



January 3, 2023

Chair Mensinger and Members of the Los Altos Planning Commission

Re: Agenda Item # 2 – Sixth Cycle Housing Element 2023-2031

Dear Chair Mensinger and Members of the Planning Commission:

As we have written earlier, the LWV supports a comprehensive plan to address housing that follows State law, and we commend the Staff and LWC for recommending changes to the Draft Housing Element (HE) that hopefully will lead to having a compliant HE. The LWV also supports policies and programs to provide a decent home for every American and Californian, including subsidies at all government levels to produce this housing.

Our greatest concern with the proposed revisions is Program 1.H. We are pleased that the timeline for implementing a program to encourage housing on City-owned Parking Plazas 7 and 8 has been expedited. Nonetheless, the program as described in the current HE does not prioritize the development of affordable housing on these sites, which we believe is important.

Because Los Altos has no affordable housing funds, unlike neighboring cities, the main contribution our City can make to incentivize affordable housing is to make the land free, or nearly free, for a term of 55 years or more, long enough to make a tax credit project feasible, as this is the main financing mechanism for most current affordable housing. The offer of a zero-cost land lease for 20 years to a market-rate developer providing 20% of the units to lower-income households does not incentivize more affordable housing than baseline inclusionary zoning requirements. Our below-market-rate (BMR) ordinance already requires a market-rate developer to provide 20% of the units as BMRs if they are rentals, (or 15% very low-income) so there is no added benefit to the City in this scenario.

We agree that the City should waive development impact fees for an all-affordable project, as it did with 330 Distel Circle, but it's not clear why the City should waive applicable permit fees for a market-rate development on the Parking Plazas that includes the number of BMRs required by our ordinance already. We also do not think the City should be prioritizing housing for seniors, persons with disabilities and veterans without having completed a survey of what the needs are for various housing types.

We are pleased to see that the revised HE proposes amending SB 9 and ADU ordinances ASAP to be compliant with State law. And we support earlier timelines for many programs, as HCD suggested. We commend the specific height increases for the CT and mixed-use zones. We support zoning changes for the OA District, although we prefer consistency, rather than the spot zoning recommended.

We commend the simplification of the permitting process but would prefer to see some type of metrics/measurement built into the program to monitor how much the process is actually streamlined, instead of the proposed language in 3.H, “the time...will be shortened....”

We believe that the State-mandated upzoning due to AB 2011 will allow more housing, but we would like the City to provide evidence of the impact of AB 2011. Nonetheless, this along with the zoning changes recommended in this HE version, the City’s site inventory should be sufficient, although we think that Foothill Crossings, See’s Candy site on El Camino Real, and perhaps other parcels, should be removed due to indications from the property owners that they have no interest in developing housing.

Finally, we acknowledge that the revised HE attempts to satisfy the requirements of Affirmatively Furthering Fair Housing, particularly in the future by hiring a Housing Manager, but we believe the City has not really met the intent of this new statutory requirement (to “overcome patterns of segregation” already extant in our City), just as many cities have not. Building an all-affordable housing development for low-income households on a Parking Plaza in the center of our downtown would be great step forward in Affirmatively Furthering Fair Housing.

(Please send any questions about this email to Sue Russell at housing@lwvlamv.org)

Karin Bricker, President LWV of Los Altos/Mountain View Area

Cc: Gabe Engeland

Nick Zornes

Angel Rodriguez

From: [Anne Paulson](#)
To: [Public Comment - PC](#)
Cc: [Nick Zornes](#); [Stephanie Williams](#)
Subject: 1/5/23 meeting: Comment on Item 2, Housing Element
Date: Tuesday, January 3, 2023 8:51:46 PM



January 3, 2023

To the Planning Commission:

The Los Altos Affordable Housing Alliance supports housing for all ages and all life stages in our community. We applaud City staff for their prompt turnaround of the new draft Housing Element. We appreciate that staff and our consultant have attempted to address HCD's comments. A couple of issues still need to be dealt with.

Program 1.H, Housing on the parking plazas

Our chief concern is the new language with respect to the parking plazas. The revised Housing Element draft proposes an RFP for housing on plaza 7 or 8. The successful applicant, either a for-profit developer or an applicant proposing an all-affordable project, would receive a free lease of city land for 20 years. The draft mentions all-affordable projects, senior housing or veterans' housing as being candidates for parking plaza housing.

First of all, we believe the first parking plaza project should be an all-affordable housing project. The City needs affordable housing, but affordable developers are unlikely to be able to buy land in Los Altos. As with 330 Distel, an affordable developer is going to need the land to be donated. The City of Los Altos doesn't have much public land; a parking plaza is our best chance for another affordable project.

In addition to providing desperately needed affordable housing in our community, an all-affordable project on a parking plaza would satisfy several legal requirements. We are required by law to ameliorate past segregation, and there would be no better way to do that than putting an affordable project in the heart of the city. The affordable project would satisfy a solid chunk of our RHNA at whatever income levels were chosen. Lower-income households have fewer cars, and do less driving, than higher-income households, so we would be satisfying our VTA goals as well.

But a twenty-year free lease plus fee waivers is not enough to make an affordable project feasible. An affordable project would need at least 55 years with very favorable terms. After all, the only all-affordable project in our City, 330 Distel, was given their land for free.

Meanwhile, giving free use of City land to a market-rate developer for any length of time is unnecessarily generous. As we see from the many projects being approved and built on First Street, developers can build market-rate housing downtown without any financial help from the City. If a market-rate developer is to use our parking plaza for a housing development, they should have to buy or lease the land at market rate. We think the city should prioritize all-affordable housing developments on parking plazas, but if there is a market-rate development there, it should not get special concessions.

Program 1.C, OA zoning

The original draft of the Housing Element called for upzoning all of the OA zone, which includes the commercial area on San Antonio across from downtown, as well as the small offices on Altos Oaks Drive and a few parcels on Fremont Avenue near El Monte. The draft submitted to HCD changed this, so that only the parcels in the site inventory would be upzoned.

We do not support spot upzoning. Spot upzoning makes the zoning code more complex, at a time when the city is supposed to be removing constraints to housing production rather than introducing more of them. Moreover, the sites in the OA zone that front on San Antonio but are not listed on the site inventory are going to be upzoned in July anyway, as a result of AB 2011, no matter what the city does, and the sites on Altos Oaks that are ripe for development are listed on the site inventory and will be upzoned. Thus, spot upzoning instead of upzoning the whole OA zone would add complexity to our zoning code, without any advantage to the city. We believe the City should return to the initial plan of upzoning all of OA.

We are confident that staff, the Planning Commission and the City Council can deal with these issues, as well other minor issues, and promptly get the Housing Element revised, adopted and sent to HCD.

Respectfully,

The Los Altos Affordable Housing Alliance Steering Committee