



MEETING DATE: 5/2/05
AGENDA ITEM: 11

COUNCIL AGENDA REPORT

DATE: April 19, 2005
TO: MAYOR AND TOWN COUNCIL
FROM: ORRY P. KORB, TOWN ATTORNEY *dk*
SUBJECT: ORDINANCE OF THE TOWN OF LOS AMENDING TOWN CODE SECTION 29.20.200 (CONDITIONAL USE MODIFICATION)

RECOMMENDATION:

1. Adopt ordinance that was introduced at the Council meeting of April 18, 2005.
2. Instruct the Clerk Administrator to either:
 - (a) publish the ordinance within 15 days after adoption, or
 - (b) publish a summary no more than 15 days after adoption (if summary published before adoption).

DISCUSSION:

On April 18, 2005, Council introduced the attachment, which amends Chapter 29, section 29.20.200 regarding Conditional Use Modification.

Attachment: Ordinance

PREPARED BY: ORRY P. KORB, TOWN ATTORNEY

OPK/wp [N:\ATY\Cond-Use-Mod.TCR.wpd]

Reviewed by: *[Signature]* Town Manager 85 Assistant Town Manager _____ Clerk Administrator
Finance _____ Community Development _____

Rev: 4/19/05 10:43 am

Reformatted: 7/19/99

File# 301-05

ORDINANCE

ORDINANCE OF THE TOWN OF LOS GATOS AMENDING TOWN CODE SECTION 29.20.200 (CONDITIONAL USE MODIFICATION)

THE TOWN COUNCIL OF THE TOWN OF LOS GATOS DOES ORDAIN AS FOLLOWS:

SECTION I

Town Code Chapter 29.20.200 shall be amended as follows:

Sec. 29.20.200. Conditional use modification.

A use authorized by conditional use permit shall not be modified unless a modification to the permit is approved. The following changes in use are modifications:

- (1) Intensification of use. Changes of use that will result in an increase of five (5) or more peak hour trips.
- (2) Commencement of new activities that could have a material adverse impact on the surrounding area.
- (3) Any change that is a substantial departure from plans which were the basis of the conditional use permit approval.

SECTION II

In the event that any part of this ordinance is held to be invalid, the invalid part or parts shall be severed from the remaining portions which shall remain in full force and effect.

SECTION III

This ordinance was introduced at a regular meeting of the Town Council of the Town of Los Gatos on April 18, 2005 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 , 2005. This ordinance takes effect 30 days after it is adopted.

COUNCIL MEMBERS:

AYES:

NAYS:

ABSENT:

ABSTAIN:

SIGNED:

MAYOR OF THE TOWN OF LOS GATOS
LOS GATOS, CALIFORNIA

ATTEST:

TOWN CLERK OF THE TOWN OF LOS GATOS