



**TOWN OF LOS GATOS
PLANNING COMMISSION
REPORT**

MEETING DATE: 05/21/2026

ITEM NO: 1

DESK ITEM

DATE: May 21, 2026
TO: Planning Commission
FROM: Joel Paulson, Community Development Director
SUBJECT: Consider a Request for 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. **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: Razi Mohiuddin. Project Planner: Jocelyn Shoopman.

REMARKS:

The applicant's response to the draft conditions of approval and their recommended edits are included in Exhibit 50.

Public comments received between 3:01 p.m., Wednesday, May 20, 2026, and 11:00 a.m., Thursday, May 21, 2026, are included as Exhibit 51.

EXHIBITS:

Previously Received with the March 25, 2026, Staff Report:

1. Location Map
2. Draft Resolution Making the Required Findings and Approving the Application Subject to the Conditionals of Approval (Included as Attachment A)
3. Conditional Use Permit U-89-11
4. Conditional Use Permit U-20-001; March 11, 2020, Planning Commission Staff Report; and March 11, 2020, Planning Commission Minutes
5. Letter of Justification
6. Neighborhood Outreach
7. Noise Analysis
8. Site Map
9. Applicant's Response to Public Comments Regarding Noise

PREPARED BY: Jocelyn Shoopman
Senior Planner

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

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SUBJECT: 16769 Farley Road/U-24-010

DATE: May 21, 2026

10. Additional Information from the Applicant

11. Public Comments Received by 11:00 a.m., Friday, March 20, 2026, with Attachment A, Videos Provided as Part of Public Comments

Previously Received with the March 23, 2026, Addendum Report:

12. Public Comments Received Between 3:01 p.m., Friday, March 20, 2026, and 3:00 p.m., Monday, March 23, 2026

Previously Received with the March 24, 2026, Addendum Report 2:

13. Public Comments Received Between 3:01 p.m., Monday, March 23, 2026, and 3:00 p.m., Tuesday, March 24, 2026

Previously Received with the March 25, 2026, Desk Item Report:

14. Supplemental Information from the Applicant

15. Letter from the Applicant's Legal Counsel

16. Public Comments Received Between 3:01 p.m., Tuesday, March 24, 2026, and 11:00 a.m., Wednesday, March 25, 2026

Previously Received with the March 27, 2026, Staff Report:

17. Public Comments Received Between 11:01 a.m., Wednesday, March 25, 2026, and 3:00 p.m., Friday, March 27, 2026

Previously Received with the March 30, 2026, Addendum Report:

18. Public Comments Received Between 3:01 p.m., Friday, March 27, 2026, and 3:00 p.m., Monday, March 30, 2026

Previously Received with the March 31, 2026, Desk Item Report:

19. Additional Information from the Applicant's Legal Counsel

20. Supplemental Information from the Applicant's Noise Consultant

21. Applicant's Neighborhood Outreach

22. Applicant's Response to Public Comments

23. Public Comments Received Between 3:01 p.m., Monday, March 30, 2026, and 11:00 a.m., Tuesday, March 31, 2026

Previously Received with the April 22, 2026, Staff Report:

24. Applicant's Response to Neighborhood Group Meeting

25. Neighborhood Group's Response to Meeting with the Applicant

26. Public Comments Received Between 3:01 p.m., Tuesday, March 31, 2026, and 3:00 p.m., Friday, April 17, 2026

Previously Received with the April 20, 2026, Addendum Report:

27. Additional Information from the Neighborhood Group

28. Public Comments Received Between 3:01 p.m., Friday, April 17, 2026, and 3:00 p.m., Monday, April 20, 2026

Previously Received with the April 21, 2026, Addendum 2 Report:

29. Public Comments Received Between 3:01 p.m., Monday, April 20, 2026, and 3:00 p.m., Tuesday, April 21, 2026

Previously Received with the April 22, 2026, Desk Item Report:

30. Supplemental Information from the Applicant

31. Additional Information from the Applicant's Legal Counsel

32. Commissioner Comments

33. Public Comments Received Between 3:01 p.m., Tuesday, April 21, 2026, and 11:00 a.m., Wednesday, April 22, 2026

Previously Received with the May 13, 2026, Staff Report:

34. Draft Resolution Making the Required Findings and Approving the Application Subject to the Modified Condition of Approval (Included as Attachment A)

35. Modified Conditions of Approval, Track Changes

36. Applicant's Response to the New Conditions of Approval

37. Public Comments Received Between 11:01 a.m., Wednesday, April 22, 2026, and 3:00 p.m., Friday, May 8, 2026

Previously Received with the May 12, 2026, Addendum Report:

38. Corrected Modified Conditions of Approval, Track Changes

39. Public Comments Received Between 3:01 p.m., Friday, May 8, 2026, and 3:00 p.m., Tuesday, May 12, 2026

Previously Received with the May 13, 2026, Desk Item Report:

40. Revised Draft Resolution Making the Required Findings and Approving the Application Subject to the Conditionals of Approval (Included as Attachment A)

41. Revised Conditions of Approval, Redlined

42. Comparison Chart of Approved Conditional Use Permits

43. Public Comments Received Between 3:01 p.m., Tuesday, May 12, 2026, and 11:00 a.m., Wednesday, May 13, 2026

Previously Received with the May 21, 2026, Staff Report:

44. Draft Resolution Making the Required Findings and Approving the Application Subject to the Conditionals of Approval (Included as Attachment A)

45. Modified Conditions of Approval, Track Changes

46. Public Comments Received Between 11:01 a.m., Wednesday, May 13, 2026, and 3:00 p.m., Friday, May 15, 2026

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SUBJECT: 16769 Farley Road/U-24-010

DATE: May 21, 2026

Previously Received with the May 20, 2026, Addendum Report:

- 47. Draft Resolution Making the Required Findings and Approving the Application Subject to the Conditionals of Approval (Included as Attachment A)
- 48. Commissioner Comments
- 49. Public Comments Received Between 3:01 p.m., Friday, May 15, 2026, and 3:00 p.m., Wednesday, May 20, 2026

Received with this May 21, 2026, Desk Item Report:

- 50. Applicant's Response to the Draft Conditions of Approval and Recommended Edits
- 51. Public Comments Received Between 3:01 p.m., Wednesday, May 20, 2026, and 11:00 a.m., Thursday, May 21, 2026

WVMA's Objections to Latest Conditions of Approval – Exhibit 44A
05/20/2026

Address: 16769 Farley Road, Los Gatos CA 95032

Property Zoned: R-1:8

APN: 424-21-062

Owner and Applicant: West Valley Muslim Association (WVMA)

Conditional Use Permit Application: U-24-010

Planner: Jocelyn Shoopman, Senior Planner, Town of Los Gatos

The West Valley Muslim Association (“WVMA”) respectfully submits this letter regarding the latest updated conditions (Exhibit 44, Attachment A) for the May 21, 2026 Planning Commission Hearing. While the Conditions of Approval shown in Exhibit 44, Attachment A, are a significant improvement, many conditions continue to violate RLUIPA by imposing a substantial burden on religious exercise without a compelling governmental interest served through the least restrictive means, and by treating WVMA on materially worse terms than comparable religious institutions. We request the specific modifications stated below before the approval is finalized.

1. “Worship Services” Language (Condition 12)

The recent Conditions of Approval have changed the language from “Hours of Operation” to “Worship Services”. This change is legally significant and creates RLUIPA compliance risk for the Town.

Substantial Burden Violation: By narrowly defining what constitutes use of our facilities as just “worship services”, the Town is creating a new restriction that places ambiguity as well as a substantial burden on the practice of our faith. Religious services in congregation cannot be defined just as a start and stop of worship. For example, many of our prayers are connected to religious talks, gatherings, charitable events, Quranic reading and recitation, and community activities, that are part of our religious practice, but may not be viewed as strictly “worship” by some. This puts WVMA in a position of either restricting those services or regularly defending them as acts of worship. This would also effectively result in the Town making decisions about what constitutes “worship” in our religion when disagreements arise. In addition, congregational prayers exist to bring people together, and when people come together in our congregation, they check in on each other, have discussions or discussion groups, read or recite from the Quran, share a meal or coffee, etc. This is no different from the fellowship time that follows services at Christian churches, or the kiddush that follows services at Jewish synagogues – an informal gathering over food and drink that is universally understood as a natural part of congregational activity. Restricting WVMA to merely “worship” may jeopardize, for example, the following existing WVMA activities: (1) Fajr & Coffee, a post-dawn-prayer gathering that includes a talk by our religious scholar and refreshments; (2) Tuesday Young Professionals program; (3) Friday Family Nights; (4) weekend community dinners and iftars; (5) Quran classes, parenting classes, and youth programming; and (6) visiting scholar lectures and seminars. These are not new activities – they are the lived practice of this congregation and have been conducted lawfully for years. Retroactively restricting them through a CUP modification that sought only to extend hours is independently a substantial burden under RLUIPA.

Equal Terms Violation: Every other religious institution CUP in Los Gatos reviewed by WVMA uses either “Hours of Usage” or “Hours of Operation” – none uses “worship services” as the operative time boundary. No other religious institution in Los Gatos is required to define or defend whether a given activity qualifies as a “worship service.”

Regression from Existing Rights: We are not asking for something new – we have been providing such activities for years. Only permitting “worship services” will require almost daily interpretation and different closure rules, which will result in much confusion to our community and others, and is inconsistent with any other faith institution. The

Town can expect to receive reports of perceived violations, which would effectively put the Town in a position where **the Town would be called upon to make theological determinations about what constitutes “worship” in the Islamic faith – a role no government body is equipped or permitted to play.** The protection of these existing activities is not merely a matter of convenience – it is a RLUIPA requirement. A CUP modification that retroactively restricts religious exercise that was freely permitted under the prior CUP clearly imposes a substantial burden. The Town’s own application materials confirm that this proceeding was initiated solely to extend hours of operation, not to restrict or in any way revisit the scope of permitted activities.

We request returning to “hours of operation” in Condition 12(a), 13(a), 15 and all other conditions where “worship services” has been substituted. “Hours of operation” is objective, consistent with every comparable CUP in Los Gatos, and covers the full scope of existing WVMA activities without requiring case-by-case determinations about whether a given activity qualifies as a “worship service.” Specifically, wherever the conditions read “when a service is not in session” or “during services,” those phrases should be revised to “when the facility is not in use” or “during facility operations” to achieve the same objective without the same compliance risk.

2. Lot Closure Rule – “All Other Activities” (Condition 15)

We spent the last 21 months requesting an extension of 30 minutes to our usage until 10:30 p.m., and 30 additional minutes for clearing the parking lot, only to see the conditions revert to “for all other activities, the parking lot shall be vacated by 10 p.m.,” continuing the 2020 CUP restriction that WVMA's modification application specifically sought to change. It negates the 10:30 p.m. end-of-operations request and creates a compliance trap for any evening program that flows into or around the Isha prayer. This is the modification WVMA applied for – restoring the prior restriction through a subordinate clause is not a compromise; it is a de facto denial.

Substantial Burden Violation: A condition that grants a 10:30 p.m. authorization with one hand and imposes a 10:00 p.m. lot-clearance rule for “all other activities” with the other is not a compromise. It is a substantial burden dressed as one. The “all other activities” clause also creates an internal contradiction: the Lot Closure Rule otherwise allows 30 minutes following the end of services to vacate the lot, yet this sentence requires immediate clearance at 10:00 p.m. regardless of when activities end — an operational impossibility not imposed on any other religious institution. Moreover, since Isha prayer falls at or after 10:00 p.m. during at least the May–August period, any community program that precedes or follows Isha – a youth discussion group, a community dinner, a visiting scholar’s talk – would require the parking lot to be cleared before or during prayer. Ironically, under this condition, members would be required to move their cars to the public street before 10:00 p.m., and then return inside for prayer – increasing rather than reducing the neighborhood impact the condition purports to address.

Regression from Existing Rights: The “all other activities” clause also represents a regression from WVMA's existing rights – the 2020 CUP did not contain a 10:00 p.m. lot-clearance rule, and a modification that narrows existing permitted rights without a compelling governmental interest demonstrated through the least restrictive means independently violates RLUIPA.

We request the deletion of the sentence “For all other activities, the parking lot shall be vacated by 10 p.m.” The operative rule: facility use ends at 10:30 p.m.; lot cleared by 11:00 p.m.

3. Annual Compliance Reviews (Condition 7)

Equal Terms Violation: Town Staff have confirmed in an email to WVMA that there is no other religious institution in Los Gatos that is subject to Annual Reviews for 3 years. WVMA cannot identify a single religious assembly CUP in Los Gatos subject to even a one-year review – Faith Lutheran's review was a one-time check tied to school enrollment, not its religious observance. St. Mary’s annual report tracks student enrollment counts only – not religious observance.

Substantial Burden Violation: Town Staff has estimated that a deposit of \$10,000 annually would be required, with unknown and unlimited additional costs. This constitutes a substantial financial burden on WVMA.

Beyond the direct financial burden, an annual review creates an ongoing legal uncertainty that itself constitutes a substantial burden under RLUIPA. WVMA has already devoted 21 months and substantial legal resources to this proceeding. A condition requiring it to repeat a version of this process annually – at unpredictable cost, before a public forum that neighbors may use to relitigate settled questions – chills WVMA’s ability to plan programs, hire staff, make capital investments, and conduct religious programming.

The Town has not shown a compelling governmental interest for this provision. Even if it could, three annual reviews at substantial cost is not the least restrictive means. The Town already has a procedure under its Municipal Code (LGMC §29.20.310) that is less restrictive. It can modify a use permit on its own motion. The Town’s existing Code Compliance process is the appropriate mechanism for addressing any future concerns, as it is for every other religious institution in Los Gatos.

We request the Town use the least restrictive means and remove the annual compliance review from the conditions.

4. Attendance Cap (Conditions 12(c) and 13(a))

Equal Terms Violation: No other religious institution in Los Gatos is subject to a sub-Fire Code attendance limit. Staff confirmed this on the record at the April 22 hearing. Capping attendance at WVMA – the only mosque in Los Gatos – at a number materially below the Fire Code maximum occupancy of 1,217 persons is not a neutral land use standard. It is a mechanism for the Town to determine how many Muslims may worship at one time. That is precisely the burden RLUIPA prohibits.

Substantial Burden Violation: The attendance cap also independently violates RLUIPA’s substantial burden provision. Forcing WVMA to monitor attendance at each of five obligatory daily prayers and turn away congregants who wish to fulfill a mandatory religious obligation imposes a direct and severe burden on religious exercise. The Town must demonstrate that a sub-Fire-Code cap is the least restrictive means of serving a compelling governmental interest. It cannot meet that burden. The Fire Code maximum occupancy for this facility is 1,217 persons across the three auditoriums; the proposed cap falls materially below that threshold. If the Town wishes to minimize on-street parking, less restrictive means to do so – instituting a parking permit program, designating areas of the street as no parking zones, etc. – are available, and RLUIPA requires the Town to pursue the least restrictive means available – and less restrictive alternatives clearly exist on this record.

We request that Conditions 12(c) and 13(a) be deleted, as the language in Condition 11 (Occupancy Limits) is already accepted by Staff, and consistent with every other religious institution in Los Gatos. No sub-Fire-Code cap appears in any other religious assembly CUP in the Town’s record.

5. Living Quarters Carve-Out (Condition 15)

Gap in Conditions: Condition 15 contains no carve-out for residents of the on-site living quarters or their guests. Scholars and religious leaders residing on the property must be able to access the parking lot at all hours. The absence of this carve-out subjects their personal residency to congregation-level restrictions. This is not merely an oversight – it raises a distinct legal concern: a CUP condition cannot restrict a residential occupant’s access to their own home and parking without independent legal authority. The prior draft conditions already recognized this by including a leaders’ quarters carve-out in the Quiet Hours parking provision. The omission from Condition 15 is internally inconsistent with the document’s own framework and should be corrected.

Substantial Burden Violation: If the conditions do not allow scholars and religious leaders who reside in the on-site living quarters to park, they burden our ability to retain religious leadership, which is essential to the observance of our faith. There is no compelling governmental interest that could be served by such a restriction. And even if there were, less restrictive means of meeting that interest plainly exist.

Request: Add “The foregoing restrictions do not apply to residents of the on-site living quarters or their guests.”

6. Driveway Operations – Overbroad Responsibility (Condition 24)

Enforceability Concern: The condition requires WVMA to “ensure that ingress and egress to neighboring driveways is preserved” – without clarification about what “preserved” would entail, and without limiting that obligation to the actions of WVMA's own members. A recent video from the neighbor demonstrated this problem – where a news reporter’s vehicle blocked the neighbor’s driveway and the neighbor wrongly claimed the vehicle belonged to a WVMA member. WVMA cannot be held responsible for third parties with no connection to its operations. No other institution in Los Gatos bears this obligation. Imposing on WVMA a duty to control the conduct of unaffiliated third parties – news crews, passersby, delivery vehicles – is a standard applied to no other religious institution in Los Gatos, violating RLUIPA’s equal terms provision (42 U.S.C. §2000cc(b)(1)).

There is no complaint on the record that WVMA members blocked the driveways of neighbors. If the Town insists on a condition, WVMA requests that it be limited to what WVMA can actually control – the conduct of its own members – and tied to an obligation WVMA already performs. Proposed language: “The applicant shall include in its periodic member communications a reminder to attendees not to park in a manner that blocks ingress and egress to neighboring driveways.” This ties the obligation to the monthly outreach already required under Condition 22, clarifies what would be required, imposes no new operational burden, and limits WVMA’s responsibility to its own congregation.

7. Protection of Existing Activities

WVMA also respectfully requests that the Commission confirm, either in the conditions themselves or in the resolution of approval, that all activities currently conducted by WVMA under its existing Conditional Use Permit remain expressly protected under the modified CUP. The modification application sought to extend hours of operation – not to restrict the scope of activities that have been conducted lawfully for years. The 2020 CUP approved a general institution for religious observance with no restriction on activity type beyond hours and occupancy. Several of the new conditions – particularly the “worship services” language in Condition 12, the “all other activities” clause in Condition 15, and the absence of explicit protection for post-prayer fellowship among other things – could be read to restrict activities that were freely permitted under the prior CUP. Any condition that narrows the scope of permitted activities beyond what the 2020 CUP allowed – including by restricting the activities enumerated in the Worship Services section above – without a compelling governmental interest and least restrictive means analysis, imposes a burden beyond the scope of this application and beyond what RLUIPA permits.

WVMA requests that the permitted hours of operation be understood to cover all activities within the Permitted Use specified in Condition 9, without requiring case-by-case determinations about whether a specific activity constitutes a “worship service”.

WVMA reserves its right to object to the additional conditions added at the April 22 and May 13 hearings, which in their totality impose a substantial burden on WVMA's religious exercise.

We appreciate the Planning Commission’s consideration of the above changes, to meet the RLUIPA requirements, to protect existing activities and permitted use, and to ensure that WVMA's obligations are limited to what it can control.

These revisions will also clarify the scope of what is allowed and restricted, minimizing the potential for future disputes with neighbors and unnecessary calls to Code Enforcement or the police department.

Planning Commission – May 21, 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 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.~~

~~8.7. 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.

C. Facility Operations

12. General Hours

Hours of operation shall not begin earlier than 1.5 hours before sunrise or extend past 10:30 p.m. daily, except as specified in Condition 11, Seasonal Late-Hours Exception.

- ~~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. The foregoing restrictions do not apply to residents of the on-site living quarters or their guests.~~

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~~8:00 p.m., Monday through ~~Friday~~Saturday.

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.

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.
- a. **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.
- b. **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.
- c. **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, and shall be applied consistently with its application to all similarly situated uses in the Town.

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 parking attendants, 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.

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 authorized to remove the right turn only sign at the end of the egress driveway. The applicant shall include in its periodic member communications a reminder to attendees not to park in a manner that blocks ingress and egress to neighboring driveways.~~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 submit an application proposing additional parking spaces to the Community Development Department ~~for review within six months of the final approval date~~ and complete the construction improvements within ~~one year~~ three years 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 perimeter fences, 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 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 adjacent to residential uses 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.

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From: Kim Ratcliff <[REDACTED]>
Sent: Thursday, May 21, 2026 10:59 AM
To: Jocelyn Shoopman <jshoopman@losgatosca.gov>; Planning <Planning@losgatosca.gov>
Subject: Please include

May 20, 2026

Dear Planning Commission:

We are writing to provide more relevant context to address concerns with and offer ideas on how to improve the current draft of the "CONDITIONS OF APPROVAL" published online for the May 21 Special Session for the Planning Commission Meeting. The CONDITIONS OF APPROVAL have evolved from the Applicant's initial modification application of the CUP for 16769 Farley into, today, a list with complexities and confusion surrounding the issues and a lack of clear language and terms to correctly set 1) accountability 2) clarity 3) create alignment and 4) strive towards compatibility = harmony.

The current drafted conditions ignore the legitimate governmental interest of neighborhood preservation, penalizing local residents. The Town is treating WVMA significantly better than other secular and religious institutions.

We need to be fastidious with the language to eliminate misalignment and provide compliance guardrails. We want to ensure that the Planning Commission, Commissioners and Town Council are all equally equipped with data that represent the residents' and neighborhood's best interest, as well as the Applicant. Today the data is a lopsided, unrealistic representation of the situation.

As it stands with the current drafted conditions, the residents are being punished and the legitimate governmental interest of preserving the neighborhood blatantly ignored. The Town is treating WVMA better than other Islamic institutions in the Bay Area (especially as a majority of other area mosques are located in industrial zones, but are still required to have daily traffic caps). Most certainly better than Hillbrook School CUP, for which an intensification of use and traffic limit precedent was set more than 15 years ago.

Per the recommendation of the Town of Los Gatos, we are respectfully submitting this document summarizing concerns the neighbors have contained within the list of CONDITIONS OF APPROVAL, posted on the Town of Los Gatos' Planning Commission Meeting Packet for the 5/21/20 meeting. We are also including existing examples of precedence and where conditions are incomparable. We believe that providing this holistic picture gives the Planning Commission staff, the Commissioners and the Town Council a realistic, fact based, informed recommendation to address and balance the pending modification CUP application for 16769 Farley Road:

1. USE AND OCCUPANCY

Recommended ACTION: Delay Adoption of Resolution - The original intent of the CUP modification application was to address hours to support a. five daily prayer hours (including clarification of 'predawn services') and b. adopt seasonal late hours to support the lunar calendar. Today, it would not be prudent or responsible for the Planning Commissioners or Town Council to adopt any resolution without fact based relevant data that is representative of the modifications being requested.

Why: The current information before the Planning Commission Staff and Commissioners is inaccurate. The current information submitted by the Applicant is misleading and irrelevant as the data does not provide factual or accurate information about the intensification of use conditions (traffic, safety, light and noise pollution). The data submitted is NOT representative of the proposed modification scenarios (General Hours or Ramadan) as the Applicant's reports were done in 'non-seasonal' conditions, as well as only for daily prayer service, versus the extensive types of permitted use (Section B, Item #9 - Use and occupancy). Misapplying RLUIPA strips homeowners of their property rights, turning residents into "second-class citizens". Enforcing neutral restrictions on noise, headlights, and hours of operation is a legitimate exercise of municipal authority, not religious discrimination.

The Facts:

- Established [Ninth Circuit precedent, such as San Jose Christian College v. City of Morgan Hill](#) (2004), which allows municipalities much greater oversight.
- Regional Mosque Precedent: Most Bay Area mosques are located in industrial zones and operate under strict daily traffic caps. For example, as part of its CUP, MCA in Santa Clara must enforce an approved Parking Management Plan. This requires securing overflow agreements with neighboring commercial properties (e.g., ServiceNow, Vanguard) during high-attendance events like Friday prayers or Ramadan to prevent neighborhood congestion.
- Federal courts consistently uphold reasonable, neutral compromises that balance neighborhood impact with worship needs.
- Local Precedent: The Hillbrook School CUP established a clear precedent for limiting traffic and intensification of use more than 15 years ago.
- Los Gatos has consistently imposed conditions regulating congregations size, parking capacity, traffic management, operational hours and advance notification requirements where necessary to mitigate neighborhood impacts and protect public safety (See Mary Hogan's letter from May 12)
- *Rolling Hills Covenant Church*, municipal-led compromises successfully scaled back sanctuary capacity and adjusted operations to preserve infrastructure. Neutral limits on operational hours and traffic flows protect public safety; they do not restrict the ability to practice faith.
- The "Equal Terms" Mandate Prohibits Special Privileges: RLUIPA forbids treating religious institutions worse than secular ones, but it also prohibits treating them better by granting unsafe infrastructure exemptions.

- CUP Precedents set with Hillbrook School

Proposed Remedy: Town to contract with a neutral 3rd party, studies capturing and reporting the intensification of traffic, safety, noise and light for the two plus scenarios the Applicant is proposing during 1) Ramadan 2027; and a 2) comprehensive 60 day analysis of general hours for a. Prayer service hours and b. Activity Hours; 3) Events (Require 4 separate events to be assessed).

CONCLUSION: Upon completion, analysis and 3rd party presentation of the studies' results, The Town to revise and reevaluate the Use and Occupancy, Facility Operations, Noise, Parking & Traffic and Facilities and Site Design at a date certain of no more than 90 days after 2027 Ramadan, Seasonal Late-Hours Exception.

In the case a denial is not possible, please consider the following permit parking condition as discussed with Gabrielle Whelan and the additional context to improve/bolster the draft conditions:

Permit Parking Recommended ACTION: Add a new item to the **CONDITIONS:** Town of Los Gatos Planning Staff and Town Engineering- **to develop and fund a Residential Parking Permit Program** for FRNC. (See details below.) This is a critical need to ensure public safety and satisfy the legitimate governmental interest in preserving our neighborhood. It is not a RLUIPA violation because the applicant would receive parking permits as well as neighbors.

B. Use and Occupancy

Permitted USE (Item 9): Include language that requires EVENTS to have a cap, Requires Notice of X days; # of Events per year or Month to be capped; Requires a permit be obtained for Event and with LGPD. Faith Lutheran has this condition so it's not a RLUIPA violation.

Permitted USE (Item 11): Occupancy limits must be CLEAR in order for the Applicant to have clear understanding to manage and be in compliance. Per Town Codes Sec. 29.10.150. Number of off-street spaces required. And Sec. 29.10.155. - Development standards. Additional language needed to describe how this condition will be enforced. Fire and Building Code to address standing/prostrating when assessing occupancy limits.

2. FACILITY OPERATIONS (Section C)

General Hours (Item 12)

To adhere to Town Code Sec. 16.20.010. Curfew noise disturbance.

Clear language stating all general activities (outside worship and Ramadan seasonal hours) are limited to 8 am - 10 pm similar to other R-1 religious institutions including [St. Mary's](#) which operates only until 9:30 annually.

Seasonal Late-Hours Exception (Item 13) Consistency with Item 12 - maximum of 720 persons. Unless a TDM plan is required and WVMA provides leases with nearby parking lots and drop-off and pick-up on Farley Road is prohibited.

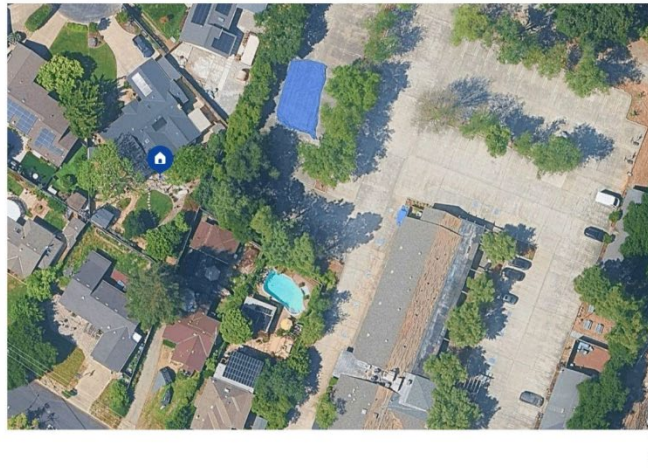
Lot Closure Rule (Item 15) - Clarify language so it correlates with Item 12. Allow applicant 15 minutes to vacate the parking lot after worship services outside general hours of operation — not 30 minutes.

Food Vendors (Item 18) - As a required CONDITION that the following language be added to this item:

Applicant's request for CUP modification, include vendors, must implement a restricted space requiring vendors only use the East Side of the parking lot, and may not be located on any perimeter property line or residential fence line on the West side of the parking lot, specifically: properties located at 16761, 16771 and 16781 Corcel Court; and 16803 and 16793 Farley Road (see Image A).

Why: Mutual Benefit will help mitigate noise pollution along residential and facility property lines, protecting and respecting the neighborhood's full-time residents' privacy by providing a dependable, consistent and reliable method to help foster a healthy, safe and supportive neighborhood character and harmonious environment.

When: Use limits: Must comply with Item #12, b - General Hours.



Share



3. Parking and Traffic (Section E)

Item 23: Parking Lot Monitoring Recommended Action:

This condition as it stands only addresses traffic direction in the parking lot. To ensure public safety and comply with Town Code Chapter 15 Motor Vehicles & Traffic, require that traffic directors, directing traffic on Farley Road from LG Blvd to Izorah Way during Ramadan, are trained individuals.

Item 24: Driveway Operations Recommended Actions:

Require Applicant to remove Right Turn Only Sign and install Left Turn Only Sign by September 1, 2026 to protect public safety, including children biking home on Fridays on Safe Routes to School, and feed vehicles directly to Los Gatos Blvd and not through feeder streets. Note: Speeding was reported on Frank Avenue as recently as May 2026 after Friday services. The current language gives the applicant only permission to remove the sign. The applicant has had such permission for two years but not taken action.

Traffic monitors required at ingress/egress and to monitor on-street parking during Friday prayers to ensure public safety, ensure that neighboring driveways are preserved and that the lot is completely full before street parking is taken.

Events Parking Overflow Plan - Require more details and specific language. There are no details currently on how this will work or deadlines.

Permit Parking Recommended ACTION: **Add a new item to the CONDITIONS:** Town of Los Gatos Planning Staff and Town Engineering- **to develop and fund a Residential Parking Permit Program** for FRNC that can be rolled out in phases, with the first phase implemented by September 2026, to include Farley Road between Los Gatos Blvd and Flintridge, including Izorah Way and Frank Avenue. The recommendation of FRNC is to utilize the same plan the Town of Los Gatos has on Tait Avenue and Bean for St. Mary's Catholic Church (see Image B).

The first phase will be monitored and included in the first Compliance Review. Based on this, the future phases, timing, components and expansion will be proposed and reviewed, with the intent to leverage the Town of Los Gatos' new parking permit program currently under development.



Image B

Sincerely,

The Farley Road Neighborhood Coalition

From: Zahra Billoo <[REDACTED]>
Sent: Thursday, May 21, 2026 9:54 AM
To: Planning <Planning@losgatosca.gov>
Cc: Jeffrey Wang <[REDACTED]>; Maria Ristow <MRistow@losgatosca.gov>
Subject: Concerns Regarding WVMA CUP Deliberations
Importance: High

Dear Los Gatos Planning Commissioners,

I write on behalf of the San Francisco Bay Area office of the Council on American-Islamic Relations (CAIR-SFBA) regarding tonight's continued deliberations on the West Valley Muslim Association's conditional use permit application.

CAIR-SFBA is an office of the nation's largest American Muslim civil rights and advocacy organization, working to promote justice, empower American Muslims, and enhance the understanding of Islam across the Bay Area and broader region.

Like many Muslim communities across California, our community is grieving this week following the deadly attack at the Islamic Center of San Diego. In that context, we were shocked and appalled to see neighbors invoke that tragedy to justify additional restrictions on WVMA and its congregants.

A hate motivated shooting that left worshippers dead, families shattered, and children traumatized should never be used as ammunition in a local land use dispute.

WVMA would be the target in such an attack, not the source of danger. Muslim communities understand this reality all too well. Mosques across the country have had to invest in security planning, emergency preparedness, cameras, gates, volunteer security teams, and coordination with law enforcement precisely because anti-Muslim violence is real and ongoing.

By all accounts, WVMA has already been engaging responsibly with the Town, law enforcement, and fire officials regarding traffic management, emergency access, occupancy, and safety planning since acquiring the property. The draft conditions already address these concerns.

At the same time, we note the [Town Attorney has now acknowledged](#) that several previously proposed conditions likely raised concerns under the Religious Land Use and Institutionalized Persons Act (RLUIPA), the federal law that protects religious institutions from discriminatory land use treatment. That acknowledgment should matter here.

The question before the Town is how to ensure Muslims are treated equally under the law.

CAIR-SFBA urges the Planning Commission to reject fear-based narratives, avoid singling out this congregation for unequal treatment, and ensure that any conditions imposed are lawful, neutral, evidence-based, and applied consistently across religious institutions.

We are monitoring this matter closely and stand ready to support WVMA and the Muslim community in protecting their civil rights, including through legal advocacy if necessary.

At a moment when Muslim families across California are feeling vulnerable and targeted, local government should be sending a clear message that they belong here and that their rights will be protected equally.

Sincerely,
Zahra
Zahra Billoo, Esq.
Executive Director

Council on American-Islamic Relations, California
San Francisco Bay Area Office

From: Kim Ratcliff <[REDACTED]>
Sent: Thursday, May 21, 2026 9:22 AM
To: Gabrielle Whelan <GWhelan@losgatosca.gov>; Jocelyn Shoopman <jshoopman@losgatosca.gov>
Subject: Town Code - Directing of traffic by unauthorized persons

Dear Gabrielle,

As mentioned yesterday, WVMA has traffic directors up and down the length of Farley Rd from LG Blvd (at Affordable Treasures lot) to Izorah Way during Ramandan.

These individuals are not authorized by law to direct traffic with hand signals, LED batons, etc. yet that is what they do for 30 consecutive nights. We have videos of the individuals walking up and down Farley on numerous nights during Ramandan 2026.

The FRNC would like the Town code to be adhered to by the applicant and this to be added to the conditions so that we may be sure the public safety of our neighborhood is protected.

Thanks,

Kim Ratcliff on behalf of FRNC

----- Forwarded message -----

From: Linda S <[REDACTED]>
Date: Thu, May 21, 2026 at 8:33 AM
Subject: Re: can you resend me the email you sent to GW about the town ordinance having traffic directors
To: Kim Ratcliff <[REDACTED]>



Chapter 15 - MOTOR VEHICLES AND TRAFFIC

Sec. 15.20.020. - Directing of traffic by unauthorized persons.

No person other than a designee of the Director of the Parks and Public Works Department, an officer of the Police Department, or a person authorized by the Chief of Police, or person authorized by law, shall direct or attempt to direct traffic by voice, hand or other signal (except that persons may operate any mechanical push button signal).

(Code 1968, § 16-15; Ord. No. 2284, § 1, 6-18-19)

On May 21, 2026, at 8:10 AM, Kim Ratcliff <[REDACTED]> wrote:

in the street be trained?

Thanks and hope you're doing well!

K

From: Kim Ratcliff <[REDACTED]>
Date: Thu, May 21, 2026 at 8:19 AM
Subject: Reiterating Importance of 8am-10 pm hours of operation condition for neighbors
To: Gabrielle Whelan <GWhelan@losgatosca.gov>, jimratcliff <[REDACTED]>
CC: Jocelyn Shoopman <jshoopman@losgatosca.gov>, [REDACTED] <[REDACTED]>,
Joel Paulson <jpaulson@losgatosca.gov>, Sean Mullin <smullin@losgatosca.gov>, Planning
<planning@losgatosca.gov>

Dear Gabrielle,

Thank you for meeting with [REDACTED] and me yesterday. As always, we appreciate your time and the opportunity to discuss ideas on how to improve the draft conditions of approval for WVMA's Conditional Use Permit modification.

It's come to our attention that the applicant will now fight the hours for general activities (Use and Occupancy #12) that were proposed in the latest draft conditions of use. He will use the argument that no governmental body should be in a position to define what worship means in his faith. Last week, he admitted to the Planning Commission that he would like to extend the hours so members can stay after and have coffee.

We'd like to reiterate that many other religious institutions zoned R-1 in Los Gatos have operating hours for general activities that end at 10 pm, including [St. Mary's](#) which has maximum hours of operation from 7:30 am - 9:30 pm seven days a week. St. Mary's is also embedded deeply in a neighborhood as you know.

As mentioned in our meeting with you, we so appreciated that the PC added this condition. Reasonable operating hours for activities outside worship is do or die for us neighbors and really the only key condition that will offer us relief. We have been given very little relief in the current draft of conditions. If WVMA is allowed to operate general activities until 10:30 annually and a half hour to clear the parking lot until 11 pm, this translates into hundreds of cars leaving every night year round as late as 11 pm. Dozens of households will be affected as those cars exit within 30 feet of our bedrooms and drive through our feeder streets. We will be unable to sleep and unable to perform our jobs at optimal capacity. Further this will be detrimental to our mental health as we will be sleep deprived.

Additionally, as discussed yesterday, as the applicant has been operating and vacating the parking lot by 10 pm for general activities for the past six years, why the sudden need to change? And 15 minutes to vacate the parking lot should be ample time.

Please uphold the Town's legitimate governmental interest in preserving our neighborhood and maintain this condition of approval.

Lastly, thank you for listening to our request to have the language strengthened for item 24 Driveway Operations under Parking and Traffic to mandatory removal of right turn only sign and

left turn only replacement sign. The Town gave the applicant permission to remove the right hand only turn sign two years ago and he hasn't done so. We fear the applicant will not do so in the future unless mandated by the Town and this is not a burden on the applicant or a RLUIPA concern. This will help residents immensely and feed hundreds of cars late night out to the major arterial street, Los Gatos Blvd.

Thanks,

Kim and Jim Ratcliff

From: Mary Hogan <[REDACTED]>

Sent: Wednesday, May 20, 2026 3:43 PM

To: Jocelyn Shoopman <jshoopman@losgatosca.gov>; Alexa Nolder <ANolder@losgatosca.gov>; Chris Constantin <CConstantin@losgatosca.gov>; Gabrielle Whelan <GWhelan@losgatosca.gov>; Planning <Planning@losgatosca.gov>

Cc: Allen Meyer <AMeyer@losgatosca.gov>; Sean Mullin <SMullin@losgatosca.gov>; Joel Paulson <jpaulson@losgatosca.gov>; Town Manager <Manager@losgatosca.gov>

Subject: Amplified sound for CUP U-24-010

Dear Planning Commission,

In the PC agenda for the upcoming May 21, 2026 PC meeting, the draft CUP U-24-010 has no condition on amplified sound.

Please add the condition that the WVMA will follow Town Ordinance Section 16.20.040. (NOT as stated by WVMA, "And no outdoor noise making events or etc between **10pm and 8am.**")

Amplified outside sound has limitations by Town Ordinance Section 16.20.040. It states, "**8:00am-7:00pm weekdays, 9:00am - 6pm Saturdays and 10:00am - 4:00 pm Sundays and holidays.**"

The WVMA stated in their Response to Staff Technical Review dated 4/29/2026, "The requested additional time is for indoor prayer services." And no outdoor noise making events or etc between **10pm and 8am.**

Response to Staff Technical Review

04/29/2025

Address: 16769 Farley Road, Los Gatos CA 95032

Property Zoned: R-1:8

APN: 424-21-062

Owner and Applicant: West Valley Muslim Association (WVMA)

Conditional Use Permit Application: U-24-010

Planner: Jocelyn Shoopman, Senior Planner, Town of Los Gatos

...states:

We believe that the requested use will comply with Town Code Ordinance Chapter 16 – Noise. There will be no outdoor events, music or musical instruments, operation of machinery or tools, etc. between the hours of 10:00 p.m. and 8:00 a.m. The requested additional time is for indoor prayer services.

• **Sec. 16.20.040. - Amplified sound.**

• •

• (a)

It shall be unlawful for any person other than authorized personnel of law enforcement or government agencies, to install, use, or operate within the Town any hand held or

portable voice amplification device or sound amplifying equipment attached to or housed within any vehicle, boat or aircraft, including sound trucks for the purposes of giving instructions, directions, addresses, lectures or transmitting music to any persons or assemblies in or upon any street, alley, sidewalk, park or public property or any open space generally available to the public, without prior approval through a special events permit or conditional use permit granted by the Town.

- (b)
- Under such a permit, the commercial and noncommercial use of sound amplifying equipment shall be subject to the following limitations:
 - (1)
 - Only music, human speech or a combination of the same shall be permitted.
 - (2)
 - The operation of sound amplifying equipment, including outdoor paging systems, for commercial purposes shall be limited to no greater than the hours of 8:00 a.m. to 7:00 p.m. weekdays, 9:00 a.m. to 6:00 p.m. Saturdays and 10:00 a.m. to 4:00 p.m.; Sundays and holidays.
 - (3)
 - Sound amplifying equipment shall not be operated within two hundred (200) feet of any church, school, or hospital while any of these facilities are in operation.
 - (4)
 - In all events, the volume of sound and the hours of operation shall be so controlled that the sound will not be unreasonably loud, raucous, jarring, disturbing or a nuisance as defined by the Town Code.
 - (5)
 - Such conditions as are imposed on time of usage, level of volume, and quantity of equipment in the permit approval because of location of the usage.
- (Ord. No. 1852, § II(11.30.040), 5-20-91; Ord. No. 1949, § III, 7-7-93)

Thank you,
Mary Hogan

--

Mary Hogan

☺