



**TOWN OF LOS GATOS  
COUNCIL AGENDA REPORT**

MEETING DATE: 08/01/2023

ITEM NO: 7

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DATE: July 27, 2023  
TO: Mayor and Town Council  
FROM: Laurel Prevetti, Town Manager  
SUBJECT: Adopt an Ordinance Titled “An Ordinance of the Town Council of the Town of Los Gatos Amending Chapter 29, ‘Zoning Regulations,’ of the Town Code Regarding Land Use and Economic Recovery Amendments Related to Personal Service Businesses, Bars, Tap/Tasting Rooms, Specialty Food Retail, Banks, Financial and Investment Services, Office Activities, Formula Retail, Group Classes, Veterinarians, and Definitions”

**RECOMMENDATION:**

Adopt an ordinance titled “An Ordinance of the Town Council of the Town of Los Gatos amending Chapter 29 ‘Zoning Regulations,’ of the Town Code regarding land use and economic recovery amendments related to personal service businesses, bars, tap/tasting rooms, specialty food retail, banks, financial and investment services, office activities, formula retail, group classes, veterinarians, and definitions.”

**DISCUSSION:**

On July 20, 2023, the Town Council considered and voted unanimously to introduce an Ordinance amending Chapter 29 (Zoning Regulations) of the Town Code regarding economic recovery code amendments, with specific modifications. Adoption of the attached Ordinance (Attachment 1) would finalize this decision and includes the modifications requested by the Town Council described below.

The Town Council motion included four specific modifications to the Draft Ordinance, which are reflected in Attachment 1:

**PREPARED BY:** Sean Mullin, AICP  
Senior Planner

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Reviewed by: Town Manager, Assistant Town Manager, Town Attorney, Community Development Department Director, and Economic Vitality Manager

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DISCUSSION (continued):

1. Add the following examples to the definition of *office activities*: venture capital; technology incubator facilities; biotechnology incubator facilities, including dry-lab facilities where testing and analyses is performed using data, coding, and computer systems and excluding wet-lab facilities where testing and analyses are performed using physical samples, biological matter, chemicals, and/or hazardous substances (Section 29.10.020);
2. Retain the definition of formula retail business and amend the definition to define such businesses as those with eleven (11) or more other locations (Section 29.10.020);
3. Continue to require a conditional use permit for group classes in the C-2 zone (Section 29.20.185 (4)(h), 29.20.745 (21), and 29.60.320 (a)(9)); and
4. Revise the size limitation for formula retail as a permitted use in the C-1, C-2, CH, and LM zones from 6,000 square feet to 10,000 square feet. Formula retail businesses exceeding 10,000 square feet would require approval of a Conditional Use Permit. (Sections 29.20.185 (1)(o), 29.20.190, 29.60.210, 29.60.320, 29.60.420, and 29.70.100).

ENVIRONMENTAL ASSESSMENT:

In accordance with CEQA Guidelines Section 15378, the proposed ordinance amendments are not a “project” subject to CEQA because the proposed amendments affect processing of applications only and will not impact the physical environment. Individual projects processed in accordance with the Town’s Zoning Code will undergo CEQA review.

Attachments:

1. Draft Ordinance
2. Draft Town Code amendments with tracked changes