

RESOLUTION 2026-xx

**RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOS GATOS AMENDING
THE NORTH FORTY SPECIFIC PLAN TO ALLOW FOR A SENIOR LIVING FACILITY TO BE
AUTHORIZED AS A PERMITTED USE IN THE NORTHERN DISTRICT.**

**PROJECT LOCATION: NORTH FORTY SPECIFIC PLAN AREA
NORTH FORTY SPECIFIC PLAN AMENDMENT APPLICATION: A-26-002
PROPERTY OWNER: TAMA HOLDINGS LLC
APPLICANT: JARED GAMELIN**

WHEREAS, on June 17, 2015, the Town Council adopted the North Forty Specific Plan, providing detailed land use and development guidance for the area bounded by Highway 17 to the west, Los Gatos Boulevard to the east, Lark Avenue to the south and Highway 85 to the north; and

WHEREAS, an Environmental Impact Report was prepared and certified for the North Forty Specific Plan in compliance with the California Environmental Quality Act; and

WHEREAS, on September 4, 2018, the Town Council adopted Resolution 2018-044 approving amendments to the North Forty Specific Plan; and

WHEREAS, on September 23, 2026, the Planning Commission held a public hearing and received testimony from all interested persons who wished to testify or submit documents. The Planning Commission considered all testimony and materials submitted, including the packet of materials contained in the Planning Commission Agenda Report for their meeting on September 23, 2026, along with any and all subsequent reports and materials prepared concerning this application, and forwarded a recommendation of approval to the Town Council; and

WHEREAS, this matter was regularly noticed in conformance with state and Town law and came before the Town Council on October 20, 2026; and

WHEREAS, on October 20, 2026, the Town Council held a public hearing 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 October 20, 2026, along with any and all subsequent reports and materials prepared concerning this application; and

WHEREAS, the Town Council was able to make the findings required to approve the North Forty Specific Plan Amendment application.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Los Gatos that the proposed amendment to the North Forty Specific Plan, which is attached hereto as Exhibit A and hereby incorporated herein, is adopted and the Town Council does the following:

1. The following findings are made by the Town Council of the Town of Los Gatos. The facts and evidence that support these findings are contained and explained in the record of proceedings for the proposed application, including, without limitation, the staff reports for the Planning Commission and Town Council hearings.

(A) Finding required for the California Environmental Quality Act (CEQA):

The proposed amendments are not subject to CEQA review pursuant to CEQA Guidelines Section 15061 (b)(3) because it can be seen with certainty that there is no possibility that the amendments to the Specific Plan would have a significant effect on the environment. All projects to which the Specific Plan applies will undergo separate CEQA review and approval. Additionally, the Town Council certified an Environmental Impact Report and Mitigation Monitoring and Reporting Program for the North Forty Specific Plan on January 20, 2015; therefore, no additional environmental review is necessary for the proposed amendment.

(B) Finding required for consistency with the Town's Applicable General Plan:

The proposed amendment to the North Forty Specific Plan is consistent with the General Plan and its Elements in that it allows for a senior living facility to be authorized as a permitted use in the Northern District.

BE IT FURTHER RESOLVED, that this Resolution shall take effect 30 days after adoption.

PASSED AND ADOPTED at a regular meeting of the Town Council of the Town of Los Gatos, California, held on the 20th day of October, 2026, 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

2.4 PERMITTED LAND USES

The Specific Plan land uses help to create a pedestrian-oriented and interactive environment that is compatible with surrounding neighborhoods as well as provides for on-site uses that are compatible with each other. The Specific Plan specifies the desired mix, as well as the location of land uses. In general, lower intensity shops, offices, and residential land uses are envisioned in the southern portion of the Specific Plan Area. Moving northward, potential land uses transition to mixed-use residential and potential hospitality uses to provide a buffer between primarily residential uses in the southern portion of the Specific Plan Area and the entertainment, restaurant, and shopping uses envisioned in the northern portion of the Specific Plan Area. The Specific Plan establishes two primary land use categories to guide development within the Specific Plan Area. These land uses categories are: (1) non-residential – including retail, office, recreation, community services, restaurants, entertainment, and hotel, and (2) residential – including condominium, cottage cluster/garden cluster housing, live-work flats, multi-family flats, multiplexes, rowhouses and townhomes. Residential development is focused on multi-family housing types and shall be designed to attract the unmet housing needs of the community. Within the Transition District, the Specific Plan encourages the development of residential units over commercial development. It is important to provide an appropriate amount of residential development in the Specific Plan Area to create a sustainable and pedestrian-oriented mixed-use environment. Although residential uses will be an important component to the success of the Specific Plan Area, it will support the predominantly retail and neighborhood serving focus of the Transition and Northern Districts.

2.4.1 Permitted and Conditionally Permitted Uses

Primary uses for each of the three Districts are generally described in Section 2.3, while Table 2-1, below, provides specific direction on permitted (P) and conditionally permitted uses (CUP) for each district. Uses not listed in Table 2-1 are prohibited (refer to the Glossary for definition of uses.)

Conditional Use Permits shall meet the intent of the North 40 Goals, Policies, Vision Statement, and Guiding Principles.

2.4.2 Commercial Uses

Projects proposing new commercial square footage must present the proposal to the Conceptual Development Advisory Committee. The application submittal must include an Economic Impact Study to assess economic competitiveness.

Table 2-1 PERMITTED LAND USES

		LARK DISTRICT	TRANSITION DISTRICT	NORTHERN DISTRICT
COMMERCIAL				
A.	RETAIL	P	P	P
B.	FORMULA RETAIL BUSINESS	--	P	P
C.	MARKET HALL/ SPECIALTY MARKET	--	P	P
D.	ESTABLISHMENT SELLING ALCOHOLIC BEVERAGES FOR CONSUMPTION OFF- PREMISES	CUP	CUP	CUP
E.	ESTABLISHMENT SELLING ALCOHOLIC BEVERAGES FOR CONSUMPTION ON PREMISES			
	• IN CONJUNCTION WITH A RESTAURANT	P	P	P
	• WITHOUT FOOD SERVICE (BAR)	--	CUP	CUP

Table 2-1 PERMITTED LAND USES

		LARK DISTRICT	TRANSITION DISTRICT	NORTHERN DISTRICT
COMMERCIAL (CONTINUED)				
F.	DRIVE-UP WINDOW FOR ANY BUSINESS, EXCLUDING RESTAURANTS	--	--	CUP
G.	SUPER DRUGSTORE	--	--	P
H.	SUPERMARKET	--	--	P
I.	RESTAURANT	P	P	P
J.	PERSONAL SERVICE	P	P	P
K.	OFFICE ¹	P	P	P
L.	HOTEL	--	P	P
M.	FINANCIAL INSTITUTION	P	P	P
N.	SENIOR LIVING FACILITY	--	--	P
RESIDENTIAL				
A.	COTTAGE CLUSTER	CUP	--	--
B.	TOWNHOMES/GARDEN CLUSTER	P	P	--
C.	ROWHOUSES	P	P	--
D.	MULTI-FAMILY	P	P	P ²
E.	CONDOMINIUMS	P	P	P ²
F.	LIVE/WORK LOFTS	--	P	P ²

Note:

1. Medical Office is only permitted on Assessor Parcel Numbers 424-07-102 through - 112, 424-07-099, and 424-06-129.
2. Residential only allowed in Northern District when located above commercial.

Table 2-1 Permitted Land Uses

		LARK DISTRICT	TRANSITION DISTRICT	NORTHERN DISTRICT
RECREATION/ENTERTAINMENT				
A.	OUTDOOR ENTERTAINMENT	--	CUP	P
B.	LIVE THEATER	--	--	CUP
C.	HEALTH CLUB	--	CUP	CUP
D.	COMMERCIAL RECREATION AND AMUSEMENT ESTABLISHMENT	--	--	CUP
COMMUNITY SERVICES				
A.	CLUB, LODGE HALL, FRATERNAL ORGANIZATION	CUP	CUP	CUP
B.	PARK, PLAZA, PLAYGROUND	P	P	P
C.	PUBLIC BUILDING	P	P	P
D.	PUBLIC TRANSPORTATION AND PARKING FACILITIES	P	P	P
E.	RELIGIOUS INSTITUTIONS	CUP	CUP	CUP

Table 2-1 Permitted Land Uses

		LARK DISTRICT	TRANSITION DISTRICT	NORTHERN DISTRICT
SCHOOLS				
A.	PRIVATE AND PUBLIC SCHOOLS	CUP	CUP	CUP
B.	INSTITUTIONAL SCHOOLS/STUDIOS (ARTS/CRAFTS, MUSIC, YOGA, DANCE, KARATE, ETC.)	CUP	CUP	CUP
C.	DAY CARE CENTER	CUP	CUP	CUP
D.	SMALL FAMILY DAY CARE HOME	P	P	P
E.	LARGE FAMILY DAY CARE HOME	CUP	CUP	CUP
TRANSMISSION FACILITIES/UTILITIES				
A.	TRANSMISSION FACILITIES AND UTILITIES	CUP	CUP	CUP
B.	RADIO/ BROADCAST STUDIOS	CUP	CUP	CUP

Table 2-1 Permitted Land Uses				
		LARK DISTRICT	TRANSITION DISTRICT	NORTHERN DISTRICT
AUTOMOTIVE (VEHICLE SALES, SERVICE, AND RELATED ACTIVITIES)				
A.	CAR WASH	--	--	CUP
B.	NEW VEHICLE SALES AND RENTAL	--	--	CUP
C.	ALTERNATING USE/SHARED PARKING OF OFF- STREET PARKING SPACES	P	P	P
AGRICULTURE AND ANIMAL SERVICES				
A.	BOTANICAL NURSERY	P	P	P
B.	VETERINARY HOSPITAL (WITHOUT KENNEL)	--	CUP	CUP
OTHER				
A.	24 BUSINESSES OR BUSINESSES OPEN BETWEEN THE HOURS OF 2:00 AND 6:00 AM	--	--	CUP

2.4.3 Non-Conforming Uses

Existing legal uses that are not permitted or listed in Table 2-1 are declared non-conforming uses. Refer to Division 5 of Article 1 of the Zoning Ordinance for definitions and regulations for managing non-conforming uses including:

- Continuation of an existing use.
- Repair, alteration, and maintenance.
- Expansion of legal non-conforming uses, buildings, or structures.