

**Planning Commission – May 13, 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 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**

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. 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**

Services shall not begin earlier than 1.5 hours before sunrise or extend past 10:30 p.m. daily, except as specified in Condition 14, Seasonal Late-Hours Exception.

## **13. General Hours, Vehicle Limitation**

Vehicles at the pre-sunrise and evening prayer services shall be limited to the number of on-site parking spaces.

## **14. 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.

## **15. Seasonal Late-Hours, Vehicle Limitation**

Vehicles at the pre-sunrise prayer service shall be limited to the number of on-site parking spaces. The evening prayer service shall be limited to the maximum building occupancy for the facility.

## **16. Lot Closure Rule**

Notwithstanding the Quiet Hours limitation, 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.

## **17. 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.

## **18. Deliveries**

Deliveries by vehicles exceeding 26,000 pounds GVWR shall occur between 8:00 a.m. and 6:00 p.m., Monday through Friday.

## **19. Food Vendors**

Only the interior of the parking lot shall be used for food vendors.

## **20. 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

### 21. 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. – 8:00am.
- 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.

### 22. Noise Ordinance

The Noise Ordinance of the Town of Los Gatos is specifically adopted as conditions of approval for the Conditional Use Permit.

### 23. Amplified Sound

No outdoor amplified sound is permitted.

## E. Parking and Traffic

### 24. 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.

### 25. 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 by the Los Gatos-Monte Sereno Police Department, if available. 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.

## **26. 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 accommodation 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 ensure that ingress and egress to neighboring driveways is preserved.

## **27. Event Parking Overflow Plan**

For events where on-site parking is insufficient to accommodate parking demand, the applicant shall implement an overflow parking plan.

## **28. Parking Lot Expansion**

The applicant shall submit an application to the Community Development Department for a parking lot expansion, as referenced in the March 25, 2026, Planning Commission staff report within six months of the final approval date and complete the construction improvements within one year of the final approval date. The parking lot expansion shall add at least 23 parking spaces. Within six months of the final approval date, the existing parking lot shall be repaired so that cracks, bumps, or other anomalies do not contribute to additional noise generation of passing vehicles. Thereafter the parking lot shall continue to be maintained to avoid conditions of such noise generation.

## **F. Facilities and Site Design**

### **29. 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.

### **30. Landscape Plantings**

The applicant shall plant a hedgerow adjacent to all of its perimeter fences or alternatively plant a variety of native trees and shrubs for the purpose of sound and light mitigation, as approved by the Community Development Director within one year of the final approval date. The proposed plantings 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.

### **31. 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.

### **32. Fencing**

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 to eight feet for the purpose of mitigating noise and light pollution.

**33. Pedestrian Ingress and Egress**

The applicant shall complete its Building Permit application process to construct a door for the purpose of allowing pedestrian ingress and egress without walking through the parking lot within one year of the final approval date.

**34. Lighting**

All site and parking lot lighting shall be full-cutoff, downward directed, and at the Building Code minimum brightness level during Quiet Hours.

**G. Community Interface**

**35. 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 60-day notice in advance of events and activities scheduled to take place at the facility. 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.

**36. Event Notice to Religious Institution Members**

The applicant shall provide written notice to members of the religious institution five to 10 days prior to a scheduled event that is anticipated to have an attendance of 100 or more persons, reminding them of the speed limit on Farley Road, and neighboring streets, as well as a recommendation for carpooling, and to avoid generating noise while using public streets for ingress and egress. Car beeps from locking and unlocking vehicles are exempted as are the opening and closing of vehicle doors. Additionally, activities related to funerals are exempted from the requirement of notice to members of the religious institution under this condition.

**H. Other Conditions**

**37. Santa Clara County Fire Department**

The Santa Clara County Fire Department shall confirm the maximum occupancy limit for the religious institution and evaluate whether the present and proposed uses as described in the March 25, 2026, Planning Commission staff report packet are in compliance with the occupancy limits for the facility. The Santa Clara County Fire

Department shall provide a written report concerning traffic safety on Farley Road and the adjoining streets during the Ramadan holiday.

**38. Los Gatos-Monte Sereno Police Department**

The applicant shall request that the Los Gatos-Monte Sereno Police Department provide increased patrols during Ramadan and post an electronic sign on Farley Road during Ramadan showing the speed limit.

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