

**RESOLUTION 2019-008**

**RESOLUTION OF THE TOWN COUNCIL  
OF THE TOWN OF LOS GATOS  
REGARDING TOWN CODE SECTION 29.20.745 AND  
SUSPENDING A PORTION OF 29.20.755(2) REGARDING THE ASSIGNMENT OF DUTIES  
TO ALLOW THE DEVELOPMENT REVIEW COMMITTEE TO APPROVE NEW  
CONDITIONAL USE PERMITS FOR RESTAURANTS UNTIL DECEMBER 31, 2019.**

**WHEREAS**, the Town of Los Gatos Town Council has an adopted strategic priority to streamline Land Use and Economic Vitality policies; and

**WHEREAS**, the Town has recently experienced a high turnover in commercial spaces, particularly in Downtown and have additional commercial spaces that will increase the commercial space inventory through new developments in Los Gatos; and

**WHEREAS**, providing a 9-month period in which business uses defined as a *Restaurant* as identified in Town of Los Gatos Municipal Code Section 29.10.020 may apply for a new Conditional Use Permit to create more opportunities to attract businesses to Los Gatos; and

**WHEREAS**, by reassigning the duties to the Development Review Committee, the impact of cost and process time on prospective businesses is drastically decreased and more closely aligned with neighboring jurisdictions which could provide an incentive for businesses to consider locating Los Gatos; and

**WHEREAS**, the Town of Los Gatos Municipal Code Section 29.20.745 identifies the role of the Development Review Committee, including but not limited to: Section 29.20.745 (16) Determine and issue zoning approval for minor restaurants that are located outside of the Downtown (C-2 zone); and

**WHEREAS**, the Town recently rescinded the Alcohol Beverage Policy given that the State of California's Alcohol Beverage Control has strict requirements and a process in place for the review, control, and monitoring of all businesses that possess or apply to obtain a permit to sell alcoholic beverages on- and off-site; and

**WHEREAS**, the Town of Los Gatos Municipal Code sets forth the public hearing and noticing requirements for the Development Review Committee and any appeals of its decisions; and

**WHEREAS**, the Town of Los Gatos Municipal Code Section 29.20.750 identifies the role of the Planning Commission, including but not limited to the following: Section 29.20.750 (8) Determine Conditional Use Permit applications that are not assigned to the Development Review Committee or the Town Council; and

**WHEREAS**, the Town of Los Gatos Municipal Code Section 29.20.755 identifies the role of the Town Council, including but not limited to the following: Section 29.20.755 (2) Hears and determines Planning Commission recommendations for the adoption or amendment of the general plan or any specific plans and conditional use permits for establishments selling alcoholic beverages for on premises consumption.

**NOW, THEREFORE, BE IT RESOLVED:** The Town Council of the Town of Los Gatos suspends a portion of 29.20.755(2) regarding the assignment of duties to allow the Development Review Committee to approve new Conditional Use Permits for restaurants until December 31, 2019.

1. Restaurants

The Development Review Committee may issue new Conditional Use Permit for a restaurant use as defined by Town Code Section 29.10.020 in any commercial zone; and

2. Locations

New Conditional Use Permit applications for restaurants in conditionally permissible commercial zones as identified in 29.20.185, Section 1- Commercial, (j) and (k); and

3. Development Review Application

To apply for a new conditional use permit, businesses must complete the Development Review application and pay the associated fees adopted within the fee schedule.

**PASSED AND ADOPTED** at a regular meeting of the Town Council of the Town of Los Gatos, California, on the 5<sup>th</sup> day of March, 2019 by the following vote:

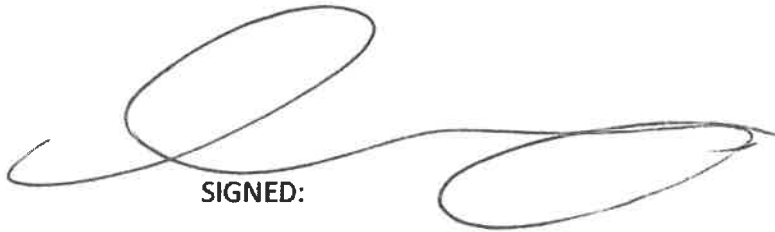
**COUNCIL MEMBERS:**

**AYES:** Marcia Jensen, Rob Rennie, Marico Sayoc, Barbara Spector, Mayor Steven Leonardis

**NAYS:** None.

**ABSENT:** None.

**ABSTAIN:** None.

  
SIGNED:

MAYOR OF THE TOWN OF LOS GATOS  
LOS GATOS, CALIFORNIA

DATE: 3/10/19

**ATTEST:**

  
TOWN CLERK OF THE TOWN OF LOS GATOS  
LOS GATOS, CALIFORNIA

DATE: 3/11/19