

## DRAFT RESOLUTION

### RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOS GATOS AMENDING THE HAZARDS AND SAFETY ELEMENT OF THE 2040 GENERAL PLAN

Draft Resolution to  
be modified by Town  
Council deliberations  
and direction.

**WHEREAS**, the Town of Los Gatos prepared the 2040 General Plan to update and enhance the 2020 General Plan, along with the Final Environmental Impact Report (Final EIR); and

**WHEREAS**, on June 30, 2022, Town Council adopted Resolution 2022-046 and certified the Environmental Impact Report for the 2040 General Plan; and

**WHEREAS**, on June 30, 2022, Town Council adopted Resolution 2022-047 approving the 2040 General Plan; and

**WHEREAS**, on October 4, 2022, Town Council adopted Resolution 2022-064 to confirm the suspension of the 2040 General Plan Land Use and Community Design Elements because sufficient signatures had been gathered to place a referendum on a future ballot with regard to those two Elements, provide that the 2020 General Plan Land Use and Community Design Elements govern during the suspension period, and that the remaining Elements of the 2040 General Plan remain in effect; and

**WHEREAS**, language required by the State Board of Forestry was included in the 2040 General Plan Community Design Element, which is now suspended; and

**WHEREAS**, the Town wishes to move the required language to the 2040 General Plan Hazards and Safety Element; and

**WHEREAS**, on October 26, 2022, the General Plan Committee met to consider this matter. The General Plan Committee unanimously recommended that the Town Council adopt this amendment to the Hazards and Safety Element of the General Plan; and

**WHEREAS**, on December 14, 2022, the Planning Commission held a public hearing to consider this matter. The Planning Commission received and considered public comments and unanimously recommended that the Town Council adopt this amendment to the Hazards and Safety Element of the General Plan; and

ATTACHMENT 3

**WHEREAS**, this matter was regularly noticed in conformance with State and Town law and came before the Town Council for public hearing on January 17, 2023; and

**WHEREAS**, the Town Council finds as follows:

- A. The project is Categorically Exempt pursuant to the adopted Guidelines for Implementation of California Environmental Quality Act, Section 15061(b)(3); and
- B. The General Plan amendment is internally consistent with the existing goals and policies of the General Plan and its corresponding elements; and
- C. That all proceedings have been conducted in compliance with the provisions of Government Code Section 65350 et seq.

**NOW, THEREFORE, BE IT RESOLVED:**

The Hazards and Safety Element shall be amended to add the following policies:

- Policy HAZ-2.10    Hillside Development Limitation  
Limit hillside development, specifically in VHFHSZ's, to mitigate wildfire risk.
- Policy HAZ-2.11    Least Restrictive Development Areas  
All development, including those in VHFHSZ's, is required to adhere to the Least Restrictive Development Areas (LRDA) to ensure minimal disturbance of the natural environment and to avoid wildfire and geological hazards.

**PASSED AND ADOPTED** at a regular meeting of the Town Council of the Town of Los Gatos, California, held on the 17<sup>th</sup> day of January, 2023, by the following vote:

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: \_\_\_\_\_

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