

DRAFT RESOLUTION 2024-

**RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOS GATOS
RESCINDING RESOLUTION 2023-063, MAKING DETERMINATIONS, AND APPROVING
THE REORGANIZATION
OF AN UNINHABITED TERRITORY DESIGNATED AS
LOS GATOS BOULEVARD NO. 20**

**APN: 523-01-001
APPROXIMATELY 0.521 ACRES
ANNEXATION APPLICATION: AN22-001
PROPERTY LOCATION: 15810 LOS GATOS BOULEVARD
PROPERTY OWNER/APPLICANT: JESUS CHING AND KATHLEEN BAN**

WHEREAS, the Town Council of the Town of Los Gatos has received a request for annexation of territory designated as Los Gatos Boulevard No. 20 from Jesus Ching and Kathleen Ban; and

WHEREAS, the property, is approximately 0.2629 acres and includes 0.2581 acres of County street right-of-way for a total of 0.521 acres located at 15810 Los Gatos Boulevard, APN: 523-01-001, is contiguous to a Town boundary and within the Town's Urban Service Area; and

WHEREAS, the annexation would provide for use of Town services; and

WHEREAS, the Town Council enacted Ordinance 1267 in 1975 pre-zoning the subject territory with an R-1:8 (single-family residential, 8,000 square foot minimum lot size) zoning designation; and

WHEREAS, the Town of Los Gatos, as Lead Agency for environmental review for the reorganization, has determined annexation of the subject property is exempt from the California Environmental Quality Act guidelines, pursuant to Section 15061(b)(3); and

WHEREAS, the County Surveyor of Santa Clara County has found the description and map (Exhibits A and B) to be in accordance with Government Code Section 56757, the

boundaries to be definite and certain, and the proposal to be in compliance with LAFCO's road annexation policies; and

WHEREAS, as provided in Government Code Section 56757, the Town Council of the Town of Los Gatos shall be the conducting authority for a reorganization including an annexation to the Town; and

WHEREAS, the territory is uninhabited and all owners of land included in the proposal have consented to this annexation; and

WHEREAS, the Town Council held a public hearing to hear any protests on November 7, 2023.

WHEREAS, the Town Council adopted Resolution 2023-063 to approve the reorganization;

WHEREAS, Resolution 2023-063 contains references to the County Library Service Area and the County Lighting Service Area;

WHEREAS, the Local Agency Formation Commission stated that the Resolution should not contain references to the County Lighting Service Area and the County Library Service Area because it was dissolved by LAFCO on May 13, 2023;

WHEREAS, on January 16, 2024, the Town Council held a public hearing to consider the rescission of Resolution 2023-063 and the replacement resolution.

NOW, THEREFORE, BE IT RESOLVED, that the that the Town Council of the Town of Los Gatos does as follows:

1. That it rescinds Resolution 2023-063;

2. That it is the conducting authority pursuant to Section 56757 of the Government Code for the annexation of property designated as Los Gatos Boulevard No. 20, more particularly described in Exhibits A and B;
3. That the following findings are made by the Town Council of the Town of Los Gatos:
 - a. Said territory is uninhabited and comprises approximately 0.521 acres;
 - b. The annexation is consistent with the orderly annexation of territory within the Town's Urban Service Area and is consistent with the Town policy of annexing when required by the Town's agreement with the County of Santa Clara;
 - c. The project is exempt from the California Environmental Quality Act (CEQA) under Title 14 Code of Regulations, Chapter 3: Guidelines for the Implementation of CEQA Section 15061(b)(3): Review for Exemption;
 - d. The Town Council enacted Ordinance 1267 in 1975 pre-zoning the subject territory with an R-1:8 (Single-Family Residential, 8,000 square foot minimum lot size) zoning designation;
 - e. The territory is within the Town's Urban Service Area as adopted by the Local Agency Formation Commission of Santa Clara County;
 - f. The County Surveyor has determined the boundaries of the proposed annexation to be definite and certain, and in compliance with the Commission's road annexation policies. The County Surveyor has been reimbursed for the actual cost incurred by the County Surveyor in making this determination;
 - g. The proposed annexation will not create an area in which it would be difficult to provide municipal services;
 - h. The proposed annexation does not split lines of assessment or ownership;
 - i. The proposed annexation is consistent with the Town's General Plan;
 - j. The territory to be annexed is located within 300 feet of a Town boundary; and
 - k. The Town has complied with all conditions imposed by the Commission for inclusion of the territory in the Town's Urban Service Area.
4. That all owners of land within the affected territory have provided written consent to the reorganization and no protests have been received; and

5. That upon completion of these reorganization proceedings the territory reorganized will be taxed on the regular County assessment roll, including taxes for existing bonded indebtedness.

DRAFT

PASSED AND ADOPTED at a regular meeting of the Town Council of the Town of Los

Gatos, California, held on the 16th day of January 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: _____