nightly prayers. The WVMA community uses public parking on Farley Road and other connecting neighborhood streets during high-attendance events, and walks to and from the mosque along the roadway shoulders.

Farley Road and connecting neighborhood local streets (Flintridge Drive and Chirco Drive) have two traffic lanes, no centerline striping, parallel parking on both sides, and no continuous sidewalks within a right-of-way width of 40 feet. Flintridge Drive and Chirco Drive have shoulder striping, whereas Farley Road does not.

Two public schools south of Blossom Hill Road serve the neighborhood: Louise Van Meter Elementary School and Raymond J. Fisher Middle School. Their minimum-day and regular dismissal times (approximately Noon and 2:30 p.m./3:00 p.m.) bracket the 1:30 p.m. afternoon prayer time at LGIC. Nearby streets Izorah Way and Los Gatos Boulevard are included in the Walk & Roll to School Suggested Routes for these schools. Student traffic coincides with LGIC traffic leaving afternoon prayer.

WVMA's Conditional Use Permit stipulates that WVMA is solely responsible for its operations during high-attendance events, including: advance guidance to community members about respectful parking practices such as using on-site parking, carpooling, and avoidance of spillover impacts on surrounding streets; minimizing congregating outside during Quiet Hours; parking lot monitoring; traffic management; driveway operations; and event parking overflow planning.

Traffic Observations

Friday Prayer - I conducted a sample video count of entering traffic and pedestrian traffic at the LGIC entry driveway prior to Friday prayer on July 24, 2026, between 1:10 p.m. and 1:55 p.m. I counted approximately 160 vehicles and 40 pedestrians entering. The site was essentially empty by 2:30 p.m., and I concluded that the same volumes exited the site. I observed orderly, safe movements and minimal conflicts - vehicle/vehicle or vehicle/pedestrian - during this period of essentially continuous inbound flows. For reference and comparison, I calculated the *equivalent hourly entering traffic flow* to be 215 vehicles and 55 pedestrians.

I viewed three brief Friday prayer videos provided by the FRNC, which were taken March 3, 2026, July 3, 2026, and November 1, 2024, and saw conditions similar to those noted above; plus, in the latter video, I saw a direct conflict between exiting traffic and pedestrians, and a resident delayed while attempting to leave their driveway.

Nightly Prayers During Ramadan - I conducted a sample traffic count using video provided by a Farley Road resident east of the LGIC, taken on March 13, 2026, between 8:20 p.m. and 8:55 p.m. I counted 80 vehicles and 40 pedestrians westbound (entering the LGIC) during a peak ten-minute period (8:40 p.m. to 8:50 p.m.). For reference and comparison, I calculated the *equivalent hourly entering traffic flow* to be 480 vehicles and 240 pedestrians. I observed continuous inbound flows and safe movements, effectively controlled by the slow-moving queue of traffic, except when arriving vehicles filled available street parking and when through traffic conflicted directly with pedestrians because both shared the same space (the travel lane). *This is unsafe.*

I viewed five brief evening prayer videos provided by the FRNC, looking at the entering (about 8:00 p.m.) and exiting traffic (about 10:00 to 11:00 p.m.) near the LGIC exit driveway, which were taken February 17, 2026, February 18, 2026, March 11, 2026, March 14, 2026, and March 15, 2026. I observed a chaotic condition, with continuous flows of queued traffic and pedestrians, vehicle/vehicle and vehicle/pedestrian conflicts, and a few LGIC traffic attendants observing and guiding traffic. *This is unsafe.*

I noted that traffic exiting the site was directed to the right onto Farley Road, which I understand is typically done to channel exiting traffic to the signalized intersection at Los Gatos Boulevard and Chirco Drive via Flintridge Drive, rather than using the uncontrolled intersection at Los Gatos Boulevard and Farley Road, to enhance safety. The trade-off here is a longer travel distance on neighborhood streets and the potential use of Izorah Way and connecting neighborhood streets to reach Los Gatos Boulevard.

Communications with the Fire Department

I spoke with Curtis Ruel of the Santa Clara County Fire Department about his observations on fire response in the LGIC area during periods of high attendance. He said he knew of no occasions when fire response was affected in this area. He noted that the fire department does what it needs to do to respond to all emergencies.

Communications with Town Engineers

I met with Gary Heap, Town Engineer, and Mike Vroman, Town Traffic Engineer, on July 14, 2026, to discuss the LGIC, local neighborhood streets, traffic data, and crash history. They indicated that their involvement in the WVMA Conditional Use Permit includes coordination and meetings with Town staff and community members. They noted that they visited the LGIC site in April 2026 and have not visited the site during Ramadan.

They emphasized that they have no site-specific traffic data because the WVMA Conditional Use Permit did not and does not require any traffic analysis. They noted that they visited the LGIC site in April 2026 and have not visited the site during Ramadan. They indicated that they have viewed the Ramadan videos provided by the FRNC, as I have. They said that the typical neighborhood local street right-of-way width of 40 feet provides ample room for the safe movement of vehicles and pedestrians, acknowledged the absence of sidewalks, and concluded that they have no safety concerns.

They talked about the Town's Neighborhood Traffic Calming Program and the Chirco Neighborhood Existing Traffic Calming project that has been implemented. They noted that they

considered an application/petition for related improvements on Flintridge Drive and it did not meet the necessary criteria for implementation. They noted that in 2024, Flintridge Drive carried less than 1,000 vehicles per day.

They provided a transportation analysis for the Whole Foods store at Los Gatos Boulevard and Los Gatos Almaden Road/Chirco Drive, from which I extracted peak period traffic counts for Chirco Drive and estimated that it carried approximately 1,300 vehicles per day.

They reported that, according to the Town Clerk's official records, there were 13 crashes in this neighborhood between October 2020 and December 2025. Two crashes occurred at a location on Farley Road, as noted below.

- One was a crash without injuries at Farley Road and Los Gatos Boulevard, for which no report was taken
- One was a crash without injuries at the LGIC, 16769 Farley Road, for which no report was taken.

Crash Data

I queried the Transportation Injury Mapping System (TIMS) at UC Berkeley, which provides easy access to the Statewide Integrated Traffic Records System (SWITRS), for crashes between April 1, 2023 and March 31, 2026, and found no crashes on or near Farley Road. I submitted a Town Public Records Access (PRA) request to the Police Department for collisions and crashes on Farley Road between January 1, 2025, and June 30, 2026. The report I received included no records for Farley Road in this neighborhood.

Conclusions

I drew these conclusions from the above findings.

- LGIC traffic movements for Friday prayer were continuous, yet orderly and safe, with minimal conflicts - vehicle/vehicle or vehicle/pedestrian.
- LGIC traffic movements for evening prayers during Ramadan were continuous, chaotic, and risky, especially along Farley Road, when arriving vehicles filled available street parking and through traffic conflicted directly with pedestrians because both shared the same space (the travel lane), and at the LGIC driveways, where continuous flows of queued traffic and pedestrians caused numerous vehicle/vehicle and vehicle/pedestrian conflicts. This is unsafe.
- Based on my estimated hourly traffic volumes, I expect that LGIC traffic is a substantial component of daily traffic volumes on Farley Road on a typical Friday, and a much larger component on each day of Ramadan. I interpret this as a typical-versus-special-event condition, with typical events occurring each Friday during 11 months of the year and special events occurring daily during Ramadan.
- The WVMA community members' use of street parking appears to be contrary to the WVMA Conditional Use Permit conditions regarding the avoidance of parking spillover effects and event parking overflow planning.
- The Town's lack of site-specific traffic data is significant. There is no quantitative basis for the Town and WVMA to analyze the actual effects of LGIC high-attendance activities and WVMA Conditional Use Permit conditions on traffic volumes and safety.

Professional Opinion

LGIC activities for evening prayers during Ramadan created unsafe and incompatible conditions on Farley Road and at the LGIC driveways due to conflicts between vehicles and pedestrians, who were forced to share the roadway because parking demand exceeded LGIC parking supply and WVMA community members used virtually all available street parking.

These observed parking spillover effects appear to clash with the WVMA Conditional Use Permit conditions regarding the avoidance of parking spillover effects and event parking overflow planning.

I am concerned that this unsafe and incompatible public safety condition will lead to accidents resulting in injuries and fatalities, and that it is in your community's best interests to study, define, and implement appropriate measures to enhance safety.

Sincerely,
KRUPKA CONSULTING

Paul J. Krupka, PE
Sole Proprietor

Registered Professional Engineer in California > Civil C 47497, Traffic TR 1574

cc: Farley Road Neighborhood Association *by email only* > [redacted]

Technical Analysis of Hours of Operation Noise Study

West Valley Muslim Association - 16769 Farley Road, Los Gatos, California

Prepared by	Christian Hoobyar, Principal Consultant Sundance Acoustics LLC
Date	August 14, 2026
Subject report reviewed	Salter, Hours of Operation Noise Analysis, West Valley Muslim Association, Los Gatos, CA, dated April 29, 2025
Purpose	Independent technical analysis of the sufficiency of the noise study for evaluating proposed late-night and pre- sunrise operations adjacent to residential receptors

Important limitation: Sundance Acoustics did not perform the Salter measurements and is not certifying that a Town noise violation has occurred. The purpose of this report is to evaluate whether the Salter study provides sufficient evidence to support the conclusion that proposed expanded operations will comply with applicable noise requirements under representative conditions.

1. Purpose and Scope

Sundance Acoustics LLC was retained to perform an independent technical analysis of the April 29, 2025 Hours of Operation Noise Analysis prepared by Salter for the West Valley Muslim Association (WVMA) at 16769 Farley Road, Los Gatos, California.
The purpose of this review is not to reproduce Salter's study or independently determine present compliance. Sundance Acoustics did not conduct the measurements contained in the Salter report. Rather, this analysis evaluates whether the measurement methodology, measurement periods, monitoring locations, assumptions, and reported data provide sufficient technical support for the conclusion that the proposed extended operating hours would not adversely affect adjacent residential properties or violate applicable Town noise requirements.
Particular attention is given to proposed late-night and pre-sunrise operations because those are the periods associated with the requested expansion of operating hours and the principal concern expressed by neighboring residents.

2. Documents and Information Reviewed

- Salter, Hours of Operation Noise Analysis, West Valley Muslim Association, Los Gatos, CA, dated April 29, 2025.
- West Valley Muslim Association, Request for Modification of Conditional Use Permit - Letter of Justification, dated April 29, 2025, including the current CUP hours language and requested modified operating hours.
- Town of Los Gatos Municipal Code, Chapter 16 - Noise, including sections addressing curfew noise disturbance, exterior noise levels for residential zones, measurement definitions, and motor vehicle noise.
- Town of Los Gatos Noise Zone Map, including the map legend that identifies ambient noise levels by time period and states that weekends and holidays subtract 5 dB.
- Client/resident correspondence describing the late-night and early-morning noise concerns, the relationship of the affected residence to the WVMA driveway and property line, and observed high-activity periods. Resident phone-based measurements were reviewed only as anecdotal context for identifying complaint periods, not as calibrated compliance evidence.

3. Executive Summary of Findings

The Salter study provides useful information regarding conditions observed during the monitoring period. However, the measurements presented do not appear sufficient, by themselves, to establish that the proposed extended late-night and pre-sunrise operations will comply with the Town's noise requirements or will not create a curfew noise disturbance under representative operating conditions.

The principal concern is not that Salter necessarily reached an incorrect conclusion from the data it collected. Rather, the issue is that the data collected does not fully represent the specific conditions the Town is being asked to approve: **late-night departures, Ramadan-related extended operation, pre-sunrise arrivals, and peak-use activity occurring adjacent to residential property.**

Primary Recommendation

Before making a final determination on expanded operating hours, require additional professional sound monitoring during representative late-night, pre-sunrise, and peak-attendance operations, with direct measurement at or immediately adjacent to affected residential property boundaries.

4. Technical Findings

Finding 1: The study did not measure the activity during the hours principally at issue.

The Town's public project record identifies Conditional Use Permit Application U-24-010 as a request to modify the existing Conditional Use Permit for expanded hours of operation. WVMA's April 29, 2025 Letter of Justification states that the current CUP limits operations to 10:00 p.m., except for 30 days during Ramadan when operations may extend to 11:00 p.m. The requested modification would establish morning use beginning one and one-half hours before sunrise, extend normal nighttime use to 10:30 p.m., and extend Ramadan use to 11:30 p.m. when sunset is at or before 7:30 p.m., or to 12:00 a.m. when sunset is later than 7:30 p.m.

Salter's representative departure measurement, however, was taken from 8:00 to 9:00 p.m. on February 7, 2025. Its representative arrival measurement - labeled a "Sunrise Service Approximation" - was taken from 9:00 to 10:00 a.m. on February 6, 2025. Salter's own introductory description also characterizes the requested dawn service as beginning one hour and 15 minutes before sunrise and describes Ramadan extension only to 11:30 p.m.; those descriptions do not fully match WVMA's application, which requests one and one-half hours before sunrise and, under specified future Ramadan conditions, use until midnight.

In simple terms, **the application asks the Town to authorize operating periods that Salter did not directly test.** The study measured the general type of activity at issue - people arriving and leaving by vehicle - but its representative event measurements were outside the late-night and pre-sunrise periods for which expanded authorization is requested. This mismatch is the principal reason additional representative testing is warranted.

Operating Period	Existing CUP	WVMA Requested Modification	Salter Representative Event Test
Morning / Fajr	Current quoted CUP condition does not specify a morning opening time	Begin 1.5 hours before sunrise	9:00-10:00 AM arrival test
Normal nighttime	End by 10:00 PM	End by 10:30 PM	8:00-9:00 PM departure test
Ramadan - sunset at or before 7:30 PM	End by 11:00 PM	End by 11:30 PM	No representative late-night Ramadan test identified
Ramadan - sunset after 7:30 PM	End by 11:00 PM	End by 12:00 AM	No representative late-night Ramadan test identified

Table 1. Key Finding: The CUP modification seeks authorization for late-night and pre-sunrise operating periods that were not directly represented by Salter's event measurements. Salter's nighttime departure analysis used activity from 8:00-9:00 PM, while its pre-sunrise approximation used arrivals from 9:00-10:00 AM. No representative late-night Ramadan event measurement was identified.
Sources: West Valley Muslim Association, Request for Modification of Conditional Use Permit - Letter of Justification, April 29, 2025; Salter, Hours of Operation Noise Analysis, April 29, 2025.

Finding 2: Ambient conditions are time-dependent, so late-night and pre-sunrise periods should be measured directly.

The significance of the timing mismatch is acoustical, not merely administrative. Ambient sound can vary substantially by time of day. A residential neighborhood before sunrise may have a materially different background sound environment than the same location at 9:00-10:00 a.m.; similarly, conditions after 10:00 p.m. may differ from 8:00-9:00 p.m. The Town's noise framework itself distinguishes among time periods when establishing applicable criteria. Accordingly, direct measurements during the requested late-night, Ramadan,and pre-sunrise operating periods would provide a more reliable basis for evaluating the proposed CUP modification.

Finding 3: The report does not demonstrate that the town’s fast-response measurement procedure was applied

Salter’s event comparisons are based primarily on one-hour equivalent sound levels, Leq(h). Leq is a valid and widely used acoustical metric, but it represents the average acoustic energy over the selected measurement period. As a result, an hourly Leq may not fully characterize short-duration events such as door and trunk closures, vehicle starts and acceleration, or raised voices—the types of intermittent events of particular concern during late-night and early-morning hours.

The Town of Los Gatos defines its noise-level measurement procedure using an ANSI Type 1 or Type 2 precision sound level meter with A-weighting and FAST response. Salter utilized professional Type 1 instrumentation; however, the report presents its event comparisons as Leq(h) and does not state whether the sound level meters were configured to use FAST response. Therefore, the submitted report does not provide sufficient information to verify that the Town’s specified FAST-response measurement procedure was applied when evaluating these intermittent noise-producing activities.

This does not mean that Salter’s use of Leq is invalid or that its calculations are necessarily incorrect. Rather, hourly Leq alone does not fully address the character of the noise being evaluated, and the report does not document whether the Town’s FAST-response procedure was also followed. **Additional testing should document A-weighted FAST response and include logged Leq, Lmax, L10, and L90 during representative late-night and pre-sunrise operations.** This would allow evaluation of overall acoustic exposure (Leq), maximum short-duration events (Lmax), recurring elevated activity associated with vehicle and pedestrian movements (L10), and the underlying background sound environment (L90).

Finding 4: Property-line levels were calculated rather than directly measured at the affected residential boundary.

The Town's residential exterior noise criterion is expressed at the property plane. Salter monitored at LT-1 near the WVMA egress aisle, LT-2 near Farley Road, and LT-3 near the rear parking lot, then calculated resulting property-line levels using assumed barrier reduction.

This type of engineering calculation can be useful for screening and context. However, where the relevant residential property boundary is directly adjacent to the egress driveway and direct measurement appears feasible, direct property-line monitoring would reduce uncertainty and provide a clearer comparison to the Town's property-plane criterion.

Finding 5: The assumed 5 dB fence reduction materially affects the conclusions and should be verified.

Salter states that 5-to-6-foot wood slat fences separate WVMA from adjacent residences along most property lines. The report calculates approximately 7 dB of fence attenuation, then conservatively applies a 5 dB reduction to derive property-line levels at the west and north property lines.

The assumed 5 dB reduction may be reasonable as a screening-level estimate, but the report does not present site-specific validation measurements showing that the existing fence actually provides that reduction for the relevant sources, receiver locations, source heights, gaps, line-of-sight conditions, or nighttime parking-lot activity.

Because this attenuation assumption directly changes the calculated property-line level, direct measurements at the residential property boundary would provide stronger evidence than relying on an unverified barrier assumption.

Finding 6: The 12-foot microphone height should be explained and justified.

Salter states that its noise monitors were mounted on trees and utility poles at an approximate height of 12 feet above grade. The report does not explain why this height was selected or demonstrate that it is representative of the affected residential receptor locations, outdoor residential use areas, bedroom exposure, or the property-plane condition of concern.

The relevant sources described by residents - vehicle doors, trunk closures, engine starts, low-speed vehicle movement, and voices - are generally near ground level. A monitoring height of 12 feet may be appropriate in some contexts, but the report should explain why this configuration is representative of the receptors and ordinance criteria being evaluated.

Finding 7: Some reported levels approach or exceed referenced thresholds, but the source contribution is not isloated.

Salter reports an event-arrival level of 56 dBA at LT-2 along Farley Road during the 9:00-10:00 a.m. arrival approximation. Salter also notes that this measurement includes all traffic and therefore is not fully attributable to WVMA activity.

This point should be handled carefully. The 56 dBA value does not, by itself, prove a WVMA violation because unrelated roadway traffic is included. At the same time, it also does not prove that WVMA-related traffic complies. The measurement instead illustrates the need for source-specific, representative monitoring capable of distinguishing WVMA-related activity from unrelated roadway traffic and ambient conditions.

Finding 8: There appears to be an inconsistency in the stated weekend/holiday night time criterion.

Salter's narrative states the nighttime criteria as 54 dBA on weekdays and 49 dBA on weekends and holidays. In the appendix table reproduced in the report, the 10:00 p.m. to 6:00 a.m. row lists 48 dBA ambient, 54 dBA weekday maximum, and 51 dBA weekend/holiday maximum, while also noting a 5 dB weekend/holiday penalty.

If the weekday maximum is 54 dBA and a 5 dB weekend/holiday penalty applies, the resulting weekend/holiday maximum would be 49 dBA, not 51 dBA. This appears to be an internal inconsistency or table error. It does not appear to be the central issue in the report because Salter's narrative applies 49 dBA; however, it underscores the need for the Town to verify the correct applicable criteria directly from the Town Code and Noise Zone Map.

Finding 9: Curfew noise is a separate issue from a simple one-hour average property-line value.

The Town's curfew noise disturbance provisions apply between 10:00 p.m. and 8:00 a.m. and address noise disturbances within 100 feet of places used for sleeping or that disturb persons within hearing distance. Salter acknowledges that the ordinance language concerning disturbing noise is difficult to quantify.

Because the complaints focus on sleep-sensitive hours, intermittent vehicle and pedestrian activity, and proximity to residential sleeping areas, a single calculated hourly property-line level does not fully characterize the curfew-noise considerations. Additional monitoring should document not only Leq, but also maximum levels and identifiable events during the actual operating periods at issue.

5. Applicable Town Noise Criteria and Measurement Considerations

The Town of Los Gatos Noise Zone Map places the project area within the Orange Noise Zone, which establishes weekday ambient levels of 55 dBA from 6:00 a.m.–1:00 p.m., 59 dBA from 1:00 p.m.–10:00 p.m., and 48 dBA from 10:00 p.m.–6:00 a.m. Section 16.20.015 permits noise up to 6 dB above the applicable mapped level outside the property plane. Accordingly, the nighttime limit is 54 dBA on weekdays and 49 dBA on weekends/holidays after application of the Town's 5 dB weekend/holiday adjustment. These nighttime criteria used in Salter's narrative analysis are consistent with the Town's requirements.

Salter's Appendix Table A1, however, lists the nighttime weekend/holiday maximum as 51 dBA, while its narrative uses 49 dBA. The 51 dBA value appears inconsistent with the Town criteria and with Salter's own stated calculation method. This discrepancy should be clarified, although it does not by itself invalidate the overall analysis.

The Town's curfew noise disturbance provision (§16.20.010) is also relevant and is separate from the numerical property-line limit. It applies between 10:00 p.m. and 8:00 a.m. and addresses noise near sleeping places, noise that disturbs persons within hearing distance, and noise that is unreasonably disturbing considering its character, duration, time, or place. Therefore, demonstrating compliance with an hourly average or calculated property-line level does not necessarily address all considerations associated with intermittent late-night activity.

Finally, the Town establishes specific sound-level measurement procedures, including use of precision instrumentation and FAST response. While Salter used professional Type 1 instrumentation, its report presents event comparisons primarily as one-hour Leq(h) values and does not document the meter response setting. Additional testing should clearly document the applicable FAST response and include Leq, Lmax, L10, and L90 during representative late-night and pre-sunrise operations to more completely characterize overall exposure, short-duration events, recurring elevated activity, and background sound conditions.

6. Recommended Additional Testing

Sundance Acoustics recommends that the Town require additional sound monitoring before making a final determination on expanded operating hours. At minimum, the monitoring should include representative late-night, pre- sunrise, and peak-attendance conditions.

Recommended measurement periods

- Late-night event monitoring from at least 10:00 p.m. through completion of departure activity.
- Ramadan or comparable high-attendance late-night monitoring if the extended Ramadan operating period is central to the requested approval.
- Pre-sunrise/Fajr monitoring beginning before anticipated arrivals and continuing until arrival activity is complete.
- Peak-attendance monitoring, including a representative high-capacity event or other period reasonably expected to generate the greatest ingress/egress activity.
- If scheduling allows, a continuous 24-hour monitoring period during a representative event day and non-event comparison day.

Recommended measurement locations

- At or immediately adjacent to the affected residential property boundary near the WVMA egress driveway.
- At a representative outdoor residential receptor location, where access is available and appropriate.
- At a reference location near the WVMA driveway or parking activity to help identify source contribution.
- At a roadway/ambient reference location if needed to separate general traffic from WVMA-related activity.

Recommended metrics and documentation

- Use a calibrated ANSI Type 1 sound level meter or equivalent instrument acceptable under the Town's measurement requirements.
- Document pre- and post-measurement calibration.
- Log at a resolution sufficient to identify short-duration events, ideally one-second logging.
- Report Leq, Lmax, L10, L50, L90, and event-based observations where appropriate.
- Document weather, windscreen use, microphone height, distance from reflecting surfaces, site conditions, and observable sources.
- Use field notes, synchronized observations, or audio/event markers where lawful and appropriate to distinguish WVMA-related activityfromunrelated roadway traffic.

7. Mitigation Considerations

If the Town determines that expanded operating hours are appropriate, Sundance Acoustics recommends that any approval include enforceable noise-management and mitigation conditions rather than relying only on informal operational practices.

Solid acoustical barrier

The existing hedge or landscaping should not be treated as an acoustical barrier. Landscaping may provide visual screening and some psychological benefit, but it generally should not be relied upon for substantial sound reduction unless combined with a continuous, solid, gap-free barrier of adequate height, mass, and geometry.

A continuous solid acoustical barrier should be evaluated along the affected egress-driveway/property-line condition. The barrier could be masonry, concrete, or another sufficiently massive and continuous assembly designed by a qualified professional. Final design should account for driveway elevation, receiver elevation, sight lines, barrier height, gaps, drainage openings, and the specific bedroom/outdoor receptor locations requiring protection.

Operational controls

- Maintain trained parking/traffic attendants during late-night and early-morning events.
- Post and enforce quiet-departure signage and no-honking/no-idling policies.
- Avoid gate, track, or speed-bump conditions that generate impact noise near residential boundaries.
- Route vehicles away from the most sensitive residential edge where feasible.
- Establish an enforceable complaint-response and monitoring protocol.

Neighborhood mitigation fund

As a planning condition, theTown could consider requiring the applicant to contribute to a neighborhood noise-mitigation fund. Eligible improvements could include acoustically upgraded windows and exterior doors, perimeter sealing, ventilation modifications allowing windows to remain closed, site-specific barriers or fencing, or other improvements identified through acoustical evaluation.

8. Conclusion

Based on the information reviewed, the Salter report is not without value; it provides measured data and a framework for evaluating the site. However, the report does not appear to provide sufficient evidence to conclude that the proposed expanded late-night and pre-sunrise operations will comply with the Town's noise requirements or avoid curfew noise impacts under representative conditions.

The most important technical gap is the mismatch between the expanded operating periods requested in the CUP application and the representative event periods actually measured. Additional concerns include reliance on one-hour averages for intermittent short-duration events, calculated rather than directly measured residential property-line levels, the assumed 5 dB fence attenuation, the unexplained 12-foot monitor height, and the inability of mixed-source roadway measurements to isolate WVMA-related traffic.

Sundance Acoustics therefore recommends that the Town require additional professional monitoring during representative operations before making a final determination regarding expanded hours. If approval is ultimately granted, appropriate noise mitigation conditions should be considered, including a continuous solid acoustical barrier at the affected driveway/property-line condition, enforceable operational controls, and consideration of a neighborhood mitigation fund for affected residences.

Source Notes

West Valley Muslim Association, Request for Modification of Conditional Use Permit - Letter of Justification, dated April 29, 2025. Town of Los Gatos public project record for CUP U-24-010.

Salter, Hours of Operation Noise Analysis, West Valley Muslim Association, Los Gatos, CA, dated April 29, 2025. Key referenced pages include the purpose/summary, site description, measurement locations, event departure and arrival sections, ordinance appendix, and conclusion.

Town of Los Gatos Municipal Code, Chapter 16 - Noise. Municode current online code: https://library.municode.com/ca/los_gatos/codes/code_of_ordinances?nodeId=CO_CH16NO

Town of Los Gatos Noise Zone Map, DocumentCenter View/38492: https://www.losgatosca.gov/DocumentCenter/View/38492/Noise-Zone-Map

Resident correspondence and client-provided materials reviewed for context regarding complaint periods, observed traffic patterns, and resident concerns. Consumer phone/app sound readings were not treated as calibrated compliance measurements.

Prepared by:
Christian Hoobyar
Principal Consultant
Sundance Acoustics LLC

X Christian Hoobyar 8/14/26

Plain-Language Key Points for City Council

The following points are intended for a lay audience and are written to support a short public-hearing presentation. They avoid technical overstatement and focus on the need for additional evidence before approving expanded hours.

- The Salter report does not establish the noise conditions during the operating periods the Town is being asked to authorize, because the key event measurements were not taken during those late-night or pre-sunrise periods.
- WVMA is requesting operation until 10:30 p.m., until 11:30 p.m. during much of Ramadan and, under specified future Ramadan conditions, until midnight, plus morning use beginning 1.5 hours before sunrise. Salter's representative departure test was 8:00-9:00 p.m., and its representative morning arrival test was 9:00-10:00 a.m.
- A neighborhood before sunrise or late at night is not the same acoustical environment as the same location during normal evening or morning hours.
- The report relies heavily on one-hour average sound levels. Short events like car doors, trunk closures, voices, engine starts, and low-speed vehicle movements can be very disturbing during sleep hours even when the one-hour average appears acceptable.
- The property-line levels in the report were calculated using an assumed 5 dB reduction from the existing wood fence. They were not directly measured at the affected residential boundary during the actual hours in question.
- Sundance Acoustics is not concluding that a violation has occurred. We are concluding that the existing study is not enough to prove that expanded late-night and early-morning operations will comply under representative conditions.
- The reasonable action is to keep the hearing open or require additional professional testing during the actual late- night, early-morning, Ramadan/high-attendance, and peak-departure conditions before making a final decision.

Suggested Council Request

Require additional professional sound monitoring during actual late-night, pre-sunrise, and peak-attendance operations,

with at least one monitor placed at or immediately adjacent to the affected residential property boundary near the egress driveway.

From: Razi Mohiuddin <[redacted]>
Sent: Thursday, November 19, 2026 4:52 PM
To: Jocelyn Shoopman <jshoopman@losgatosca.gov>
Subject: Re: WVMA - Special Town Council Meeting 12/02/2026

Hi Jocelyn,

WVMA does not agree to the continuance, for two reasons:

1. The Town and the neighbors have had two Ramadans to gather any data needed to make a decision. The Town itself has been in possession of LGPD noise measurements taken on the busiest Ramadan night in March 2025, showing no noise violation (attached).

2. The delay itself is a substantial burden on our religious exercise. Each postponement means another Ramadan in which our congregation must shorten its prayers.

The Town has had ample opportunity to gather any data it needs, including since the last continuance on August 18. We ask that the Council decide the matter on December 2, and not remand it to the Planning Commission or continue it again.

Thanks,

Razi

In the Name of God, The Compassionate, The Merciful

CAIR CALIFORNIA

Council on American-Islamic Relations, California
San Francisco Bay Area Office
3350 Scott Blvd., Bldg. 48, Santa Clara, CA 95054
Tel. 408.986.9874 Fax 408.986.9875 ca.cair.com

November 23, 2026

VIA ELECTRONIC MAIL

Mayor and Town Council
Town of Los Gatos
110 E. Main Street
Los Gatos, CA 95030

RE: West Valley Muslim Association's Conditional Use Permit – 16769 Farley Road

Dear Honorable Mayor and Members of the Town Council:

We write on behalf of the San Francisco Bay Area office of the Council on American-Islamic Relations, ("CAIR-SFBA"), our nation's largest American Muslim civil rights and advocacy organization.

CAIR-SFBA previously wrote to this Town's Planning Commission ("Planning Commission") and to this Council in support of West Valley Muslim Association's ("WVMA") request to modify its Conditional Use Permit ("CUP") for the property located at 16769 Farley Road ("the Property"), and to support WVMA's appeal of conditions imposed by the Planning Commission in its May 21, 2026, decision. We write once again to remind the Town of its obligations to respect religious freedom under federal law.

WVMA currently operates the Property under a preexisting CUP which was last modified in or around March 2020. That CUP contained ten conditions of approval, four of which limit the use of the Property. They include a restriction on the Property's general hours of operations, which "shall not extend past 10:00 p.m. except for 30 days during religious service for the month of Ramadan which hours of operation shall not extend past 11:00 p.m."

WVMA applied to amend its existing CUP in or around August 2024, seeking, amongst other things, a 30-minute extension of its nighttime hours of operation for 11 months of the year and a 30-minute extension during the month of Ramadan. The Town's own Staff Report concluded that the extension will not have a material impact because the activities are already occurring today and are lawful. Throughout the CUP amendment application process, WVMA worked closely and patiently with Town staff to ameliorate concerns that WVMA's neighbors had expressed about WVMA's operations. After nearly two years, the Town Planning Commission then attempted to impose 33 conditions on WVMA's use of the Property in May 2026.

While we are concerned about several of the proposed conditions, we write now to draw particular attention to the additional conditions that set time limits for "worship services," which shall not "extend past 10:30 p.m. daily", while "[o]ther activities are limited to the hours of 8 a.m. to 10 p.m."

Taken together, the additional conditions would restrict religious observances that the WVMA community has lawfully been permitted to conduct at the Property for years. This diminution of previously-allowed

religious exercise would substantially limit the ability of WVMA's congregants to practice their faith in violation of the Religious Land Use and Institutionalized Persons Act ("RLUIPA").

As you should know by now, RLUIPA prohibits land use regulations that impose a "substantial burden" on religious exercise, unless the regulations are justified by a "compelling governmental interest", using the least restrictive means possible.[1] Restrictions that substantially limit an intended religious use of a property create a substantial burden; a "substantial burden" exists when government exerts "substantial pressure on an adherent to modify his behavior and to violate his beliefs."[2] RLUIPA's protections are expansive and may include any exercise of religion, "whether or not central to [. . .] a system of religious belief."[3]

Nothing in WVMA's existing 2020 CUP attempts to dictate what sort of religious activities WVMA can or cannot host at the Property during specific times of day, nor does the existing CUP attempt to delineate what does or does not constitute "worship services". However, the additional conditions the Planning Commission attempted to impose in May 2026 would do just that.

While the existing CUP simply limits "hours of operation" generally, the May 2026 Conditions of Approval draws artificial distinctions between "worship services" and "other activities," and restrict the allowable hours and attendance for non-worship activities. Such a condition would place the Town in the position of having to determine what constitutes "worship" in the Islamic faith. The Town cannot define what is "worship" versus "other activities." Every event, program, and observance at the Property would become a matter for the Town to classify and police, putting it in a position of judging WVMA's religion that it has no business or right occupying. Such limits on "other activities" would also significantly restrict WVMA's ability to conduct fellowship activities, educational programs, and other religious ceremonies that are central to the Islamic faith – activities all currently allowed under the existing CUP.

The proposed conditions on operating hours and myriad other restrictions would necessarily force the WVMA congregation to modify its behavior and violate its beliefs by abandoning its existing practices. Moreover, not only has the Town not articulated a compelling governmental interest that might ostensibly be served by severely burdening the exercise of Islam in this manner, the Town has also not shown that these limitations are the least restrictive means to achieve any purported compelling governmental interest. As such, these Conditions of Approval would likely violate RLUIPA.

Federal courts have enforced RLUIPA in mosque land-use disputes. In *Adam Community Center v. City of Troy*, a federal court granted summary judgment to the mosque on its substantial-burden claim after the city denied zoning variances needed to use the property as a house of worship.[4] In 2024, CAIR-Michigan brought a RLUIPA challenge on behalf of Masjid Al-Farook and secured a settlement allowing the congregation to establish Lodi Township's first mosque.[5]

[1] RLUIPA, 42 U.S.C. § 2000cc(a).
[2] *St. Timothy's Episcopal Church by & through Diocese of Oregon v. City of Brookings*, 726 F. Supp. 3d 1231, 1244 (D. Or. 2024) (internal quotations omitted).
[3] 42 U.S.C. § 2000cc-5(7)(A).
[4] *Adam Community Center v. City of Troy*, No. 18-13481, ECF No. 85, at 3 (E.D. Mich. Sept. 28, 2022).
[5] *CAIR-Michigan,* CAIR-MI Announces Settlement with Lodi Township to Allow First Mosque in Township *(Oct. 3, 2024).*

Further delay is itself a substantial burden on WVMA's religious exercise, and RLUIPA protects against it. The Town and the neighbors have had two Ramadans to gather any data needed to make a decision, and the Town itself has been in possession of Los Gatos Police Department noise measurements taken on the busiest Ramadan night in March 2025 showing no noise violation. Each postponement means another Ramadan in which the congregation must shorten its prayers. We therefore urge the Council to decide this matter on December 2, and not to remand it to the Planning Commission or continue it again.

It would behoove the Town to review RLUIPA's mandates and to take care not to infringe on the constitutionally-protected right of Muslims to exercise their faith in Los Gatos. If the Council does not reach a decision on December 2, or if its decision restricts WVMA's ability to practice its faith at the Property, CAIR-SFBA and WVMA are prepared to pursue all available legal means.

Sincerely,

Zahra Billoo

Zahra Billoo, Esq.
Executive Director

cc: West Valley Muslim Association
Aliah Abdo, The Abdo Law Firm, P.C.
Matthew Visick, Reuben Law

From: Gus Who <[redacted]>
Sent: Thursday, September 10, 2026 12:55 PM
To: Clerk <Clerk@losgatosca.gov>
Subject: Public Comment Item #

Re: Farley Rd / WVMA ongoing issue

To whom it may concern,

As someone that attempted to appeal the planning commission decision anonymously on this subject matter right away (May 22) and was denied by this administration.

that lead to … Class Action Sued "Town Council of Los Gatos, USDC (San Jose), et. al in USDC San Francisco- case # 3:26-cv-08282-SK … under the 1st amendment right to " petition the government for grievances" … blah blah ..

… and blah blah .. not legal issues arose .. and continuances of dates to ongoing issues

… and in the meantime.. the Fire Department changes occupancy to mosque numbers to 566 from 1214 .. blah blah ..

.. both Farley coalition and WVMA appealing .. stating fault with .. blah blah ..

the administration hiring and paying all kinds of attorneys to defend its position.. CIP

I like to point out … SOMETHING IS GOING WRONG!

I think we should get a Federal Judge .. & I nominate Susan Illston out of San Francisco. She been on the bench for a long time.. and she allowed me to speak even though I had an attorney. But had concerns with him as he was pushing his expertise, over 25 years ago.

She can call in and probably settle a lot of these issues of what is legal and what is not in a short period of time.

So go ahead and write in or call in to the case above .. and let's have an expert senior US District judge Way weigh in.. (I mean .. I doubt the fire department is going to admit wrong to the #566) as I found fault with .. appeal rights .. and someone else did to and reported it to me.

Respectfully Submitted,

Gus Who, et al that think Town Folks should not have to pay a bunch of people (attorneys and staff to drag this subject matter on.. and on…) for blah blah blah!

From: MarkAnthony Soaries
Sent: Tuesday, August 18, 2026 7:47 PM
To: Clerk
Subject: Re: Support Equal Treatment for WVMA

Dear Mayor and Members of the Los Gatos Town Council,

I urge you to grant WVMA's appeal and ensure equal treatment for the Town's Muslim community.

The conditions imposed on WVMA appear to subject the mosque to requirements that are not imposed on comparable houses of worship. Religious institutions should be treated fairly regardless of faith.

The West Valley Muslim Association really feels like a second home and a safe haven for so many of us. It is the place where we catch up with friends, find comfort during tough times, and watch our kids grow up with strong values. The warmth and sense of belonging you feel the moment you walk through the doors is truly special. Honestly, our community just wouldn't be the same without the incredible heart and soul of this association.

Thank you for your consideration and for supporting fairness, religious freedom, and equal treatment for all.

Sincerely,
Mark-Anthony Soaries

From: ahsan syed
Sent: Tuesday, August 18, 2026 6:19 PM
To: Council; Clerk
Subject: Re: Support Equal Treatment for WVMA

Honorable Mayor and Members of the Los Gatos Town Council,

I urge you to grant WVMA's appeal and ensure equal treatment for the Town's Muslim community.

The conditions imposed on WVMA appear to subject the mosque to requirements that are not imposed on comparable houses of worship. Religious institutions should be treated fairly regardless of faith.

Please understand that we are very peaceful community of professionals who dutifully obey the laws of this beautiful country,
who pay the taxes, and fully participate in Los Gatos affairs.

Thank you for your consideration and for supporting fairness, religious freedom, and equal treatment for all.

Respectfully yours,

Ahsan A. Syed
Mahjabeen Syed

From: Benji Bonnet
Sent: Tuesday, August 18, 2026 5:35 PM
To: Clerk
Subject: Re: Support Equal Treatment for WVMA

Dear Mayor and Members of the Los Gatos Town Council,

I urge you to grant WVMA's appeal and ensure equal treatment for the Town's Muslim community.

The conditions imposed on WVMA appear to subject the mosque to requirements that are not imposed on comparable houses of worship. Religious institutions should be treated fairly regardless of faith.

Thank you for your consideration and for supporting fairness, religious freedom, and equal treatment for all.

Sincerely,
Benji Bonnet, new area resident and WVMA attendee

From: Amr Bakry
Sent: Tuesday, August 18, 2026 4:21 PM
To: Council; Clerk
Subject: Re: Support for the WVMA Appeal and Community Fairness and Unity

Dear Mayor and Members of the Los Gatos Town Council,

I am writing to respectfully urge you to grant the appeal submitted by the West Valley Muslim Association (**WVMA**). Ensuring this facility can fully serve our local Muslim community is vital for the growth and well-being of our town. The current conditions imposed on the WVMA subject the mosque to requirements that are not standard for comparable houses of worship. Religious institutions deserve fair, equal treatment under the law, regardless of faith.

Why does this matter for Los Gatos?
Like any other religious institution, this facility provides essential services for the local Muslim community that strengthen our town in many ways:

- **Essential Spiritual Connection:** Congregational prayer builds deep, non-materialistic bonds between community members that strengthen our town's social fabric.
- **Vital Youth Programming:** Beyond religious services, the facility hosts essential civic activities like scouting and robotics clubs for our children.
- **Building Future Citizens:** This blend of civic and spiritual guidance shapes character, producing engaged, civic-minded young people who give back to our community.

Allowing religious spaces to function without unequal burdens ensures they can properly serve our families and youth. I kindly ask that you review these conditions and grant the WVMA's appeal to uphold fairness for all residents.

Thank you for your time, leadership, and dedication to our shared community.

Sincerely,
Amr Bakry

Outlook

Fairness and equal treatment to all

From Zafar Imam [redacted]
Date Tue 8/18/2026 11:09 AM
To Clerk <Clerk@losgatosca.gov>

[EXTERNAL SENDER]

Dear members and Hon Mayor
I urge you all to grant WVMA's appeal and ensure equal treatment to the town's Muslim community
Thank you for your consideration and for supporting fairness, religious freedom and equal treatment to all communities
Sincerely
Muhammad Zafar Imam

Sent from my iPhone

Outlook

Support Equal Treatment for WVMA

From Yousef Helal <[redacted]>
Date Tue 8/18/2026 11:17 AM
To Council <Council@losgatosca.gov>; Clerk <Clerk@losgatosca.gov>

[EXTERNAL SENDER]

Dear Mayor and Members of the Los Gatos Town Council,

I urge you to grant WVMA's appeal and ensure equal treatment for the Town's Muslim community.

The conditions imposed on WVMA appear to subject the mosque to requirements that are not imposed on comparable houses of worship. Religious institutions should be treated fairly regardless of faith.

Thank you for your consideration and for supporting fairness, religious freedom, and equal treatment for all.

Sincerely,
Yousef Helal

Outlook

Support Equal Treatment for WVMA

From Yousef Helal <[redacted]>
Date Tue 8/18/2026 11:19 AM
To Council <Council@losgatosca.gov>; Clerk <Clerk@losgatosca.gov>

[EXTERNAL SENDER]

Dear Mayor and Members of the Los Gatos Town Council,

I'm writing to add a personal note to my earlier message in support of WVMA's appeal.

As a Muslim living and working in the Bay Area, this matter is close to my heart. My faith community regularly gathers for daily prayers, Quran study, and family events, and we know how essential a welcoming, dedicated place of worship is to a community's sense of belonging. When any house of worship is singled out with conditions that aren't applied to others, it doesn't just burden that one congregation, it sends a signal to the whole faith community about whether they're truly welcome here.

I hope you'll grant WVMA's appeal and uphold the equal treatment that religious freedom requires for all faiths.

Thank you for your consideration.

Sincerely,
Yousef Helal

Sent with Slashy

On Tue, Aug 18, 2026 at 11:17 AM, Yousef Helal <[redacted]> wrote:

> Dear Mayor and Members of the Los Gatos Town Council, I urge you to grant WVMA's appeal and ensure equal treatment for the Town's Muslim community. The conditions imposed on WVMA appear to

Outlook

Please accept the following report as a desk item for the CUP modification hearing tonight

From Linda S [redacted]
Date Tue 8/18/2026 11:05 AM
To Jocelyn Shoopman <jshoopman@losgatosca.gov>; Mary Badame <MBadame@losgatosca.gov>; Sean Mullin <SMullin@losgatosca.gov>; Joel Paulson <jpaulson@losgatosca.gov>; Gabrielle Whelan <GWhelan@losgatosca.gov>; Planning <Planning@losgatosca.gov>; Allen Meyer <AMeyer@losgatosca.gov>; Clerk <Clerk@losgatosca.gov>
Cc Chris Constantin <CConstantin@losgatosca.gov>; Farley Road Neighborhood Coalition [redacted]

[EXTERNAL SENDER]

Clerk,
Please accept this report for the CUP modification hearing at town council tonight.

Regards,
Linda Swenberg

I am writing as a concerned resident regarding the conditional use permit modifications granted to the West Valley Muslim Association (WVMA) at 16769 Farley Road. Although I don't live in the immediately affected neighborhood, I do live nearby in a similar R-1:8 neighborhood near a different quiet religious facility and so I have an interest in preserving the integrity of the residential zones and protecting residents from intensification of use from any property operating under a conditional use permit. As background, I have a graduate degree in engineering from Caltech and worked for several years as an engineer. I know how to analyze technical documents.

A little less than a year ago, I was watching a livestream of a Town Council meeting when I recognized my friends, Jim and Kim Ratcliff, at the podium presenting a verbal comment. They were simply pleading for resolution to an issue with the neighbors who had intensified use to such an extent that it was regularly disrupting their sleep and overall enjoyment of their home. They also had concerns about safety of the neighborhood due to the congestion.

This report addresses errors in the process associated with noise. Due to these errors, the findings that the proposed uses will not impair the existing use of the zone, would not be detrimental to public health, safety, or general welfare, and that the uses are in harmony with the various elements or objectives of the general plan and the purposes of the zoning chapter were not supported by substantial evidence.

Salter Study Background

Salter placed three monitors on trees and utility poles 12 feet high between January 31 and February 11, 2025. Ramadan in 2025 was February 28 to March 29, so no Ramadan data was collected. It measured one Friday evening from 8:00-9:00pm during departure and one Thursday morning from 9:00-10:00am during arrival. It did not measure 4:30am Fajr arrival, or at any time during Ramadan. The metric used was Leq(h) - the average noise over an hour. The report calculated property line levels by subtracting 5 to 7 decibels for a 5-6 foot wood slat fence, conservatively using 5 decibels.

Sundance Technical Analysis

On August 14, 2026, Sundance Acoustics LLC completed an independent technical analysis of the Salter Study. The Sundance Analysis was commissioned by the Farley Road Neighborhood Coalition (FRNC). It was submitted to the town on August 14. This report references that analysis throughout.

Errors in the Salter Study Itself

Wrong Time, Wrong Season:

As the analysis correctly notes, the CUP application asks the Town to authorize operating periods that Salter did not directly test. How this was used during the hearings:

March 25, 2026 page 56: Osman Ghafoor asserts, “These same vehicles making the same sounds that are lawful at 9:00pm remain the same noise standards at 10:30pm or 11:00pm.

That is untrue. There are different allowed noise levels at the property plane per §16.20.015 for different time frames. 10PM-8AM, the allowable max noise levels are lower because the codes support the policy to protect the primary purpose - sleeping- of residential zones during those hours.

Also, the study was not done during Ramadan.

Commissioner Stump asked March 25, 2026: "If the study was not done during Ramadan at all, what was your thinking, especially when we’ve been told tonight that there were as many as 280 vehicles coming in March on one evening. That would seem to be a peak period." Applicant answered: "sound science... doesn’t matter if there are 1,200 cars or 600 cars, the same cars go by, whether period of five minutes or ten minutes, noise level never goes above Los Gatos standards... we were hoping this had come through before Ramadan." That admission shows timing was chosen for convenience, not peak impact. Resident testimony March 31, 2026 page 16: "data taken Jan 31-Feb 11, Ramadan Feb 28-Mar 29. Study conducted only one evening 8-9pm and one morning 9-10am.”

Without an evaluation at the proper time period, there is not substantial evidence to support a finding that the expanded hours will not impair the existing use of the zone.

Report unclear as to whether the study followed required procedures

Salter’s event comparisons are reported as one-hour averages of sound levels. The Town of Los Gatos defines a very specific noise-level measurement procedure and requires FAST response for impulsive sounds, such from car doors closing. The submitted report provides insufficient information to verify that the study actually addresses the character of the noise being evaluated.

Salter report appears to have substantially more detailed measurement data than what was presented in its written report

Salter states that three long-term monitors were installed from January 31 through February 11 at the egress aisle, Farley Road, and rear parking lot. At the March 25 Planning Commission hearing, Salter acoustician Ben Piper further stated that their monitoring system was capturing measurements at one-second intervals and explained that instantaneous noise could be evaluated for events such as vehicle pass-bys. (March 25, 2026, page 155)

As far as noise from leaving prayer sessions: If 280 cars leave in 15 minutes with 400 door slams, 280 trunk slams, lock beeps, backup beepers, and the lot is silent for 45 minutes, the hourly average would be low even though the peaks are very high. Neighbors do not experience an hourly average; they experience each slam.

At they hearings, Salter admitted that the sounds from the parking lot would fall under the curfew description but that he interprets the noise limit to mean hourly average noise. May 21, 2026 verbatim page 12: "Headlights through windows, engines starting, car doors closing, conversations, phones on speaker, traffic movements late into evening. One moment may seem minor. Repeated over time, they fundamentally change nighttime character." March 25, 2026 page 158 resident: "they hear horns, they hear beeps, they hear backup noises from electric cars, sometimes alarms... whole line of cars."

Despite approximately ten days of monitoring at three locations, the written report primarily presents selected one-hour Leq averages, including an 8–9 p.m. departure period and a 9–10 a.m. arrival period. It does not present the complete one-second time history, maximum event levels, statistical levels such as L10/L90, or identify whether the meters were using FAST or SLOW response. This is particularly relevant because the Town's measurement procedure specifies FAST response, while a one-second logging interval alone does not establish which response setting was used. This cannot support a statement that the study shows that WVMA is in compliance with noise codes. It also cannot support a statement that the study shows that WVMA late night and early morning operations will not impair the existing use of the residential zone.

Property Line Levels were calculated rather than directly measured-Assumed 5 dB fence reduction should be verified

This is an engineering calculation which is completely subjective. It could be valid or not. It should be verified as valid or, better yet, direct measurements at the residential property boundaries would provide much stronger evidence to support the findings.

Salter page 4-5: "Based on barrier methodology specified in Laymon Miller (1981)... we calculate wood fences provide approximately 7 dB reduction... conservatively applying 5 dB reduction." A 5-6 foot wood slat fence with gaps like what exists along most property lines abutting the WVMA property might reduce noise by 0-3 dB in practice. To be an acoustic barrier it must be solid, have no gaps, extend to the ground, and be longer than the source. Salter admits "discontinuities in fencing." The South

property line on Farley Road has no fence at all - 0 dB - and Salter measured 53 dBA at egress aisle and 56 dBA on Farley during arrival, which fails the 49 dBA weekend standard. When Commission asked March 31 p.93 about masonry wall, applicant said that option is "extremely expensive, fort-like, bounce off sound, still travels above." General Plan Environment Element requires sound walls, minimum 5-foot landscape buffer, noise attenuating construction, and for commercial adjacent residential, additional restrictions beyond Noise Ordinance by up to 10 percent. None provided.

Without the fence credit applied, even the average noise levels reported from the Salter-chosen sampling locations would have exceeded max allowed noise limits along Farley Road and at almost all locations measured had they occurred during weekend nights.

Report Omits Policy Declaration

On Page 2, the report states it includes full sections of the code which are applicable to the project, but leaves out §16.10.015 - Declaration of policy. Part (a) of that Sections reads as follows: "The Town Council finds that unnecessary, excessive and disturbing noise and vibration is detrimental to the health, safety and welfare of the public and is contrary to public interest. Residents of Los Gatos are to be entitled to the reasonable use and enjoyment of their property without exposure to noise disturbances."

On March 25, 2026, page 153, Commissioner Sordi asks Ben Piper from Salter about the weekday nighttime criterion: "54 dBA…that's the maximum at night?" Mr. Piper responds, "There is some interpretation there as well, because it's not exactly defined…my interpretation is that that is an hourly average noise level at different times."

Later at the same hearing, Ben Piper admitted: "I certainly don't think anyone is imagining anything... excessive horn honking or revving would fall under curfew description of unnatural and egregious noise." (p.158-159). Salter never reported Lmax, the maximum instantaneous level.

That is an error. Noise Level is clearly defined. In the definitions for that chapter, Noise Level is defined as follows: "Noise level means the amplitude of sound pressure referenced to twenty (20) micropascals, measured in decibels, using the A-weighting network (for the purposes of this chapter)." It doesn't say average.

95 dBA Vehicle Standard does not apply to normal cars.

On Page 2 of the report, Salter misquotes §16.20.055: "Typical noncommercial vehicle noise (less than 6,000 lbs.) is limited, according to Vehicle Code, to 95 dBA" and "We did not measure vehicle noise in excess of 95 dBA."
Section 16.20.055 Motor vehicles actually states: "It shall be the policy of the Town to enforce those sections of the Vehicle Code of the State of California regarding motor vehicle noise emission limits and equipment problems which create noise problems, motor vehicle horns, sound levels emitted from off highway vehicles operating off the public right-of-way, and the successors thereof."
Vehicle Code sets that limit 95 dBA. This is not intended to regulate all noises associated with vehicles. Normal passenger car ingress/egress is 60-70 dBA at 25 feet and never exceeds 95 dBA, so compliance is guaranteed and meaningless.

Commissioner Sordi asked March 25, 2026 p.153: "nighttime criterion 54 dBA, that's maximum at night?" Piper answered p.153-154: "There is some interpretation... not exactly defined... hourly average... primarily for fixed noise sources like HVAC or amplified music... Municipal Code has specific section for vehicle noise which has its own criteria."

Under vehicle noise on Page 3, "we understand that the WVMA parking lot is not used for heavy vehicle idling, vehicle repair or testing, or recreational vehicle usage. Therefore, the project meets the motor vehicle noise criteria of Section 16.20.055 and this is not expected to change if the requested increased hours of operation are granted."

Asserts that Property line noise limits do not apply to vehicles

On Page 5, Salter asserts, "Though vehicle egress noise does not apply to the Town property line noise criteria, our measurements and analysis indicate that noise levels from the congregation leaving an event would meet these standards." §16.20.055 when
ugh vehicle egress noise does not apply to the Town property line noise criteria, Salter's own appendix page 4
es: "The Town's property line noise limits concern heavy vehicle idling, vehicle repair and testing, and recreational

vehicles. These seemingly do not apply to vehicle egress noise. However, to provide additional context..." Piper responses imply that the only noise ordinance which pertains to vehicles is §16.20.055. This is an error because §16.20.015 sets max noise levels at the property plane, which IS the property line.

Proper standards for compliance are 16.20.015 exterior noise levels for residential zones and 16.20.010 curfew noise disturbance. It was an error of discretion to make a finding based on Salter's legal interpretation that §16.20.055 prevails for all vehicle noise.

Other problems noted in the Sundance analysis

Some reported levels did exceed max thresholds. Curfew noise is a separate issue from a simple one-hour average property-line value. Locations of sampling equipment at inappropriate locations to measure sleep disturbances.

HOW THE STUDY WAS MISAPPLIED TO SUPPORT FINDINGS

Staff Report August 13, 2026 pages 18-21 uses Salter to support four findings, all out of context:

1. *Compatibility Finding 29.20.190(a)(2) "will not impair existing uses of the zone" It says "same five prayers, same people, same cars, except don't have to scrunch time" (Visick March 31 p.76). Verbatim April 22 p.21-22 shows 400-500 typical Friday now vs 10-25 in 2020, Ramadan 2-3x = 800-1200, overflow praying in parking lot/sidewalk/street p.22-23. Same prayers but 16-20x more people is expansion of use. Time matters in R-1 because curfew exists for reason.*
2. *Negligible Expansion Finding CEQA 15301: Staff says "Because parking lot capacity is 180 spaces, it is estimated number of vehicles is approximately 180 vehicles at heavily attended services. Proposed modification would extend use by one-half hour most of year and one hour Ramadan, negligible change." (p.18-20). 180 is capacity, not count. Town Code 29.1.150 says one parking space equals four seats for churches, so 180 spaces = 720 seats. 400-500 people = 100-125 cars minimum but families arrive separately, and Ramadan 800-1200 = 200-300 cars plus 35-36 at Affordable Treasures per Chair Burch p.81. Staff ignores offsite. Commissioners added 18 conditions including offsite parking leases per Mullin p.82, which contradicts negligible.*
3. *No Cumulative Increase: Piper March 25 p.150: "CUP does not request increase in occupancy or overall number, it only shifts hours, therefore would not be expected to have cumulative 24-hour average increase." General Plan CNEL adds 10 dB nighttime penalty because nighttime noise is more impactful. Shifting same cars from 9:30pm to 11pm-12:30am increases CNEL even if count same. Salter comparison "within 1-3 dB of ambient, unnoticeable" (Sordi March 25 p.154) is not a Town standard - ambient is not a standard.*
4. *No Code Compliance Needed: Staff response to Appellant 2 p.19 says site currently used for religious observance therefore will not result in increase in traffic impacts. Yet March 31 p.109 Staff admits: "There was instance 2024 Town received complaint regarding noise from grate associated with gate... did constitute noise disturbance as defined by Town Code, because repetitive banging sound. We did contact mosque and mosque removed equipment... Over past Ramadan Code Compliance Officer did receive complaint about cars exiting after 11pm, issued warning, preparing citation." If existing operations already violate 11pm limit, extending to midnight/12:30am extends violation window.*

TOWN CODE TAKEN OUT OF CONTEXT OR MISINTERPRETED

A. **16.20.010 Curfew Noise Disturbance:** Code says:

(a)"...No persons shall between hours of 10pm and 8am make, cause, suffer or permit to be made any noise disturbance which:

1. Is made within 100 feet of any building or place regularly used for sleeping purposes; or
2. Disturbs any person(s) within hearing distance."

(b) No persons shall make, cause, suffer or permit to be made any noise or sounds which:

(1) Are unreasonably disturbing or physically annoying to people of ordinary sensitivity or which are so harsh or prolonged or unnatural or unusual in their use, time or place as to cause physical discomfort to a person(s); or
(2) Are not necessary in connection with an activity which is otherwise lawfully conducted.

Note that (a) and (b) are independent conditions, meaning a violation of either one would be a violation.

Lawfully conducted activity logical error (inverse error)

Salter states on page 6 of the report that , "the Ordinance allows noise that is "necessary in connection with an activity which is otherwise lawfully conducted." To say that this statement is true based on §16.20.010 (b)(2) is a logical error called an inverse fallacy, also called denying the antecedent. The code §16.20.010 (b)(2) and the ordinance that it comes (Ordinance 2356 §VII) actually say nothing about noise or sounds which "ARE necessary." The Town Code only discusses noises which ARE NOT necessary. The statement is of the form "If illegal activity then Prohibited." It doesn't follow definitively from this that "If legal activity then NOT prohibited." In this part of the code, the town is silent on that. The rest of the noise ordinance applies, even to legal activity.

Salter says the ordinance allows noise "necessary in connection with an activity which is otherwise lawfully conducted," and from that concludes that extended operation would not appear to violate the applicable standards. Ben Piper similarly told the Commission that the curfew provision involves whether sound is unreasonably disturbing or associated with an otherwise lawful activity.
But the actual ordinance is more nuanced. §16.20.010 contains separate provisions. It prohibits noise during the 10 PM–8 AM curfew period under subsection (a), while subsection (b) separately addresses noise that is unreasonably disturbing or not necessary in connection with an otherwise lawfully conducted activity.
best point is:
The fact that an underlying activity is lawful does not create a blanket exemption from the Town's Noise Ordinance. The ordinance still contains quantitative noise limits and separate curfew/noise-disturbance provisions.

A lawful activity (like construction) can still produce illegal noise if that noise goes beyond what's necessary for the work. Blasting loud music while doing yard work is a lawful activity, but the noise may not be "necessary" to accomplish the yard work. Operating machinery at 3 a.m. might be unnecessary noise, even if operating machinery during the day is lawful.

To illustrate the point as applied to Los Gatos, if I have a party in my backyard that is a bit loud, I have to turn the music down in order to comply with our noise curfew. Even though the party is still legal and lawfully conducted, the noise emanating from that party is regulated under the curfew noise disturbance section of our ordinance. On the other hand, if I have a party that uses illegal amplification.

On March 25, Ben Piper and Commissioner Burnett discussed this. The way Mr. Piper was leading the conversation in a way so as to make the argument that early morning services are not currently prohibited. He is trying to lead the commissioner to agree that if the activity is legal, any associated noise is allowed.

"Disturbance" is defined March 31 p.110-111 by Town Attorney Whelan reading: "Any sound judged by reasonable, sane, competent person which occurs with such intensity, frequency, or in such manner as to disturb peace and quiet, endanger or injure personal or real property, or violates factors set forth in ordinance. It shall include, but not limited to: radio, television, musical instrument, devices for production or reproduction of sound with louder volume than necessary; sounding of horn; operation of machinery or tool; continuous or recurrent acceleration of motor vehicle or other engine while stationary; and yelling, shouting, hooting, whistling, or singing on public street." Then code says: "Compliance with quantitative standards shall constitute elimination of noise disturbance."

Attorney Whelan said March 31 p.111 video evidence of cars 5am-8am unless violates noise standard does not provide evidence of non-compliance because existing CUP has no morning limitations. Although it is true that the existing CUP had no defined morning hours of operation, the town's noise ordinance still applies. The proposed modification adds 1.5 hours before sunrise - which IS 4:30am in summer - so curfew now definitely applies to new hours. Furthermore, the curfew limits still apply whether the hours are specifically called out or not because those are hours when the use of the zone is primarily for sleeping.

16.20.015 Exterior Levels vs 16.20.055 Vehicle Emissions - Error in interpretation of the law - Noise disturbance definition does not include vehicle noise:

16.20.015: "No person shall cause, make, suffer or allow to be made by any machine, animal, device or combin residential zone, noise level more than 6 dB above noise level specified for that particular noise zone, as shown on Noise Zone Map, during that particular time frame, at any point outside property plane."

Noise Zone Map ambient for this area is 48 dBA 10pm-6am, so max allowed noise is 54 dBA weekday, 49 dBA with 5 dB weekend penalty. Staff reports correctly use 54 weekday, 49 weekend.

The way that Salter has treated the vehicle noise section of the noise code is a false dichotomy or a misreading of legal structure.

The fact that the ordinance has a *specific section* addressing certain vehicle situations—like mechanical failure or missing mufflers—doesn't exclude vehicles from the general noise restrictions that apply to everything else. The specific section addresses particular vehicle problems. But the general sections—like those restricting unnecessary noise from any activity, or noise at certain hours—still apply to vehicles too. If the ordinance meant to exempt all vehicle noise from those general sections, it would say so explicitly. It doesn't. Instead, it has both: general rules that apply to all noise (including from vehicles), *and* specific rules addressing particular vehicle problems.That's why ingress/egress noise, car doors slamming, and other vehicle-related noise can still violate the general ordinance provisions—even though there's also a dedicated section about specific vehicle defects."

Salter also tries to state that §16.20.055 is the only code which applies for any vehicle noise. §16.20.055 is enforcement of state Vehicle Code emissions limits and heavy truck idling - not normal cars. It regulates noise from emissions and is used to prevent nuisance noise from vehicles without mufflers or vehicles with severe mechanical problems causing unusual noise. Using 95 dBA emissions max for 400-500 normal cars is out of context.

On March 25, 2026 pp. 158-159, Ben Piper comments, “If I might quickly. The maximum standards that are outlined in the code for vehicle noise, I wanted to quickly make the point that those are independent of how many cars go past. The maximum level of a car pass-by would be the same regardless of how many times that occurs.” On April 22, 2026 pg 4, Town Attorney Whelan states, “the Town’s Noise Ordinance speaks to, noise disturbances, and that has a very specific definition and it does not include cars entering and exiting.” Clearly Mr. Piper and Ms. Whelan conclude that vehicles are only restricted by §16.20.055. Again, although §16.20.055 applies to vehicles, it does not prevent any other part of the Noise Ordinance from being applied to vehicles. In fact, both §16.20.010 and §16.20.015 address either vehicles or machinery, so vehicles are demonstrably subject to portions of the noise ordinance other that §16.20.055.

29.20.190 Impairment of Existing Use:

Staff Report p.4 says second finding is "will not impair existing use of the zone." Existing use from 10 PM - 8 AM is primarily for sleeping. Any expansion of hours which involves activities which disrupts sleep in neighboring residences clearly impairs the existing uses. Furthermore, when we look at the activity with respect to the General Plan, we have to ask: Does 400-500 people arriving at 4:30am and leaving at midnight with headlights, engine starts, door slams (May 21 p.12) preserve quiet residential sense of place per General Plan LU-6?

General Plan Noise Element Stronger Than Ordinance:

General Plan 2040 Environment Element 8-25 to 8-28, cited by resident March 25 p.25: Requires applicants for new nonresidential to submit acoustical analysis by licensed acoustician as part of environmental review, exterior noise based on compatibility Figure 8-6, protect residential areas by requiring appropriate site and building design, sound walls, minimum 5-foot landscape buffer, noise attenuating construction. For commercial/industrial adjacent residential, additional restrictions beyond Noise Ordinance by up to 10 percent shall be applied. For new noise-sensitive and sound or noise-generating uses near open space, provide noise study with recommendations reducing impacts to maximum allowed. Staff never required Figure 8-6 analysis, never applied 10% additional restriction, never required site design beyond wood slat fence. Basic Salter study is not the acoustical analysis Noise Element requires.

The Salter report never even mentions the General Plan or acknowledges existing uses of the zone. How can it be used to support the required findings of §29.20.190 if it does not acknowledge that any disturbance that would impair sleep between 10 PM and 8 AM would be certainly be at odds with the intent of the zone as defined by §29.40.380:
The R-1 zone provides a means to create the best possible location and development standards for single-family dwellings, assure adequate light, air privacy and open space for each dwelling, minimize traffic and parking congestion, and reduce hazards from encroachment of industry and commercial activity.

Outlook

Support Equal Treatment for WVMA

From Saahir Essa [redacted]
Date Tue 8/18/2026 11:38 AM
To Clerk <Clerk@losgatosca.gov>

[EXTERNAL SENDER]

Dear Mayor and Members of the Los Gatos Town Council,

I urge you to grant WVMA's appeal and ensure equal treatment for the Town's Muslim community.

The conditions imposed on WVMA appear to subject the mosque to requirements that are not imposed on comparable houses of worship. Religious institutions should be treated fairly regardless of faith.
For my family and me, WVMA serves as a vital spiritual home and an anchor for community service, education, and connection across the South Bay. Having an accessible, welcoming space in Los Gatos enriches the broader town by fostering interfaith dialogue, supporting charitable initiatives, and reflecting the diverse, inclusive fabric of our region. Ensuring that WVMA is granted the same rights and accommodations as any other congregation protects the foundational principle of equal religious freedom for every resident.

Thank you for your consideration and for supporting fairness, religious freedom, and equal treatment for all.

Sincerely,
Mohammed Saahir Essa
San Jose, CA

Outlook

Support Equal Treatment for WVMA

From Luke Frobase [redacted]
Date Tue 8/18/2026 11:42 AM
To Clerk <Clerk@losgatosca.gov>

[EXTERNAL SENDER]

Dear Mayor and Members of the Los Gatos Town Council,

I urge you to grant WVMA's appeal and ensure equal treatment for the Town's Muslim community.

The conditions imposed on WVMA appear to subject the mosque to requirements that are not imposed on comparable houses of worship. Religious institutions should be treated fairly regardless of faith.

As a new convert to Islam, WVMA is vital in providing me with the tools I need to continue learning my faith. These restrictions imposed on the Muslim community greatly limit my ability to learn by restricting the amount of time I am able to spend with my teachers.

Thank you for your consideration and for supporting fairness, religious freedom, and equal treatment for all.

Sincerely,
Luke Frobase

Outlook

Support Equal Treatment for WVMA

From Yasmeen O Bashadi [redacted]
Date Tue 8/18/2026 12:11 PM
To Clerk <Clerk@losgatosca.gov>

[EXTERNAL SENDER]

Dear Mayor and Members of the Los Gatos Town Council,

I urge you to grant WVMA's appeal and ensure equal treatment for the Town's Muslim community.

The conditions imposed on WVMA appear to subject the mosque to requirements that are not imposed on comparable houses of worship. Religious institutions should be treated fairly regardless of faith. This has been a place of community for my family and I for many years. As a member of both the Los Gatos community and the WVMA community, I believe equal treatment should be imposed on all religious institutions.

Thank you for your consideration and for supporting fairness, religious freedom, and equal treatment for all.

Sincerely,

Yasmeen

Outlook

Support Equal Treatment for WVMA

From Hakan [redacted]
Date Tue 8/18/2026 12:14 PM
To Clerk <Clerk@losgatosca.gov>

[EXTERNAL SENDER]

Dear Mayor and Members of the Los Gatos Town Council,

I urge you to grant WVMA's appeal and ensure equal treatment for the Town's Muslim community.

The conditions imposed on WVMA appear to subject the mosque to requirements that are not imposed on comparable houses of worship. Religious institutions should be treated fairly regardless of faith.

This mosque is an integral and very important part of our families. We heavily rely on such institutions to touch the lives of our children to become better persons, care about their surroundings and take care of their communities, neighbors, coworkers when needed. Imposing unfair conditions to this mosque is also unfair to the broader society for such reasons.

Thank you for your consideration and for supporting fairness, religious freedom, and equal treatment for all.

Sincerely,

Hakan Dogan

Outlook

Support Equal Treatment for WVMA

From Kareem Elsayed [redacted]
Date Tue 8/18/2026 1:16 PM
To Clerk <Clerk@losgatosca.gov>

[EXTERNAL SENDER]

Dear Mayor and Members of the Los Gatos Town Council,

Please grant WVMA's appeal and give the Town's Muslim community the same treatment every other congregation here receives.

The conditions placed on WVMA go past what comparable houses of worship in Los Gatos are asked to meet. Muslim families want what their neighbors already have: a place to pray, teach their kids, and gather on for their holy days.

WVMA provides important services that my two young boys, wife, and I enjoy. This center matters so much to us and I know to so many across our community.

Thank you for your time and for holding Los Gatos to a standard of fairness that is the same for all of us.

Sincerely,
Kareem Elsayed

Outlook

Support Equal Treatment for WVMA

From Zabed Ahammad [redacted]
Date Tue 8/18/2026 2:26 PM
To Council <Council@losgatosca.gov>; Clerk <Clerk@losgatosca.gov>

[EXTERNAL SENDER]

Dear Mayor and Members of the Los Gatos Town Council,

I urge you to grant WVMA's appeal and ensure equal treatment for the Town's Muslim community.

The conditions imposed on WVMA appear to subject the mosque to requirements that are not imposed on comparable houses of worship. Religious institutions should be treated fairly regardless of faith.

Thank you for your consideration and for supporting fairness, religious freedom, and equal treatment for all.

Sincerely,
Zabed Ahammad
[redacted]

Yahoo Mail: Search, Organize, Conquer

Outlook

Support Equal Treatment for WVMA

From fatima ahmad [redacted]
Date Tue 8/18/2026 2:43 PM
To Clerk <Clerk@losgatosca.gov>; Council <Council@losgatosca.gov>

[EXTERNAL SENDER]

Dear Mayor and Members of the Los Gatos Town Council,

I urge you to grant WVMA's appeal and ensure equal treatment for the Town's Muslim community.

The conditions imposed on WVMA appear to subject the mosque to requirements that are not imposed on comparable houses of worship. Religious institutions should be treated fairly regardless of faith.

Thank you for your consideration and for supporting fairness, religious freedom, and equal treatment for all.

Warmest Regards,
Fatima Ahmad
[redacted]

Outlook

We just need a peaceful place to pray

From Chak Khemici <[redacted]>
Date Tue 8/18/2026 2:37 PM
To Clerk <Clerk@losgatosca.gov>

[EXTERNAL SENDER]

Dear Mayor and Members of the Los Gatos Town Council,

I urge you to grant WVMA's appeal and ensure equal treatment for the Town's Muslim community.

The conditions imposed on WVMA appear to subject the mosque to requirements that are not imposed on comparable houses of worship. Religious institutions should be treated fairly regardless of faith.

Los Gatos has only one mosque serving our Muslim community. We are simply asking for the opportunity to pray peacefully with our neighbors, family members, and friends, while being respectful and responsible members of the community. We are not asking for too much—only the same fairness and consideration afforded to other houses of worship.

Thank you for your consideration and for supporting fairness, religious freedom, and equal treatment for all.

Regards,

CK
Sent from my iPhone

Outlook

Support Equal Treatment for WVMA

From Rahnuma Ferdousi [redacted]
Date Tue 8/18/2026 2:48 PM
To Clerk <Clerk@losgatosca.gov>; Council <Council@losgatosca.gov>

[EXTERNAL SENDER]

Dear Mayor and Members of the Los Gatos Town Council,

I urge you to grant WVMA's appeal and ensure equal treatment for the Town's Muslim community.

The conditions imposed on WVMA appear to subject the mosque to requirements that are not imposed on comparable houses of worship. Religious institutions should be treated fairly regardless of faith.

Thank you for your consideration and for supporting fairness, religious freedom, and equal treatment for all.

--
Sincerely,
Rahnuma Ferdousi
[redacted]

Outlook

Support Equal Treatment for WVMA

From Alex D [redacted]
Date Tue 8/18/2026 2:51 PM
To Clerk <Clerk@losgatosca.gov>

[EXTERNAL SENDER]

Dear Mayor and Members of the Los Gatos Town Council,

I urge you to grant WVMA's appeal and ensure equal treatment for the Town's Muslim community.

The conditions imposed on WVMA appear to subject the mosque to requirements that are not imposed on comparable houses of worship. Religious institutions should be treated fairly regardless of faith.

WVMA has been a second home to me since I moved to the Bay Area and wish to see it be treated kindly and fairly.

Thank you for your consideration and for supporting fairness, religious freedom, and equal treatment for all.

Sincerely,
Alex Dickerson

Outlook

Support Equal Treatment for WVMA

From Abdullah-Ibrahim Ahmad [redacted]
Date Tue 8/18/2026 2:51 PM
To Council <Council@losgatosca.gov>; Clerk <Clerk@losgatosca.gov>

[EXTERNAL SENDER]

Dear Mayor and Members of the Los Gatos Town Council,

I urge you to grant WVMA's appeal and ensure equal treatment for the Town's Muslim community.

The conditions imposed on WVMA appear to subject the mosque to requirements that are not imposed on comparable houses of worship. Religious institutions should be treated fairly regardless of faith.

Thank you for your consideration and for supporting fairness, religious freedom, and equal treatment for all.

Sincerely,
Abdullah-Ibrahim Ahmad
[redacted]

Outlook

Support Equal Treatment for WVMA

From Yusera Ishrat [redacted]
Date Tue 8/18/2026 3:18 PM
To Clerk <Clerk@losgatosca.gov>

[EXTERNAL SENDER]

Dear Mayor and Members of the Los Gatos Town Council,

I urge you to grant WVMA's appeal and ensure equal treatment for the Town's Muslim community.

The conditions imposed on WVMA appear to subject the mosque to requirements that are not imposed on comparable houses of worship. Religious institutions should be treated fairly regardless of faith.

This matter is important to me because I want my family to live in a community where everyone is welcomed, respected, and treated equally regardless of their faith or background. Diversity is an important part of what makes Los Gatos a strong and vibrant city, and I believe our community should uphold those values by ensuring that all religious communities receive equal treatment.

Thank you for your consideration and for supporting fairness, religious freedom, and equal treatment for all.

Sincerely,

Yusera

Outlook

Support Equal Treatment for WVMA

From Seema Siddiqui [redacted]
Date Tue 8/18/2026 3:22 PM
To Clerk <Clerk@losgatosca.gov>

[EXTERNAL SENDER]

Dear Mayor and Members of the Los Gatos Town Council,

I respectfully urge you to grant WVMA's appeal and ensure equal treatment for the Town's Muslim community.

The conditions imposed on WVMA appear to subject the mosque to requirements that are not imposed on comparable houses of worship. Religious institutions should be treated fairly and consistently, regardless of faith.

This issue is especially meaningful to me personally because I work in the City of Los Gatos as a dentist and have a strong connection to this community. Los Gatos is not simply a place where I work, it is a community that has become important to me and my family, and I deeply value the sense of belonging, respect, and inclusiveness that I hope our town represents for everyone.

I believe all faith communities should have the same opportunity to worship and serve their communities without facing unequal or discriminatory treatment. I respectfully ask the Town Council to consider WVMA's appeal with fairness and to ensure that the Muslim community receives the same treatment afforded to other houses of worship.

Thank you for your time and consideration, and for upholding fairness, religious freedom, and equal treatment for all members of the Los Gatos community.

Sincerely,

Seema Siddiqui, DDS

Outlook

Support equal treatment for WVMA

From Zahra Kassam [redacted]
Date Tue 8/18/2026 3:34 PM
To Clerk <Clerk@losgatosca.gov>

[EXTERNAL SENDER]

Dear Mayor and Members of the Los Gatos Town Council,

My family moved to Los Gatos a few years ago specifically to be close to the mosque and this community. Having a fully functioning mosque where we can pray, gather, learn, and build relationships is critical to the well-being of my family and so many others in our community.

I respectfully ask you to support WVMA's appeal and ensure that our mosque is held to the same standards as other houses of worship in Los Gatos, without additional conditions or burdens.

Thank you for your consideration.

Sincerely,
Zahra Kassam

Outlook

Support Equal Treatment for WVMA

From Abdelrhman Mostafa [redacted]
Date Tue 8/18/2026 3:59 PM
To Clerk <Clerk@losgatosca.gov>

[EXTERNAL SENDER]

Dear Mayor and Members of the Los Gatos Town Council,

I urge you to grant WVMA's appeal and ensure equal treatment for the Town's Muslim community.

The conditions imposed on WVMA appear to subject the mosque to requirements that are not imposed on comparable houses of worship. Religious institutions should be treated fairly regardless of faith.

Thank you for your consideration and for supporting fairness, religious freedom, and equal treatment for all.

Sincerely,

Abdelrhman M.