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A P P E A R A N C E S:

Los Gatos Planning Commissioners:  
Melanie Hanssen, Chair  
Jeffrey Barnett, Vice Chair  
Kylie Clark  
Kathryn Janoff  
Steve Raspe  
Reza Tavana  
Emily Thomas

Town Manager: Laurel Prevetti

Community Development Director: Joel Paulson

Town Attorney: Robert Schultz

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P R O C E E D I N G S:

CHAIR HANSSEN: As you might note on the agenda, this meeting is a special meeting of the Planning Commission, and what we are trying to accomplish tonight is to hopefully complete our review and recommendation on the Draft 2040 General Plan as well as the Final EIR that goes with the General Plan.

We had our first meeting to consider the General Plan and any changes that we wanted to make on Wednesday, April 13<sup>th</sup>, and then we continued to a second meeting on Monday, April 25<sup>th</sup>, and now we are at the point where we still have things to cover to complete our review of the General Plan, but hopefully we'll be able to do that this evening, and I will turn it over to Staff for their Staff Report.

JENNIFER ARMER: Thank you, Chair. Good evening, Planning Commissioners. Tonight we will continue consideration of the Draft 2040 General Plan and Final Environmental Impact Report.

As the Chair just stated, on April 13<sup>th</sup> the Planning Commission received public comment and began their discussion of the Draft General Plan. They also closed the

1 public comment of this item at that time, though we have  
2 continued to receive written comments. That discussion and  
3 consideration continued at meetings on April 25<sup>th</sup> and 27<sup>th</sup>.

4           The discussion has been using as a primary guide  
5 Exhibit 7 to the April 13<sup>th</sup> Planning Commission Staff  
6 Report, which provides a summary of some of the recommended  
7 changes that were received in all of the public comments.

8           We've made it through most of the elements of the  
9 General Plan thus far, but tonight we will pick up with the  
10 Community Design Element, the Final EIR, and potentially  
11 final discussion of housing numbers in the Land Use  
12 Element.

13           There was a Desk Item today with some additional  
14 public comment received after 11:00 o'clock on Friday.

15           This concludes Staff's presentation, but I'd be  
16 happy to answer any questions.

17           CHAIR HANSEN: Thank you, Staff. Do any  
18 Commissioners have questions for Staff at this time? You  
19 will have additional opportunities to ask questions of  
20 Staff during our discussion.

21           And I did want to thank Staff for reminding me  
22 that we actually had a third meeting where we continued the  
23 discussion of the General Plan to our regular meeting of  
24 last Wednesday, April 27<sup>th</sup>, and so as stated we do need to  
25

1 cover the Community Design Element, the Final EIR, and then  
2 complete our discussion of the Land Use Element, and in  
3 particular the build numbers for the General Plan.

4           What I've decided to do in the interest of trying  
5 to get things complete is we will start with our review of  
6 the Community Design Element, then we will take questions  
7 and comments on the Final EIR, and then we will go to the  
8 numbers regarding the Land Use Element, because that was  
9 what took the most time in our last couple of meetings.

10           With that in mind, what I'd to do is to start, as  
11 we did with the other elements, with Exhibit 7, and in  
12 Exhibit 7, for the benefit of everyone who is watching as  
13 well, is a summary from Staff of all comments received from  
14 the time that the Draft General Plan was released until the  
15 April 13<sup>th</sup> meeting, and then Staff weighed in and summarized  
16 those comments and stated whether they were neutral to  
17 them, whether they recommended that we include them, or not  
18 recommended because it might not have made sense for the  
19 General Plan. They've done that as well for the Community  
20 Design Element and it starts on page 222 of your April 13<sup>th</sup>  
21 packet, and then there are comments from number 41 to  
22 number 55.

23           What we did in our past discussion of elements  
24 was we've asked Commissioners to raise their hand and talk  
25

1 about any changes of any of the items that might be  
2 included that they would like to go along with the Planning  
3 Commission's recommendation to Town Council, and if you had  
4 any of your own comments or recommendations as well, that's  
5 fine. So we'll start with that and see if any Commissioners  
6 have items in the recommended changes in Exhibit 7 to  
7 recommend incorporating for the Town Council's  
8 consideration.

9 Commissioner Janoff.

10 COMMISSIONER JANOFF: Thank you. Just to get  
11 things started here I wanted to ask a question of  
12 Commissioner Thomas, or anyone else on the Commission who  
13 has knowledge, regarding numbers 43, 48, and 50. These  
14 three ask that we incorporate with native noninvasive or  
15 non-fire prone plant species. The topic of plants came up  
16 before and I just wanted to seek the opinion of our expert  
17 Commissioner as to whether those are acceptable changes?

18 CHAIR HANSSEN: So, Commissioner Thomas.

19 COMMISSIONER THOMAS: Thank you. I do think that  
20 the only problem that I see with these descriptors is that  
21 I do think that another completely acceptable type of tree  
22 to plant in new developments is fruit trees or other edible  
23 tree types, so that's the only thing. I think that native  
24 noninvasive or non-fire prone are all very appropriate, and  
25

1 I think that covers enough that it would allow for  
2 sustainability. I do think that we should also be  
3 encouraging planting trees that grow food that people can  
4 eat, so that was the only thing when I read through that,  
5 how I felt.

6           Then for number 50, were you just wanting to ask  
7 my opinion about (inaudible)? It doesn't have to do with  
8 the trees, right?

9           COMMISSIONER JANOFF: Yeah, 53, not 50.

10           COMMISSIONER THOMAS: Oh, 53, right, because that  
11 one also had that. Yes, so that is what I have to say, but  
12 it looks like Vice Chair Barnett also has something to say  
13 about that.

14           CHAIR HANSSEN: Vice Chair Barnett.

15           VICE CHAIR BARNETT: Thank you very much. I  
16 wonder if we could have some wisdom from the Public Works  
17 Staff about the wisdom of 43, 48, and 53. I had some  
18 questions about whether that would be too limiting.

19           JOEL PAULSON: Thank you. Unfortunately, Parks  
20 and Public Works Staff has not been able to join us yet, so  
21 as we go through the discussion if Mr. Kim is able to join,  
22 then I will let you know. The other caveat would at this  
23 point, again, we're just making a recommendation, so even  
24 if we don't have Parks and Public Works Staff, we can  
25

1 always forward that recommendation and they can provide  
2 additional input for Council's consideration if they're  
3 concerned.

4 JENNIFER ARMER: I will add that at least on one  
5 of these it says, "if feasible," so that leaves some  
6 flexibility for situations where it is deemed not  
7 appropriate, not feasible.

8 COMMISSIONER JANOFF: If I may, I was asking for  
9 clarification so I could start down the list, but if  
10 Commissioner Thomas or others have anything to add, that  
11 will be good.

12 CHAIR HANSSEN: Commissioner Thomas.

13 COMMISSIONER THOMAS: Thank you. I think that  
14 also I agree that we shouldn't make anything too limiting,  
15 but I like the aspiration, and it does say neutral next to  
16 two of them and then nothing, so I'm assuming that one was  
17 neutral too on number 53 from Staff, so that makes me feel  
18 more comfortable that they were neutral on that and not  
19 opposed to it.

20 CHAIR HANSSEN: Before you start down that path I  
21 did want to make a comment on a couple of things just in  
22 case you didn't know the background.

23 Number 41 was a suggestion from one of the  
24 General Plan Update Advisory Committee members to change

1 the name of Community Place Districts to Community Growth  
2 Districts, because that really was the intent, to make them  
3 into growth districts, but the comment came in late and  
4 there wasn't time for the Housing Element Advisory Board to  
5 discuss that particular item, I don't believe, but that was  
6 a recommendation from one of the General Plan Update  
7 Advisory Committee members, but we did vote on using  
8 Community Place District during the process.

9  
10 Ms. Armer.

11 JENNIFER ARMER: I was going to add a bit of my  
12 memory of how that discussion of the proposed change to the  
13 Community Place Districts names went. This was a suggestion  
14 that was part of the discussion, and I believe in the end  
15 the consensus was to not make this change, because some of  
16 these places might grow. There might be some initial  
17 redevelopment, but a term like "growth" might not actually  
18 apply to the district in the future once it has had that  
19 redevelopment, and so using a term like "place" was  
20 something that the GPAC as a whole was supportive of and so  
21 decided to stay with it, but that Committee Member was  
22 encouraged to share the idea so that it could be considered  
23 by other bodies.

24 CHAIR HANSSEN: Thank you for that further  
25 clarification, because we had 35 meetings and I had

1 forgotten exactly what we had decided. But I only wanted to  
2 bring it up because a GPAC member brought it up, and my  
3 personal opinion was not to include it. Normally we  
4 wouldn't discuss it, but because that particular GPAC  
5 member felt really strongly about it I wanted to make sure  
6 we heard the thoughts on it.

7  
8 I also wanted to make a comment that there were a  
9 couple of requested additions from the people that have  
10 been really advocating for the dark sky, and I just wanted  
11 to bring up a point that I thought the Planning Commission  
12 should consider, that when the GPAC created the Community  
13 Design Element we sat down and talked about the Community  
14 Place Districts and trying to create neighborhoods, and so  
15 I see a bit of a conflict between the dark sky to protect  
16 and also the safety needs of the people in the community.

17 Some of the recommendations are tending towards  
18 eliminating outdoor lighting, and then there is also the  
19 need for safety lighting with the neighborhood, so if  
20 anyone from the Planning Commission wants to recommend  
21 those I would ask you to consider having the language be  
22 such that we're going to be sure to protect safety as well  
23 as the needs of the wildlife that we're protecting with the  
24 dark skies. So that was my comment.  
25

1           Let's see, I'll go back to Commissioner Janoff,  
2 and Commissioner Thomas, did you have more to say? No.  
3 Commissioner Clark, I will go to you.

4           COMMISSIONER CLARK: I think it's Commissioner  
5 Janoff's turn right now, right?

6           CHAIR HANSSEN: I think Commissioner Janoff is  
7 waiting to make a recommendation, is that correct? If not,  
8 then go ahead.

9           COMMISSIONER JANOFF: That's correct. I was  
10 planning to walk through these.

11           COMMISSIONER CLARK: Okay. I'll just make a  
12 couple of comments on what we've discussed so far.

13           I like the idea to add fruit trees to 43, 48, and  
14 53, and I also share that same concern as you, Chair  
15 Hanssen, about the lighting being kind of conflicting with  
16 public safety, and I think especially as a woman that's  
17 something that I think is very important. I'm not sure how  
18 we could alter it to make sure it still includes safety,  
19 because, for example, it says, "Turning off lights after  
20 activity hours," in number 47, and we don't want all lights  
21 off after activity hours, so I would be curious if there  
22 are any ideas for how to incorporate that, because people  
23 were very in favor of the night skies policies.  
24  
25

1 CHAIR HANSSEN: Let's see if anyone has comments.  
2 Commissioner Thomas has her hand up.

3 COMMISSIONER THOMAS: I did just have one more  
4 comment that I think would be helpful to go over for the  
5 group, because I know that we had a lot of discussion as  
6 the GPAC about the difference between should and shall, and  
7 there was a recommended change for number 44, so  
8 Commissioner Janoff, when you get to that one if you want  
9 to discuss that there or whatnot, but just a quick overview  
10 of the difference between those for the group so we're all  
11 on the same page I think is important, because that comes  
12 up a couple of times in some of the language of these.

14 CHAIR HANSSEN: Thank you for bringing that up.  
15 Any other comments on that? I don't see anyone with their  
16 hand up. We can see where Commissioner Janoff is going with  
17 recommendations, and reminding ourselves that the goal is  
18 to identify things that should be included. With the other  
19 elements we definitely had items that we didn't include,  
20 because it might already be covered adequately in the  
21 General Plan, but sometimes when the comments come in the  
22 people want to put emphasis on it, but it's usually  
23 addressed in the General Plan somewhere, but the question  
24 is how it's worded.  
25

So, Commissioner Janoff.

1 COMMISSIONER JANOFF: I was going to just walk  
2 through those that I would recommend including, but I did  
3 want to comment on Community Place.

4 I'm in favor of Community Place, because we  
5 talked long and hard in the GPAC meetings about place  
6 making and the importance of creating that element of  
7 welcome, and so the word "place" took on sort of a new  
8 meaning for me, so I would not make a change to that.

9  
10 Numbers 43, 48, and 53, which are related as we  
11 discussed, I would advocate that we say yes, and we could  
12 add fruit trees.

13 Number 44, 46, and 50 are all related to  
14 lighting. Forty-four to me got convoluted in the edits. We  
15 get the idea, but I would say safety is a definite issue on  
16 that one, so I would not be in favor of 44.

17 I don't know enough about the dark skies. We did  
18 talk a lot about wanting to reduce the illumination at  
19 night, particularly in the hillsides, so I'm neutral around  
20 46 and 50.

21 I would say yes to 51, although it might be too  
22 much of a detail, a question for Staff. I'm in favor of the  
23 concept, whether they want to put that level of detail in  
24 here or not might not be appropriate, especially if things  
25 change, if we have a different correlated color temperature

1 chart or something other metric that comes into play in  
2 another 20 years.

3           Number 54, possibly, but I think we've got  
4 implementation plans regarding (inaudible) connections; we  
5 talked a lot about that at our meeting last time.

6           And number 55, I don't know how that would impact  
7 the Town, given that there is a fiscal impact, the Mills  
8 Act, with regard to tax credits. I don't know whether that  
9 will be something the Town could implement or whether that  
10 needs to be at a higher level that we don't really control  
11 that property tax.  
12

13           So that's what I have. In summary, it's 43, 48,  
14 and 53, possibly the dark sky lighting, and possibly number  
15 54.

16           CHAIR HANSSEN: And you said 51 as well. I also  
17 wanted to hear what Staff's thoughts were, because one of  
18 the things that we try to do with the GPAC is to keep the  
19 General Plan general, and stating that it has to be below  
20 3,000 kelvin is very specific, and as Commissioner Janoff  
21 noted, it might be that five or ten years from now what  
22 defines low voltage lighting is different than it is now,  
23 so I wondered if Staff had a thought? You said you were  
24 neutral.  
25

1 JENNIFER ARMER: Thank you. We are neutral on  
2 this one, but as you said, the General Plan is intended to  
3 be general; these are policies. It could be that this sort  
4 of consideration of what light level limitations we should  
5 have might be more appropriate as part of some guidelines  
6 or other documents for implementation.

7 One concern with something like this that gets  
8 this specific if making sure that the Town has the  
9 appropriate equipment to judge this when somebody complains  
10 about lighting and we need to go an verify that the  
11 lighting is appropriate, so those are some initial Staff  
12 thoughts. It looks like Director Paulson has some  
13 additional thoughts.  
14

15 CHAIR HANSSEN: Go ahead.

16 JOEL PAULSON: Thank you, Ms. Armer. I can't  
17 remember which element, but one of the implementation  
18 programs is to consider a dark sky ordinance, so this is  
19 the type of thing that could have something more specific  
20 like this, or something a little more specific and then  
21 gets translated into another policy document or guideline  
22 document, as Ms. Armer mentioned. I think a lot of the dark  
23 sky stuff the Commission has talked about we do have an  
24 implementation program to address that, so I'm not sure  
25

1 it's necessary to get to that level of detail, but again,  
2 it's up to the Planning Commission.

3 CHAIR HANSSEN: Thank you for that. I had  
4 forgotten that we had recommended an implementation  
5 program. If we have an implementation program and it  
6 becomes an ordinance, that obviously carries a lot more  
7 weight than a policy in the General Plan that doesn't turn  
8 into an ordinance.

9  
10 Let me see what Commissioner Raspe has to say on  
11 this.

12 COMMISSIONER RASPE: Thank you, Chair. I just  
13 wanted to voice my support. I concur with all of  
14 Commissioner Janoff's recommendations as modified with  
15 Commissioner Thomas' language regarding fruit-bearing  
16 trees, and I just wanted to add a little bit more emphasis  
17 with respect to number 55 that is the Mills Act.

18 It's clear that the Town of Los Gatos generally  
19 and through its General Plan dispersion is placing great  
20 emphasis on its historic resources, and while I understand  
21 that there could be tax implications, it seems to me that  
22 the Mills Act could be ideally suited towards this Town and  
23 its stated objectives, preserving those resources, so I  
24 would encourage the Planning Commission to forward a  
25 recommendation to Council either through a policy or

1 implementation program to strongly consider adoption of a  
2 Mills Act scenario for our town. Thanks.

3 CHAIR HANSSEN: Thank you for that. Commissioner  
4 Janoff.

5 COMMISSIONER JANOFF: Yes, I would support that  
6 as well, although I would recommend an implementation  
7 program to study adoption of the Mills Act so we understand  
8 what it is, how it would impact us, presumably  
9 beneficially, and then implement if that were warranted.  
10

11 CHAIR HANSSEN: And you got a thumbs up from  
12 Commissioner Raspe, so I think as long as it's covered.

13 Commissioner Clark.

14 COMMISSIONER CLARK: Thank you. I agree about  
15 adding 43, 48, and 53 and including fruit trees, and I like  
16 the idea to add 55, as in studying the adoption of the  
17 Mills Act.

18 Then I wanted to see if anybody has thoughts on  
19 49, because for me I thought that maybe it could be good to  
20 add that policy, but then I also felt like the description  
21 of the policy as actually just a definition of sensitive  
22 natural communities rather than a policy action, and I was  
23 curious if any Planning Commissioner had thoughts on that  
24 one.  
25

CHAIR HANSSEN: Commissioner Thomas.

1                   COMMISSIONER THOMAS: I agree that I like the  
2 idea and intent behind it, but I also then thought is this  
3 already covered in the Environmental and Sustainability  
4 Element? So I could go either way, and I agree it's really  
5 like a policy, so I don't know. I would like to hear what  
6 other people have to say.

7                   I also would say that it's like I don't know the  
8 technical language, but for 43, 48, and 53 I would like it  
9 to be not just fruit producing trees, but like edible or  
10 any food producing trees, like nut trees and things like  
11 that that are more generic. Just food producing trees,  
12 maybe that's the term, but Staff I'm sure can figure it  
13 out. So yeah, I am interested in what other people have to  
14 say about 49.

15                   CHAIR HANSSEN: I was hoping Staff might comment  
16 on 49. I would remind all the Commissioners that this is  
17 the Community Design Element. It doesn't talk about how you  
18 would incorporate protecting sensitive communities in your  
19 community design, and so then I'm not sure that it would be  
20 that helpful in this part of the General Plan, but I wanted  
21 to ask Staff to what extent... Because we did go over  
22 environmental sustainability before, but I don't recall  
23 what policies we might have had, so Staff, could you help  
24 on this?  
25

1           JENNIFER ARMER: Thank you. I can search through  
2 and see what we can find. One difficulty in finding  
3 something that's exactly this is we might have used a  
4 different term that gets at the same idea of protecting  
5 sensitive natural communities, and we definitely do in the  
6 Environment section. That element definitely gets into  
7 those types of topics, but it might be in different ways.

8           I do agree that it seems more connected with that  
9 topic rather than community design. One thought, if the  
10 Commission is interested in including this here is that it  
11 could be a definition combined with a policy that just  
12 states that we preserve sensitive natural communities.  
13 Rather than having all of that text in the policy, it could  
14 be broken into those two.

15           But I will see if I can find some specific  
16 references in the General Plan under these terms or others,  
17 and I'll let you know if I find something.

18           CHAIR HANSSEN: I do recall over our 35 meetings  
19 that I did have a conversation with Commissioner Thomas  
20 about we wanted to incorporate some concepts of  
21 sustainability to make sure that it was in this Community  
22 Design Element, but then as we were going through it there  
23 was this push and pull between whether or not it's too much  
24 detail and is it going to be contrary to some things in the  
25

1 Environment and Sustainability Element, so we did keep it  
2 very, very general in the Community Design Element.

3 I did want to put that out there that although it  
4 sometimes is good to repeat the things in the different  
5 elements, if it is covered in the Environment and  
6 Sustainability Element that probably takes priority and you  
7 would want to consider the environment and sustainability  
8 in your Community Design anyway, because that's part of the  
9 General Plan.

10 Vice Chair Barnett.

11 VICE CHAIR BARNETT: Thank you. On 46 and 50  
12 there's a reference to this model, more ordinance, of the  
13 Illuminating Engineering Society of North America, and  
14 while I couldn't find that document online it did appear to  
15 be 40 pages, and that means to me that it's far more  
16 detailed than we want in the General Plan.

17 Then I support 55, as other Commissioners have  
18 said.

19 As to 49, to me it just seems like it is  
20 commentary; there's no substance that's added to the  
21 General Plan, so I would be against that one.

22 CHAIR HANSSEN: Thank you for that. Director  
23 Paulson

1 JOEL PAULSON: Thank you. Just to that point on  
2 49, in the Environment and Sustainability Element there are  
3 a number of policies and implementation programs related to  
4 special status species, retaining natural conditions, and  
5 habitat and movement corridors, so there are a lot of other  
6 policies in that element that do cover this topic.

7 CHAIR HANSSEN: Thank you for that, Director  
8 Paulson. My personal advice, although it is the  
9 recommendation of this entire Commission, would be to keep  
10 it simple in the Community Design Element and have more  
11 details on that subject in the Environment and  
12 Sustainability Element.

13 Commissioner Janoff.

14 COMMISSIONER JANOFF: I would agree. I think also  
15 including this here, which is a section of really the  
16 hillside development, clearly we've got that interest in  
17 the hillside probably throughout the plan, but it also  
18 would apply to other areas in Town, so I would be against  
19 including it there.

20 And if we've got enough coverage in the  
21 Environment and Sustainability Element, and I think we've  
22 got it in spades as written, I agree with Vice Chair  
23 Barnett that it's a statement without anything under it if  
24  
25

1 it were a policy, and then the balance of the statement  
2 that is in quotes is actually a definition.

3 So we kind of have a mix here. I think we're in  
4 favor of the general concept, but this isn't the place for  
5 it.

6 CHAIR HANSSEN: Thank you for that. Commissioner  
7 Clark.

8 COMMISSIONER CLARK: Thank you. I just have one  
9 thing to add to these comments, and I had accidentally  
10 brought it up during the Land Use Element, but adding the  
11 definition of "rafters" to key terms.

12 CHAIR HANSSEN: Refresh my memory. Did we agree  
13 to do that?

14 COMMISSIONER CLARK: No, because I immediately  
15 retracted the comment.

16 CHAIR HANSSEN: Oh, because you were going to  
17 bring it up again in Community Design.

18 COMMISSIONER CLARK: Yeah, because rafters are  
19 referenced in the definition of eave, and then there's not  
20 a definition of rafters, so I thought it could be  
21 beneficial to add that.

22 CHAIR HANSSEN: Okay. Let's see if anyone else  
23 had comments on that. Vice Chair Barnett.

24  
25

1 VICE CHAIR BARNETT: I was remiss in not bringing  
2 up 54. I have concerns about whether that's invading  
3 private property rights. Maybe Mr. Schultz could comment on  
4 that. There may be safety or other reasons that the Water  
5 District would not want people trespassing on this  
6 property.

7 ROBERT SCHULTZ: I'm sorry, can you repeat your  
8 question again?

9 VICE CHAIR BARNETT: Number 54.

10 JOEL PAULSON: Mr. Schultz, this is in Exhibit 7,  
11 and it's basically asking that, "New trail connections on  
12 or open to Valley Water property must be open to the  
13 general public and permitted by Valley Water."

14 JENNIFER ARMER: And I'll add that this was a  
15 suggestion based on a comment from Valley Water. In general  
16 I would say that that's the type of thing that would be  
17 part of the project consultation in terms of the conditions  
18 that Valley Water would place on that, but the question was  
19 directed to the Town Attorney, so I'll pass it on to him.

20 ROBERT SCHULTZ: No, I agree, it should be on a  
21 case-by-case basis. There might be times when it might be  
22 appropriate to do that type of dedication or require that  
23 in a condition of approval, and there might be other times  
24  
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1 where it might not be appropriate, so I wouldn't want it to  
2 be a shall or a mandatory condition or policy.

3 CHAIR HANSSEN: Question for Staff. I feel in the  
4 Open Space, Parks, and Recreation Element, without having  
5 it open in front of me to look at the policies, that we had  
6 plenty of policies that encourage connections of trails and  
7 open up private trails. I felt like we covered that in many  
8 ways in the Open Space, Parks, and Recreation Element, but  
9 again, I don't have it open in front of me, so I'm not sure  
10 if that would be beneficial in the Community Design  
11 Element, unless it's just a general statement.

13 JENNIFER ARMER: So CD-11.6, which is the policy  
14 that this comment is suggesting you modify, states,  
15 "Require development that is adjacent to Los Gatos Creek  
16 Trail to provide secondary access to the trail." Valley  
17 Water's comment is that if there is access being provided  
18 to the public trail, that that needs to be public access,  
19 because it is access to a public trail, that they don't  
20 want access from private property that is only open to the  
21 users of that private property is my understanding of the  
22 comment. So the policy is already there to say that there  
23 should be additional connections to the Los Gatos Creek  
24 Trail. The recommendation from Valley Water, as I  
25

1 understand it, is to modify that policy to clarify that any  
2 new connections would need to be open to the public.

3 CHAIR HANSSEN: And further permitted by Valley  
4 Water.

5 JENNIFER ARMER: Yes.

6 CHAIR HANSSEN: There was a checkpoint in there.

7 JENNIFER ARMER: Correct.

8 CHAIR HANSSEN: If you wanted to do that, you had  
9 to get it okayed with them.  
10

11 JENNIFER ARMER: Right. We might say require, but  
12 there are certain additional permits that would be required  
13 to make that possible.

14 CHAIR HANSSEN: Well then, that sheds a different  
15 light on it.

16 Let's see, Commissioner Thomas.

17 COMMISSIONER THOMAS: Reading the actual thing,  
18 it does say, "Require development that is adjacent to Los  
19 Gatos Creek Trail to provide secondary access to the  
20 trail." I don't know if we could just add, "to the public,"  
21 like if that would satisfy, or if we're not allowed to say  
22 required to the public.

23 JOEL PAULSON: I'll just use one example. We have  
24 the Aventino Apartments, for instance. Obviously they don't  
25 have public access from the creek trail into their

1 apartment community, so that did have a gate there. I'm not  
2 sure how much development like that we'll really see along  
3 the creek trail, frankly. I think the policy as written in  
4 the draft plan provides enough flexibility that we would  
5 work through those details. If it happened to be adjacent  
6 to Valley Water property with the developer of that site  
7 when it came through, then we would have that conversation  
8 with them anyhow.

9  
10 A lot of the creek trail, and depending on where  
11 you're at, some of that creek trail might be in Valley  
12 Water ownership, and so I think they're trying to make sure  
13 that we at least go through that step, which we could just  
14 as a matter of course, so that would be a conversation we  
15 would have anyhow.

16 CHAIR HANSSEN: Okay, that makes sense. Let's  
17 see, I'm not sure who was first. Commissioner Janoff.

18 COMMISSIONER JANOFF: In light of the  
19 conversation perhaps we can modify the existing 11.6, just  
20 insert the word "public" between secondary and access, so  
21 it's clear that it's a public access, not just for the  
22 benefit of the development, should there be one. And then  
23 of course as Director Paulson said, Staff will go through  
24 the normal checks and permitting should that be warranted.  
25

1 CHAIR HANSSEN: Question for Commissioner Janoff.  
2 I know it wasn't suggested by 54, but is perhaps the word  
3 "require" too strong? If there are that many checkpoints  
4 that we have to consider, it sounds like there's going to  
5 be a feasibility issue. We didn't discuss it this way  
6 during the GPAC, but thinking about it now, I wonder if  
7 "required" might be too strong in 11.6.

8 COMMISSIONER JANOFF: I'm actually comfortable  
9 with the word "require" because it sends a really clear  
10 message for the developers that this is an expectation to  
11 provide access to nature, so I would have no objections to  
12 the way it's written and insert the word "public" if that's  
13 more clarifying.  
14

15 CHAIR HANSSEN: Okay, and then leave it to Staff  
16 to deal with Valley Water if it's accessing their property.  
17 I think that would work for me. I just wanted to ask that  
18 question.

19 Let's see, are there other comments?

20 Before Commissioner Janoff turns this into a  
21 motion I did want to say one more thing on 46 and 50, which  
22 are essentially saying the same thing. They're about  
23 referencing the Illuminating Engineering Society of North  
24 America's lighting ordinance. I thought we were going  
25 there, but I just wanted to say that I don't think we need

1 to add those to the General Plan if we have an  
2 implementation program to look at an ordinance. I don't  
3 know if we sealed that off or got there yet, but it wasn't  
4 in your list of things to add, Commissioner Janoff. I just  
5 want to make sure we were okay with that.

6           So do you want to go ahead and make a motion,  
7 Commissioner Janoff?

8           COMMISSIONER JANOFF: I will move that we accept  
9 numbers 43, 48, and 53, with the language that adds to the  
10 insert edible tree... Staff can find a good way to say that,  
11 but we know what Commissioner Thomas is suggesting, and  
12 it's a good suggestion. And we are adding number 55 as an  
13 implementation program to evaluate or to study the Mills  
14 Act and its impact on the Town.

15           CHAIR HANSSEN: And on number 54 you wanted to  
16 add the word "public"?

17           COMMISSIONER JANOFF: Yes, to the existing..

18           CHAIR HANSSEN: To the existing 11.6 policy in  
19 the Community Design Element.

20           COMMISSIONER JANOFF: I just am going through. I  
21 think that's it.

22           CHAIR HANSSEN: And then it looks like  
23 Commissioner Thomas had her hand up. Are you seconding?  
24

25           COMMISSIONER THOMAS: I second, yeah.

1 CHAIR HANSSEN: Okay, great. Commissioner Clark,  
2 you had your hand up. Is it about seconding, or did you  
3 have comments before we take a vote?

4 COMMISSIONER CLARK: I wanted to ask about adding  
5 the definition of "rafters" to key terms.

6 COMMISSIONER JANOFF: Yes, and add the definition  
7 of "rafters" to key terms.

8 CHAIR HANSSEN: And does the seconder of the  
9 motion agree to that addition?  
10

11 COMMISSIONER THOMAS: Yes.

12 CHAIR HANSSEN: And thank you, Commissioner  
13 Clark, for reminding us of that so we didn't forget. So we  
14 have a motion and a second. Is there any further discussion  
15 by Commissioners before we take a vote? Okay, we're going  
16 to do a roll call vote, and please answer yes, no, or  
17 abstain. I will start with Commissioner Thomas.

18 COMMISSIONER THOMAS: Yes.

19 CHAIR HANSSEN: Commissioner Tavana.

20 COMMISSIONER TAVANA: Yes.

21 CHAIR HANSSEN: Commissioner Raspe.

22 COMMISSIONER RASPE: Yes.

23 CHAIR HANSSEN: Commissioner Janoff.

24 COMMISSIONER JANOFF: Yes.

25 CHAIR HANSSEN: Commissioner Clark.

1 COMMISSIONER CLARK: Yes.

2 CHAIR HANSSEN: Vice Chair Barnett.

3 VICE CHAIR BARNETT: Yes.

4 CHAIR HANSSEN: And I vote yes as well.

5 As we had done with the other elements, this is a  
6 progress vote. What really has to happen at the end of this  
7 process is we have to make a recommendation to vote to  
8 accept the entire General Plan with all of the recommended  
9 changes, but this at least puts a stake in the ground for  
10 each one of the elements to help us through the process so  
11 that it's not unwieldy when we get to the end of the  
12 process.  
13

14 That is all of the elements with the exception of  
15 the build numbers for the land use, so we will now turn our  
16 attention to the Final EIR, and there are a number of  
17 Commissioners that haven't been with us while we've had to  
18 review an EIR, and this is a different kind of EIR than we  
19 might hear about from a project, so I wanted to ask Staff  
20 to give us some guidance and feedback on how we should be  
21 considering the Final EIR in our recommendation.  
22

23 JENNIFER ARMER: Thank you, Chair. The next part  
24 of our discussion is a discussion of the Final EIR, which  
25 incorporates the Draft EIR, the modified sections, and all

1 of the findings that have been provided to you as part of  
2 your packet for the April 13<sup>th</sup> meeting.

3           So this is a program EIR, which is a different  
4 kind of analysis than a project-level EIR, which you'll see  
5 more often. Future projects that come in under this are  
6 going to need to go through project-level analysis as well.  
7 As with any EIR, this isn't solving existing problems, it's  
8 looking at baseline and then it looks at what the program  
9 might create and proposes mitigation for those items. It's  
10 very common with a program EIR for an update to a General  
11 Plan for there to be unavoidable impacts, as we have in  
12 this case, and in fact, that's been true for at least the  
13 last few General Plan updates that the Town of Los Gatos  
14 has had.

16           One thing to keep in mind when considering this  
17 document is it is an informational document, so it's the  
18 Town's document. The Town Staff, including the Town  
19 Attorney as well as the Town's consultants, environmental  
20 consultants, and experts have worked on this document and  
21 we do believe that it is legally adequate pursuant to CEQA.

22           This discussion tonight is not intended for  
23 changing anything in the EIR. It really is more focused on  
24 answering questions and providing clarifications. Since  
25 this is an informational document, it's intended to support

1 your consideration of the proposed project, the proposed  
2 program, and so once we've talked through and answered any  
3 questions that the Planning Commission might have, the next  
4 step in terms of the EIR is going to be part of your motion  
5 on the Draft 2040 General Plan. It would be a combined  
6 motion on the Draft 2040 General Plan along with a  
7 recommendation on the certification of the Final EIR, so  
8 there's no need to worry about the findings of fact; that's  
9 all part of that motion. That would all be included in your  
10 recommendation on the Final EIR, since that includes all of  
11 those documents.  
12

13 That's my presentation, but we are here and happy  
14 to answer any questions.

15 CHAIR HANSSEN: Before I go to the Commissioners,  
16 it also includes, does it not, the Statement of Overriding  
17 Considerations?

18 JENNIFER ARMER: Correct, and the final decision  
19 of course is made by Town Council, but your recommendation  
20 to Town Council on the Final EIR does not need to be any  
21 more detailed than that. It really can just be a  
22 recommendation on the Final EIR. It includes all of those  
23 components.  
24

25 CHAIR HANSSEN: Just playing devil's advocate, a  
question for Staff before I go to the Commissioners. If

1 there were a reason to not certify the EIR, what would it  
2 be?

3           JENNIFER ARMER: If there was a concern that it  
4 was done adequately, that it didn't meet the requirements  
5 of CEQA, that there was some recirculation. In this case,  
6 as we were working through the review after the circulation  
7 of the Draft EIR we actually did determine that there was  
8 some additional information that was mislabeled and some  
9 things that needed to be clarified and decided that because  
10 of those it was prudent and required, based on the CEQA  
11 regulations, that we put the notice out again and  
12 recirculate the appropriate sections, and so that's the  
13 sort of thing that might trigger the Planning Commission to  
14 not recommend certification.  
15

16           But hopefully at this point Staff and our  
17 consultant, our experts, do believe that this is in  
18 compliance with CEQA and so we are recommending  
19 certification.  
20

21           CHAIR HANSSEN: Thank you for that excellent  
22 Staff Report; we appreciate that. And to remind the  
23 Commission that at this point in time we're not going to be  
24 making a motion on the EIR, we're going to just take  
25 comments and questions that you might have before we get to  
the motion on the entire General Plan at the very end, but

1 this would be the time to ask those questions so that we  
2 don't have a prolonged discussion when we're trying to make  
3 the final motion.

4 Commissioner Raspe.

5 COMMISSIONER RASPE: Thank you, Chair. First of  
6 all, thank you to Staff for your efforts in providing this  
7 exhaustive review and document. It's impressive to go  
8 through it, the various iterations and all the work that  
9 went into it.

10  
11 Generalized discussion or thoughts. I noticed  
12 that in our EIR both greenhouse gas emissions and traffic  
13 are identified as significant, unavoidable impacts for  
14 which there is no mitigation, and I just wanted to get  
15 Staff or our consultant's thoughts if that's typical for a  
16 General Plan. I understand a General Plan by definition in  
17 generalizing; we can't foresee everything. I just wanted to  
18 hear their thoughts on these two impacts and how we're  
19 dealing with it in the EIR. Thank you.

20 JENNIFER ARMER: Thank you, Commissioner, a very  
21 good and helpful question for this discussion.

22 So yes, there are significant unavoidable impacts  
23 for vehicle miles traveled, for greenhouse gases, and  
24 traffic or transportation impacts and greenhouse gas  
25 impacts. That's pretty common for a community like Los

1 Gatos, so because this project does involve additional  
2 housing it also means that you're going to have increased  
3 trips, because we don't have the transit facilities that  
4 you could, say, cluster housing around and therefore reduce  
5 trips.

6           However, I will point out as is discussed in the  
7 Final EIR, the proposed locations for housing, the  
8 greenhouse gas impacts, and the vehicle miles traveled  
9 impacts are actually lower than the current rates for the  
10 community overall. So while there is an overall increase  
11 and there isn't a way without high-speed transit for the  
12 Town to fully mitigate those increases, it's actually  
13 increasing at a lower rate than previous development in  
14 Town.  
15

16           COMMISSIONER RASPE: If I could ask one follow up  
17 question. Thank you.

18           It's also my understanding that while both VMTs  
19 and gas emissions are dealt with generally in this, to the  
20 extent there are specific projects that come into Town,  
21 those may also require additional different CEQA analysis  
22 as well and we may as a Town deal with those projects  
23 individually both with respect to gas emissions and  
24 traffic, that's correct?  
25

1                   JENNIFER ARMER: So yes, there would be  
2 environmental review for those. One of the goals of this  
3 General Plan and its EIR is to do a community-wide analysis  
4 of things like greenhouse gas and vehicle miles traveled,  
5 which is a very difficult thing to address at the project  
6 level when you have a single project. It's really much more  
7 a community-wide or even region-wide type of issue, and so  
8 being able to do this analysis at this level and include in  
9 it these mitigation measures that then would be applied at  
10 the project level is generally the direction that we were  
11 working towards with this analysis.

12  
13                   So in terms of vehicle miles traveled impacts it  
14 may be that if something is compliant with the General  
15 Plan, as long as they are following the mitigation measures  
16 that are included in the EIR, that it may be a project  
17 level to a certain extent would actually be covered by this  
18 analysis.

19                   COMMISSIONER RASPE: Thanks for your response.  
20 It's very helpful.

21                   CHAIR HANSSEN: That was a very good question. Do  
22 other Commissioners have questions or comments on the EIR?  
23 For those of you that are relatively new to EIRs, in the  
24 Final EIR there is opportunity for public comment, and as  
25 Ms. Armer stated, this was circulated twice, so there have

1 been multiple opportunities for public comment. Then when  
2 the public comments come in Staff does respond to each and  
3 every comment as to whether there is any resolution needed  
4 for that comment, so if questions came up during that  
5 process Staff has answered them all and those responses are  
6 noted in the Final EIR. However, if you have questions  
7 about any of that, this would be a good time to bring that  
8 up.

9  
10 Let's see, Vice Chair Barnett.

11 VICE CHAIR BARNETT: Yes, thank you. Since you  
12 invited comments rather than questions, I have a couple to  
13 make.

14 First, I wanted to thank Staff for an incredible  
15 job on that project, which is a tremendous piece of work to  
16 undertake and to revise over the years. I appreciate the  
17 comments from Mr. Schultz today regarding the sufficiency  
18 of the General Plan in response to the public comment about  
19 the CEQA requirements not being met, and I also understand  
20 that an attorney retained by the consultant came to the  
21 same conclusion. I also found that the Staff's responses to  
22 the public comments were well founded and convincing. Thank  
23 you.

1 CHAIR HANSSEN: Very good. Thank you for those  
2 comments. Do other Commissioners have questions or comments  
3 on the EIR?

4 Commissioner Janoff.

5 COMMISSIONER JANOFF: I'd just like to echo what  
6 Vice Chair Barnett said, and in summary would be supportive  
7 of certifying this Final EIR.

8 CHAIR HANSSEN: Very good. And I would echo,  
9 especially in the case of there have been some very vocal  
10 comments and critical comments on the whole General Plan  
11 process that came in over time, which is everyone's right,  
12 but Staff did an excellent job of responding to all of the  
13 questions and what action could or couldn't be taken, so I  
14 feel comfortable with being able to recommend certification  
15 of the Draft EIR.  
16

17 I think Staff's comments were particularly  
18 helpful in the area of talking about program level EIRs  
19 versus specific project EIRs, so that when supposing  
20 there's a 100-unit building that comes down the road after  
21 the General Plan is adopted, then if it meets the  
22 requirements for a CEQA analysis, then a CEQA analysis will  
23 be conducted on that project, so it's not the only time  
24 that the traffic and greenhouse gases will be looked at as  
25

1 we go through the process of living through the General  
2 Plan.

3 Let's see, does anyone else have questions or  
4 comments? Commissioner Raspe.

5 COMMISSIONER RASPE: And again, I join in my  
6 fellow commissioners' comments. I don't think we're making  
7 a motion, but are we making a recommendation to Town  
8 Council to certify the EIR?

9 CHAIR HANSSEN: What we're going to do is we're  
10 going to hold off on making any motion on the Final EIR  
11 until we're done discussing the General Plan, which we  
12 haven't done yet.

14 COMMISSIONER RASPE: Very good. Thank you.

15 CHAIR HANSSEN: So we have covered all of the  
16 elements and we took comments on the Final EIR as well. The  
17 thing that we have not finished is what we discussed during  
18 our last two meetings, which was what kind of  
19 recommendation that the Planning Commission would want to  
20 make to Town Council regarding the land use build numbers  
21 that are covered in the beginning of the Land Use section.

22 To refresh everyone's memory, Staff had a  
23 discussion that starts around page three or four about the  
24 Land Use Element and goes through the proposed density  
25 ranges that are in the Draft General Plan looking at the

1 20-year timeline versus the more immediate timeline of the  
2 Housing Element and what falls in those two categories.

3           Then further on, on page six of this original  
4 April 13<sup>th</sup> Staff Report there was a list of possible  
5 reductions that we could consider if we wanted to.

6           To recap where we were at our last meeting, we  
7 had a motion to make some reductions, but the motion failed  
8 because there were people on both sides of the argument  
9 about it. It wasn't enough, or it was too much, and so it  
10 was a 3-3 vote.

11           In thinking about this since our last meeting on  
12 April 27<sup>th</sup>, one thing that I thought might be helpful would  
13 be to try to identify things that we are in agreement with  
14 and maybe talk about the specific reductions that Staff  
15 presented and see if there is consensus from the Commission  
16 to do that before trying to take a motion on the overall  
17 number, because I think everyone might have different ideas  
18 on some of the elements of that.

19           I'm looking at the bottom of page six from the  
20 original Staff Report, which says, "Potential reductions in  
21 housing development capacity," and I did want to give  
22 credit to at least one Commissioner who was recommending  
23 that we not make any reductions in the capacity to make  
24 sure we get the best possible chance of meeting our  
25

1 numbers. With that being said, if it is the will of the  
2 Commission to make reductions, we should talk about which  
3 ones of these might be acceptable to the Commission.

4 I want to start out with the one that I thought  
5 we had agreement with, and Staff felt that we did too and  
6 it was noted in the Staff Report, which was the third  
7 bullet, which was, "Removing housing from Office and  
8 Service Commercial designations," and if we were to do  
9 that, according to the modeling that was done, that would  
10 reduce the potential increase in housing units by 313  
11 units.  
12

13 I just want to put that out there. We had talked  
14 about it was a late addition during the GPAC process, and  
15 doing more research on it the general feeling was we  
16 weren't going to get a very big take up on it, and we can  
17 also do Mixed-Use. As long as the land use designation is  
18 Mixed-Use it is possible to do Office and Residential  
19 together, it just has to be under that land use designation  
20 versus Office Commercial.

21 Does anyone have any concerns about leaving that  
22 change out of the General Plan and not increasing density  
23 there? I think everyone is okay with that.  
24

25 Let's talk about Low-Density Residential and  
Medium-Density Residential. Where the discussion was going

1 on Low-Density Residential and Medium-Density Residential  
2 was that there are many people in the community that are  
3 very concerned about the potential of SB 9 and ADUs and  
4 this General Plan update on increasing densities  
5 significantly in the Low-Density Residential and Medium-  
6 Density Residential, and so there are varying opinions  
7 about in order to have this missing middle housing we  
8 really need to be able to have some increase in density,  
9 and then there are others that don't want to increase  
10 density at all.

11  
12           Staff did an analysis for us, and it's in the  
13 Staff Report for this meeting, in which they talked about  
14 if you wanted to be able to have a fourplex and the density  
15 level was X for Medium-Density Residential and Low-Density  
16 Residential, how many properties would be able to do a  
17 fourplex there? So I hope you all got to see that in the  
18 Staff Report, but I thought we ought to maybe have a  
19 discussion about that and see what people are thinking  
20 about reducing the densities that are proposed from what's  
21 in the current Draft General Plan or leaving them the same.

22           I'll start with Commissioner Janoff.

23           COMMISSIONER JANOFF: Thank you, and thank you,  
24 Staff, for putting together this data; it was very helpful.  
25

1 I just want to confirm, my takeaway from this  
2 table is that we will not lose missing middle if we were to  
3 reduce the density in Low-Density from 12 down to 10 or 8  
4 units per acre, is that a correct interpretation?

5 JENNIFER ARMER: Thank you, Commissioner. As we  
6 stated last time, a reduction to 10 would still retain  
7 enough that the missing middle could still be included as a  
8 portion. Our main concern is that if you get to the point  
9 where it's less than 10% of the parcels are actually large  
10 enough for the fourplex, then that's getting to be a pretty  
11 small amount and it's not going to be through most of those  
12 neighborhoods. It would be in the neighborhoods that have  
13 the larger parcels rather than throughout, so it's  
14 potential, but I think we still would recommend that if  
15 we're going to keep the missing middle in there that a 10  
16 dwelling unit per acre would be the appropriate threshold.

18 COMMISSIONER JANOFF: Thank you.

19 CHAIR HANSSEN: Just a clarifying question on the  
20 table. The way that this is presented, it's cumulative, so  
21 if you start from 5 it's 3% of parcels, then 7% is 8, and  
22 then 12% at 10.

23 Just to refresh everyone's memory, including  
24 people who are watching, where the discussion was going was  
25 that several Commissioners and the GPAC in having this

1 discussion during that whole process, the missing middle  
2 housing was identified as a way to help transition slightly  
3 more dense housing into the same neighborhood and still  
4 having the same look and feel, and having a very seamless  
5 transition, the alternative being doing very High-Density  
6 Mixed-Use or just High-Density Residential, which would be  
7 many stories, and so this would be a way to create some  
8 balance in the community.

9  
10 Several of the Commissioners were concerned that  
11 if we reduced proposed densities too much in the land use  
12 tables that we might not be able to have the discussion of  
13 missing middle housing at all, which most of the GPAC felt  
14 was essential to the vision of what we were trying to  
15 create going forward with having to add quite a few  
16 additional units.

17 With that in mind, it comes down to, I guess,  
18 from what I'm hearing in this discussion, that as far as  
19 missing middle housing it's going to be impacted in the  
20 Low-Density Residential, and I'm going to ask Staff a  
21 clarifying question. There is really no issue with any of  
22 the densities in Medium-Density Residential that would  
23 cause us to take out missing middle housing, is that  
24 correct?  
25

JENNIFER ARMER: Yes, that's correct.

1 CHAIR HANSSEN: Other comments on if we were to  
2 recommend reducing densities for Low-Density Residential or  
3 Medium-Density Residential? What would you recommend and  
4 why?

5 Commissioner Clark.

6 COMMISSIONER CLARK: I'd just like to get  
7 clarification on that last question you asked about Medium-  
8 Density Residential. You were saying that no density  
9 changes would impact the amount of missing middle in the  
10 Medium-Density Residential?  
11

12 CHAIR HANSSEN: I asked the question.

13 COMMISSIONER CLARK: Yeah.

14 CHAIR HANSSEN: I was assuming because it was  
15 denser to start with that you could still... But on the other  
16 hand it does say at the current density only 5% of parcels  
17 would be able to do a fourplex, is that correct, Staff?

18 JENNIFER ARMER: That is correct, because a lot  
19 of the Medium-Density Residential properties are small lot  
20 properties, so you don't have as many that are of the size  
21 that's required for that number of units on the property.  
22 It's actually a lot of these parcels get the increased  
23 density because the lot size is smaller.

24 CHAIR HANSSEN: Very good. So we really do need  
25 to consider for both Low Density Residential and Medium

1 Density Residential if we were not to increase the  
2 densities, then doing missing middle housing in either  
3 would be below the 10% mark.

4 COMMISSIONER CLARK: Thank you. If it's okay, can  
5 I make a comment?

6 CHAIR HANSSEN: Go ahead.

7 COMMISSIONER CLARK: Thank you. I'll just say for  
8 the Medium-Density Residential, I think that it definitely  
9 seems like it needs to be increased considering it's only  
10 5% of lots as is in the 2020 General Plan, and I also think  
11 it's important that we take into account that this is the  
12 number of lots for us to be able to build up to four units  
13 in the Medium-Density Residential, which I think feels like  
14 a pretty palatable number for Medium-Density.

15 CHAIR HANSSEN: And you didn't say there's also  
16 the possibility of triplexes or something more than  
17 fourplexes, but I thought that was a good benchmark that  
18 you suggested for us to consider. So the numbers would be  
19 different if we looked at different sizes of units, if we  
20 were going to have five or six units or three.

21 Commissioner Thomas.

22 COMMISSIONER THOMAS: Thank you, Chair Hanssen.  
23 When I originally looked at this I thought that although it  
24 doesn't change the number of parcels... Well, I guess it cuts  
25

1 it in half, right? So for Medium-Density Residential I did  
2 also think about what just has been said and what we spoke  
3 about last time, how it doesn't mean that necessarily all  
4 these parcels will be developed, but giving the Town and  
5 individual owners and residents the option in having it  
6 spread out through more areas I think is something that I  
7 want to make sure that we're not getting too close to that  
8 less than 10% number, because I do think that that just is  
9 more limiting and not as flexible for residents in town. So  
10 I just wanted to say that when I initially looked at all of  
11 these figures, that was my initial reaction.  
12

13 CHAIR HANSEN: While the rest of you are  
14 thinking, I would also point out that one of the things  
15 that we came to in the last meeting was trying to translate  
16 between density and numbers of units, and while this table  
17 that is in the Staff Report today gives us an idea of the  
18 numbers of units that would qualify for a fourplex, that's  
19 not the same as how many units of reduction if we were to,  
20 say, go from maximum of 12 density dwelling units per acre  
21 to 10 or to 8 in Low-Density Residential, it's not going to  
22 tell us how many units less of a potential build-out we  
23 would have, because it models on to assume how many units  
24 would actually convert over, and so even if we pick the  
25

1 densities we're not going to know for sure how many units  
2 it will be.

3           Likewise when we were talking at our previous  
4 meeting and we were talking about trying to reduce a  
5 certain number of units we don't know what the density  
6 would be until all the calculations get made, so we have to  
7 kind of deal with imperfect information regardless of what  
8 we do, but my thought in thinking about this since last  
9 week is that we should think more about the density,  
10 because we can kind of visualize where and how many we  
11 could do of that kind of housing, and then Staff will have  
12 to come up with a number, because if we come up with a  
13 number we don't know if we'll be able to have missing  
14 middle housing.  
15

16           Commissioner Thomas is nodding her head, but do  
17 you have more comments?

18           COMMISSIONER THOMAS: Yes, I just wanted to add  
19 onto that, I think that that is really important to be  
20 thinking about and it has made this conversation I feel  
21 like harder for us to have, because we don't know what some  
22 of the outcomes of the changes will be.  
23

24           I did actually have a question for Staff. I was  
25 wondering what other Commissioners thought about this. If  
we decide to change some of the densities or any of the

1 numbers essentially in this Land Use Element, does that  
2 delay the process of it being forwarded to the Town  
3 Council? Because I feel like we've had a really robust  
4 discussion, and I know that our Town Council members listen  
5 to what we say and they will get verbatim minutes, so I  
6 just don't want to waste anyone's time by saying let's make  
7 all these changes and then they're going to make changes  
8 again or revert back in some areas, so I was just wondering  
9 how it would affect the timeline or if it doesn't affect  
10 the timeline at all?

12 JENNIFER ARMER: Thank you, Commissioner. What I  
13 would say is that this is actually very similar to the  
14 recommendation you received from Town Council on the types  
15 of options they wanted to make sure we provided to you for  
16 your discussion. You can give Town Staff direction on the  
17 types of changes that you'd like to recommend to Town  
18 Council, and then we can provide additional details for  
19 Town Council when they consider your recommendation. They  
20 will have a summary both of the resulting numbers, but also  
21 of the comments that were shared by the Planning Commission  
22 for their consideration. I don't expect that that would  
23 delay us getting to Town Council. There are certain  
24 logistical things like public noticing that need to be  
25 done, and so within that time we expect we should be able

1 to pull together that additional information to fully  
2 describe what your recommendation is and the implications  
3 in terms of numbers.

4 COMMISSIONER THOMAS: Okay, thank you. I just  
5 wanted to make sure that we were not unintentionally  
6 delaying something further, because I know that we've been  
7 trying very hard to get this to Town Council so that we can  
8 get it finalized and really start working on the Housing  
9 Element, so thank you. I appreciate that.

10 CHAIR HANSSEN: Before I call on Commissioner  
11 Janoff I was going to state that I didn't specifically go  
12 there when I made my introductory comments, but that it  
13 would be our intent, even if we are still divided on some  
14 of the issues surrounding the numbers, that we will not  
15 continue this to another meeting, that we'll leave it at  
16 that, but it is my hope, and with the additional  
17 information we got in the Staff Report, that we can get  
18 closer, because I think there was consensus on a number of  
19 things when we had the discussions previously, so we'll see  
20 where we are.

21  
22 I will go to Commissioner Janoff now.

23 COMMISSIONER JANOFF: Thank you. In light of this  
24 discussion I would like to offer a recommendation on  
25 bullets one and two with some rationale, because again, I

1 think it's not a good idea for the Planning Commission to  
2 just throw out numbers without having a reason why we want  
3 to change those numbers.

4           We already talked about the Office and  
5 Commercial. In Low-Density I would recommend that we reduce  
6 the density from 12 dwelling units per acre to 10. This  
7 gets us above the 10% number that Staff is recommending  
8 where the missing middle is still a robust part of the  
9 solution set, and that's of great interest to the GPAC and  
10 to me personally, so I would recommend going to 10. In  
11 addition, I would recommend that we go from 24 in Medium-  
12 Density down to 18 for similar rationale.

14           One of the reasons why I'm making this  
15 recommendation for reduction is related to what the Town  
16 Attorney provided as guidance, and that is with regard to  
17 SB 330 we don't want to up-zone so far that we don't have  
18 room afterward to say oh no, and we're stuck. So if we up-  
19 zone a little bit without going to the maximum, we still  
20 have room to grow and we have the five-year review of the  
21 Land Use Element, so if we feel that we're not making the  
22 necessary headway, we have the opportunity to bump that up  
23 to 12.

24           I know that Commissioners were eager to see the  
25 General Plan with numbers that didn't need to change at

1 that five-year mark, but I think in light of the comments  
2 that we received today, it's prudent that we have a buffer  
3 that we could work from, so those would be my  
4 recommendations for bullets one and two.

5 CHAIR HANSSEN: Thank you for that, Commissioner  
6 Janoff. Commissioner Thomas and then Vice Chair Barnett.

7 COMMISSIONER THOMAS: I did have a question  
8 actually for Commissioner Janoff. I do agree that I think  
9 that changing the Low-Density housing from 12 to 10 seems  
10 like that is still a significant increase from where we're  
11 at today in the current General Plan, and I think that it's  
12 good and allows for opportunity and is still above that  
13 10%, but I do think that Medium-Density Residential is  
14 closer to areas where we can end up building more transit  
15 and I think that that's going to end up being places where  
16 we would like some more redevelopment and more  
17 walkable/bikeable neighborhoods

18 I know that Town Staff just put 24, 18, and 12 in  
19 here to show a halfway point, but would you be interested  
20 in changing it to like 20 instead of all the way down to  
21 18? Because I feel like decreasing this whole area percent  
22 of parcels by half seems like we're just going to be losing  
23 out on a lot of opportunities possibly for redevelopment  
24  
25

1 jumping from 21 to 11, but I am open to hear what people  
2 think about that.

3 CHAIR HANSSEN: Thank you for that comment. I  
4 will go to Vice Chair Barnett, and then Commissioner Clark,  
5 and then back to Commissioner Janoff.

6 VICE CHAIR BARNETT: I'm in support of  
7 Commissioner Janoff's recommendation. If I could refer to  
8 some notes that I made, I can explain my position.

9  
10 Since our last meeting I've given considerable  
11 thought to the comments of my fellow commissioners  
12 regarding the build-out capacity, and I've spent a lot of  
13 time looking at the numbers and I agree that the reduction  
14 from 24 to 18 and 12 to 10 makes a lot of sense. Although  
15 we don't have the precise numbers of the units that will  
16 yield from that at this time, I think we can generally find  
17 that those are reasonable.

18 My willingness to include a larger figure at this  
19 time is based on a number of factors, including the  
20 consideration that the RHNA goals include increasing  
21 affordable housing, promoting socio-economic equity, and  
22 furthering fair housing, and I think that the ADUs and SB  
23 9s will provide additional housing in the Low-Density  
24 Residential designation.  
25

1           Finally, it's just been referred to before, we're  
2 planning for capacity and not controlling the building, and  
3 so for better or worse the actual housing construction  
4 likely will go to very much smaller than the capacity due  
5 to the economics of development.

6           I'd like to give an example. In the 2019  
7 ordinance in the City of Minneapolis that allows duplexes  
8 and triplexes on all residential lots, which was cited in  
9 the article recommended by Council Member Ristow, only  
10 three triplexes were built in 2020 according to a later  
11 article in the same publication.

12           So I think for all those reasons it makes sense  
13 to come to a reasonable compromise. Thank you.

14           CHAIR HANSSEN: Thank you very much for those  
15 comments, and what Vice Chair Barnett was referring to is  
16 Vice Mayor Ristow referred an article to us that was  
17 talking about trying to come up with affordable housing and  
18 what are some of the dynamics about that, and it was a very  
19 helpful article, I think, for all of us in terms of this  
20 discussion, so thank you so much for that, Vice Chair.

21           Then I will go to Commissioner Clark, and then  
22 Commissioner Raspe, and if anyone else wants to speak.

23           COMMISSIONER CLARK: Thank you. I will just say I  
24 personally would not be in favor of reducing any of these.

1 This is how I would feel, but I'm perfectly willing to  
2 compromise and I'm not going to just vote no because I  
3 wouldn't...

4           This isn't my perfect scenario, obviously, but to  
5 me this missing middle housing and these fourplexes are  
6 exactly what we are talking about in terms of what can  
7 satisfy our housing needs without dramatically increasing  
8 traffic and without changing the character of our Town, and  
9 so to me it doesn't feel like it makes a lot of sense to  
10 reduce these opportunities, especially things like if these  
11 are able to be spread throughout Town in these areas, then  
12 that would ease traffic a lot rather than just us putting  
13 all of our housing on Los Gatos Boulevard or something like  
14 that.

16           Then also segregation is very real, and a lot of  
17 times affordable housing ends up in the same area and towns  
18 can become very segregated. We've seen this in other  
19 communities in our area and so I think that this housing is  
20 also a really good solution for dispersing it.

21           I completely understand the wanting to appease  
22 some of the community members and make it clear that we've  
23 been hearing their concerns, but I especially think in the  
24 Medium-Density Residential cutting that number in half  
25 doesn't make sense to me. I think that in particular, like

1 Commissioner Thomas said, that is probably closer to  
2 transportation and where we could build more transportation  
3 and I would prefer to leave that where it is, because  
4 fourplexes in Medium-Density Residential I think make  
5 particular sense to me.

6 CHAIR HANSSEN: Thank you very much for your  
7 comments, Commissioner Clark. Commissioner Raspe.

8 COMMISSIONER RASPE: Thank you, Chair. First I  
9 wanted to thank Staff for preparing these numbers. They're  
10 extraordinarily helpful, and I know we gave them very  
11 little time to prepare them, so thank you again for  
12 hopefully not working on the weekend, but pulling all these  
13 together. Random thoughts in no particular order.

14 First, I join Commissioner Clark in her comments.  
15 I was surprised that the current allocation of parcels in  
16 Medium-Density areas that were able to handle fourplexes  
17 was only 5%. In my mind's eye it seems to me that missing  
18 middle and fourplexes specifically are a perfect fit for  
19 Medium-Density, so I was really surprised that it is only  
20 currently 5%, and so I support an increase in those areas,  
21 and I can be discussed either way as to whether that should  
22 go to the entire GPAC number or some lower number thereof.  
23

24 On lower-density housing, I think my previous  
25 position was I was hoping to hold close to the bottom on

1 those, but again, this report is very helpful. Currently  
2 only 3% of our parcels would support missing middle, and it  
3 seems to me that that's a number that can be raised and we  
4 can still maintain the integrity of the look and feel of  
5 Los Gatos that so many of our residents voiced during their  
6 comments, and so I would be willing to come up from that 3%  
7 number.

8           Commissioner Janoff proposes 10%. I'm a little  
9 bit more comfortable with 8% as the figure just because of  
10 the SB 9 situation. I think that there is a potential for  
11 lot splitting. I think there may be more development in  
12 that area than we're currently aware of.

13           Then taking into account the SB 330 discussion,  
14 I'm leaning towards keeping that at the lower number, but  
15 it seems to me that Commissioners are coming towards a  
16 consensus, and if there's a consensus in that discretion I  
17 remain flexible and my mind is opened, so I'm happy for  
18 this discussion.

19           Again, thank you, Staff, for providing this  
20 material for us. I think it really has helped us move the  
21 ball forward on this one.

22           CHAIR HANSSEN: Thank you for your comments,  
23 Commissioner Raspe. That was very helpful. Commissioner  
24 Thomas.

1 COMMISSIONER THOMAS: Can I get clarification  
2 from Commissioner Raspe? When you say the lower number,  
3 what numbers were you specifically referring to that you  
4 are most comfortable with?

5 COMMISSIONER RASPE: With respect to Low-Density  
6 or Medium-Density?

7 COMMISSIONER THOMAS: Well, I feel like for Low-  
8 Density you referred to 10.

9 COMMISSIONER RASPE: For Low-Density my  
10 inclination before the meeting tonight was for 8, and I  
11 still feel that that would be a useful number, again  
12 considering that we have SB 9 to also add numbers in those  
13 areas, and SB 330 is kind of a backdrop that there could be  
14 problems in up-zoning as opposed to down-zoning and we'll  
15 revisit every five years.

16 On the Medium-Density, I think I like your  
17 suggestion. It seems like there's a large chasm between the  
18 percentage of parcels, 11% and 21%. I wouldn't mind seeing  
19 a discussion maybe in between those two ranges, because  
20 again, in my mind's eye Medium-Density is the perfect fit  
21 for missing middle.  
22

23 COMMISSIONER THOMAS: I agree. Thank you for  
24 clarifying. I think also what has helped me is looking at  
25 the land use diagram, figure 36 in the Draft General Plan,

1 but looking at it, that Medium-Density Residential is  
2 concentrated along Los Gatos Boulevard near the Highway 9  
3 intersection into downtown and then downtown, and actually  
4 a lot of that is some historic overlay zones, which I think  
5 a lot of those parcels look small, but I think that that  
6 also offers additional protection in the sense of  
7 maintaining the character of the Town, and I think that  
8 it's also in areas that have very strong neighborhood feels  
9 already, and so I really think that it does provide us with  
10 a lot of opportunities to retrofit and change things into  
11 duplexes and triplexes and fourplexes but really maintain  
12 the integrity and Town character that is really important  
13 to people, so that's one of the reasons why I felt like  
14 reducing all the way down to 18% seemed like a really big  
15 jump, like we might be missing some opportunities there.

17 I just again want to emphasize what Vice Chair  
18 Barnett just said, that just because the number of parcels  
19 are available, only a small fraction of those are actually  
20 going to get developed, so for me personally, like  
21 Commissioner Clark said, I want to come to a consensus and  
22 I want to vote with the group and be supportive as a  
23 Commission with a recommendation moving forward, but my gut  
24 is still telling me that we be able to provide property  
25 owners with the opportunities to be able to do this.

1 I know that the down-zoning is not an option in  
2 the future, but it just still seems like we need to be  
3 providing options instead of limiting options, so that's my  
4 main concern.

5 CHAIR HANSSEN: Thank you for that, Commissioner  
6 Thomas.

7 I was just going to make a few comments. I love  
8 where this discussion is going, because it sounds like  
9 we're kind of gelling on some sort of consensus.  
10

11 After thinking it over since last week and  
12 listening to the discussion tonight, during last week's  
13 discussion I was in the camp of making some reductions but  
14 not eliminating any categories, and the reason I gave for  
15 it, and I'll give again, is that I think as we were talking  
16 during the whole GPAC process that we don't want to  
17 concentrate affordable housing in just one part of town,  
18 and the early things we've been seeing with the Housing  
19 Element with our inventory, for many, many reasons it turns  
20 out that a very large number of the sites that have  
21 potential for affordable housing are going to be on Los  
22 Gatos Boulevard.

23 However, those are not Low-Density Residential  
24 converting to a four-unit fourplex. We're talking about  
25 bigger numbers, because when we're trying to put together

1 the Housing Element we're only going to be able to have so  
2 much room to put Low-Density Residential as unit counts  
3 into meeting our RHNA, so going back to the numbers I was  
4 of the mind of making a reduction but not going all the way  
5 back to the 2020 levels, and in looking at the table, which  
6 I also thought was very, very helpful.

7  
8 I actually started out in the same camp as  
9 Commissioner Raspe, which is 8 dwelling units per acre for  
10 Low-Density Residential, because I thought we could  
11 increase it later, but if we're not going to even make it  
12 possible to do missing middle housing, then what is the  
13 purpose of even changing the density at all? And we also  
14 want to be mindful of trying to spread some of the housing  
15 across Town, so I am comfortable with the 10 dwelling units  
16 per acre. We will have the opportunity to relook at it in  
17 five years, and if it turns out that the housing production  
18 isn't what we want, we can revise it, but we obviously  
19 can't go backwards.

20  
21 On the Medium-Density Residential I initially  
22 thought the 18 dwelling units per acre, but in looking at  
23 it again and hearing the comments tonight, I think we ought  
24 to consider maybe splitting the difference and doing 20,  
25 and that way we can assure the production of missing middle  
housing in some of the areas to help spread out the growth.

1 I'll go back to Commissioner Janoff.

2 COMMISSIONER JANOFF: Thank you, and what Chair  
3 Hanssen just finished saying was just about verbatim what I  
4 was going to say, and thank you so much for the perspective  
5 on the Medium-Density. I do still recommend a reduction, so  
6 that gives us a little bit of room under the SB 330, and I  
7 would certainly support a recommendation that splits the  
8 difference at 20, but I would still recommend 10 on Low-  
9 Density.  
10

11 CHAIR HANSSEN: Commissioner Tavana.

12 COMMISSIONER TAVANA: Yes, thank you, Chair. I  
13 wasn't here the last two meetings and I want to say that in  
14 a general sense I'm in support of lowering the density  
15 across the Board, but using the rationale of up-zoning  
16 right now and the revisiting in five years. I would think  
17 it would be wiser to be conservative and just go not as  
18 high as I would say 8 or 10, so I would err on the  
19 conservative side personally.

20 CHAIR HANSSEN: Thank you. Everyone has their  
21 thinking behind this and we want to hear what everyone  
22 thinks.

23 Commissioner Clark.

24 COMMISSIONER CLARK: Thank you. Just a quick  
25 comment on Medium-Density Residential for splitting the

1 difference to 20. So 20 is only two over 18 and 4 below 24,  
2 and my concern is we don't know how much more or less we're  
3 getting when we do that. Like we might only get 50 more  
4 units or something, and so I don't know if this is  
5 possible, but I was wondering if there's a way to do that  
6 one by number of parcels, and so like 500 parcels, which  
7 would actually be kind of splitting the difference between  
8 350 and 708 or something like that?

9  
10 CHAIR HANSSEN: I think I see where you're going  
11 on it. I'm going to ask Staff a question. If we were to  
12 make that as a recommendation that we want to make a  
13 reduction, but since we don't know what the table would be,  
14 if it were 20 dwelling units per acre could we do it by the  
15 number of parcels that would be eligible for a fourplex?

16 JOEL PAULSON: I'll start, and then Ms. Armer can  
17 jump in. That's not really a direct correlation, because it  
18 would be a different lot size, so then we have to rerun the  
19 GIS to figure out how many parcels that is. It's not a  
20 linear if you change it to 20 it's going to be halfway  
21 between or something like that, so that would be my  
22 caution, but Ms. Armer might have some additional comments  
23 on it.

24  
25 JENNIFER ARMER: I would say that we could do the  
research to find out approximately what density would bring

1 us up to 500 parcels. It's a little more complex, since we  
2 have to run multiple numbers until we get kind of close to  
3 that to figure out what level of density captures and  
4 includes 500 parcels, so I think that's something that we  
5 could do. We might end up with a very odd density, like  
6 20.5 or something odd like that, so I don't think that's  
7 what Staff would recommend in terms of a way of moving  
8 forward with his. Round numbers generally are a good plan  
9 in terms of implementation of this.  
10

11 But I think there's clearly an understanding that  
12 you're looking for something that's a bit more than some of  
13 the numbers there. I think we can include that as part of  
14 the description of the discussion that the Planning  
15 Commission had. If it's the will of the Planning  
16 Commission, I think we could try to come up with a number  
17 based on the number of parcels that should be large enough  
18 to allow a fourplex, but it does become a much more  
19 complicated calculation, and it looks like Director Paulson  
20 might have something to add.  
21

22 JOEL PAULSON: Just for further clarification, we  
23 would probably run 20 and 22, so you have kind of every  
24 increase of two units per acre; we'd get you those numbers  
25 and we can provide that.

1 I think bigger picture, stepping back, it sounds  
2 like the Commission is having another great conversation.  
3 It really is what's that comfort level from a Commission  
4 perspective? Is it on, as Commissioner Tavana spoke about,  
5 the more conservative side, or is it the more aggressive  
6 side, or somewhere in between that? I think these are  
7 helpful conversations.

8 We wouldn't come up with a 20.5 density  
9 obviously, so again, we'd probably provide information on  
10 20 and 22, see how many parcels that is, and see if that  
11 helps inform a decision, unless there's an opportunity  
12 tonight where the Commission agrees to a number moving  
13 forward, and then as Ms. Armer mentioned, we'll carry  
14 forward. There were some other thoughts obviously.

15 Many Council members, if not all of them, have  
16 been watching all of these meetings, so I think that's  
17 helpful that they also will, as has been mentioned tonight,  
18 get verbatim minutes as well. The videos are all available.  
19 So it's helpful to have these dialogues and see if we can  
20 come to a conclusion, but if the Commission can't get there  
21 this evening we can always continue it and provide whatever  
22 additional information within reason that the Commission is  
23 interested in.  
24  
25

1           JENNIFER ARMER: Or I would say that the Planning  
2 Commission could make a recommendation for, say, 20 with an  
3 indication that the desire is to get the number of units  
4 close to 500, and if it's not close to 500 then we could  
5 include in the Staff Report to Town Council an alternative  
6 that is closer to that number.

7           CHAIR HANSSEN: Thank you for that, Staff. Before  
8 I go back to Commissioner Thomas and Commissioner Clark,  
9 just listening to this, I think for the sake of simplicity  
10 it would be cleaner to... Because we know for sure that if it  
11 was 20 it would be somewhere in between 354 and 708 parcels  
12 that would be eligible, so we know it would be more or less  
13 if you're looking to reduce the amount of units of growth.  
14 I would be comfortable more with choosing the density in  
15 between and then having Staff run the numbers, but let me  
16 see what others think.

17  
18           Commissioner Thomas was first, and then  
19 Commissioner Clark.

20           COMMISSIONER THOMAS: Thank you, Chair Hanssen. I  
21 think that for me personally, having a conversation about  
22 percentage versus number of parcels would be helpful to see  
23 where people are at. I understand, Staff, that that still  
24 creates the same issue for you, but I think that that  
25 really is the key piece of data here considering that some

1 of us really strongly feel that we need to definitely stay  
2 above 10%, but I think that I would feel comfortable saying  
3 that we want to move forward with keeping the 24 units per  
4 acre to the Town Council with the note that if they get  
5 additional information ensuring that they have our  
6 "blessing," for lack of a better term, to definitely change  
7 it downwards as long as it stays above X percent of  
8 parcels, something like that. I don't know if that would be  
9 easier for us to discuss or not and come to a conclusion  
10 on, but that is my maybe a suggestion.

12 CHAIR HANSSEN: Several Commissioners have their  
13 hand up, so Commissioner Clark is next, and then  
14 Commissioner Raspe, and then Commissioner Tavana.

15 COMMISSIONER CLARK: Thank you. I really like Ms.  
16 Armer's suggestion of changing the density to 20 with the  
17 indication that we want to keep it above a certain number  
18 of units, and I think that 500 is a good number for that,  
19 because technically the perfect middle between 354 and 708  
20 is 531, and so I think adding the indication to keep it  
21 over 500 would be a good way to ensure that we're still  
22 meeting our intended purpose when lowering the density to  
23 20.

24 CHAIR HANSSEN: Thank you for that, Commissioner  
25 Clark. Commissioner Raspe.

1           COMMISSIONER RASPE: Thank you, Chair. Again,  
2 just with respect to Medium-Density, I would encourage us  
3 to have more specificity rather than less. I think the last  
4 meeting we had, and the reason we had this chart, was  
5 because we started getting into fields of discussion that  
6 were less precise and I think Commissioners, at least  
7 myself, weren't comfortable in that direction, and so I  
8 would like to stick to the numbers that I think have been  
9 presented to us.

10  
11           While I would have loved to have seen figures  
12 between 18 and 24, which yield percentages between 11-20%,  
13 since we don't have that this evening my present  
14 inclination would be to proceed with 18, as Commissioner  
15 Janoff suggested, again with the understanding this is  
16 subject to the five-year reviews and is subject to SB 330.  
17 I think as Commissioner Tavana indicated, it's a more  
18 conservative approach but still gets us over the 10%  
19 threshold, which it would allow missing middle to, I think,  
20 at least begin to flourish in Medium-Density. Thank you.

21           CHAIR HANSSEN: Thank you for that, Commissioner  
22 Raspe. Commissioner Tavana.

23           COMMISSIONER TAVANA: Thank you, Chair. Just a  
24 couple of general comments from a high level here. Looking  
25 at these numbers they do kind of scare me; I'm going to be

1 honest. 1,993 units is a lot for our Town in my opinion, so  
2 talking about going up to 3,700-and-some-change from a high  
3 level was scary, and then digging a little bit deeper into  
4 this and trying to take a more conservative approach, and  
5 also knowing that this is a General Plan. I know we  
6 emphasize this throughout all of the elements, that the  
7 General Plan is general, and there are a lot of unknowns in  
8 my opinion about moving forward with this many housing  
9 units, how it's going to be implemented, so personally, for  
10 me, I would be comfortable with the RHNA allocation plus  
11 15%, and then delineate it down there below.

13 That's a conservative approach based on the  
14 rationale we discussed and I was watching at previous  
15 meetings. We're going to revisit this in five years, so I  
16 don't know why we take a more aggressive approach. The  
17 control is with us at the Town level, but if we over-zone  
18 or add too many units, we can't backtrack and then we lose  
19 all that control, so I think we would have the most control  
20 by being the most conservative right now and then adding  
21 down the road.

22 CHAIR HANSSEN: All right, thank you for that,  
23 Commissioner Tavana. If you notice in the Staff Report,  
24 there are some elements of this discussion that while we're  
25 talking about reducing the number and we're primarily

1 talking about what's going to happen in the next eight  
2 years for this current RHNA cycle, there are some things  
3 that are going to change the numbers, and I see some other  
4 people with their hands up.

5           For instance, the ADU count, there are 200 units  
6 of ADUs in the current eight-year time cycle, and then  
7 there's going to be another 300, and this is a number that  
8 we feel pretty good about because we have experience with  
9 ADUs, and regardless of any changes that we make in  
10 densities here, ADUs are completely out of our control. So  
11 there's going to be another 300 units of growth from ADUs  
12 regardless of the RHNA, because we can't count the 300 ADUs  
13 that will happen in the future in the RHNA, if that makes  
14 any sense.

15           So I'll see what the other Commissioners say, but  
16 when we had the discussion at the last meeting about  
17 whether or not in number 20 in the Land Use section the  
18 recommendation to stick to only exactly 1,993 plus a 15%  
19 buffer, that technically isn't possible in the General Plan  
20 because of some things that are outside of that timeline  
21 that we have no control over.

22           So I think it was Commissioner Janoff, and then  
23 Commissioner Thomas, and then Commissioner Clark.

1                   COMMISSIONER JANOFF: Thank you. I just wanted to  
2 emphasize that what we're working on, as Commissioner  
3 Tavana says, it is a General Plan, but it has to be a plan.  
4 If we're expecting to reach anything close to what the  
5 expectation is for housing it's got to have a lot more  
6 units than just the RHNA, and as Chair Hanssen said, we are  
7 planning for 12 additional years beyond just the RHNA  
8 numbers, so it has to be more, because you couldn't  
9 possibly anticipate that the next couple of RHNA cycles  
10 would be zero, so we are planning. We're not building, but  
11 we have to have a plan that makes sense to the Town, we  
12 have to have a plan that makes sense to developers, we have  
13 to have a plan, in my opinion, that continues to enable  
14 Staff to have more local control than not, and so providing  
15 these mechanisms I think for growth, and height, and  
16 density, do all of those things.

18                   We've heard from many, many developers what  
19 doesn't make sense and how the Town's codes are in some  
20 ways limiting what they can do, and I think the article  
21 from Vice Mayor Ristow was very informative in underscoring  
22 those points, so I don't think this is the time to be  
23 conservative. I completely understand that position. We all  
24 are sensitive to growth uncontrolled, but that is not what  
25 we are talking about. We are talking about planned growth.

1 I could support any number of versions of Low-  
2 Density and High-Density, but they can't be back to the  
3 2020 numbers. We can't get there from those, and I'm not  
4 sure that it makes sense overall.

5 And again, I've spoken before about how the  
6 General Plan is intended to be an internally cohesive  
7 document. We can't get to the sustainability of work, we  
8 can't get to racial and social justice, if we don't take  
9 this as a whole. This part is just one piece that creates  
10 that last arc that we need to have the General Plan as a  
11 whole, and I think it's really important for us to be able  
12 to be more forward looking than not, and I just really  
13 appreciate the comments of the Commissioners. This has been  
14 a great conversation. I've learned a lot and I like the  
15 path that this is going down.

17 CHAIR HANSSEN: Thank you for that, Commissioner  
18 Janoff. Commissioner Clark.

19 COMMISSIONER CLARK: Thank you. Thank you so much  
20 for that, Commissioner Janoff. That was very well worded  
21 and I completely agree. I just have a couple of comments.

22 I think in terms of why do we take a more  
23 aggressive approach if we're going to be looking at this  
24 again in five years, I think to me my answer would be five  
25 years is actually pretty far away and there are new state

1 bills coming every single year, and I think that there's a  
2 very real possibility that if we waited five years to make  
3 these changes we could have a lot less control by than, and  
4 I think it's better to keep it in our own hands and that's  
5 a strong argument for being a little more forward thinking,  
6 because I think five years is becoming a longer and longer  
7 amount of time in this state with the way that housing is  
8 moving.

9  
10 Also, just in terms of getting our Housing  
11 Element through, we have to do that now. We're not going to  
12 do that in five years, and the bigger the number the more  
13 likely it will be that we get it approved.

14 I also think in terms of reducing the Medium-  
15 Density Residential to something like 20 and saying keep it  
16 over a threshold of 500 parcels is way less ambiguous than  
17 what we were doing last meeting, which was pretty much just  
18 saying change the density but don't lose missing middle  
19 housing, so I think that it's not ambiguous. I think if we  
20 have a very strong understanding that it will be pretty  
21 much between 20-22 and it will be like a threshold of 500,  
22 that that is specific enough for me to feel comfortable  
23 with it.

24  
25 CHAIR HANSSEN: Thank you very much for that,  
Commissioner Clark.

1 I concur completely. I think that that is a very  
2 specific recommendation, and I think that although there  
3 are people at different degrees of this, I think we have a  
4 general consensus from the Commission to reduce the total  
5 build number somewhat to be more conservative, because we  
6 don't know what the RHNAs will be after the 2031 timeframe.

7  
8 So I would go back to where I was when I made my  
9 comments earlier, that I would be very comfortable with  
10 making some reduction in Low Density Residential and Medium  
11 Density Residential, and we already agreed to take Office  
12 and Service Commercial off the table, and so I think that  
13 the 10 number is the one that makes sense for the Low-  
14 Density Residential so that we can facilitate missing  
15 middle housing.

16 Then I like Commissioner Clark's suggestion about  
17 the 20 with the proviso of it being in the range of 500 so  
18 that it's specific what we are trying to accomplish, and  
19 that's still a reduction from the maximum of 24 that is  
20 currently proposed in the plan, so it does get the number  
21 down some and reduces risk some, but it still doesn't  
22 preempt missing middle housing.

23 Commissioner Janoff, and then Commissioner  
24 Thomas.

25

1           COMMISSIONER JANOFF:  If I'm summarizing, I would  
2 say that the proposal is Low-Density Residential at 10; and  
3 Medium-Density Residential at either 20 or 22, whichever  
4 gets us to the 500 or close to the 500 number, 500 or  
5 above.  So we have a specific number and a specific goal,  
6 and I think that's pretty clear.

7           CHAIR HANSSEN:  And are you comfortable with it?

8           COMMISSIONER JANOFF:  (Nods head yes.)

9           CHAIR HANSSEN:  Okay.  Commissioner Thomas.

10          COMMISSIONER THOMAS:  Thank you, Chair.  My  
11 recommendation is that we, like I said, go with a  
12 percentage, because I think that gives Staff more  
13 flexibility.  Instead of being like it has to be at 500 we  
14 say like... I mean, splitting the difference between the 21  
15 and 11 would be 16%, but that's like it's more about the  
16 overall percent than the number of parcels, so then  
17 whatever number... The number of parcels is always like an  
18 odd number.  I mean, not necessarily odd, but a random not  
19 even or round number, so that would be my recommendation.  I  
20 feel like that might be easier for Staff to go in that  
21 direction to say a percent.  I don't know if that makes  
22 sense.  
23

24          CHAIR HANSSEN:  Ms. Armer has a comment for you.  
25

1 JENNIFER ARMER: I just thought I'd clarify what  
2 I heard in the most recent comments from Commissioner  
3 Janoff, which is that if she were to, say, turn her summary  
4 into a motion it would be that the Medium-Density  
5 Residential would be 20 units per acre, unless that doesn't  
6 include 500 parcels, in which case it would be bumped up to  
7 22. And so it isn't that it needs to be exactly 500, it's  
8 just that if the 20 isn't getting you to 500 parcels that  
9 you would be recommending it go up to a density of 22 units  
10 per acre.

11  
12 COMMISSIONER THOMAS: Okay, thank you. I think  
13 that the 500 was a number that Commissioner Clark threw out  
14 and it's actually like closer to 550 than 500, so that was  
15 my recommendation of like choosing a percent, then it is  
16 kind of a little bit more. I don't know, anyway, if it  
17 doesn't make sense to everyone else, then that's fine.

18 CHAIR HANSSEN: Thank you for that. Commissioner  
19 Janoff.

20 COMMISSIONER JANOFF: I was just going to comment  
21 that I do agree that we want to do what is easiest for  
22 Staff to get us to a solid number. I think in either case  
23 it isn't a linear projection, so you could say 15% and you  
24 might still only be at 400. We don't know, because we don't  
25 know how those numbers work out. I would defer to Staff. If

1 Staff says they can get us to an increase over the 18 with  
2 20% or 22%, then I would say that that's probably a simpler  
3 way for Staff to go than try to hit a percentage.

4 CHAIR HANSSEN: Commissioner Thomas.

5 COMMISSIONER THOMAS: I guess that my problem  
6 with this whole discussion is that I don't really care  
7 about the number of parcels, it's about the percent of  
8 parcels that qualify. So like yes, 500 is somewhere between  
9 708 and 354, which is great, but at the end of the day if  
10 we're being told 10% is the marker, I don't understand why  
11 we can't have the conversation... Or I think that, I don't  
12 know, I just feel like it isn't easier like as 15%... Like  
13 thinking about 15% of parcels around Los Gatos is a much  
14 easier number to understand and acknowledge and recognize,  
15 I think, than, say, 300, 400, 500, 600, 700 parcels,  
16 because we don't... I just want to know what people I guess  
17 are comfortable with percent-wise, because I think that  
18 that's the key part.

19 CHAIR HANSSEN: Thank you for that. Director  
20 Paulson, you had your hand up, and so why don't we go back  
21 to you?

22 JOEL PAULSON: Thank you. I'm not sure it's  
23 necessary to get to a percentage. This is the third meeting  
24 we've talked about this and talked about different metrics,  
25

1 but maybe to alleviate some of the concerns of Commissioner  
2 Thomas, 500 units is 15% of the total parcels in the  
3 Medium-Density Residential, so that number actually is the  
4 number, and so whatever that density is, we'd have to  
5 determine that by doing the GIS on the parcel size that  
6 equates to that density, but just from your percentage  
7 conversation, 500 is actually 15%.

8           COMMISSIONER THOMAS: Yeah, and I understand  
9 that. I just want to know what other Commissioners think  
10 about what percent is like the cutoff, because one of us  
11 just threw out 500 units and no one else like I don't  
12 really think went into that math right then, so is 15%  
13 something that we're all comfortable with? Because I think  
14 at the end of the day that's the important part.

15           CHAIR HANSSEN: Commissioner Clark, and then  
16 Commissioner Janoff, and then Commissioner Raspe.

17           COMMISSIONER CLARK: Thank you. The reason I had  
18 thrown out the 500 number was that 531 is the middle  
19 between 354 and 708, so I didn't just like say 500 for no  
20 reason, but I think that it's pretty much just being used  
21 to then decide the density number. Like 500 is not going to  
22 be a number that goes out and is used in the General Plan  
23 or that is talked about a lot, but it will be the threshold  
24 for deciding whether it's 20 or 22, and so to me I don't  
25

1 see a difference between the percent of parcels and the  
2 number of parcels, because I think as you get to that area  
3 it will at least very closely correspond to the percent,  
4 like 500 ended up being 15%.

5 My main point would be that I think we should do  
6 it however Staff is most comfortable doing it and whatever  
7 makes it the easiest on them, which to me it sounds like is  
8 just giving a number.

9 CHAIR HANSSEN: Thank you for that, Commissioner  
10 Clark. Commissioner Janoff, and then Commissioner Raspe,  
11 and then back to Commissioner Thomas.

12 COMMISSIONER JANOFF: To answer the specific  
13 question of what percentage are we comfortable with, I'm  
14 comfortable with following Staff's guidance, which is  
15 comfortable with following Staff's guidance, which is  
16 greater than 10%. We're already at 11% at the 18 dwelling  
17 units per acre, so without needing a very specific number  
18 I'm comfortable saying an increase will be an increase over  
19 that 11%.

20 CHAIR HANSSEN: Thank you for that. Commissioner  
21 Raspe.

22 COMMISSIONER RASPE: Thanks, Chair, and to answer  
23 Commissioner Thomas' question, again, we're all kind of  
24 thinking out loud and rolling with it as we go. Fifteen-  
25 percent seems not an unreasonable number. Again, this is

1 Medium-Density housing allocation and we're talking about  
2 missing middle housing and fourplexes. Again, I said it  
3 earlier, to me those two go together splendidly, and so the  
4 notion that we would allocate 15% of those structures to  
5 this very purpose seems to me appropriate, so whether we  
6 fashion it as 15% or 500 units, the result seems to be the  
7 same for me. I feel very comfortable in that allocation.

8  
9 CHAIR HANSSEN: Thank you for that. Before I go  
10 back to Commissioner Thomas we have to remember what our  
11 goal is. Nothing other than the dwelling units per acre is  
12 going to be in the General Plan. Well, there's height too,  
13 but nothing is going to be in the General Plan other than  
14 that number, so we're all saying that same thing, that we  
15 want to ensure the production of missing middle housing and  
16 that makes especially good sense in Medium-Density  
17 Residential.

18 I think the consensus of the Commission, although  
19 there are people on both sides, is to do something more  
20 than 18 and less than 24, so I think the end number is  
21 going to end up being around 20, but as Commissioner Clark  
22 said, and also you, Commissioner Thomas with the 15%, it  
23 might be a little bit different than that, but we're trying  
24 to ensure the production and still be more conservative  
25 than the current Draft 2040 General Plan. So I think we're

1 all saying the same thing, it's just a question of how it's  
2 worded.

3 Commissioner Thomas.

4 COMMISSIONER THOMAS: Thank you for answering  
5 that question. I'm hearing from Commissioner Janoff that  
6 really anything above 11 is what she supports, and  
7 Commissioner Raspe is saying that 15% seems reasonable,  
8 it's a halfway point in between, so I am just curious what  
9 the other Commissioners think, because I think that we're  
10 coming towards a consensus about what percent. Sixteen-  
11 percent is the halfway, 15% is a little bit less, the 500  
12 versus like 530.

14 CHAIR HANSSEN: Vice Chair Barnett.

15 VICE CHAIR BARNETT: My position is a bit of  
16 Commissioner Janoff. I think 500 is a good target.

17 Then I wanted to harken back to a lot of the  
18 public comments about restricting our analysis for the  
19 build-out to the first RHNA cycle, the sixth cycle.  
20 Initially that was part of my thinking as well. I now look  
21 back at the government code and see that we're supposed to  
22 be looking at a long-term plan for housing, and so my  
23 thinking has changed on that, but I didn't know if Staff or  
24 Mr. Schultz wanted to weigh in. I would be interested in  
25

1 their thoughts about why we should be looking at 20 years  
2 rather than the first RHNA cycle, eight years.

3 JENNIFER ARMER: Thank you, Commissioner. I can  
4 start with giving some context to that.

5 So yes, a General Plan is on a longer timeline  
6 than the Housing Element. There isn't a requirement from  
7 the state as to what timeframe is required or how  
8 frequently a General Plan has to be updated, but generally  
9 it is done every 10 to 20, or in some cases 30 years, but  
10 it is intended to be a long-range plan. It is supposed to  
11 be looking out.  
12

13 Generally most of them are 20-year plans, and so  
14 that is really the goal in terms of the goals and policies.  
15 We've got a lot of implementation measures. In fact, we  
16 don't expect we'll be able to do all of them, but having  
17 that time period over which to work towards this vision is  
18 very essential to the purpose of a General Plan.

19 Whereas the Housing Element is something that,  
20 while it's a component of the General Plan, it is specified  
21 by state law that it needs to be updated every eight years,  
22 and so we have several Housing Element update cycles within  
23 that 20-year timeframe for the General Plan, and as we're  
24 working on this General Plan at the same time that we're  
25 starting the update of the Housing Element, it does confuse

1 things a little bit, because we're tying these discussions  
2 of the Land Use Element very closely with the discussions  
3 that the Housing Element Advisory Board is also having  
4 right now as to how to meet that RHNA requirement, the  
5 Regional Housing Allocation, and so those do get tied  
6 together.

7           One of the things that we pointed out in the  
8 Staff Report for the meeting on the 13<sup>th</sup> is that there are  
9 certain things, as the Chair pointed out, certain amounts  
10 of the accessory dwelling units, for example, that if you  
11 want an apples-to-apples comparison with these numbers you  
12 need to remove 300 of those, because the number 500 ADUs  
13 that's included in that build-out is based on that 20-year  
14 timeframe, and so it's based on a certain number of ADUs  
15 per year since we don't know exactly where those are going  
16 to develop.

17           There are certain things that we did pull out,  
18 for example, the current projects that we know are getting  
19 their building permits before the beginning of the next  
20 RHNA cycle; we pulled those out of the calculation as well  
21 to try to get this closer to a comparison that's more of an  
22 apples-to-apples.  
23

24           But it's true that some of these redevelopment  
25 assumptions in the General Plan are based on that 20-year

1 timeline, and so the reasonableness of assuming that that  
2 development would all occur during the eight-year cycle is  
3 a little bit difficult in terms of how we relate these  
4 numbers in terms of the requirement for the Housing Element  
5 to these projections for the 20-year General Plan.

6           Hopefully that gives a little bit of context. If  
7 I can clarify specific additional questions, please let me  
8 know.

9           CHAIR HANSSSEN: Thank you for that, Ms. Armer.

10           I think we're relatively close to a consensus on  
11 this particular issue; it's only a question of how we state  
12 it. So if you stay away from a very specific number I think  
13 that the desire is there to be a bit more conservative, but  
14 without hampering the production of missing middle housing,  
15 so then the number is somewhere in the range of 15%, or 500  
16 units, or 20 dwelling units per acre; they're all almost  
17 the same thing. I think that we should try to put a stake  
18 in the ground and remember that the thing that we have to  
19 put on the table is the dwelling units per acre and we have  
20 to make sure we're comfortable with that, with whatever  
21 number we put behind it.

22           Commissioner Clark.

1           COMMISSIONER CLARK: Thank you. I'd like to try a  
2 motion. I think I have a good understanding of where we  
3 are.

4           I move to recommend number 20 under the Land Use  
5 Element with the following changes: Remove housing from  
6 Office and Service Commercial designations, so that would  
7 reduce it by 313 units, and then reduce Low-Density  
8 Residential to 10 maximum units per acre, and reduce  
9 Medium-Density Residential to either 20 or 22 units per  
10 acre, whichever gets us more than 500 parcels.  
11

12           CHAIR HANSSEN: Okay, I like that, and is there a  
13 second? I do have a comment after we get a second.  
14 Commissioner Janoff, is that a second?

15           COMMISSIONER JANOFF: It's actually a question.  
16 There are three more bullets on the list that we were  
17 marching through. Do we want to take a partial motion and  
18 vote now? Because it looks like we're in a good place to  
19 conclude bullets 1-3, but we haven't yet addressed 4, 5,  
20 and 6. Just a question for the Chair on how you want to do  
21 that.

22           CHAIR HANSSEN: That was actually my comment, so  
23 the maker of the motion, before I call for the second, we  
24 ultimately have to decide on all of the bullets, but it is  
25 okay with me if we take a partial motion. I want you to

1 modify your motion to say these three bullets, this is my  
2 motion, and then know that we're going to discuss the other  
3 three.

4 COMMISSIONER CLARK: Sorry, which bullets are you  
5 referring to?

6 CHAIR HANSSEN: I'm looking at page six of the  
7 April 13<sup>th</sup> Staff Report, at the bottom where it says,  
8 "Revert Low-Density housing designation," and then second  
9 one, "Reduce Medium-Density housing designation," and third  
10 one, "Remove housing from Office and Service Commercial,"  
11 and then there are three more after that.

12  
13 What we were trying to do is avoid the thing that  
14 we got into at the last meeting, which was trying to  
15 swallow the whole thing at one time, and then it was making  
16 people uncomfortable and people were voting no because one  
17 part of it was not suiting them, so I'm fine with  
18 proceeding with your motion, just as you say that this is  
19 just for those three categories, and then we'll probably  
20 take a break and then talk about the other three and  
21 anything else that you want to bring up before we finish,  
22 because we're not that far.

23 COMMISSIONER CLARK: Thank you. Yeah, I didn't  
24 think we were discussing those other three bullets, and  
25 that's my bad. I personally think that I'd prefer to wait,

1 but what happens with the other three could definitely  
2 influence how I feel about the first three.

3 CHAIR HANSSEN: That is a very good point. So  
4 you're going to withdraw your motion?

5 COMMISSIONER CLARK: Yeah, sorry about that. Thank  
6 you.

7 CHAIR HANSSEN: And I would also remind the  
8 Commission that where we started was Staff, between pages  
9 five and six of this report, talked about the difference  
10 between the 3,738 number and normalizing it to a more  
11 current timeframe, it was 3,038 units, and gave us the  
12 guidance that if you wanted to be ultimately conservative  
13 and not plan for growth any more than the RHNA plus the  
14 buffer or versus where the General Plan is right now, there  
15 is margin of I believe it is 746 units, is that correct,  
16 Ms. Armer? Yes, she's nodding her head.

17  
18 So if you think about these bullets, it might not  
19 be necessary to change all of them to get to a number  
20 that's more conservative, so that would my guidance, to  
21 wait until we talked about the other three and see if you  
22 want to make the changes that I think we have consensus on.

23 But it is 9:12, so I was going to suggest that we  
24 take a ten-minute break and come back at 9:22, and then  
25 we'll finish up the other three bullets and hopefully get

1 to a final recommendation on this plan. Sound okay to  
2 everyone?

3 (INTERMISSION)

4 CHAIR HANSSEN: Thank you. I think we've made  
5 really, really good progress so far in terms of finishing,  
6 and so I did want to give some thought to the other three  
7 bullet points that were on page six of the April 13<sup>th</sup> Staff  
8 Report, which were possible options for reduction in the  
9 total build number, and see where the Commissioners are on  
10 those as other potential options besides the three that  
11 we've already talked about.  
12

13 We did talk about the fourth one at our last  
14 meeting, and we started to get toward some consensus, but I  
15 don't know if we moved any further on that, but it is  
16 reverting properties in the new Community Commercial  
17 designation that we created, and Staff, correct me if I'm  
18 wrong, it was part of the GPAC and the Community Place  
19 Districts. We created a new land use category called  
20 Community Commercial, and maybe that's not right, because  
21 we're changing the densities, but changing the Community  
22 Commercial densities back to the same level as Neighborhood  
23 Commercial, and that would give a 58 unit reduction. Staff,  
24 correct me if I'm wrong, I believe it's going from 30 to  
25 20?

1           JENNIFER ARMER: All of the properties that are  
2 currently shown as Community Commercial in the land use map  
3 for the 2040 General Plan were previously designated as  
4 Neighborhood Commercial, and so these are areas like the  
5 Union Shopping Center or the shopping center over on  
6 Winchester, and adjacent to downtown the North Santa Cruz  
7 area. Those were areas of Commercial where in implementing  
8 the increased growth that was discussed in the land use  
9 options the thought was that those could be slightly higher  
10 than some of the other shopping centers, like Pollard Road,  
11 for example, where it would be kept at the Neighborhood  
12 Commercial. I can pull up what those densities were.

14           JOEL PAULSON: The existing Neighborhood  
15 Commercial is a maximum of 20 dwelling units to the acre  
16 and the Community Commercial was moving up to a maximum of  
17 30, so the question is whether or not we revert back to the  
18 20 for those areas that were previously Neighborhood  
19 Commercial.

20           CHAIR HANSSEN: I know that the GPAC's vision for  
21 those neighborhood centers was to basically convert them  
22 into ground floor Commercial, bring it closer to the  
23 street, having parking behind, and then have Residential  
24 above, and basically everything that the Commission had  
25 been hearing in some of the meetings with affordable

1 housing developers and whatnot is that more density, not  
2 less, is needed if you want to go with any meaningful  
3 production for Mixed-Use, so it sounds to me like if we  
4 were to go back to 20 it could hamper the production of  
5 Mixed-Use, but then it's not known if there is a  
6 willingness to redevelop those centers either, so I throw  
7 that out there and see what you all think.

8 Commissioner Clark.

9  
10 COMMISSIONER CLARK: Thank you. It sounds to me  
11 like those are places that were very specifically chosen as  
12 places that should have higher density, and so I don't  
13 think that we should lower them, and I also think that even  
14 if there isn't a willingness to redevelop there, we should  
15 at least provide the opportunity for someone to do so.

16 CHAIR HANSSEN: We definitely learned it's not if  
17 you build it they will come, but if you create the land use  
18 standards we will get more interest from developers, so  
19 it's a balancing act, but yes, I agree with that.

20 Thoughts from others about whether or not to  
21 reduce Community Commercial to the same (inaudible) as  
22 Neighborhood Commercial?

23 Commissioner Thomas.

24  
25 COMMISSIONER THOMAS: I agree with Commissioner  
Clark, and I think that they are very small and very

1 specifically chosen places in Town where we could really  
2 use some redevelopment, so I would be in favor of keeping  
3 them, especially after hearing from developers about how  
4 hard it is to actually develop with our height limitations  
5 and everything, so I think that in order to hope for any of  
6 these areas that are really strip malls and not efficient  
7 and really not meeting the needs of the community right  
8 now, I think that we should keep them at 30.

9  
10 CHAIR HANSSSEN: Thank you for that. Other  
11 thoughts?

12 I would definitely say for myself, having been  
13 part of the GPAC for two-and-a-half years, that that is  
14 really one of the essential areas for growth that we  
15 thought of, and I don't want to hamper the possibility of  
16 redevelopment in those areas by making the density too low,  
17 and 30 is not even that high.

18 Commissioner Janoff.

19 COMMISSIONER JANOFF: In agreement with keeping  
20 it at the 30, and you probably want to hear from other  
21 Commissioners, but the same argument is true for reducing  
22 the density in Mixed-Use, which is the next bullet.

23 We talked long and hard about increasing that,  
24 because of remarks that we heard from developers, and so I  
25

1 would also be in favor of not reducing the allowed density  
2 in Mixed-Use.

3 CHAIR HANSSEN: Actually, I think that's  
4 worthwhile. Let's add Mixed-Use to the discussion for  
5 people to comment on, because it might be a bit different  
6 only because there are way more Mixed-Use designations, but  
7 if you go by where the Housing Element Advisory Board is  
8 right now, the vast majority of numbers of properties are  
9 on Los Gatos Boulevard, and a lot of those are already  
10 Mixed-Use designation, and that's where the hope is for  
11 production of affordable housing, and it would only be by  
12 having height and lots of units that we could get the  
13 smaller units and be more affordable housing.  
14

15 Commissioner Clark.

16 COMMISSIONER CLARK: I agree with Commissioner  
17 Janoff. I think that it's important to keep those Mixed-Use  
18 increases to help us build them, and I especially think  
19 Mixed-Use satisfies a lot of our concerns, like that if  
20 there was already going to be buildings where that is, and  
21 the closer people live to businesses and services, the less  
22 that they have to drive and the more they're able to walk,  
23 and so environmentally and also traffic-wise it eases a lot  
24 of concerns, and then when they do need to go further  
25 they're more likely to be near public transportation.

1 CHAIR HANSSEN: Thank you for that. Commissioner  
2 Thomas.

3 COMMISSIONER THOMAS: Thank you, Chair Hanssen. I  
4 agree with everything that has been said, and if we look at  
5 this land use map a majority of this area is concentrated  
6 on Los Gatos Boulevard, and I think that that is one of the  
7 easiest places for us if higher density housing gets built  
8 along Los Gatos Boulevard in a Mixed-Use way. Like  
9 Commissioner Clark said, people will be close to a lot of  
10 amenities and I think that that's a really easy route to  
11 connect more to VTA, because a lot of VTA buses run down  
12 Samaritan Drive right now and turn right on Bascom and head  
13 towards Campbell, and I think that if we had the number of  
14 people that would actually be taking transit, it would be  
15 an easy way to connect to the VTA bus routes that already  
16 exist in this area, so I do think that I feel strongly  
17 about keeping this at 40 dwelling units per acre.

18  
19 I think that, once again, like what we said  
20 before, I think that it's going to be really expensive and  
21 we're going to be really lucky if we get any redevelopment  
22 essentially according to the developers that we've talked  
23 to recently, and so I think that keeping these numbers a  
24 little bit more dense in some of these areas is really  
25 going to be important for helping us reach our RHNA.

1 CHAIR HANSSEN: Thank you for that. Other  
2 thoughts on either the Community Commercial going back to  
3 the density of Neighborhood Commercial, or reducing the  
4 Mixed-Use density from 40 to 30?

5 Commissioner Raspe.

6 COMMISSIONER RASPE: Thank you, Chair. I'll just  
7 reiterate, I think I'm in support of what my prior  
8 Commissioners have said, keeping the Community Commercial  
9 designation at the higher density together with the Mixed-  
10 Use designation. I think it makes a lot of sense where  
11 those areas are located, as Commissioner Thomas has  
12 indicated, for both traffic and environmental reasons,  
13 locating those in a denser scenario makes a lot of sense,  
14 and helps us with our RHNA numbers.

15 I'm hopeful again that it will also help us  
16 achieve some affordable housing. That's a difficult concept  
17 to do in Los Gatos, but I think in those areas maybe there  
18 is some room for those, so I think higher densities in  
19 those areas check a lot of boxes and makes a lot of sense  
20 to me and I would support those.

21 CHAIR HANSSEN: Thank you for that. It was said,  
22 I think, very well by Commissioner Clark the other day. We  
23 can't control the market forces, but there is no question  
24 if you build a 1,000 square foot unit or an 800 square foot  
25

1 unit versus a 6,000 square foot house, the first unit is  
2 going to be costing less than the others, so that's what  
3 the whole GPAC effort was about and that's why we went to  
4 Mixed-Use as a primary methodology for achieving growth to  
5 help along the affordability, because we knew that  
6 (inaudible) would be coming.

7           Any other comments on this? All right, so then  
8 the only one left of these bullet points is the last one.  
9 Oh, Director Paulson.

10           JOEL PAULSON: Like you say, Chair Hanssen, there  
11 should be a seventh bullet, which would be whether or not  
12 we want to change the Central Business District for  
13 downtown. Currently the max is 20. The proposed General  
14 Plan goes up to 30 like Community Commercial, but we have  
15 received comments on that, so I make sure we touch on that  
16 one.

17           JENNIFER ARMER: And that was additional  
18 information provided either in the Addendum or Desk Item  
19 for that same meeting, and so that reduction from the  
20 proposed density in the Draft 2040 General Plan to the  
21 existing density would bring that number down by 76 units.

22           CHAIR HANSSEN: So we will talk about that. I did  
23 make a note that it wasn't on there and I remember we  
24  
25

1 talked about it last time, so yes, we need to talk about  
2 that as well.

3           The one after Mixed-Use is High-Density  
4 Residential, which is proposed to go from 30 to 40, and  
5 were we to change it back to 30 it would give us a  
6 reduction in unit growth given the redevelopment  
7 assumptions of 111 units.

8           From my perspective I think High-Density  
9 Residential and Mixed-Use are kind of intertwined only with  
10 the exception of with Mixed-Use you're requiring there to  
11 be another use in the complex, so I think it would be hard  
12 to achieve the goals of much smaller housing without  
13 raising the density.

14           Commissioner Thomas.

15           COMMISSIONER THOMAS: Thank you, Chair. Looking  
16 at the land use map again, there's very little High-Density  
17 Residential in Town, and I think that some of it, like one  
18 is a retirement community senior center, which I think that  
19 we would be happy if they redevelop and fit more units into  
20 that space, because we know that a really high need area of  
21 housing is for older populations.

22           So I'm in support of keeping it as it is, the  
23 Draft 2040 Plan, because I do think there are very few  
24 places that it would be impacted by, and so I think that it

1 makes sense for us to keep it at the higher density to  
2 allow for any possible redevelopment in those areas.

3 CHAIR HANSSEN: Thank you for that. Other  
4 comments? Commissioner Janoff.

5 COMMISSIONER JANOFF: I would concur with  
6 Commissioner Thomas and add that part of the reason why we  
7 are looking for higher density is because we're also hoping  
8 for smaller units, which translates to affordability, so I  
9 think keeping the density high is an important component to  
10 reaching that objective.

11 CHAIR HANSSEN: Well said. Thank you. Other  
12 comments on this High-Density Residential?  
13

14 Okay, then let's talk about the last one, which  
15 is Central Business District. I believe it was brought up  
16 in the comments that we went through in a previous meeting  
17 going through all the other comments about land use and we  
18 did go ahead and make the recommendation, for example, for  
19 an implementation program to up the density in the North  
20 Forty, to make a recommendation to modify the Specific Plan  
21 to allow for more density in the northern portion of the  
22 North Forty. I think this was either a Desk Item or it was  
23 in the comments, but in case we talked about it a little  
24 bit last time.  
25

1 I know when we talked about the site inventory at  
2 the last Housing Element Advisory Board meeting—this is one  
3 of the benefits of having the process run concurrently, I  
4 suppose—the Vice Mayor spoke very eloquently about the  
5 possibility of redeveloping the post office site into more  
6 housing opportunities, and the post office being a very  
7 high traffic but low use kind of facility, but it requires  
8 a lot of cars in and out for the short trips, so it could  
9 be scaled back, and she talked about how it could turn into  
10 a really nice thing.  
11

12 Then we had also heard in the affordable housing  
13 discussion about agri-hoods in San Jose, and there is also  
14 some property over there by the parking lot near the post  
15 office where that could be redeveloped, so the discussion  
16 of the Housing Element Advisory Board was to not take  
17 anything off the table. Well, actually that's true for many  
18 parts of Town, because we didn't have all the numbers yet,  
19 but in particular downtown.  
20

21 While people are scared about the idea of adding  
22 housing downtown, there are definitely some sites where you  
23 would want to make that happen, and so it could be down to  
24 the site inventory about which ones could happen, but if  
25 you don't have the density available to make that housing  
production, then it would be hard to make that happen and

1 developers want to redevelop it. The Housing Element  
2 Advisory Board was definitely about making sure we kept our  
3 options open in downtown.

4 Commissioner Janoff.

5 COMMISSIONER JANOFF: Thank you. I just wanted to  
6 add that the Housing Element Advisory Board was interested  
7 in keeping the density higher on the height side. There was  
8 actually a lot of excitement around doing that, because the  
9 downtown is a wonderful place to be.

10 This might not be the place where you'll have the  
11 affordable housing. It would be great if we could find a  
12 site for affordable housing. In the downtown area also, if  
13 I'm not mistaken, there are a couple of lots that are owned  
14 by the Town, which makes them potentially more feasible for  
15 affordable housing, low-income housing, so there are some  
16 possible opportunities there that really should be  
17 explored. What are we doing? Is it recommendation to remove  
18 it, to change?

19 CHAIR HANSSEN: To not change it. Yeah, these are  
20 all possibilities of how to make the number lower, and so  
21 whether we would take that off the table.

22 COMMISSIONER JANOFF: I would not take it off the  
23 table.

1 CHAIR HANSSEN: And we are talking about going  
2 from 20 to 30, it's not 20 to 40, because we were just  
3 talking about Mixed-Use, and so we're not talking about  
4 going to 40, we're talking about going to 30, and so this  
5 would be about not going back to 20, if that makes sense.

6 Other comments on the Central Business District?  
7 Commissioner Raspe.

8 COMMISSIONER RASPE: Thank you, Chair. This is  
9 actually one of the areas that, I think like Commissioner  
10 Janoff I'm most excited about. It creates an opportunity, I  
11 think, to really revitalize our downtown, make it  
12 extraordinarily walkable to the extent it already is, but I  
13 think if we were having exciting, interesting livable units  
14 in proximity to our shops, it gives us the opportunity to  
15 even increase our foot traffic in those shops. It will  
16 support our merchants, maybe introduce new concepts,  
17 restaurants, clothes, all of it, into our downtown. I think  
18 it provides a great stimulation. This is, I think, an  
19 investment in our community, and so I would be excited and  
20 I would not support reducing our density allocation in the  
21 Community Commercial District.  
22

23 CHAIR HANSSEN: Very good. Thank you. Any other  
24 comments? All right, I want to ask Staff a question before  
25 we proceed.

1           There were no comments except for in the Desk  
2 Item today about height, however, the General Plan does  
3 talk about density as well as height, and if you look at  
4 the table in the Draft General Plan there are a bunch of  
5 changes to height, so I'm asking Staff if we should at  
6 least have a quick discussion about height just for the  
7 sake of completeness, because there were very few comments  
8 listed in Exhibit 7 regarding height. We did get one in the  
9 Desk Item today.

10  
11           JENNIFER ARMER: Thank you, Chair. I would  
12 recommend that if there are any Commissioners that feel  
13 there should be some change to the heights that are listed  
14 in the Draft General Plan that that is definitely something  
15 that should be talked about now, but if there aren't any  
16 Commissioners who feel a need to change what's currently in  
17 the 2040 General Plan, then there isn't any need to  
18 discuss.

19           CHAIR HANSSEN: Very good.

20           JENNIFER ARMER: And Director Paulson has  
21 something to add.

22           JOEL PAULSON: I was just going to say if there  
23 is interest, then Ms. Armer can pull up page four, which  
24 has the side-by-side comparison of height, what's changing  
25

1 and what's not, if that's something that the Commission is  
2 interested in looking at.

3 CHAIR HANSSEN: You're probably sorry I brought  
4 it up, but I wanted to make sure we didn't forget about  
5 that in case there was somebody that felt we should change  
6 something.

7 I will say this, if you read the Desk Item there  
8 was a suggestion to not go above 35'. I believe it was on  
9 Los Gatos Boulevard, and I don't have it in front of me  
10 right now, but the thing is that I think most of us were in  
11 that affordable housing discussion where 45' is probably  
12 not enough to get five stories, so I for one would be  
13 reluctant to go to 35'. I mean, we're at 35' now and we're  
14 not getting any interest in affordable housing and Mixed-  
15 Use housing, so it's not going to help to keep the height  
16 down.  
17

18 That being said, there was also the discussion  
19 about whether or not the General Plan should have even  
20 higher limits, and I know some of the discussion at the  
21 Housing Element and around that were we haven't gotten very  
22 far, but that you can also offer incentives to developers,  
23 so the question remains though should we change anything,  
24 reduce anything, that's in the Draft General Plan?  
25

1 I think that the GPAC was all for the changes  
2 that were recommended to help facilitate the housing  
3 production from the feedback that we've gotten from  
4 developers, and we had meetings with developers during the  
5 process as well. I know you weren't expected to review the  
6 heights, but it is part of the General Plan.

7 Commissioner Janoff.

8 COMMISSIONER JANOFF: Just to start a brief  
9 conversation if you're inclined. GPAC really did go into  
10 depth on heights and these were well considered. I feel  
11 comfortable with the heights that are here. I know we did  
12 hear from developers that even the 45' might be too low,  
13 and as Chair Hanssen has already commented, the Housing  
14 Element Advisory Board is already talking about what sort  
15 of incentives could be offered should developers be willing  
16 to add smaller units, and so higher density, higher height,  
17 in order to achieve specifically our low-income goal, so I  
18 think we've got good numbers here, but I would be  
19 interested if other Commissioners have other points of  
20 view.  
21

22 CHAIR HANSSEN: Commissioner Thomas.

23 COMMISSIONER THOMAS: I agree. I know that before  
24 I joined the GPAC there was a lot of time and energy put  
25 into this, and I do think that even with these densities

1 and height restrictions developers are going to have to be  
2 really innovative to get stuff done in the Mixed-Use area  
3 along Los Gatos Boulevard, so I'm in support of keeping the  
4 heights at what they are at.

5 I also appreciated that height was reduced in the  
6 hillside areas to protect those views, and stayed the same  
7 in Low-Density Residential. So with those in mind I think  
8 that I would not support changing any of those numbers.

9  
10 CHAIR HANSSEN: Thank you. Before I go to  
11 Commissioner Tavana, quick question. It did come up in the  
12 comment in the Desk Item as well, and I had forgotten about  
13 this. In that table that you just had up, the reason for  
14 having height for Open Space and Agriculture was what?  
15 Because we don't allow building in open space, and there's  
16 nothing in the existing General Plan for the last three,  
17 the public Open Space and Agriculture. Why did we put the  
18 height in there for those three?

19 JENNIFER ARMER: Those structures are all  
20 allowed, and so I believe those numbers were based on the  
21 height limits that are within the zoning, just so that  
22 we've got those numbers provided consistently in the  
23 General Plan for all zones.

24  
25 CHAIR HANSSEN: So it was an omission from the  
2020 General Plan?

1 JENNIFER ARMER: Yeah. So there are certain  
2 elements, for example, height, that wasn't specified in the  
3 2020 General Plan consistently across all districts, it was  
4 specified for some and not for others, and so we were  
5 trying to get that consistently shown for all designations.

6 CHAIR HANSSEN: Okay. I didn't need you to  
7 (inaudible) discussion, but I remember someone had asked  
8 that, and when I saw it was an A for the existing General  
9 Plan I wanted to make sure we asked about that, so I  
10 understand.

11  
12 Let's see, Commissioner Tavana.

13 COMMISSIONER TAVANA: Thank you, Chair. Just a  
14 quick comment really, since we're talking about heights. I  
15 did make note of the Public and Open Space designation  
16 height only being 35'. I thought that might be higher to  
17 match that of Mixed-Use and High-Density heights at 45',  
18 just to support parking potentially. So that was my only  
19 comment as I was looking through this. Just thought I would  
20 throw that out there.

21 CHAIR HANSSEN: Actually, that's an interesting  
22 thought. Does Staff have any feedback? Would other  
23 jurisdictions have a 45' height limit for public?  
24

25 JOEL PAULSON: We don't have that information.  
They may. I think one thing we look at is a lot of our

1 public is schools, and so we actually don't really regulate  
2 the height for schools, because they go through the state,  
3 as you can see from many of the structures around our  
4 school campuses, especially the high school. If that's  
5 something the Commission is interested in, that can always  
6 be included in the recommendation.

7 CHAIR HANSSEN: Does any other Commissioner have  
8 any comments on the height, because I'm going to then turn  
9 to hopefully us making a motion.

10 Vice Chair Barnett.

11 VICE CHAIR BARNETT: I don't have an issue about  
12 the height recommendations in the plan, or the provisions,  
13 but I am curious about what type of structures would be  
14 allowed in Open Space and Agriculture?

15 JENNIFER ARMER: Generally a single-family home  
16 would be allowed, one house per large parcel, or other  
17 agricultural buildings like barns, etc.

18 VICE CHAIR BARNETT: Thirty-five seems to be a  
19 pretty big number for a single-family home.

20 JENNIFER ARMER: It is consistent with the  
21 maximum height limit in our Single-Family Residential  
22 zones, so that's why we were using that as a height limit,  
23 because that was consistently in our Zoning Code based on  
24 that.

1 CHAIR HANSSEN: There are any number of other  
2 controls that are in our other land use documents besides  
3 the General Plan that would govern what could be built and  
4 how it could be built in those types of areas, right?

5 JENNIFER ARMER: (Nods head yes.)

6 CHAIR HANSSEN: All right, any other questions  
7 about height?

8 So then, what I'm hoping for is that we can start  
9 out with a recommendation on any reductions to the build  
10 number and/or the height numbers in the General Plan, which  
11 in this case of the build number it would be related to  
12 densities.

13  
14 Then, having done that, if we can get through  
15 that we should go to overall recommendation on the General  
16 Plan and the Final EIR.

17 Commissioner Clark.

18 COMMISSIONER CLARK: I'll defer to Commissioner  
19 Raspe first, because I was going to make the motion.

20 CHAIR HANSSEN: Okay, Commissioner Raspe.

21 COMMISSIONER RASPE: Thank you, both Commissioner  
22 Clark and Chair Hanssen. I had one question.

23 It feels like we're largely in accordance here,  
24 but before you go to motion, a question or clarification  
25 from Staff. Revisiting Low-Density Residential and the

1 difference between maximum dwelling units per acre, 8  
2 versus 10, could you explain once more the impact of that  
3 on missing middle? How does having 10 improve the changes  
4 of missing middle over having 8. Thank you so much.

5 JENNIFER ARMER: Thank you, Commissioner. I would  
6 say that based on the discussion at the last meeting there  
7 was an interest in knowing how many parcels in the Low-  
8 Density Residential designation would be large enough to  
9 allow four units, so a fourplex, as a way of determining  
10 kind of a threshold for missing middle housing.  
11

12 So at the 10 units per acre level, 12% of the  
13 parcels within Low-Density Residential designation would be  
14 large enough to allow four units, and so they would be over  
15 that 17,424 square foot size.

16 At the 8 dwelling units per acre, that lowers it  
17 down to only 7%, and the thinking there, it's not an  
18 absolute number threshold of one allows missing middle and  
19 one doesn't, but the thinking there is that when you lower  
20 that, then those properties that are large enough for a  
21 fourplex end up being just those that are in the largest  
22 zones, so it's not distributed through the others, so when  
23 you look at the zoning designations that are included under  
24 the Low-Density Residential that includes a number of  
25 different R-1 zones.

1           We've got R-1:8, which is a minimum lot size of  
2 8,000, and then it goes up. You've got R-1:10, R-1:20, and  
3 so when you change this density and you get to the point  
4 where only 7% of the lots would allow that fourplex, then  
5 you're most likely talking about those that are in the  
6 larger lot size requirement, so it's not going to be  
7 integrated as much through all of that Low-Density  
8 Residential.

9  
10           We didn't get to the point of making maps of  
11 where those different levels are; that would have been  
12 another level that (inaudible), but that's kind of the  
13 assumption that we're making to get to this recommendation,  
14 that using a 10% threshold is a reasonable one to have a  
15 result where it is more integrated through more of the Low-  
16 Density Residential areas.

17           COMMISSIONER RASPE: Thank you so much. That's  
18 extraordinarily helpful. Thank you.

19           CHAIR HANSSEN: All right, very good. I will go  
20 back to Commissioner Clark.

21           COMMISSIONER CLARK: Thank you. I believe I can  
22 actually make the same motion that I did before, so I move  
23 to recommend number 20 under Land Use with the following  
24 changes: Remove the additional housing from Office and  
25 Service Commercial designations, reduce Low-Density

1 Residential to 10 maximum units per acre, and reduce  
2 Medium-Density Residential to either 20 or 22 units per  
3 acre, which ever gets us more than 500 parcels.

4 CHAIR HANSSEN: And then no other changes?

5 COMMISSIONER CLARK: No other changes.

6 CHAIR HANSSEN: Is there a second? Vice Chair  
7 Barnett.

8 VICE CHAIR BARNETT: I'll second the motion.

9 CHAIR HANSSEN: Very good. Is there any further  
10 discussion? I think we had quite a bit of discussion on  
11 everything, but there's always room for more questions. I  
12 don't see anyone with their hand raised.

13  
14 And this is a predecessor vote to voting on the  
15 entire... Director Paulson has his hand up. We might have  
16 missing something.

17 JOEL PAULSON: Just one point of clarity. There  
18 have been a couple of motions, some of them included the no  
19 change to Office and the removal of Service Commercial, so  
20 I don't know if that was included in your motion,  
21 Commissioner Clark, or whether that was not something you  
22 were interested in.

23 JENNIFER ARMER: She did include the removal of  
24 those two designations, the housing.

25 JOEL PAULSON: Thank you.

1 CHAIR HANSSEN: It was the no changes to those  
2 designations from the current 2020 General Plan.

3 Ms. Armer.

4 JENNIFER ARMER: I did want to make sure that I  
5 got that down correctly. In your motion, Commissioner  
6 Clark, are you recommending that Office and Service  
7 Commercial be reverted to the 2020 General Plan density  
8 levels?

9 COMMISSIONER CLARK: Yes.

10 JENNIFER ARMER: Not what's in the 2040 General  
11 Plan?

12 COMMISSIONER CLARK: Yeah, like doing the third  
13 bullet point.

14 JENNIFER ARMER: The lower. Okay, thank you.

15 COMMISSIONER CLARK: Thank you.

16 CHAIR HANSSEN: Director Paulson, is there more  
17 clarity needed?

18 JENNIFER ARMER: (Shakes head no.)

19 CHAIR HANSSEN: Okay, he took his hand down.

20 All right, so we have a motion and we have a  
21 second. We will do a roll call vote, and I will start with  
22 Commissioner Thomas.

23 COMMISSIONER THOMAS: Yes.

24 CHAIR HANSSEN: Commissioner Tavana.

25  
LOS GATOS PLANNING COMMISSION 5/2/2022  
Item #1, Draft 2040 General Plan and Final  
Environmental Impact Report

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COMMISSIONER TAVANA: Yes.

CHAIR HANSSEN: Commissioner Raspe.

COMMISSIONER RASPE: Yes.

CHAIR HANSSEN: Commissioner Clark.

COMMISSIONER CLARK: Yes.

CHAIR HANSSEN: Commissioner Janoff.

COMMISSIONER JANOFF: Yes.

CHAIR HANSSEN: Vice Chair Barnett.

VICE CHAIR BARNETT: Yes.

CHAIR HANSSEN: And I vote yes as well. Very good, so we did it, we got consensus.

We have covered all parts of the General Plan as well as the EIR, and so Staff, help me if I'm not saying this correctly about how we need to make a motion on... What we want to do is make a recommendation to the Town Council to approve the Draft 2040 General Plan with the changes that we discussed in our last four meetings, which are noted in the record and then there will be a further record of tonight's meeting, and then also recommending certification of the Final EIR and all its accordant documents, including the Statement of Overriding Consideration. You don't have to say the latter part, but certification of the Final EIR implies certification of all the relevant documents that go along with it.

1 JENNIFER ARMER: Correct.

2 CHAIR HANSSEN: That covers it? Okay.

3 Commissioner Janoff.

4 COMMISSIONER JANOFF: I would be pleased to make  
5 a motion to forward the Draft 2040 General Plan and Draft  
6 EIR to Town Council with a recommendation for approval of  
7 the Draft 2040 General Plan with the changes that the  
8 Planning Commission has documented over the last several  
9 meetings, and to certify the Final EIR.  
10

11 CHAIR HANSSEN: And a second? It looks like  
12 Commissioner Thomas has her hand up first.

13 COMMISSIONER THOMAS: Second.

14 CHAIR HANSSEN: Okay. Any other further  
15 discussion before I call the question? I will go ahead and  
16 call the question and start with Commissioner Thomas.

17 COMMISSIONER THOMAS: Yes.

18 CHAIR HANSSEN: Commissioner Tavana.

19 COMMISSIONER TAVANA: Yes.

20 CHAIR HANSSEN: Commissioner Raspe.

21 COMMISSIONER RASPE: Yes.

22 CHAIR HANSSEN: Commissioner Janoff.

23 COMMISSIONER JANOFF: Yes.

24 CHAIR HANSSEN: Commissioner Clark.

25 COMMISSIONER CLARK: Yes.

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CHAIR HANSSEN: Vice Chair Barnett.

VICE CHAIR BARNETT: Yes.

CHAIR HANSSEN: And I vote yes as well.

Staff, are there any appeal rights for this  
action/recommendation by the Commission?

JOEL PAULSON: There are not, Chair, as it's a  
recommendation. Thank you.

CHAIR HANSSEN: Thank you.