



**TOWN OF LOS GATOS  
COUNCIL AGENDA REPORT**

MEETING DATE: 10/21/2025

ITEM NO: 9

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DATE: October 16, 2025  
TO: Mayor and Town Council  
FROM: Chris Constantin, Town Manager  
SUBJECT: **Consider a Recommendation by the Planning Commission and Introduce an Ordinance to Repeal and Replace Town Code Chapter 29, Article IX, "Floodplain Management," In its Entirety, and Adopt the Updated Flood Hazard Maps.**  
**Ordinance Title: An Ordinance of the Town Council of the Town of Los Gatos Amending the Town Code to Repeal Town Code Chapter 29, Article IX, "Floodplain Management," and Replace it with a New Chapter 29, Article IX, "Floodplain Management," in its Entirety, Including Adoption of Updated Flood Hazard Maps.**

**RECOMMENDATION:** Accept the Planning Commission's recommendation and introduce an ordinance repealing Town Code Chapter 29, Article IX, "Floodplain Management," in its entirety and replacing it with a new Chapter 29, Article IX, "Floodplain Management," including the updated Flood Hazard Maps.

**FISCAL IMPACT:**

There is no fiscal impact associated with the introduction of this ordinance.

**STRATEGIC PRIORITY:**

This action supports the Strategic Priorities of Public Safety and Community Character.

**BACKGROUND:**

The National Flood Insurance Program (NFIP) was established by the federal government in 1968 to provide insurance for properties in areas at risk of flooding that could not otherwise be insured in the private marketplace. The NFIP provides flood insurance to property owners,

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Parks and Public Works Director

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Reviewed by: Town Manager, Town Attorney, and Finance Director

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businesses, and renters within communities that agree to participate in the program. The Town of Los Gatos has participated in the National Flood Insurance Program since January 17, 1979.

The Town's ongoing participation in and compliance with the requirements of the NFIP is required for local residents and property owners to secure flood insurance. While the Town's flood risk is relatively minor based on the Santa Clara County Flood Insurance Study and the adopted Flood Insurance Rate Maps (FIRM), residents are still encouraged to seek flood insurance, even if they are not in a mapped floodplain. This is not possible if the Town does not comply with the requirements of the NFIP.

On March 3, 2003, the Town Council adopted Ordinance 2109 and created the current version of the Town's Floodplain Ordinance, which is codified in Article IX of Chapter 29 of the Town Code. The Floodplain Ordinance is a critical component in the Town's compliance with the NFIP. Since 2003, the NFIP has made significant changes to floodplain management regulations and requirements, which the Town has not adopted. In early 2024, the Town was asked by the California Department of Water Resources (DWR) to complete a survey regarding our current Floodplain Ordinance. As a result of the Town's response to that survey, DWR encouraged the Town to update its Ordinance to current standards.

#### DISCUSSION:

The language of the draft Ordinance (Attachment 1) is based on template language provided by DWR and is compliant with the current NFIP. The proposed language represents a wholesale replacement of the Ordinance language. The new language updates the definitions, references the current effective FIRMs dated May 18, 2009, and outlines specific requirements for permitting structures within the mapped floodplain. This update also acknowledges the role the California Building Code plays in managing development and construction within the floodplain, whereas in the past, the Building Code and Floodplain Codes were historically separate documents without direct linkage.

This item was heard by the Planning Commission on September 24, 2025. The Planning Commission found that this replacement Ordinance was consistent with the Town's General Plan and is exempt from CEQA. The Commission voted in favor of forwarding this item for the Town Council's consideration. Verbatim minutes of that meeting are included in Attachment 2.

#### CONCLUSION:

The ordinance in Attachment 1 would repeal and replace the Floodplain Management Ordinance in Chapter 29 (Zoning Regulations) of the Town Code.

#### RECOMMENDATION:

Staff recommend that the Town Council take action to introduce the ordinance affecting the

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SUBJECT: Introduce and Ordinance to Replace Town Code Section 29, Article IX

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Town Code amendments (Attachment 1).

COORDINATION:

Development of the draft Ordinance was coordinated with the Chief Building Official, Community Development Director, the Santa Clara Valley Water District, California DWR, the Town Manager, Town Attorney, and the Finance Director.

ENVIRONMENTAL ASSESSMENT:

Adopting this draft Ordinance is exempt pursuant to CEQA, Section 15061(b)(3), because it can be seen with certainty that the draft Ordinance will not significantly affect the physical environment in that the draft Ordinance makes changes to floodplain management land use regulations involving no physical activities at this time. Future projects would be subject to CEQA.

Attachments:

1. Draft Floodplain Ordinance
2. Verbatim Meeting Minutes of Planning Commission September 24, 2025