



**TOWN OF LOS GATOS  
PLANNING COMMISSION AGENDA  
JANUARY 24, 2024  
110 EAST MAIN STREET  
TOWN COUNCIL CHAMBERS  
7:00 PM**

*Steve Raspe, Chair*  
*Emily Thomas, Vice Chair*  
*Susan Burnett, Commissioner*  
*Melanie Hanssen, Commissioner*  
*Kathryn Janoff, Commissioner*  
*Adam Mayer, Commissioner*  
*Vacant, Commissioner*

**PARTICIPATION IN THE PUBLIC PROCESS**

**IMPORTANT NOTICE**

This is a hybrid/in-person meeting and will be held in-person at the Town Council Chambers at 110 E. Main Street and virtually through the Zoom webinar application (log-in information provided below). 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 live stream of the meeting may be viewed on television and/or online at [www.LosGatosCA.gov/TownYouTube](http://www.LosGatosCA.gov/TownYouTube).

**PARTICIPATION**

To provide oral comments in real-time during the meeting:

- **Zoom webinar:** Join from a PC, Mac, iPad, iPhone or Android device: Please click this URL to join: <https://losgatosca-gov.zoom.us/j/84093383000?pwd=USQrIVGLLSn1ZbdrxbvtnfrclMrzg.VPfXs5o6-yhp0Rvi>.
- Passcode: 922280. You can also type in 840 9338 3000 in the “Join a Meeting” page on the Zoom website at <https://zoom.us/join>.
  - When the Chair announces the item for which you wish to speak, click the “raise hand” feature in Zoom. If you are participating by phone on the Zoom app, press \*9 on your telephone keypad to raise your hand.
- **Join by telephone:** Join by Telephone: Dial: USA 877 336 1839 US Toll-free or 636 651 0008 US Toll. Conference code: 686100
  - If you are participating by calling in, press #2 on your telephone keypad to raise your hand.
- **In-Person:** If you wish to speak during the meeting, please complete a “speaker’s card” located on the back of the chamber benches and return it to the Vice Chair. If you wish to speak to an item on the agenda, please list the item number. If you wish to speak on an item NOT on the agenda, please list the subject and you may speak during the “Verbal Communications” period. The time allocated to speakers may change to better facilitate the Planning Commission meeting.

When called to speak, you may be asked to provide your full name and your town/city of residence. This identifying information is optional and not a requirement for participation. Please limit your comments to three (3) minutes, or such other time as the Chair may decide, consistent with the time limit for speakers at a Council meeting. If you wish to speak to an item or items on the Consent Calendar, please state which item number(s) you are commenting on at the beginning of your time.

If you are unable to participate in real-time, you may email to [Planning@losgatosca.gov](mailto:Planning@losgatosca.gov) the subject line “Public Comment Item #\_\_” (insert the item number relevant to your comment) or “Verbal Communications – Non-Agenda Item.” Comments received by 11:00 a.m. the day of the meeting will be reviewed and distributed before the meeting. All comments received will become part of the record.

## MEETING CALL TO ORDER

## ROLL CALL

## PLEDGE OF ALLEGIANCE

**VERBAL COMMUNICATIONS** (Members of the public may address the Commission on any matter that is not listed on the agenda. Unless additional time is authorized by the Commission, remarks shall be limited to three minutes.)

**CONSENT ITEMS (TO BE ACTED UPON BY A SINGLE MOTION)** *(Before the Planning Commission acts on the consent agenda, any member of the public Commission may request that any item be removed from the consent agenda. At the Chair's discretion, items removed from the consent calendar may be considered either before or after the Public Hearings portion of the agenda.)*

1. Draft Minutes of the December 13, 2023 Planning Commission Meeting
2. Draft Minutes of the January 10, 2024 Planning Commission Meeting

**PUBLIC HEARING** *(Applicants/Appellants and their representatives may be allotted up to a total of five minutes maximum for opening statements. Members of the public may be allotted up to three minutes to comment on any public hearing item. Applicants/Appellants and their representatives may be allotted up to a total of three minutes maximum for closing statements. Items requested/recommended for continuance are subject to the Commission's consent at the meeting.)*

3. Consider a Request to Further Amend Chapter 29 of the Town Code to Define "By Right Approvals" and Amend the Housing Element Overlay Zone as Division 5 of Article VIII, "Overlay Zones and Historic Preservation." An Environmental Impact Report (EIR) was Prepared and Certified for the 2040 General Plan Update on June 30, 2022. No further Environmental Analysis is Required. Zoning Code Amendment Application Z-24-001. **Project Location: Town Wide.**  
Applicant: Town of Los Gatos.

## REPORT FROM THE DIRECTOR OF COMMUNITY DEVELOPMENT

## SUBCOMMITTEE REPORTS / COMMISSION MATTERS

**ADJOURNMENT** *(Planning Commission policy is to adjourn no later than 11:30 p.m. unless a majority of the Planning Commission votes for an extension of time)*

*Planning Commission meetings are broadcast Live on KCAT, Channel 15 (on Comcast) on the 2<sup>nd</sup> and 4<sup>th</sup> Wednesdays at 7:00 p.m.  
Live and Archived Planning Commission meetings can be viewed by going to:*

[www.LosGatosCA.gov/TownYouTube](http://www.LosGatosCA.gov/TownYouTube)

**IN COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT, IF YOU NEED SPECIAL ASSISTANCE TO PARTICIPATE IN THIS MEETING, PLEASE CONTACT THE CLERK DEPARTMENT AT (408) 354-6834. NOTIFICATION 48 HOURS BEFORE THE MEETING WILL ENABLE THE TOWN TO MAKE REASONABLE ARRANGEMENTS TO ENSURE ACCESSIBILITY TO THIS MEETING [28 CFR §35.102-35.104]**



**TOWN OF LOS GATOS  
PLANNING COMMISSION  
REPORT**

MEETING DATE: 01/24/2024

ITEM NO: 1

---

**DRAFT  
MINUTES OF THE PLANNING COMMISSION MEETING  
DECEMBER 13, 2023**

The Planning Commission of the Town of Los Gatos conducted a Regular Meeting on Wednesday, December 13, 2023, at 7:00 p.m.

**MEETING CALLED TO ORDER AT 7:00 PM**

**ROLL CALL**

Present: Chair Jeffrey Barnett, Vice Chair Steve Raspe, Commissioner Susan Burnett, Commissioner Melanie Hanssen, Commissioner Kathryn Janoff, and Commissioner Emily Thomas.

Absent: None.

**PLEDGE OF ALLEGIANCE**

**VERBAL COMMUNICATIONS**

None.

**CONSENT ITEMS (TO BE ACTED UPON BY A SINGLE MOTION)**

1. **Approval of Minutes** – October 25, 2023
2. **Approval of Minutes** – November 8, 2023

**MOTION:**                   **Motion by Commissioner Hanssen to approve adoption of the Consent Calendar. Seconded by Commissioner Thomas.**

**VOTE:**                   **Motion passed unanimously.**

**OTHER BUSINESS**

3. **212 Thurston Street**  
Architecture and Site Application S-23-009  
APN 410-15-039.  
Property Owner/Applicant: Meleah Guillard  
Project Planner: Maria Chavarin

Open a Public Hearing for a Request for Approval for Demolition of an Existing Single-Family Residence and Construction of a New Single-Family Residence with Reduced Setbacks on Non-Conforming Property Zoned R-1D, and Continue the Matter to January 10, 2024. Categorically Exempt Pursuant to the California Environmental Quality Act (CEQA) Guidelines, Section 15303(a): New Construction or Conversion of Small Structures.

Jennifer Armer, Planning Manager, presented the staff report.

Opened and Closed Public Comment.

**MOTION:**                    **Motion by Vice Chair Raspe** to continue the public hearing to a date certain of January 10, 2024. **Seconded by Commissioner Janoff.**

**VOTE:**                    **Motion passed unanimously.**

**4. Draft 2024 Planning Commission Meeting Calendar**

**PUBLIC HEARINGS**

**5. 224 Old Adobe Road**

Minor Development in a Historic District Application HS-22-051

APN 407-09-029

Property Owner/Applicant: Vinodha Bala

Project Planner: Savannah Van Akin

Consider an Appeal of a Community Development Director Decision to Deny a Fence Height Exception Request for a Constructed Eight-Foot Fence Located in the Rear Yard on Property Zoned R-1:10. The Project is Categorically Exempt Pursuant to the Adopted Guidelines for the Implementation of the California Environmental Quality Act (CEQA), Section 15303: New Construction or Conversion of Small Structures and Section 15301: Existing Facilities.

Savannah Van Akin, Assistant Planner, presented the staff report.

Opened Public Comment.

Vinodha Bala, Property Owner

- A seasonal creek runs in an alleyway behind Old Adobe Road and terminates at the corner of our property, and the storm drain runs along the rear property line, so the fence is constructed at that low point, lower than the rest of the property and the house. Our rear

neighbor complained to us about privacy concerns during a pool installation in our back yard despite an existing 10 to 11 foot wood lattice fence, an approximate five-foot high chain link fence running behind the lattice along the actual property line, and trees planted. Town staff visited our property to discuss replacing the lattice with a solid wood fence to ameliorate her concerns. The neighbor verbally agreed to the height of the fence, the material, and the location, but she ignored our requests that she split the cost of the fence pursuant to the California Good Neighbor Fence Law. When we notified her that construction would soon begin she requested we construct the new fence on our property line and leave the existing chain link fence on the property line in place, which would shorten our back yard; we again agreed in order to find a peaceful resolution. We are asking for this fence height exception because we have been subjected to un-neighborly harassment and intimidation when we have operated in good faith and made every attempt to resolve her issues, as outlined. Due to the slope of the property a shorter fence would allow the neighbor a clear view into our yard and home, and vice-versa. This rear yard fence poses no risk to traffic like front fences at intersections, and it does not obstruct anyone's view of anything, except our neighbor's view of our yard and home.

Eva Mendoza, Neighbor

- The reasons for my complaints during the pool construction were about noise and the dust. It had nothing to do with the fence or the height of the previous fence. There is a row of trees back there that provides a lot of privacy. The lattice that was there was never a problem, but when the Applicant built that monstrosity of an eight-foot fence, it would create a hazard as far as emergency access to either of our yards or the creek. It is a truly unpleasant environment back there. Had the Applicant asked me with a configuration in mind and details of it, I would have paid for half of it.

Vinodha Bala, Property Owner

- Is there any way for us to take her up on the offer to split the cost of the fence? I don't know if there is an official way to do that, but this is the first engagement we've had about this, and we have text messages to prove there was communication regarding this for months before the construction of the fence.

Closed Public Comment.

Commissioners discussed the matter.

Opened Public Comment.

Commissioners asked questions of the Applicant.

Closed Public Comment.

Commissioners discussed the matter.

**MOTION:**                    **Motion by Vice Chair Raspe** to grant an Appeal of a Community Development Director decision to deny a Fence Height Exception Request for 224 Old Adobe Road with modification to allow a six-foot solid fence with up to two feet of lattice based on Town Code 29.40.0320(4), special circumstances, specifically topography of the site. **Seconded by Commissioner Burnett.**

**VOTE:**                    **Motion passed unanimously.**

**Appeal rights were recited.**

**3. 300 Marchmont Drive**

Conditional Use Permit Application: U-12-002

APNs: 532-10-01 and 532-11-011

Applicant/Property Owner: Mark Silver/Hillbrook School

Project Planner: Jocelyn Shoopman

Annual Review of an Approved Conditional Use Permit for an Existing Private School (Hillbrook School) on Property Zoned HR-1.

**Chair Barnett reported that he would recuse himself from participating in the public hearing regarding 300 Marchmont Drive based on the proximity of his residence to the subject site.**

Jocelyn Shoopman, Associate Planner, presented the staff report.

Opened Public Comment.

Mark Silver, Applicant

- I'm the Head of School at Hillbrook School and also a resident of Los Gatos. We have created a robust traffic demand management program with the expectation that everyone is walking, biking, shuttling, or carpooling to school, and have had great success with that. We are the one private school in Los Gatos that is part of Safe Routes to School. We are before the Planning Commission tonight because for the first time ever we had some violations. The bulk of the days with violations happened last March and April of 2023, the two rainiest months I can recall in all of my years in Los Gatos, so people used their vehicles and we have a small margin for error. To ensure that does not happen again we have added an additional transportation person to monitor what we are doing and when parents come onto campus. Regarding the school calendar, it would be very helpful to us to have the ability halfway through the year, in January, to make small amendments to the calendar that would not create a huge impact to our neighbors, and we request the Planning Commission consider that.

Nancy Durham

- My property backs up to Hillbrook's back gate. We have no problems in our neighborhood and Hillbrook is doing a good job.

Chuck Hammers, on behalf of Applicant

- I'm on the Board of Trustees for Hillbrook, and also a neighbor of the school who walks down the streets almost every day. Compared to how it was with the neighbors ten years ago, it is like night and day. I see them walking their children to school and I don't feel the tension there used to be. The cap that we have in school is difficult to manage, because the pucks that are driven over are 30 to 40 feet outside the gate, so neighbors can drive over them; and they only count on the exits of the school, so the number of exits is doubled and that's how you get data. If there are over 440 exiting cars, that is over our limit. But children are unreliable and get sick, forget their lunches, have doctor's appointments, and these are things that can't be planned, and when only the exits are counted it is difficult because you can't turn the spigot off because they are already in the school, so it is remarkable that Hillbrook has gone eight years without going over. I truly am happy to be a neighbor and feel like we did something that truly changed the neighborhood with the CUP and allowed the school to grow.

Closed Public Comment.

Commissioners discussed the matter.

**MOTION:**      **Motion by Commissioner Hanssen** to accept Hillbrook School's report and find it is in compliance with its Conditional Use Permit with a modification of Conditions of Approval 17(c) and 27 to post a schedule of events on the school's website accessible to the public at the beginning of each semester of the academic calendar year. Additionally, Hillbrook School shall have a representative from Sensys visit the school to complete an audit of the sensors.  
**Seconded by Commissioner Janoff.**

Commissioners discussed the matter.

Opened Public Comment.

Commissioners asked questions of the Applicant.

Closed Public Comment.

**VOTE:**                      **Motion passed 5-0, Chair Barnett recused.**

**Appeal rights were recited.**

**Chair Barnett returned to the meeting.**

**4. 517 San Benito Avenue**

APNs: 410-18-018

Architecture and Site Application: S-23-024

Applicant: John Gutknecht

Property Owner: Candace Zaheri

Project Planner: Ryan Safty

Requesting Approval for Reduced Front Yard Setbacks on a Non-Conforming Property Zoned R-1:8. Categorically Exempt Pursuant to CEQA Guidelines Section 15303: New Construction or Conversion of Small Structures.

Jennifer Armer, Planner Manager, presented the staff report.

Opened Public Comment.

John Gutknecht, Applicant/Architect

- This project started as a renovation to make the home more livable. In the process we found dry-rot in the front covered entry and it had to be removed, and we reduced the setback with the new covered entry from what had been there. We were trying to match the architectural styles of the adjacent houses and the setbacks and thought we were doing a service by reducing the covered entry from what had been there previously. When you look at the street as a whole the setback and the new covered entry fit into the neighborhood quite nicely, even though the setback requirements are different across the street. We feel the house would really stick out without the covered entry, because the other houses have porches. With respect to the setbacks, there are two other houses nearby with similar or more non-conforming setbacks than the subject property.

Cecil Caufield

- I live next door to the subject site with my son, and we support our neighbor. We think the house looks great now.

Closed Public Comment.

Commissioners discussed the matter.

**MOTION:**                      **Motion by Commissioner Burnett to approve reduced front yard setbacks on a non-conforming property zoned R-1:8 for 517 San Benito Avenue. Seconded by Commissioner Thomas.**

**VOTE:**                        **Motion passed unanimously.**



**Appeal rights were recited.**

**REPORT FROM THE COMMUNITY DEVELOPMENT DEPARTMENT**

Jennifer Armer, Planning Manager

- The Story Pole Policy returned to the Town Council on December 5, 2023 for additional discussion and included a number of additional modifications, including allowing video simulations in place of story poles for all multi-family projects.
- The Town received the latest letter from the State regarding the Town's Housing Element on December 1, 2023. The State provided staff with preliminary feedback and clarification on the remaining four outstanding comments, and staff continues to work with its consultant to respond to those comments.
- The Town Council had its mayoral transition on December 12, 2023, with thanks given to outgoing Mayor Maria Ristow and a welcome to new Mayor Mary Badame and Vice Mayor Matthew Hudes.
- Commissioner Thomas has been reappointed to the Planning Commission.
- Adam Mayer, who has served on Housing Element Advisory Board and General Plan Committee, will join the Planning Commission in the new year.
- Thanks are given to Chair Barnett for his four years of service on the Planning Commission, and four years on the GPAC before that, as this is his last Planning Commission meeting.

**SUBCOMMITTEE REPORTS/COMMISSION MATTERS**

None.

**ADJOURNMENT**

The meeting adjourned at 8:59 p.m.

This is to certify that the foregoing is a true and correct copy of the minutes of the December 13, 2023 meeting as approved by the Planning Commission.

---

/s/ Vicki Blandin

***This Page  
Intentionally  
Left Blank***



**TOWN OF LOS GATOS  
PLANNING COMMISSION  
REPORT**

MEETING DATE: 01/24/2024

ITEM NO: 2

---

**DRAFT  
MINUTES OF THE PLANNING COMMISSION MEETING  
JANUARY 10, 2024**

The Planning Commission of the Town of Los Gatos conducted a Regular Meeting on Wednesday, January 10, 2024, at 7:00 p.m.

**MEETING CALLED TO ORDER AT 7:00 PM**

**ROLL CALL**

Present: Vice Chair Steve Raspe, Commissioner Susan Burnett, Commissioner Melanie Hanssen, Commissioner Kathryn Janoff, Commissioner Adam Mayer, and Commissioner Emily Thomas.

Absent: None.

**PLEDGE OF ALLEGIANCE**

**VERBAL COMMUNICATIONS**

None.

**CONSENT ITEMS (TO BE ACTED UPON BY A SINGLE MOTION)**

1. **Approval of Minutes** – November 15, 2023
2. **Approval of Minutes** – November 29, 2023

**MOTION:**                   **Motion by Commissioner Hanssen to approve adoption of the Consent Calendar. Seconded by Commissioner Thomas.**

**VOTE:**                   **Motion passed 5-0, with Commissioner Mayer abstaining.**

**PUBLIC HEARINGS**

**3. 212 Thurston Street**

APN 410-15-039

Property Owner/Applicant: Meleah Guillard

Project Planner: Maria Chavarin

Requesting Approval for Demolition of an Existing Single-Family Residence and Construction of a New Single-Family Residence with Reduced Setbacks on Property Zoned R-1D. Categorically Exempt Pursuant to the California Environmental Quality Act

(CEQA) Guidelines, Section 15303(a): New Construction or Conversion of Small Structures.

Maria Chavarin, Assistant Planner, presented the staff report.

Opened Public Comment.

Meleah Guillard, Property Owner/Applicant

- I am requesting approval to build a new home, as the current structure is very out of date and an eyesore in the neighborhood. I also plan to repair the garage. I look forward to being a good and accommodating neighbor.

Chris Spaulding, Architect

- This is a very small lot adjacent to the commercial zone. We designed the proposed home with the anticipation that something large or unattractive might be built on the adjacent commercial property, and also to meet the applicant's needs and to the extent possible protect the neighbors' privacy, light, and views. We made revisions to the second floor windows with the exception of the master bedroom windows, but propose a hedge to accommodate the rear neighbors' privacy concerns. We seek reduced setbacks because they would reduce the shadows onto the rear neighbors a little bit and allow space for the applicant to have a small porch on the front, as requested by the Town's consulting architect. Even with the reduced setbacks the proposed house is still farther back than the existing house, and it allows for a little larger back yard for the applicant.

Bill Hopps

- I reside on Olive Street behind the property. My biggest concern is the scale of the project, being much larger than any other home, especially the homes behind it, and it would impact our light visibility out of the back. The hedge the applicant suggests is great, but the master bedroom windows were not changed in size and they have a good view of our back entryway and bedroom and I'm not sure the hedge would sufficiently block it. The Town's consulting architect has said the size and scale of the proposed home is out of character for the neighborhood, and that seems to have been ignored.

Marta Iglesias

- My husband and I own 105 Olive Street, which shares the garage and a little bit of fence with the subject site. I thank the applicant for taking some measures to respect our privacy. My concern that has not been addressed is that the house next door to the subject site is also a two-story house, but it is much lower and I can barely see it, but the applicant's proposed house is much taller. Can the applicant's two-story home be lowered by five feet to be like the house next to it? I'm happy privacy measures would be taken, but I don't know that the proposed hedge would protect our privacy, because the proposed house is very prominent.

Carolyn Bechtel

- I live at 103 Olive Street and this is directly in my back yard over the fence. I will miss my sky view and trees, but I appreciate progress and people building their homes in this Town. I'm not clear on what is happening with the master bedroom windows, which would look directly into my bedroom.

Lee Quintana

- If the garage is going to have a separate application, should a condition of approval be added that the occupancy permit not be finalized until the garage has also been repaired? If the house is moved back, it would probably have more impact on the rear yard neighbors, and if it is moved forward it would have more impact on the street, so the question is not whether it should be moved back or forward but whether it should be modified to be not so massive and imposing.

Moses Guillard

- The applicant is my daughter. My bother and I have run a landscape construction company for a long time. I hear the neighbors behind my daughter's property and what they ask in terms of the house height. I would bring in English Laurel between eight to nine feet tall, and if necessary I would bring in 14 to 16 foot camphor trees to screen the back, and we're going to build a brand new fence, so there would be privacy, although the neighbors would still see the mountains. We looked at fixing up the current house, but it is not fixable and is a tear down. We would like to make a change and build something nice for Los Gatos.

Meleah Guillard, Property Owner/Applicant

- While I respect my neighbors' privacy concerns, I want to acknowledge that I have my own privacy concerns. I won't be looking into my neighbors' yards all day, and I want to have my own privacy protected as much as possible, which is why we are making these changes. I do want to be a good neighbor, but I also want to better the neighborhood and community.

Closed Public Comment.

Commissioners discussed the matter.

**MOTION:**                      **Motion by Commissioner Janoff** to approve demolition of an existing single-family residence and construction of a new single-family residence with reduced setbacks on property zoned R-1D with an additional condition requiring repair of the detached garage prior to certificate of occupancy for the house. **Seconded by Commissioner Hanssen.**

**The maker of the motion amended the motion to include privacy screening and the window changes in Exhibit 11.**

The seconder of the motion accepted the amendment to the motion.

**VOTE:** Motion passed 5-1 with Commissioner Burnett dissenting.

Appeal rights were recited.

## OTHER BUSINESS

### 4. Election of Chair and Vice Chair

**MOTION:** Motion by Commissioner Hanssen to nominate Vice Chair Raspe as Chair of the Planning Commission 2024 session. **Seconded** by Commissioner Burnett.

**VOTE:** Motion passed unanimously.

**MOTION:** Motion by Chair Raspe to nominate Commissioner Thomas as Vice Chair of the Planning Commission 2024 session. **Seconded** by Commissioner Janoff.

**VOTE:** Motion passed unanimously.

## REPORT FROM THE COMMUNITY DEVELOPMENT DEPARTMENT

Jennifer Armer, Planning Manager

- The Town Council met on December 19, 2023:
  - Denied an appeal of the proposed lot line adjustment at 17200 Los Robles Way and upholding the Planning Commission's decision.
  - Discussed the Draft Housing Element. There will be additional discussion of the Housing Element at the Council's January 16, 2024 meeting. Town staff and the consultant will prepare revisions in response to the State's December 1, 2023 letter.
  - A meeting of the Housing Element Advisory Board is scheduled for January 18, 2024.

## SUBCOMMITTEE REPORTS/COMMISSION MATTERS

None.

## ADJOURNMENT

The meeting adjourned at 8:05 p.m.

This is to certify that the foregoing is a true

and correct copy of the minutes of the  
January 10, 2024 meeting as approved by the  
Planning Commission.

---

/s/ Vicki Blandin

***This Page  
Intentionally  
Left Blank***





**TOWN OF LOS GATOS  
PLANNING COMMISSION  
REPORT**

MEETING DATE: 01/24/2024

ITEM NO: 3

---

DATE: January 19, 2024  
TO: Planning Commission  
FROM: Joel Paulson, Community Development Director  
SUBJECT: Consider a Request to Further Amend Chapter 29 of the Town Code to Define “By Right Approvals” and Amend the Housing Element Overlay Zone as Division 5 of Article VIII, “Overlay Zones and Historic Preservation.” An Environmental Impact Report (EIR) was Prepared and Certified for the 2040 General Plan Update on June 30, 2022. No further Environmental Analysis is Required. Zoning Code Amendment Application Z-24-001. **Project Location: Town Wide.** Applicant: Town of Los Gatos.

**RECOMMENDATION:**

Forward a recommendation of approval to the Town Council to further amend Chapter 29 of the Town Code to define “By Right Approvals” and amend the Housing Element Overlay Zone (HEOZ) as Division 5 of Article VIII, “Overlay Zones and Historic Preservation.”

**BACKGROUND:**

The Town of Los Gatos is required to prepare an updated Housing Element for the period covering 2023-2031 that is certified by the State Housing Community Development Department (HCD). The Housing Element is one of nine State-mandated elements that must be included in every General Plan. The Housing Element assesses housing needs for all income groups within the community and identifies implementation programs to meet those housing needs. Unlike other General Plan elements, the Housing Element must be updated every eight years, rather than every 10 to 20 years, must address statutory requirements regarding its content, and is subject to mandatory review by HCD. The Town’s Regional Housing Needs Allocation (RHNA) for the sixth cycle planning period is 1,993 units.

The Town of Los Gatos 2023-2031 Housing Element identifies amending the Town Code to create the HEOZ as a strategy to accommodate the Town’s Regional Housing Needs Allocation (RHNA).

**PREPARED BY:** Jocelyn Shoopman and Erin Walters  
Associate Planner and Associate Planner

---

Reviewed by: Community Development Director, Planning Manager, and Town Attorney

---

BACKGROUND (continued):

On August 23, 2023, the Planning Commission reviewed the proposed Town Code amendments, held a public hearing, and forwarded a recommendation of approval to the Town Council to modify the Affordable Housing Overlay Zone (AHOZ) to be the HEOZ.

On October 3, 2023, the Town Council accepted the report of the Planning Commission's recommendation of approval for the proposed Town Code amendment and held a public hearing.

On November 7, 2023, the Town Council, reviewed the proposed Town Code amendments, held a public hearing, and introduced the ordinance to amend the Town Code.

On November 21, 2023, the Town Council adopted Ordinance No. 2347 to enact the proposed Town Code amendments (Exhibit 1).

On December 1, 2023, the Town received the HCD findings/comment letter on the Town's Draft Revised Housing Element as submitted to HCD, including a cursory review of the adopted HEOZ ordinance. The letter is available on the Town's Housing Element webpage:

<https://www.losgatosca.gov/HousingElement>

DISCUSSION:

A. Zoning Amendments

The Town has received comments from HCD requiring amendments to the Town's adopted HEOZ ordinance to include by right approval requirements pursuant to Government Code section 65583.2, subdivision (h) and (i), as well as the minimum density requirements of Government Code section 65583.2, subdivision (h).

Staff, with the assistance from the Town's outside legal counsel, Goldfarb and Lipman LLP, and the Town's Housing Consultant, Veronica Tam and Associates, have prepared an amended ordinance (Exhibit 2) to address HCD's comments.

B. Add "By Right Approval" Definition

The definition of "By Right Approval" below will be added to Section 29.10.2020, "Definitions," of Chapter 29, "Zoning Code Regulations," of the Town Code:

*By right approval* shall have the meaning set forth in Government Code Section 65583.2 (i).

DISCUSSION (continued):

Government Code Section 65583.2 (i) defines “By Right Approval” as the following:

*For purposes of this section and Section 65583, the phrase "use by right" shall mean that the local government's review of the owner-occupied or multifamily residential use may not require a conditional use permit, planned unit development permit, or other discretionary local government review or approval that would constitute a "project" for purposes of Division 13 (commencing with Section 21000) of the Public Resources Code. Any subdivision of the sites shall be subject to all laws, including, but not limited to, the local government ordinance implementing the Subdivision Map Act. A local ordinance may provide that "use by right" does not exempt the use from design review. However, that design review shall not constitute a "project" for purposes of Division 13 (commencing with Section 21000) of the Public Resources Code. Use by right for all rental multifamily residential housing shall be provided in accordance with subdivision (f) of Section 65589.5.*

C. Provide Additional Specification on Residential Development in the HEOZ

Division 5 of Article VIII, “Overlay Zones and Historic Preservation,” of Chapter 29, “Zoning Regulations,” is amended to provide clarification on what regulations apply to “by right” and “non by right” residential development in the HEOZ.

Specification includes the following for “by right” developments:

- Residential developments on sites with underlying zoning of RM, CH, or NF-SP with at least 20 percent of the units proposed for “low income” households and without a subdivision are subject to “by right approval.”
- The developments must be developed at the densities specified in Table 1A below and in no event shall any residential development projects be developed below the minimum density of 30 units per acre.
- The developments shall be subject to non-discretionary design review based on objective development standards in accordance with the procedures specified in Article II, "Administration and Enforcement," of Chapter 29, “Zoning Regulations,” of the Town Code.
- No California Environmental Quality Act review shall be required.
- Subdivisions remain subject to all applicable state and local laws, including but not limited to the Subdivision Map Act.
- Residential units shall occupy at least 50 percent of the floor area in all mixed-use projects.
- For residential developments and mixed-use projects, the standards set forth in Table 1A shall apply.

DISCUSSION (continued):

**Table 1A HEOZ Development Standards for “By Right” Residential Development**

General Plan Land Use Designation	Zoning	Minimum Yards	Maximum Lot Coverage	Maximum Floor Area Ratio (FAR)	Maximum Height Limit (ft)	Density Units Per Acre
High Density Residential	R-M	As authorized by Section 29.40.645	75%	N/A	45 feet	30-40
Mixed-Use	CH	As authorized by Section 29.60.435	N/A	3.0	45 feet	30-40
North Forty Specific Plan	NF-SP	As defined in Specific Plan	As defined in Specific Plan	As defined in Specific Plan	As defined in Specific Plan	30-40

Specification includes the following for all other residential developments include the standards in Table 1B:

**Table 1B HEOZ Development Standards for Other Residential Development**

General Plan Land Use Designation	Zoning	Minimum Yards	Maximum Lot Coverage	Maximum Floor Area Ratio (FAR)	Maximum Height Limit (ft)	Density Units Per Acre
Low Density Residential	R-1	As authorized by Section 29.40.405	50%	N/A	30 feet	0-5
Medium Density Residential	R-1D, R-D, and R-M	As authorized by Section 29.40.405, 29.40.530, and 29.40.645	75%	N/A	35 feet	14-22 or 5-12 in Very High Fire Hazard Severity Zones
Neighborhood Commercial	C-1	As authorized by Section 29.60.225	N/A	1.0	35 feet	10-20
Central Business District	C-2	As authorized by Section 29.60.335	N/A	2.0	45 feet	20-30
Office Professional	O	As authorized by Section 29.60.100	N/A	1.0	35 feet	10-20

Specification includes the following for all residential developments, both “by right” and “non by right”:

- The underlying zoning development standards will remain in effect for all other development without a residential component.
- Regardless of the underlying zoning designation, no residential use may be developed that does not meet the applicable HEOZ development standards.
- Where standards are not specified, the development standards provided in the underlying zoning district shall apply.

DISCUSSION (continued):

D. Next Steps

The Town Council will consider the proposed HEOZ Town Code amendments at a future date.

PUBLIC COMMENTS:

Public notification has included a legal ad in the paper. The meeting has also been publicized on the Town's website and through the Town's social media platforms. As of the drafting of this report, no comments from the public have been received.

CONCLUSION:

A. Summary

Consider a request for approval to further amend Chapter 29 of the Town Code to Define "By Right Approvals" and amend the HEOZ as Division 5 of Article VIII, "Overlay Zones and Historic Preservation."

B. Recommendation

Based on the analysis above, staff recommends that the Planning Commission consider the Town Code amendments and forward a recommendation for approval of the amendments to the Town Council (Exhibit 2).

C. Alternatives

Alternatively, the Planning Commission can:

1. Continue the matter to a date certain with specific direction; or
2. Provide a recommendation for denial to the Town Council providing findings for denial.

EXHIBITS:

1. Adopted Ordinance 2347
2. Draft Ordinance

***This Page  
Intentionally  
Left Blank***

## **ORDINANCE 2347**

### **AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF LOS GATOS AMENDING CHAPTER 29, "ZONING REGULATIONS," OF THE TOWN CODE TO REPLACE THE AFFORDABLE HOUSING OVERLAY ZONE DIVISION 5 OF ARTICLE VIII, "OVERLAY ZONES AND HISTORIC PRESERVATION," WITH THE HOUSING ELEMENT OVERLAY ZONE AS DIVISION 5 OF ARTICLE VIII, "OVERLAY ZONES AND HISTORIC PRESERVATION"**

#### **ZONING CODE AMENDMENT APPLICATION Z-23-002**

#### **PROPERTY LOCATION: TOWN WIDE APPLICANT: TOWN OF LOS GATOS**

**WHEREAS**, the Town of Los Gatos 2023-2031 Housing Element identifies amending the Town Code to create the Housing Element Overlay Zone as a strategy to accommodate the Town's Regional Housing Needs Allocation (RHNA); and

**WHEREAS**, the Planning Commission at its meeting on August 23, 2023, reviewed the proposed Town Code amendments, held a public hearing, and forwarded a recommendation of approval to the Town Council; and

**WHEREAS**, the Town Council at its meeting on October 3, 2023, reviewed the proposed Town Code amendment, held a public hearing, and adopted the ordinance to amend the Town Code to modify the Affordable Housing Overlay Zone to be the Housing Element Overlay Zone; and

**WHEREAS**, because the project description in the public hearing notice did not include the Planning Commission's recommendation, the item was re-noticed for the Town Council's consideration; and

**WHEREAS**, November 7, 2023, the Town Council accepted the report of the Planning Commission's recommendation of approval for the proposed Town Code amendment and held a public hearing; and

**WHEREAS**, the Town Council considered all facts and information related to a request to amend the Town Code as shown in Exhibit A and voted to introduce the Ordinance; and

**WHEREAS**, this matter was regularly noticed in conformance with State and Town law and came before the Town Council for public hearing on November 21, 2023.

**NOW, THEREFORE, BE IT ORDAINED** by the Town Council of the Town of Los Gatos as follows:

**SECTION I. CEQA.**

The Town Council finds as follows:

- A. No further Environmental Analysis is required as an Environmental Impact Report (EIR) was prepared and certified for the 2040 General Plan Update on June 30, 2022, which included the proposed Zoning Code amendments; and
- B. The Town Code Amendments are consistent with the General Plan and its elements in that the proposed zonings are consistent with the proposed General Plan land use designations; and
- C. That all proceedings have been conducted in compliance with the provisions of Government Code Section 65850 et seq.; and

**SECTION II.** Chapter 29, Article VIII., Division 5 of the Town Code is hereby amended to read as follows:

**ARTICLE VIII. OVERLAY ZONES AND HISTORIC PRESERVATION**

...

**DIVISION 5. HOUSING ELEMENT OVERLAY ZONE**

**Sec. 29.80.505. Intent.**

The Housing Element Overlay Zone (HEOZ) ordinance in this division is intended to increase the supply and the mix of housing types, tenure, and affordability within the Town of Los Gatos. Through appropriate densities, concessions, and fee deferrals or waivers, the HEOZ encourages the development of housing affordable to all income levels on sites within the Town that are deemed to be most appropriate for such uses. The Housing Element lists sites within the Town of Los Gatos as key housing opportunities. The designation of these sites will assist the Town in meeting its Regional Housing Needs Allocation (RHNA), as required by the State.

**Sec. 29.80.510. HEOZ and underlying zoning.**

A property that has the HEOZ designation may be developed with a residential or mixed-use project with a residential use occupying more than 50 percent of the total floor area based on the standards provided in this division or, where standards are not specified, then based on



the standards provided in the underlying zone. The underlying zoning development standards will remain in effect for all other development without a residential component.

Pursuant to Government Code Section 65583.2(i), by right development will be allowed when 20 percent or more of the units are affordable to lower income households.

**Sec. 29.80.515. HEOZ general development standards.**

A proposed residential project, including a mixed-use project with a residential use occupying more than 50 percent of the total floor area within the HEOZ shall be designed and constructed in conformity with the development standards for the corresponding zoning and General Plan Land Use designation in Table 1A (Overlay Zones Development Standards). Regardless of the underlying zoning designation, no residential project or mixed-use project with a residential use occupying more than 50 percent of the total floor area may be developed that does not meet the applicable HEOZ development standards.

**Table 1A (HEOZ Development Standards)**

General Plan Land Use Designation	Zoning	Minimum Yards	Maximum Lot Coverage	Maximum Floor Area Ratio (FAR)	Maximum Height Limit (ft)	Density Units Per Acre
Low Density Residential	R-1	As authorized by Section 29.40.405	50%	N/A	30 feet	0-5
Medium Density Residential	R-1D, R-D, and R-M	As authorized by Section 29.40.405, 29.40.530, and 29.40.645	75%	N/A	35 feet	14-22 or 5-12 in Very High Fire Hazard Severity Zones
High Density Residential	R-M	As authorized by Section 29.40.645	75%	N/A	45 feet	30-40
Mixed-Use	CH	As authorized by Section 29.60.435	N/A	3.0	45 feet	30-40
Neighborhood Commercial	C-1	As authorized by Section 29.60.225	N/A	1.0	35 feet	10-20
Central Business District	C-2	As authorized by Section 29.60.335	N/A	2.0	45 feet	20-30
North Forty Specific Plan	NF-SP	As defined in Specific Plan	As defined in Specific Plan	As defined in Specific Plan	As defined in Specific Plan	30-40
Office Professional	O	As authorized by Section 29.60.100	N/A	1.0	35 feet	10-20
Service Commercial	LM	As authorized by Section 29.70.125	N/A	1.0	35 feet	none
Light Industrial	CM	As authorized by Section 29.70.235	N/A	1.0	35 feet	none

### SECTION III. Effective Date.

This Ordinance was introduced at a regular meeting of the Town Council of the Town of Los Gatos on the 7<sup>th</sup> day of November, 2023, and adopted by the following vote as an ordinance of the Town of Los Gatos at a regular meeting of the Town Council of the Town of Los Gatos on the 21<sup>st</sup> day of November, 2023. This ordinance shall take effect 30 days after the date it is adopted. The Town Clerk shall cause this ordinance or a summary thereof to be published in accordance with Section 36933 of the California Government Code.

#### COUNCIL MEMBERS:

AYES: Matthew Hudes, Rob Moore, Rob Rennie, Mayor Maria Ristow

NAYS: None

ABSENT: None

ABSTAIN: Mary Badame

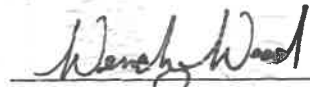
SIGNED:



MAYOR OF THE TOWN OF LOS GATOS  
LOS GATOS, CALIFORNIA

DATE: 11-22-23

ATTEST:



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

DATE: 11/22/23

Chapter 29 - ZONING REGULATIONS  
ARTICLE VIII. - OVERLAY ZONES AND HISTORIC PRESERVATION  
DIVISION 5. HOUSING ELEMENT OVERLAY ZONE

---

**DIVISION 5. HOUSING ELEMENT OVERLAY ZONE**

---

**Sec. 29.80.505. Intent.**

The Housing Element Overlay Zone (HEOZ) ordinance in this division is intended to increase the supply and the mix of housing types, tenure, and affordability within the Town of Los Gatos. Through appropriate densities, concessions, and fee deferrals or waivers, the HEOZ encourages the development of housing affordable to all income levels on sites within the Town that are deemed to be most appropriate for such uses. The Housing Element lists sites within the Town of Los Gatos as key housing opportunities. The designation of these sites will assist the Town in meeting its Regional Housing Needs Allocation (RHNA), as required by the State.

**Sec. 29.80.510. HEOZ and underlying zoning.**

A property that has the HEOZ designation may be developed with a residential or mixed-use project with a residential use occupying more than 50 percent of the total floor area based on the standards provided in this division or, where standards are not specified, then based on the standards provided in the underlying zone. The underlying zoning development standards will remain in effect for all other development without a residential component.

Pursuant to Government Code Section 65583.2(i), by right development will be allowed when 20 percent or more of the units are affordable to lower income households.

**Sec. 29.80.515. HEOZ general development standards.**

A proposed residential project, including a mixed-use project with a residential use occupying more than 50 percent of the total floor area within the HEOZ shall be designed and constructed in conformity with the development standards for the corresponding zoning and General Plan Land Use designation in Table 1A (Overlay Zones Development Standards). Regardless of the underlying zoning designation, no residential project or mixed-use project with a residential use occupying more than 50 percent of the total floor area may be developed that does not meet the applicable HEOZ development standards.

**Table 1A (HEOZ Development Standards)**

General Plan Land Use Designation	Zoning	Minimum Yards	Maximum Lot Coverage	Maximum Floor Area Ratio (FAR)	Maximum Height Limit (ft)	Density Units Per Acre
Low Density Residential	R-1	As authorized by Section 29.40.405	50%	N/A	30 feet	0-5
Medium Density Residential	R-1D, R-D, and R-M	As authorized by Section 29.40.405, 29.40.530, and 29.40.645	75%	N/A	35 feet	14-22 or 5-12 in Very High Fire Hazard Severity Zones
High Density Residential	R-M	As authorized by Section 29.40.645	75%	N/A	45 feet	30-40
Mixed-Use	CH	As authorized by Section 29.60.435	N/A	3.0	45 feet	30-40
Neighborhood Commercial	C-1	As authorized by Section 29.60.225	N/A	1.0	35 feet	10-20

Central Business District	C-2	As authorized by Section 29.60.335	N/A	2.0	45 feet	20-30
North Forty Specific Plan	NF-SP	As defined in Specific Plan	As defined in Specific Plan	As defined in Specific Plan	As defined in Specific Plan	30-40
Office Professional	O	As authorized by Section 29.60.100	N/A	1.0	35 feet	10-20
Service Commercial	LM	As authorized by Section 29.70.125	N/A	1.0	35 feet	none
Light Industrial	CM	As authorized by Section 29.70.235	N/A	1.0	35 feet	none

**DRAFT ORDINANCE**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF LOS GATOS  
AMENDING CHAPTER 29, "ZONING REGULATIONS," OF THE TOWN CODE  
TO DEFINE "BY RIGHT APPROVALS" AND AMEND THE HOUSING  
ELEMENT OVERLAY ZONE AS DIVISION 5 OF ARTICLE VIII, "OVERLAY  
ZONES AND HISTORIC PRESERVATION."**

**ZONING CODE AMENDMENT APPLICATION Z-24-001**

**PROPERTY LOCATION: TOWN WIDE  
APPLICANT: TOWN OF LOS GATOS**

**WHEREAS**, the Town of Los Gatos 2023-2031 Housing Element identifies amending the Town Code to create the Housing Element Overlay Zone as a strategy to accommodate the Town's Regional Housing Needs Allocation (RHNA); and

**WHEREAS**, the Planning Commission at its meeting on August 23, 2023, reviewed the proposed Town Code amendments, held a public hearing, and forwarded a recommendation of approval to the Town Council; and

**WHEREAS**, on October 3, 2023, the Town Council accepted the report of the Planning Commission's recommendation of approval for the proposed Town Code amendment and held a public hearing; and

**WHEREAS**, on November 7, 2023, the Town Council reviewed the proposed Town Code amendments, held a public hearing, and introduced the ordinance to amend the Town Code to modify the Affordable Housing Overlay Zone to be the Housing Element Overlay Zone; and

**WHEREAS**, the Town Council adopted Ordinance No. 2347 to enact the proposed Town Code amendments on November 21, 2023; and

**WHEREAS**, on December 1, 2023, the Town received comments from the State Housing and Community Development Department (HCD) regarding the adopted Housing Element Overlay Zone ordinance; and

**WHEREAS**, staff has prepared a revised ordinance to address HCD's comments; and

**WHEREAS**, the Planning Commission at its meeting on January 24, 2024, reviewed proposed Town Code amendments, held a public hearing, and forwarded a recommendation of \_\_\_\_\_ to the Town Council; and

**WHEREAS**, this matter was regularly noticed in conformance with State and Town law

and came before the Town Council on \_\_\_\_\_, 2024.

**WHEREAS**, on \_\_\_\_\_, 2024, the Town Council accepted the report of the Planning Commission's recommendation of \_\_\_\_\_ for the proposed Town Code amendments, held a public hearing, and introduced an ordinance to add a definition of "by right approval" and modify the HEOZ Ordinance; and

**NOW, THEREFORE, BE IT ORDAINED** by the Town Council of the Town of Los Gatos as follows:

**SECTION I.** Section 29.10.020, "Definitions," of Chapter 29, "Zoning Regulations," of the Town Code is amended to add the following between the definitions of "*Business or commerce*" and "*Carport*" to read as follows:

*By right approval* shall have the meaning set forth in Government Code Section 65583.2 (i).

**SECTION II.** Division 5 of Article VIII, "Overlay Zones and Historic Preservation," of Chapter 29, "Zoning Regulations," is amended to read as follows:

#### **ARTICLE VIII. OVERLAY ZONES AND HISTORIC PRESERVATION**

...

##### **DIVISION 5. HOUSING ELEMENT OVERLAY ZONE**

###### **Sec. 29.80.505. Intent.**

The Housing Element Overlay Zone (HEOZ) ordinance in this division is intended to increase the supply and the mix of housing types, tenure, and affordability within the Town of Los Gatos. Through appropriate densities, concessions, and fee deferrals or waivers, the HEOZ encourages the development of housing affordable to all income levels on sites within the Town that are deemed to be most appropriate for such uses. The Housing Element lists sites within the Town of Los Gatos as key housing opportunities. The designation of these sites will assist the Town in meeting its Regional Housing Needs Allocation (RHNA), as required by the State.

###### **Sec. 29.80.510. HEOZ and underlying zoning.**

- (a) "By right" residential developments on sites with underlying zoning of RM, CH, or NF-SP (Table 1A below). Pursuant to Government Code Section 65583.2, subsections (h) and (i), in the HEOZ, residential developments with at least 20 percent of the units proposed for "low income" households and without a subdivision are subject to "by right approval." These developments are subject to the following:

1. The developments must be developed at the densities specified in Table 1A below and in no event shall any residential development projects be developed below the minimum density of 30 units per acre.
2. The developments shall be subject to non-discretionary design review based on objective development standards in accordance with the procedures specified in Article II, "Administration and Enforcement," of Chapter 29, "Zoning Regulations," of the Town Code.
3. No California Environmental Quality Act review shall be required.
4. Subdivisions remain subject to all applicable state and local laws, including but not limited to the Subdivision Map Act.
5. Residential units shall occupy at least 50 percent of the floor area in all mixed-use projects.
6. For residential developments and mixed-use projects, the standards set forth in Table 1A shall apply.

**Table 1A HEOZ Development Standards for "By Right" Residential Development**

General Plan Land Use Designation	Zoning	Minimum Yards	Maximum Lot Coverage	Maximum Floor Area Ratio (FAR)	Maximum Height Limit (ft)	Density Units Per Acre
High Density Residential	R-M	As authorized by Section 29.40.645	75%	N/A	45 feet	30-40
Mixed-Use	CH	As authorized by Section 29.60.435	N/A	3.0	45 feet	30-40
North Forty Specific Plan	NF-SP	As defined in Specific Plan	As defined in Specific Plan	As defined in Specific Plan	As defined in Specific Plan	30-40

- (b) For all other residential developments other than those described in subsection (a), the standards set forth in Table 1B below shall apply.

**Table 1B HEOZ Development Standards for Other Residential Development**

General Plan Land Use Designation	Zoning	Minimum Yards	Maximum Lot Coverage	Maximum Floor Area Ratio (FAR)	Maximum Height Limit (ft)	Density Units Per Acre
Low Density Residential	R-1	As authorized by Section 29.40.405	50%	N/A	30 feet	0-5
Medium Density Residential	R-1D, R-D, and R-M	As authorized by Section 29.40.405, 29.40.530, and 29.40.645	75%	N/A	35 feet	14-22 or 5-12 in Very High Fire Hazard Severity Zones
Neighborhood Commercial	C-1	As authorized by Section 29.60.225	N/A	1.0	35 feet	10-20

Central Business District	C-2	As authorized by Section 29.60.335	N/A	2.0	45 feet	20-30
Office Professional	O	As authorized by Section 29.60.100	N/A	1.0	35 feet	10-20

- (c) The underlying zoning development standards will remain in effect for all other development without a residential component.
- (d) Regardless of the underlying zoning designation, no residential use may be developed that does not meet the applicable HEOZ development standards.
- (e) Where standards are not specified, the development standards provided in the underlying zoning district shall apply.

### **SECTION III. CEQA.**

The Town Council finds as follows:

- A. No further Environmental Analysis is required as an Environmental Impact Report (EIR) was prepared and certified for the 2040 General Plan Update on June 30, 2022, which included the proposed Town Code amendments; and
- B. The Town Code amendments are consistent with the General Plan and its elements; and
- C. That all proceedings have been conducted in compliance with the provisions of Government Code Section 65850 et seq.

### **SECTION IV. EFFECTIVE DATE.**

This Ordinance was introduced at a regular meeting of the Town Council of the Town of Los Gatos on the \_\_\_\_\_ day of \_\_\_\_\_, 2024, and adopted by the following vote as an ordinance of the Town of Los Gatos at a regular meeting of the Town Council of the Town of Los Gatos on the \_\_\_\_ day of \_\_\_\_\_, 2024. This ordinance shall take effect 30 days after the date it is adopted. The Town Clerk shall cause this ordinance or a summary thereof to be published in accordance with Section 36933 of the California Government Code.

**COUNCIL MEMBERS:**

AYES:

NAYS:

ABSENT:

ABSTAIN:



SIGNED:

MAYOR OF THE TOWN OF LOS GATOS  
LOS GATOS, CALIFORNIA

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

ATTEST:

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

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

DRAFT

***This Page  
Intentionally  
Left Blank***