

## **DRAFT RESOLUTION**

### **RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOS GATOS RESCINDING THE 2040 LAND USE AND COMMUNITY DESIGN ELEMENTS**

**WHEREAS**, the Town of Los Gatos (“Town”) adopted the 2040 General Plan by Resolution 2022-047 on June 30, 2022; and

**WHEREAS**, proponents of a referendum to rescind the Land Use Element and the Community Design Element of the 2040 General Plan (the “Referendum Proponents”) have circulated a petition; and

**WHEREAS**, the Referendum Proponents gathered a sufficient number of signatures on the petition to warrant certification of the signatures by the County Registrar of Voters; and

**WHEREAS**, the County Registrar of Voters has certified the petition signatures; and

**WHEREAS**, accordingly, the referendum has qualified for inclusion on an upcoming ballot; and

**WHEREAS**, Elections Code Section 9241 provides that, when a referendum has qualified for inclusion on the ballot, the legislative body shall decide whether to rescind the referended legislation or place the legislation on the ballot at the next general municipal election; and

**WHEREAS**, the Town Council has elected to rescind the referended legislation; and

**WHEREAS**, the previously adopted General Plan 2020 Land Use Element and Community Design Element, as amended after October 2022, will remain in place;

**NOW, THEREFORE, THE TOWN COUNCIL OF THE TOWN OF LOS GATOS DOES HEREBY RESOLVE:**

1. The 2040 Land Use Element and Community Design Element are rescinded.
2. The previously adopted Land Use Element and Community Design Element from the 2020 General Plan will apply, including all amendments adopted since October 2022 for consistency with the Housing Element.
3. The remaining Elements of the 2040 General Plan remain in effect.
4. The environmental impacts of the previous Land Use and Community Design Elements were previously analyzed in the Environmental Impact Report (EIR) prepared for the 2020 General Plan. In addition, the environmental impacts of the 2040 General Plan were analyzed in an EIR prepared for the 2040 General Plan. Both the impacts of the 2020 Land Use Element and Community Design Element and the remaining General Plan Elements are addressed in the EIR prepared for the 2040 General Plan.

**PASSED AND ADOPTED** at a regular meeting of the Town Council of the Town of Los Gatos, California, held on the \_\_\_\_ day of \_\_\_\_\_, 2024, 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: \_\_\_\_\_