

**DRAFT ORDINANCE**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF LOS GATOS  
TO APPLY THE HOUSING ELEMENT OVERLAY ZONE (HEOZ) TO PROVIDE FOR  
INCREASES TO THE ALLOWABLE DENSITY, HEIGHT, FLOOR AREA RATIO, AND LOT  
COVERAGE FOR RESIDENTIAL DEVELOPMENT ON THE FOLLOWING SITES INCLUDED  
IN THE SITES INVENTORY ANALYSIS OF THE 2023-2031 HOUSING ELEMENT:  
401 THROUGH 409 ALBERTO WAY, 50 LOS GATOS-SARATOGA ROAD,  
529-24-001, AND 529-24-003.**

**WHEREAS**, the Town of Los Gatos' Housing Element contains a sites inventory that identifies sites with the potential for redevelopment with housing;

**WHEREAS**, the Town wishes to apply a Housing Element Overlay Zone to the sites identified in the sites inventory in order to encourage redevelopment with housing;

**WHEREAS**, the Planning Commission met on August 23, 2023, to receive public comments;

**WHEREAS**, the Planning Commission received further public comments and recommended approval of the application of the Housing Element Overlay Zone to the sites identified in sites inventory of the Housing Element adopted on January 30<sup>th</sup> and the Revised Draft Housing Element at its regular meeting of September 13, 2023;

**WHEREAS**, the Town Council met on October 3, 2023, to hold a public hearing and continued the item to November 7, 2023;

**WHEREAS**, this matter was regularly noticed in conformance with State and Town law and came before the Town Council for public hearing on November 7, 2023; and

**WHEREAS**, the Town Council accepted the report of the Planning Commission's recommendation of approval for the proposed Zone Code amendments.

**NOW, THEREFORE, THE TOWN COUNCIL OF THE TOWN OF LOS GATOS ORDAINS  
AS FOLLOWS:**

**SECTION I**

The Town Council finds as follows:

- A. No further Environmental Analysis is required as an Environmental Impact Report (EIR) was prepared and certified for the 2040 General Plan Update on June 30, 2022, which included

ATTACHMENT 1

- the proposed Zoning Code amendments; and
- B. The zone changes are consistent with the General Plan and its elements in that the proposed zonings are consistent with the proposed General Plan land use designations; and
  - C. That all proceedings have been conducted in compliance with the provisions of Government Code Section 65850 et seq.; and
  - D. The Town Council considered all facts and information related to the proposal to apply the Housing Element Overlay Zone to the sites shown in Exhibit A.

**SECTION II**

The Housing Element Overlay Zone is hereby applied to the properties at 401 through 409 Alberto Way, 50 Los Gatos-Saratoga Road, APN Nos. 529-24-001, and 529-24-003 as shown in Exhibit A to this Ordinance.

**SECTION III**

This Ordinance was introduced at a regular meeting of the Town Council of the Town of Los Gatos on the 7<sup>th</sup> day of November 2023, and adopted by the following vote as an ordinance of the Town of Los Gatos at a regular meeting of the Town Council of the Town of Los Gatos on the \_\_\_ day of \_\_\_\_ 2023. This ordinance shall take effect 30 days after the date it is adopted. The Town Clerk shall cause this ordinance or a summary thereof to be published in accordance with Section 36933 of the California Government Code.

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: \_\_\_\_\_

DRAFT

***This Page  
Intentionally  
Left Blank***