

DRAFT ORDINANCE

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF LOS GATOS
AMENDING THE ZONING FROM O (OFFICE) TO R-1:8
(SINGLE-FAMILY RESIDENTIAL, MINIMUM LOT SIZE OF 8,000 SQUARE FEET)
FOR PROPERTY LOCATED AT 14331 CAPRI DRIVE.**

THE TOWN COUNCIL OF THE TOWN OF LOS GATOS DOES ORDAIN AS FOLLOWS:

WHEREAS, the applicant, Gordon K. Wong, proposes to demolish the existing single-family residence, construct a new single-family residence (S-24-043), and change the zoning classification of the property from O (Office) to R-1:8 (Single-Family Residential, minimum lot size of 8,000 square feet) of property located at 14331 Capri Drive, APN 406-32-004 (Z-23-005);

WHEREAS, the existing property is zoned O, which is inconsistent with the Low Density Residential General Plan Land Use Designation for this property, which provides for “single-family residential properties located on generally level terrain;”

WHEREAS, the proposed new single-family residence necessitates this zone change as single-family residential uses are not an allowed use in the O zoning classification;

WHEREAS, Government Code Section 65860 requires that zoning be consistent with General Plan Land Use Designations;

WHEREAS, staff recommended approval of the zone change from O (Office) to R-1:8 (Single-Family Residential, minimum lot size of 8,000 square feet) in order to be consistent with the General Plan, current use, proposed use, and surrounding neighborhood;

WHEREAS, the Planning Commission held a duly noticed public hearing on September 10, 2025, at which time the Commission considered the public testimony, the Staff Report prepared for that meeting, and all other documentation related to the Zone Change, made findings and forwarded a recommendation of approval to the Town Council;

WHEREAS, this matter came before the Town Council for public hearing on November 4, 2025, and was regularly noticed in conformance with State and Town law; and

WHEREAS, the Town Council received testimony and documentary evidence from the applicant and all interested persons who wished to testify or submit documents. The Town Council considered all testimony and materials submitted, including the record of the Planning Commission proceedings and the packet of materials contained in the Council Agenda Report for their meeting on November 4, 2025, along with any and all subsequent reports and materials prepared concerning this application.

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

SECTION I. Findings.

The Town Council of the Town of Los Gatos does hereby declare, determine, and order that the following findings are made by the Town Council of the Town of Los Gatos:

Finding for the California Environmental Quality Act (CEQA):

1. The proposed Zone Change application (Z-23-005) is exempt pursuant to CEQA, Section 15061(b)(3), because it can be seen with certainty that it will not significantly affect the physical environment in that it aligns the regulations with the existing land use. The associated Architecture and Site Application (S-24-043) for construction of a new residence and site grading is Categorically Exempt pursuant to CEQA, Section 15303: New Construction.

Finding for consistency with the Town's General Plan:

1. The proposed Zone Change is consistent with the General Plan and its Elements in that the proposed zoning is consistent with the existing General Plan Land Use Designation.

SECTION II. Zone Change.

The Zoning Map in the Town Code of the Town of Los Gatos is hereby amended to change the zoning of the property at 14331 Capri Drive (Santa Clara County Assessor Parcel Number 406-32-004) as shown on the map attached hereto as Exhibit A, and is part of this Ordinance, from O (Office) to R-1:8 (Single-Family Residential, minimum lot size of 8,000 square feet).

SECTION III. Severability.

In the event that a court of competent jurisdiction holds any Section, subsection, paragraph, sentence, clause, or phrase in this Ordinance unconstitutional, preempted, or otherwise invalid, the invalid portion shall be severed from this Section and shall not affect the validity of the remaining portions of this Section. The Town hereby declares that it would have adopted each Section, subsection, paragraph, sentence, clause, or phrase in this Section irrespective of the fact that any one or more Sections, subsections, paragraphs, sentences, clauses, or phrases in this Section might be declared unconstitutional, preempted, or otherwise invalid.

SECTION IV. CEQA.

Adopting this Ordinance is not a project subject to CEQA because it can be seen with certainty that it will not impact the environment in that it aligns the regulations with the existing land use (CEQA Section 15061(b)(3)).

SECTION V. Publication.

The Town Council hereby directs the Town Clerk to cause this Ordinance or a summary thereof to be published or posted in accordance with Section 36933 of the Government Code of the State of California.

SECTION VI. Effective Date.

In accordance with Section 36937 of the Government Code of the State of California, this Ordinance takes effect 30 days from the date of its passage. This Ordinance was introduced at a regular meeting of the Town Council of the Town of Los Gatos on the 4th day of October 2025, and adopted by the Town Council of the Town of Los Gatos at its regular meeting on the 18th day of November 2025, by the following vote:

COUNCIL MEMBERS:

AYES:

NAYS:

ABSENT:

ABSTAIN:

SIGNED:

MAYOR OF THE TOWN OF LOS GATOS
LOS GATOS, CALIFORNIA

ATTEST:

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

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