



**TOWN OF LOS GATOS
PLANNING COMMISSION
REPORT**

MEETING DATE: 06/10/2026

ITEM NO: 5

DATE: June 5, 2026
TO: Planning Commission
FROM: Joel Paulson, Community Development Director
SUBJECT: Consider a Request to Determine that the Disposition of Land is in Conformance with the Town of Los Gatos 2040 General Plan for Property Zoned R-1D:LHP (Single-Family Residential Downtown with a Landmark and Historic Preservation Overlay). **Located at 4 Tait Avenue.** APN: 510-44-054. The Determination is Not Subject to CEQA Review Pursuant to CEQA, Section 15061 (b)(3), Because it can be Seen with Certainty that the Determination will not have a Significant Effect on the Environment. Property Owner/Applicant: Town of Los Gatos. Project Planner: Sean Mullin.

RECOMMENDATION:

Consider a request to determine that the disposition of land is in conformance with the Town of Los Gatos 2040 General Plan for property zoned R-1D:LHP, located at 4 Tait Avenue.

PROJECT DATA:

General Plan Designation: Medium Density Residential
Zoning Designation: R-1D:LHP (Single-Family Residential Downtown with a Landmark and Historic Preservation Overlay)
Applicable Plans & Standards: General Plan
Parcel Size: 0.27 Acres

PREPARED BY: Sean Mullin, AICP
Planning Manager

Reviewed by: Community Development Director and Town Attorney

Surrounding Area			
	Existing Land Use	General Plan	Zoning
North	Residential	Medium Density Residential	R-1D
East	Commercial	Medium Density Residential and Central Business District	R-1D and C-2
South	Residential	Medium Density Residential	R-1D:LHP
West	Residential	Medium Density Residential	R-1D

CEQA:

The determination is not subject to CEQA review pursuant to CEQA, Section 15061 (b)(3), because it can be seen with certainty that the determination will not have a significant effect on the environment.

FINDINGS:

- The determination is not subject to CEQA review pursuant to CEQA, Section 15061 (b)(3), because it can be seen with certainty that the determination will not have a significant effect on the environment.
- As required by CA Government Code Section 65402 that the disposition of real property is in conformance with the Town of Los Gatos 2040 General Plan.

ACTION:

The decision of the Planning Commission is final unless appealed within ten days.

BACKGROUND:

The subject property has long been owned by the Town. The property is developed with an approximately 2,525-square foot primary building and an ancillary outbuilding originally constructed as a fire station and later used as a museum. The museum use was discontinued several years ago, and the buildings are currently unoccupied.

From 2020 to 2025, the Town sought a tenant for the property through a lease agreement with Tait Firehouse, LLC. The agreement allowed the property to remain in Town control, maintained the historic value of the property, required no monetary resources from the Town, and provided a potential annual revenue stream to the Town. At the request of the applicant, the property was rezoned for commercial use to allow the tenants of the building to lease the existing building for commercial uses. A viable commercial tenant for the space was never secured. The Town returned the property back to the residential zoning in early 2026.

On January 21, 2025, the Council adopted Resolution 2025-002 declaring the property to be exempt surplus land pursuant to the Surplus Land Act [CA Government Code Section 54221(f)(1)(B)] and authorizing the Town Manager to pursue disposition of the property.

On October 7, 2025, the Council approved an agreement for brokerage services for the disposition of the property. The Town is currently in contract with a potential buyer for the property.

DISCUSSION:

CA Government Code Section 65402 (Exhibit 2) provides that the Town's acquisition or disposal of real property shall be submitted to and reported upon by the planning agency, in this case the Planning Commission, with respect to conformity with the adopted general plan.

The property has been vacant for some time. Attempts were made to secure a commercial tenant for the property without success. The Town now seeks to dispose of the property, which would provide opportunity for residential use of the property, additional residential development, and preservation of the historic firehouse building.

The General Plan land use designation for the property is Medium Density Residential, which provides for multiple-family residential, duplex, and/or small single-family homes. Disposal of the property allows for residential use of the existing building and potential development of additional housing units within the Town, consistent with the adjacent pattern of development. The Town's Housing Element supports a consistency finding for the disposition of the property as identified within multiple general plan goals and policies. Applicable goals within the Housing Element supportive of the consistency finding include the following:

- **Goal HE-1:** Facilitate All Types of Housing Construction.
The Town encourages the production of diverse new housing options to ensure that an adequate supply is available to meet the existing and future needs of all residents.
- **Policy HE-1.7:** Infill opportunities in single-family neighborhoods.
The Town shall increase access to opportunity for lower-income households by encouraging infill of smaller units in single-family neighborhoods (e.g., ADUs, multi-generational housing units, and SB 9 projects).
- **Policy HE-4.5:** Preserve residences of historic or architectural value.
The Town shall encourage the preservation of residential buildings with historic or architectural value.

CA Government Code section 65402 provides that the Town's disposition of the real property shall be submitted to and reported upon by the Planning Commission with respect to conformity with the adopted general plan. The Town of Los Gatos 2040 General Plan goals and

policies cited provide the basis for the Planning Commission to find that the Town's disposition of the subject property is consistent with the General Plan.

ENVIRONMENTAL REVIEW:

The determination is not subject to CEQA review pursuant to CEQA, Section 15061 (b)(3). This Section states that an activity is covered by the commonsense exemption that CEQA only applies to projects that have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA review. The disposition of property will not involve nor approve any physical change nor any reasonably foreseeable future change and does not include any modification that would affect the historic significance of the building or the physical environment.

CONCLUSION:

A. Summary

The Town seeks a determination from the Planning Commission that the disposition of real property is consistent with the Town of Los Gatos 2040 General Plan.

B. Recommendation

Based on the analysis above, staff recommends that the Planning Commission adopt the draft Resolution included as Exhibit 1 to:

1. Make the required finding that this determination is not subject to CEQA review pursuant to CEQA, Section 15061 (b)(3), in that it can be seen with certainty that there is no possibility that a determination that the disposition of land is in conformance with the Town of Los Gatos 2040 General Plan will have a significant effect on the environment (Exhibit 1); and
2. Make the finding as required by CA Government Code Section 65402 that the disposition of real property is in conformance with the Town of Los Gatos 2040 General Plan (Exhibit 1).

C. Alternatives

Alternatively, the Planning Commission can:

1. Continue the matter to a date certain with specific direction;
2. Adopt the Resolution with modifications; or

PAGE 5 OF 5

SUBJECT: 4 Tait Avenue

DATE: June 5, 2026

3. Find that the disposition of real property is not in conformance with the General Plan providing findings for denial.

EXHIBITS:

1. Draft Resolution for consistency with the General Plan
2. CA Government Code Section 65402

*This Page
Intentionally
Left Blank*