

Community Development Application Process Agreement

This document explains the decision-making process used by the Town of Los Gatos for all land-use related applications and permits being considered by the Planning Commission and/or the Town Council.

All applicants and their representatives are required to read, understand, acknowledge and sign this disclosure prior to their application being deemed complete and ready for consideration.

All applications and permits presented to the Planning Commission and/or the Town Council are solely at the discretion of those bodies, including General Plan changes, Zoning changes, Planned Developments, Conditional Use Permits, or Conditions of Approval. Staff and consultant recommendations, including those of the consulting architect, are in no way limiting on or indicative of any subsequent decision or direction from the Planning Commission and/or the Town Council.

Staff and consultant recommendations are based solely on the application of the Town's General Plan, Zoning and other ordinances, Specific Plans, Guidelines, adopted policies and prior Council and Planning Commission decisions. Staff's role is not to advocate for or support the interests of the applicant, but to ensure compliance with the aforementioned policy direction and to consider the proposed development's impacts on both the immediate neighborhood and the broader community.

Town Council policy prohibits the Planning Commission from discussing pending applications or permits with either the proponents or opponents of said application. **Applicants and their representatives are prohibited from directly or indirectly contacting or communicating with Planning Commissioners regarding the application except through publicly disclosed written communications.**

For Planning Commission matters appealed to the Town Council, the Town Council must make one of the following findings to reverse or modify a Planning Commission decisions:

1. There was an error or abuse of discretion on the part of the Planning Commission;
2. New information was presented to Council that was "not readily or reasonably available" for submission to the Planning Commission*; or
3. There was an issue or policy which the Council must decide, not the Planning Commission.

*Unless the new information has minimal effect, the application is returned to the Planning Commission with the new information.

The undersigned Town staff representative has provided and discussed this document with the applicant and the applicant's representatives:

DATE: _____

Applicant: _____

Property Owner: _____

Architect: _____

Business Owner: _____

Other: _____

Legal Counsel: _____