

Draft Resolution to be modified by Town Council deliberations and direction.

**RESOLUTION 2020-**  
**RESOLUTION OF THE TOWN COUNCIL**  
**OF THE TOWN OF LOS GATOS**  
**TO RESCIND RESOLUTION 2005-038: RESOLUTION OF THE TOWN**  
**COUNCIL OF THE TOWN OF LOS GATOS ADOPTING A POLICY ON**  
**MINOR ALTERATIONS TO COMMERCIAL BUILDINGS**

**WHEREAS**, the Town Council is responsible for establishing municipal policies that provide clear direction for process and procedures by which the Council and staff shall conduct business and activities; and

**WHEREAS**, examples of these policies include the Town Code, Town Council Policies, General Plan, Design Guidelines, and Area Plans; and

**WHEREAS**, the many benefits of having established policies includes greater consistency as well as more government transparency and accessibility by the public, the Council, and staff; and

**WHEREAS**, on April 18, 2005, the Town Council of Los Gatos adopted Resolution 2005-038 – adopting a policy on minor alterations to commercial buildings; and

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

**WHEREAS**, on March 5, 2019, the Town Council adopted Resolution 2019-009 approving a temporary nine-month suspension of Town Code Section 29.20.745 providing businesses and commercial property owners an opportunity to make minor exterior modifications to their store fronts and buildings at the building permit level to create more opportunities to attract and retain businesses in Los Gatos; and

**WHEREAS**, on October 1, 2019, the Town Council reviewed the result of the temporary suspension of Town Code Sections and voted to memorialize the streamlining effort through modification of the Town Code; and

**WHEREAS**, on January 8, 2020, the Planning Commission reviewed and commented on the proposed amendments regarding land use and economic vitality streamlining and forwarded a recommendation to the Town Council for approval of the proposed amendments with modifications; and

**WHEREAS**, this matter was regularly noticed in conformance with State and Town law and came before the Town Council for public hearing on February 4, 2020; and

**WHEREAS**, Resolution 2005-038 – adopting a policy on minor alterations to commercial buildings has been deemed obsolete, redundant, and/or incorporated into Town Code.

**NOW, THEREFORE, BE IT RESOLVED THAT**, the Town Council of the Town of Los Gatos does hereby rescind Resolution 2005-038 (Resolution of the Town Council of the Town of Los Gatos Adopting a Policy on Minor Alterations to Commercial Buildings) attached hereto as Exhibit A.

**PASSED AND ADOPTED** at a regular meeting of the Town Council of the Town of Los Gatos, California on the 4<sup>th</sup> day of February, 2020 by the following vote:

COUNCIL MEMBERS:

AYES:

NAYS:

ABSENT:

ABSTAIN:

SIGNED:

MAYOR OF THE TOWN OF LOS GATOS  
LOS GATOS, CALIFORNIA

ATTEST:

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

**RESOLUTION 2005 - 038**

**RESOLUTION OF THE TOWN COUNCIL  
OF THE TOWN OF LOS GATOS  
ADOPTING A POLICY ON  
MINOR ALTERATIONS TO COMMERCIAL BUILDINGS**

**WHEREAS**, the Town of Los Gatos is updating its commercial development standards and guidelines, and

**WHEREAS**, the Zoning Ordinance allows approval of minor projects by the Development Review Committee (DRC); and

**WHEREAS**, there is no definition of a minor project; and

**WHEREAS**, adoption of a policy defining minor projects will help provide clear direction to developers and business owners processing development applications (General Plan Goal L.G.7.2 and Implementing Strategy L.I.7.4) and will assist staff; and

**WHEREAS**, the General Plan Committee recommends that the policy on Minor Alterations to Commercial Buildings be adopted; and

**WHEREAS**, the Planning Commission has held a public hearing and forwarded a recommendation for adoption of the same document;

**THEREFORE BE IT RESOLVED:** the Town Council of the TOWN OF LOS GATOS does hereby adopt the policy on Minor Alterations to Commercial Buildings (attached as Exhibit A).

**FURTHER RESOLVED**, the policy shall apply to all development applications that have not been approved prior to adoption of the document.

**PASSED AND ADOPTED** at a regular meeting of the Town Council held on the 18<sup>th</sup> day of April, 2005, by the following vote:

**COUNCIL MEMBERS:**

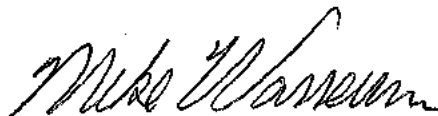
**AYES:** Steve Glickman, Diane McNutt, Joe Pirzynski, Mayor Mike Wasserman

**NAYS:** Barbara Spector

**ABSENT:**

**ABSTAIN:**

**SIGNED:**



**MAYOR OF THE TOWN OF LOS GATOS  
LOS GATOS, CALIFORNIA**

**ATTEST:**



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

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**TOWN COUNCIL POLICY  
TOWN OF LOS GATOS**

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Subject: Minor Alterations to Commercial Buildings

Enabling Action:  
2005-

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Approved:

Effective  
Date:

Mike Wasserman, Mayor

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**PURPOSE:**

Section 29.20.745(8) of the Zoning Ordinance states that the Development Review Committee (DRC) shall “determine and issue zoning approval for minor exterior alterations to commercial buildings”. The purpose of this policy is to define “minor exterior alterations” to commercial buildings that may be approved by the DRC as set forth in Section 29.20.745(8) of the Zoning Ordinance. To assist in the redevelopment of commercial buildings, the Town has created a streamlined review process for minor commercial improvement projects that comply with the Commercial Design Guidelines.

The following shall be used by staff when reviewing plans for minor exterior alterations to commercial buildings to determine if proposed projects can take advantage of the streamlined review process.

**EXAMPLES OF MINOR ARCHITECTURAL IMPROVEMENTS:**

The following are examples of minor architectural improvements that may be decided by the Development Review Committee (DRC) after considering public input at a duly noticed public hearing:

1. Replacing or changing out windows
2. Replacing or adding awnings
3. Changes to or addition of arcades
4. Replacement of or changes to exterior materials
5. Small scale additions (may not result in an increase of more than four peak hour trips)

Town Council Policy  
Minor Alterations to Commercial Buildings  
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**DEFINITION:**

For projects that include small scale additions, a minor commercial project is one which is in full compliance with the Town's Commercial Design Guidelines and Town Code and does not result in an intensification of use as described in Section 29.30.200 of the Zoning Ordinance or more than a minor increase in traffic as described in the Town's Traffic Impact Policy.

The Director of Community Development or the Development Review Committee may refer any minor commercial project to the Planning Commission if it is not in compliance with the Commercial Design Guidelines, there are impacts to surrounding properties that cannot be resolved by the DRC, or as otherwise deemed appropriate.

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