



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