

DRAFT ORDINANCE

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF LOS GATOS
AMENDING THE ZONING CODE
FROM C-2:LHP (CENTRAL BUSINESS DISTRICT WITH A LANDMARK AND HISTORIC
PRESERVATION OVERLAY)
TO R-1D:LHP (SINGLE-FAMILY RESIDENTIAL DOWNTOWN WITH A LANDMARK AND
HISTORIC PRESERVATION OVERLAY)
FOR PROPERTY LOCATED AT 4 TAIT AVENUE.**

WHEREAS, the applicant requests approval to change the zoning from C-2:LHP (Central Business District with a Landmark and Historic Preservation Overlay) to R-1D:LHP (Single-Family Residential Downtown with a Landmark and Historic Preservation Overlay) on property located at 4 Tait Avenue (Santa Clara County Assessor Parcel Number 510-44-054); and

WHEREAS, the Planning Commission recommended approval of the zone change at its regularly noticed public hearing on December 10, 2025, finding that the R-1D:LHP (Single-Family Residential Downtown with a Landmark and Historic Preservation Overlay) zoning is consistent with the zoning of neighboring properties and consistent with the proposed use of the property; and

WHEREAS, this matter was regularly noticed in conformance with State and Town law and came before the Town Council for public hearing on _____, 2025; and

WHEREAS, the Town Council accepted the report of the Planning Commission's recommendation of approval for the proposed General Plan amendment; and

WHEREAS, the Town Council considered all facts and information related to a request to change the zoning designation for the property at 4 Tait Avenue from C-2:LHP (Central Business District with a Landmark and Historic Preservation Overlay) to R-1D:LHP (Single-Family Residential Downtown with a Landmark and Historic Preservation Overlay) as shown on Exhibit A.

NOW, THEREFORE, THE TOWN COUNCIL OF THE TOWN OF LOS GATOS DOES HEREBY ORDAIN AS FOLLOWS:

SECTION I. Legislative Findings.

- A. With regard to CEQA, there is no possibility that this project will have a significant impact on the environment; therefore, the project is not subject to the California Environmental Quality Act, Section 15061 (b)(3), in that it can be seen with certainty that there is no possibility that the proposed amendments to the General Plan and Town Code will have a significant effect on the environment, because the project does not include any modification that would affect the historical significance of the building.
- B. With regard to required consistency with the Town's General Plan, the zone change is consistent with the General Plan and its Elements, including but not limited to Goals LU-1, LU-6, CD-6, CD-10, CD-12, and CD-13, and Policies LU-1.4, LU-6.1, LU-6.3, LU-6.4, LU-6.5, CD-6.1, CD-10.1, CD-12.1, and CD-12.2.

SECTION I. Zone Change.

The Town Code of the Town of Los Gatos is hereby amended to change the zoning of the property at 4 Tait Avenue (Santa Clara County Assessor Parcel Number 510-44-054) as shown on the map attached hereto as Exhibit A, and is part of this Ordinance, from C-2:LHP (Central Business District with a Landmark and Historic Preservation Overlay) to R-1D:LHP (Single-Family Residential Downtown with a Landmark and Historic Preservation Overlay).

SECTION III. Severability.

In the event that a court of competent jurisdiction holds any Section, subsection, paragraph, sentence, clause, or phrase in this Ordinance unconstitutional, preempted, or otherwise invalid, the invalid portion shall be severed from this Ordinance and shall not affect the validity of the remaining portions of this Ordinance. The Town hereby declares that it would have adopted each Section, subsection, paragraph, sentence, clause, or phrase in this Ordinance irrespective of the fact that any one or more Sections, subsections, paragraphs,

sentences, clauses, or phrases in this Ordinance might be declared unconstitutional, preempted, or otherwise invalid.

SECTION IV. Publication.

In accordance with Section 36937 of the Government Code of the State of California, this Ordinance takes effect 30 days from the date of its passage. The Town Council hereby directs the Town Clerk to cause this Ordinance or a summary thereof to be published or posted in accordance with Section 36933 of the Government Code of the State of California.

SECTION V. Effective Date.

This Ordinance was introduced at a regular meeting of the Town Council of the Town of Los Gatos on the ____ day of _____ 2025, and adopted by the Town Council of the Town of Los Gatos on the ____ day of _____ 2025, by the following vote:

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: _____

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