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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
Town Manager:	Laurel Prevetti
Community Development Director:	Joel Paulson
Town Attorney:	Gabrielle Whelan
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2 P R O C E E D I N G S:  
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4 CHAIR HANSSEN: We will move on to the second  
5 public hearing, which is to review and make a  
6 recommendation on the Draft Objective Standards to the Town  
7 Council. We did receive a draft of the Draft Objective  
8 Standards as well as a Desk Item from Vice Chair Barnett  
9 with some comments that came along with the forwarding of  
10 the actual document that Palo Alto has published for  
11 itself.

12 I will turn it over to Staff and have you take it  
13 from there.

14 SEAN MULLIN: Thank you, Chair. Before you  
15 tonight is a review of the Draft Objective Standards for  
16 recommendation to the Town Council. The Town of Los Gatos  
17 has developed Objective Standards for the review of Multi-  
18 Family and Mixed-Use development applications in order to  
19 comply with recent State housing legislation, implement  
20 streamlined and ministerial review processes for qualifying  
21 housing projects, ensure that these qualifying projects  
22 align with the Town's expectations and visions to maintain  
23 and support the character of the Town, provide a set of  
24 clear criteria to guide development, and establish an  
25

1 objective framework for which qualifying projects may be  
2 evaluated.

3           In collaboration with our consultant, M-Group,  
4 the Draft Objective Standards were developed following a  
5 review of State legislation and existing Town documents,  
6 consideration of recommendations received during five  
7 Planning Commission Subcommittee meetings, and  
8 consideration of feedback received during two community  
9 engagement meetings.  
10

11           An Addendum and Desk Item have been distributed,  
12 including input from Planning Commissioners and a summary  
13 of the issues considered by the Subcommittee.

14           Tom Ford, a principal at M-Group, will now  
15 provide more detail on the development of the Draft  
16 Objective Standards, as well as present the structure and  
17 the content of the draft document.

18           Staff, along with Tom and his team, is available  
19 to answer any questions and aid in tonight's discussion.

20           TOM FORD: Thank you, Sean. It's great to be here  
21 tonight to talk about this great document that I'm sure  
22 you'll have lots of comments on.

23           Sean already went over a little bit of this, but  
24 I have a very, very brief presentation to cover these four  
25

1 items and then allow you folks to discuss what you see and  
2 give us some feedback.

3 First, I want to make sure everybody is on the  
4 same page about why we're doing this, and a lot of it is  
5 reacting to recent State legislation, particularly  
6 regarding housing and affordable housing. I want to go over  
7 a little bit of the process that we used to develop the  
8 document that you've had now for a few days to review.  
9 We'll discuss the development topics, how we organized the  
10 document, and then allow you to have time for discussion.

11  
12 As the Staff Report noted, we started a while  
13 ago. We first started gathering background information and  
14 started having that series of meetings with the  
15 Subcommittee at the Planning Commission—three people, two  
16 of which I think are here with us tonight—and went through  
17 a lot of discussion really examining a lot of the  
18 subjective design guidelines and existing and present Town  
19 documents, and I'll get into that in just a moment.

20 Following those Subcommittee meetings we  
21 basically had sort of a to-do list, and so what we did was  
22 we boiled into different kinds of groups of development or  
23 design typologies, if you will, and took that to a  
24 community meeting. We didn't even have a draft document  
25 yet, we had "preliminary ideas," I think it was called, and

1 it was just ideas that we had heard from the Subcommittee  
2 and how we might develop them for projects that were  
3 applicable.

4           Following that meeting we started to develop a  
5 draft, and right before your Spring into Green event we  
6 released it to the public, and at that event, at a booth  
7 that the Planning Staff had, people could start to see it.

8           About ten days after that event we had the second  
9 community meeting and continued to take comments, but now  
10 people were reacting to an actual draft document as opposed  
11 to the development concepts that we thought we would tinker  
12 with.

13  
14           Then we get into the second day of summer  
15 tonight, and here we are. As we predicted, in summer 2022  
16 we're before the Planning Commission, so we're going to  
17 start to let you guys give us some ideas, some reactions,  
18 and eventually we'll end up in front of the Town Council  
19 where we hope they will consider it for adoption.

20           Sean went through some of these five bullet  
21 points. A lot of this is coming from State housing  
22 legislation that I'm sure you've discussed in various  
23 contexts over the last couple or three years.

24           Our way of doing it at M-Group is we really try  
25 to dig down into the existing planning documents that a

1 community has already adopted and developed for itself,  
2 because those speak to really how the community thinks  
3 about itself and it's the documents that you folks in your  
4 review process rely on to give ideas to Applicants, such as  
5 the one earlier tonight to push that second floor back.

6           Then we need to provide object criteria to match  
7 some of that State legislation, and one of the most known  
8 is SB 35. There's a lot of legislation. There is new  
9 legislation right now pending that they're still  
10 discussing, anything from raising the maximum height of an  
11 ADU from the current limit, where is parking allowed, and  
12 parking around transit. There are a lot of new laws that  
13 are going to continue to come down, we think, and they're  
14 going to have a stipulation that the only thing that a  
15 community can use to regulate the development proposal will  
16 be Objective Standards.

17           However, on the other side of that, it provides a  
18 lot of certainty to the developers, because they then  
19 really know what are the rules, how do I achieve them, and  
20 here's my application. Then, of course, all of this is  
21 about the State's goal to increase multiple-family housing.

22           So what are Objective Standards? This is taken  
23 directly from SB 35. It's the definition the State uses,  
24 it's the definition we've seen in communities who are doing  
25

1 this, they rely on this, because what the Objective  
2 Standard has to remove any kind of personal judgment so  
3 that when the development proposal is in front of the Staff  
4 member at the counter and there's an Objective Standard,  
5 it's clear to tell if they meet the standard or not,  
6 because those two people with potentially different  
7 viewpoints have to agree on something, so everything has to  
8 be an objective judgment rather than a subjective response.  
9

10 What that sets up is the ability for Town Staff  
11 to do ministerial review of projects that come in and meet  
12 the requirements of an affordable project, or some other  
13 kind of project, that State law has said these are only  
14 subject to Objective Standards, so that ministerial review  
15 on the right column is going to be happening. What we're  
16 trying to do with the document is find ways to get all of  
17 the other stuff in the left column, discretionary review.

18 For instance, my impression of what happened on  
19 your first item tonight is at some previous meeting you  
20 folks as a body asked the Applicant to go away and push the  
21 second floor back. Well, what we've been trying to do is to  
22 see if there is a way to write an Objective Standard that  
23 does that. The difference is you had the benefit of looking  
24 at one design on one property. We have to write the  
25 standard that would apply across the entire R-2 or R-4

1 zone, or what have you, so we can't be as specific as a  
2 discretionary review would be, but we can still try to find  
3 ways with the appropriate metrics to put those kinds of  
4 rules in place.

5           So again, just discretionary on the left,  
6 ministerial on the right, and this is what happens. Design  
7 guidelines tend to be very subjective. I think the  
8 Subcommittee went through probably 400 different subjective  
9 design guidelines from various town documents; many of them  
10 were duplicated, but they tended to be subjective, and  
11 sometimes a subjective guideline is impossible to  
12 objectify, such as "eyes on the street." How would you do  
13 that? But maybe there's a way to measure how much windows  
14 there should be, and you have one of those before you  
15 tonight in one of the standards towards the end of the  
16 document.

18           Design guidelines tend to have recommendations,  
19 they're just not necessarily enforceable, and they don't  
20 necessarily have a measurable aspect to them. The Objective  
21 Standards, as I spoke about earlier, have a metric. There  
22 needs to be a way that it's clearly objective.

23           These are some of the Town documents that we  
24 reviewed, and it's really important that you know that  
25 these documents are still your Town documents, because



1 you're going to need them for discretionary review, so  
2 these documents aren't going anywhere; they were just the  
3 starting point for us to take subjective information,  
4 subjective guidelines in all of these various documents,  
5 not so much in the Town Code, but all of these documents,  
6 and start to bring it together. We sorted it into the  
7 likeminded groups: setbacks, building mass, roofs, things  
8 like that, and then started to have those discussions.

9  
10           There's one thing that's not really a document,  
11 and that's GPAC referrals. We started our project probably  
12 about six months after the GPAC finished going through  
13 looking at some drafts of the General Plan, and so what had  
14 happened is the Community Character Element had a lot of  
15 information in it that the GPAC decided to pull out, but  
16 then the GPAC chair and vice chair referred that  
17 information to us, and so even that got put into that big  
18 list of 400-odd things that we looked at for possibilities  
19 for how to objectify.

20           I have three sides here that will talk about the  
21 process we went through, because it kind of breaks into  
22 three different areas. There's the preliminary stage where  
23 we took those Town documents and we, the consultant team,  
24 got our hands around them and tried to understand what they  
25 were, worked with Staff to get that material ready to have

1 those Subcommittee discussions that stretched across a  
2 couple of months, and then that's what delivered the  
3 preliminary topics that we took to that first community  
4 meeting. The preliminary topics were made available on the  
5 Town website page specifically dedicated to this project.  
6 Then we had the community meeting on Zoom, took some  
7 comments, answered questions, and then went away and  
8 started drafting that document.

9  
10           The first draft, that very preliminary draft, was  
11 a combination of information we received from the  
12 Subcommittee and then supplemented by questions and  
13 comments that we heard from the community. Once we had that  
14 draft, it had started out as an admin draft, Staff picked  
15 through it and looked at it and had a lot of comments, and  
16 we cleaned it up and we got comfortable with publishing a  
17 public review draft, and that's the one that came out right  
18 around Spring into Green and in advance of community  
19 meeting #2.

20           Following community meeting #2 we took some  
21 comments and then revised that draft document together with  
22 Staff; we revised some of the graphics and got the draft  
23 together that's before you tonight, so that's here for your  
24 review. We'll hopefully have a great discussion with you  
25 about it tonight, or suggestions or ideas you have,

1 questions, and at some point get in it front of the Town  
2 Council for them to consider it for the option.

3           The way the document that you have before you  
4 tonight is lined up, there's a lot in the first section,  
5 Site Design, but then there's quite a bit in the second  
6 section too, Building Design, particularly in the fourth  
7 part, Façade Design and Articulation.

8           All of these different pieces, they've changed a  
9 little bit in the process of how we broke it out, how we've  
10 divided the document. Parking Structure Design in the  
11 Building Design part used to be just a subset of parking  
12 structure access, and when we talked about it all with  
13 Staff we started talking about let's talk about the access  
14 part in the Site Design and let's talk about the building,  
15 and the Subcommittee actually talked a lot about the  
16 facades of parking structures and such, and let's put the  
17 building part in the Building Design part, so that's one of  
18 the ways this changed as the process rolled along.

19           It's obviously your decision, but what I suggest  
20 is I can minimize this PowerPoint and I can pull up the  
21 document and scroll through it if you'd like to go to a  
22 specific place that you folks might want to have a  
23 conversation about, or you can do whatever you want to do.  
24  
25

1           Then I wanted to let you know, you're probably  
2 aware that the document has a lot of images in it like  
3 this. We specifically tried to draw them very plain,  
4 because we really just wanted to illustrate the text that's  
5 in the standard, so we're not trying to provide  
6 architectural design with these, we're just trying to say  
7 what it means when you say that you can't have more than a  
8 30-foot interval before you have this intervention of the  
9 façade plane moving two feet.

10  
11           We realized some of you, or some of us, or a  
12 member of the public, all of us might have difficulty  
13 understanding what that really looks like, so for almost  
14 every time you see an image like this in the document we've  
15 gone forward and tried to find a totally atmospheric image.  
16 We're not saying this is what Los Gatos needs, we're just  
17 trying to illustrate that concept, and like any photograph,  
18 there's always going to be something that's wrong. For  
19 instance, I think in your town it's not legal to build a  
20 fence this high out in the front setback, but what we were  
21 trying to illustrate was that modulating of the front  
22 façade and how that happens here and how it happens in the  
23 real world; here's a two-story townhouse version and here's  
24 a four-story stacked flat version.  
25

1           So again, just trying to show that real  
2 architects, particularly talented ones, can take an idea  
3 like this and move with it and create something with the  
4 help of these Objective Standards hopefully that the Town  
5 can be proud of when the building is done and up and  
6 occupied.

7           I have these for any issue that has a diagram in  
8 with the little yellow pieces, and we've credited all the  
9 architects where we found these photographs, and we've  
10 generally relied on pretty good Multi-Family designers and  
11 architects such as Pya Tok and David Baker. So again, I'm  
12 not saying this is an image you want to see in Los Gatos,  
13 I'm just saying how do you actually illustrate and how  
14 would an architect build that concept?

15           With that, I'll hand it back to the Chair and  
16 I'll let you see if you like my idea of me pulling up the  
17 standards to spin through. I'm available to do whatever  
18 you'd like.

19           CHAIR HANSSEN: Thank you for that, Mr. Ford. I  
20 think that there might be some big picture questions from  
21 the Commission.

22           Before I take questions, suggestions, or comments  
23 from the Commission I did want to let the Commission know  
24 that the three people that were on the Objective Standards  
25

1 Subcommittee were myself, Vice Chair Barnett, and former  
2 Commissioner Burch, and we did, as noted, make the five  
3 meetings where we went through all of the standards that  
4 basically had been pulled out by the consultants for us to  
5 look at, and what we tried to do is determine if it was  
6 possible to make them more objective; there were obviously  
7 some things that weren't possible and we pulled those out.

8           Before I ask Commissioners for other questions  
9 though, I did not know what the ultimate format of the  
10 document would be, so what I wanted to ask was from a  
11 developer's perspective. We obviously already had some  
12 Objective Standards and still do have Objective Standards  
13 that are in the resident documents that you mentioned, and  
14 then we have this standalone document for Objective  
15 Standards, and so how is that going to be clear to  
16 developers? I know our Staff will always work with the  
17 developers, but you're going to use these documents side-  
18 by-side because we already have the Objective Standards in  
19 the General Plan, the zoning code, and so on. How does that  
20 process get rolling?

21  
22           SEAN MULLIN: Thank you for that question. It's  
23 alluded to in the Introduction Statement on the front page,  
24 and this is a draft document, so we expect that  
25 introduction could change as we move through it, but

1 ultimately a qualifying project would need to meet these  
2 Objective Standards and other existing Objective Standards.  
3 If there were a case where one standard in this document,  
4 for instance, is stricter than a standard in the Town Code,  
5 then the standard in the draft document would rule.

6 CHAIR HANSSEN: That partly answers my question.  
7 I did read the introduction, but basically this is going to  
8 be something that's going to give us more tools but that's  
9 not going to change the process that we already have, which  
10 is we're going to be pulling out our Zoning Code, our  
11 General Plan, and other things in addition to this  
12 document, and this might make it easier for them to get a  
13 ministerial review because we have more parts of the  
14 Architecture and Site that would be objectified, is that  
15 correct?  
16

17 SEAN MULLIN: Correct.

18 CHAIR HANSSEN: Are there any other larger  
19 picture questions versus comments of specific standards in  
20 the document? Commissioner Janoff.

21 COMMISSIONER JANOFF: I just wanted to clarify  
22 that this is a set of Objective Standard that really is for  
23 qualifying Multi-Family and Mixed-Use projects? In other  
24 words, we wouldn't be applying these Objective Standards,  
25 for example, to the application that we heard in Item #2? I

1 just wanted to clarify that this is for a different nature  
2 of building altogether, is that correct?

3 SEAN MULLIN: That's correct. It's applicable to  
4 very specific product types.

5 COMMISSIONER JANOFF: Thank you. Then I just  
6 wanted to comment back to what Mr. Ford described as the  
7 process gleaned from the Town documents and why using the  
8 Town documents to pull forward to Objective Standards. It  
9 makes really good sense to me when you describe it as  
10 leaning on the information that the Town already uses, so  
11 it's familiar information and we're not going too far  
12 afield in terms of what might be used in the past, and it  
13 just really tightens up what the Town has already used. I  
14 appreciated that as a clarifying point. Thank you.

16 CHAIR HANSSEN: Very good. Commissioner Raspe,  
17 and then Vice Chair Barnett.

18 COMMISSIONER RASPE: Thank you, Chair. For Staff,  
19 I just want to confirm, so we have the Objective Standards,  
20 which leads to a ministerial administration of  
21 applications. It's my understanding that there also will  
22 still exist discretionary review if an Applicant so elects  
23 to go that route if they want to come outside of the  
24 Objective Standards, is that correct?

25 SEAN MULLIN: That's correct.



1 COMMISSIONER RASPE: And it may or may not be a  
2 related question, but you've used the language "qualifying  
3 Multi-Family and Mixed-Use projects" in the introduction  
4 and I think it appears throughout the Objective Standards.  
5 What does qualifying mean in that sense?

6 SEAN MULLIN: Thank you. Tom, you may be able to  
7 add more to this, but it has to do with the number of  
8 Residential units involved in a Multi-Family or Mixed-Use  
9 development. I believe the minimum is three, but it's been  
10 a day of looking at a lot of different things, so I think a  
11 minimum of three.  
12

13 TOM FORD: Right, and it's also like the levels  
14 of affordability that are offered in the project that's  
15 being put forth, and that will differ from town to town  
16 depending on where you are in your annual report to HCD  
17 about how you're doing with providing affordable housing,  
18 so different towns and cities will meet different  
19 standards, so when I see that language it just means  
20 anybody who is eligible with an affordable project to come  
21 forward and only be judged in a ministerial process by  
22 Objective Standards. These would be the Objective  
23 Standards.  
24

25 And Sean, just to put a fine point on what you  
said, I believe because of the Housing Crisis Act, or SB

1 330, it's actually any project that's two units and above.  
2 It can still go through a discretionary process, but it  
3 can't be denied if it meets all of the Objective Standards,  
4 so it would need to meet all of the Objective Standards  
5 also, but it doesn't have to go through a 60-day  
6 ministerial process.

7 COMMISSIONER RASPE: Thanks, that's very helpful.

8 CHAIR HANSSEN: Vice Chair Barnett.

9 VICE CHAIR BARNETT: Also for Staff, I believe in  
10 Subcommittee meetings there was some discussion about  
11 amending the Town Code, the Residential Design Guidelines,  
12 and Commercial Design Guidelines following adoption of the  
13 Objective Standards. Am I right in that regard?  
14

15 SEAN MULLIN: Thank you for that question. You're  
16 right, that was discussed. The intent at this point is that  
17 this would be a standalone policy document, and the intent  
18 at this point is not to amend any other documents unless  
19 it's just a reference that this document does exist.

20 CHAIR HANSSEN: Commissioner Clark, and then  
21 Commissioner Janoff again.

22 COMMISSIONER CLARK: I'm not exactly sure how to  
23 ask this, but I'm wondering what happens with something  
24 that is not mentioned in the Objective Standards if a  
25 project meets all of them. For example, one of the things

1 that made me think of this was Vice Chair Barnett's  
2 document talked about loading docs, which our Objective  
3 Standards hadn't talked about, and so how would that have  
4 been handled, say, if we don't incorporate it?

5 SEAN MULLIN: Thank you. To take that specific  
6 example, if a loading doc came up there is some guidance in  
7 the Town Code about, I think, locations of those types of  
8 things. I would mention that this is a living document and  
9 over time as these projects roll through the Town, if items  
10 that had not been identified in this document at this point  
11 come up, Staff will continue to make note of those, and as  
12 we do every so often with the Hillside Design Standards and  
13 Guidelines or Residential Design Guidelines, we could  
14 return to amend the document and correct anything that was  
15 unintended or omitted.  
16

17 COMMISSIONER CLARK: So one of our goals is also  
18 to try to think of everything that we can to have it in  
19 there ahead of time on those?

20 SEAN MULLIN: That's part of the goal tonight,  
21 and also to use your example again, if the majority of the  
22 Commission wants loading docs addressed, that can be part  
23 of the recommendation to the Town Council and Staff can  
24 work on that as we forward the document to the Town  
25 Council.

1 CHAIR HANSSEN: Commissioner Janoff.

2 COMMISSIONER JANOFF: A couple of comments.

3 One I wanted to loop back to Mr. Ford's  
4 illustrations of the different plain forms and actual  
5 lifestyle photographs. I think it's a really good idea to  
6 include that. We had some comments in our Addendum, I  
7 think, that indicated that these forms look pretty bleak,  
8 they don't have any imagination to them, and are we forcing  
9 developers to design all the beautiful features out of  
10 building space? I think part of that comment is driven by  
11 the simplicity of the diagrams, and so having  
12 illustrations, even if they aren't perfectly fitting Los  
13 Gatos' standards, is a really good idea. People need to see  
14 that visual, because it's sometimes challenging without  
15 that, so I would like to see that included.

17 Back to the question of what isn't in this  
18 document, and something that the Planning Commission hears  
19 a lot—I won't say every project, but many, many projects—is  
20 with respect of the protection of views. I know this is an  
21 extremely difficult topic to create an Objective Standard  
22 around, because the views are so subjective. My question is  
23 was that considered, and are there any jurisdictions that  
24 you know of, like Tahoe, Woodside, some of the more bucolic  
25 settings, in addition to Los Gatos, that do have an

1 Objective Standard regarding views or view protection,  
2 whether it's building height, which is something we  
3 probably wouldn't want in this document, because we don't  
4 want to further limit what the developers can do,  
5 especially from Mixed-Use and affordable housing, so we  
6 don't want to add government regulations there, but can you  
7 just comment on views and how possible or not possible it  
8 is to create a standard objective around that?

9  
10 SEAN MULLIN: I can briefly respond to that and  
11 then pass it on to Tom. I'm not aware of other cities  
12 or jurisdictions that have pursued views in the Objective  
13 Standards, but I surely haven't read as many of these  
14 documents as Tom has, so I would default to him.

15 One other thing to note, the intent of the images  
16 that Tom has provided today to run parallel with the  
17 diagrammatic illustrations was not to be put into the  
18 document necessarily, but to illustrate the purpose and how  
19 those sort of plain images can be realized in real life.  
20 That could be part of your recommendation moving forward,  
21 that images be sourced moving forward for inclusion in the  
22 document, but we would have to source royalty-free or hire  
23 someone to create those images.

24 With that, Tom, I'm not sure if you have any  
25 response about the view piece.

1           TOM FORD: We did discuss it during at least two  
2 meetings of the Subcommittee. I think, first of all, you  
3 have to separate are you talking about a view from the  
4 property out, or are you talking about a view from  
5 different parts of Town onto the hillside and the slope?

6           Generally, one of the reasons we stayed away from  
7 it with the Subcommittee was because since you don't have a  
8 viewshed protection ordinance, or any kind of a view  
9 ordinance, it would be hard for us to start making  
10 regulations against a moving target, if you will.  
11

12           Because our office is doing a number of these  
13 Objective Standards throughout the Bay Area, I've also been  
14 tracking other communities. I know in Sausalito, as they  
15 were trying to develop their Objective Standards they  
16 wanted to have some sort of view protection ordinance, and  
17 it became just a really hard nightmare for them because the  
18 view changes from property to property, and as I said in my  
19 presentation, we're trying to make a standard that applies  
20 to all our four properties, or all Downtown Commercial  
21 properties, or whatever, so it's kind of hard. They did a  
22 lot of studying of different moving parts, and it's really  
23 difficult because it is so subjective, and so trying to  
24 establish an objective rule gets very, very difficult.  
25

1 COMMISSIONER JANOFF: Thank you. I appreciate  
2 those responses.

3 CHAIR HANSSEN: Following up on Commissioner  
4 Janoff's question, you did mention one jurisdiction that  
5 was going in this direction. Are there other jurisdictions  
6 in California that are also very scenic that have been  
7 successful in doing this? You didn't refer to a view  
8 ordinance, so do we know of other communities that have a  
9 view ordinance and have been successful with it?

10 TOM FORD: First let me correct myself. Sausalito  
11 started down the road, but they didn't finish. They  
12 finished their Objective Standards document without  
13 tackling that issue, but they tried. I can't name  
14 communities offhand but I know there are communities—I want  
15 to say Chico—where view protection ordinances exist. Again,  
16 I can't think of a jurisdiction right offhand, but starting  
17 with that ordinance, that's where I would start before  
18 trying to write Objective Standards for something that's  
19 moveable.  
20

21 CHAIR HANSSEN: For the rest of the Commission,  
22 we did discuss this during the Subcommittee and I do recall  
23 the guidance we were given of a view ordinance, so if we do  
24 want to go there in terms of our recommendation to Council,  
25

1 probably the thing to do is recommend that the Council look  
2 into trying to put together a view ordinance.

3           On the devil's advocate side of that, since I'm  
4 chairing the Housing Element Advisory Board, and the Town  
5 Council is getting ready to finalize the General Plan, we  
6 are relying very heavily on Mixed-Use in both the Housing  
7 Element and the General Plan for success in terms of  
8 meeting our RHNA allocation, and the only way that Mixed-  
9 Use can be successful is through additional height and  
10 sometimes additional FAR, and sometimes some other things  
11 on top of that, and those might directly impact views, so I  
12 would say if we're going to recommend that to Town Council  
13 we have to understand that it might be complicated by the  
14 fact that when we're building four stories, and maybe even  
15 five, that it would be hard to protect those views.

17           Let me see if there are other questions. Since  
18 Vice Chair Barnett had submitted his comments I did want to  
19 at least bring up that we were forwarded a copy of Palo  
20 Alto's Objective Standards, and also the Vice Chair had  
21 submitted some comments on top of that that he thought were  
22 important after reviewing that.

23           Since Palo Alto's standards are so much longer  
24 than ours, how should we think about that? I'm going to ask  
25 Staff that.



1           SEAN MULLIN: Thank you. I would attribute part  
2 of the length of Palo Alto's ordinance that they created  
3 around Objective Standards to it tries to capture two  
4 things, and you might recognize some of the language in  
5 there.

6           The first is they have their Objective Standards  
7 for these same types of qualifying projects. The second  
8 piece is they'll have an Objective Standard in what's  
9 called a context-based design criteria, which they're  
10 usually similar concepts. The Objective Standard is just  
11 that, it's objective and it can be applied to those  
12 projects that qualify.

13           The context-based design criteria are for  
14 projects that don't meet the Objective Standards or choose  
15 not to utilize that process, and they did a much more  
16 robust overhaul and drafting of a document and an overhaul  
17 of their city ordinance and incorporated it into a new  
18 chapter, and I think that having the two running parallel  
19 creates a much longer document.

20           A through line to what they've set up to the Town  
21 of Los Gatos is that we are developing an Objective  
22 Standards process as a standalone policy document that  
23 would not live within the Town Ordinance, and to  
24 Commissioner Raspe's question, to those projects that  
25

1 wouldn't meet those Objective Standards or choose not to,  
2 they would pursue the typical Architecture and Site process  
3 similar Palo Alto's context-based design criteria.

4           And to your question, Chair, if there are items,  
5 concepts, particular Objective Standards, or even the  
6 design criteria, if there are particular items in that  
7 document or in their ordinance that you would like to  
8 pursue, you can include those as recommendations, even if  
9 they're not objective at this point. We can attempt to make  
10 something objective, we can look at whether it would create  
11 a conflict within the document, and we can redraft  
12 language; it could be additive or it could revise existing  
13 language.  
14

15           I think some of the examples that Vice Chair  
16 Barnett provided tonight, we have a draft in our document,  
17 but maybe not the same way. We have gone about it a  
18 different way, but we have addressing something like  
19 pedestrian access, for instance. But you could certainly  
20 pull from Palo Alto or any other document, or any other  
21 concept in general, and include that in your recommendation  
22 as we move forward.

23           CHAIR HANSSEN: So with that in mind, Vice Chair  
24 Barnett, you did submit your recommendations and it sounds  
25

1 like Staff has gone through those. How would you like us to  
2 consider those in tonight's hearing?

3 Ms. Armer has her hand up.

4 JENNIFER ARMER: Sorry, Chair, but just wanted to  
5 remind you that we do have some members of the public, so  
6 once you are done with overarching questions, we might see  
7 if they've got comments to share.

8 CHAIR HANSSEN: I was planning to do that. That's  
9 one of the reasons I wanted to go over the overarching  
10 comments. The other reason is that if it's not in the  
11 document now, then this would be a time to bring those up  
12 versus going through the document and saying I wish it said  
13 this instead of this. If you think something is missing,  
14 it's probably good to bring those up now. That was the  
15 reason for my questioning, but after that I will go to  
16 public comments. My question was for Vice Chair Barnett.

18 VICE CHAIR BARNETT: The document from Palo Alto  
19 is rather daunting, and there's some sentiment that we  
20 shouldn't continue tonight's hearing for the purpose of  
21 further examination of that document. Community Development  
22 Director Paulson had an excellent suggestion, which is that  
23 we forward that as a recommendation for review by the Town  
24 Council and not try to make any decisions tonight in the  
25 short amount of time that's available.

1 CHAIR HANSSEN: That might be a way to do that.  
2 Relative to the finding of the Palo Alto document, I do  
3 imaging a scenario where any number of jurisdictions will  
4 come out with their document and we might wish ours looked  
5 like that, and so I do have that concern about trying to  
6 spend too much time tracking other documents, but since  
7 this one is in front of us I think it would be helpful if  
8 any Commissioners have specific things that they want our  
9 Staff to consider as we move forward, that we should try to  
10 get those on the table as soon as possible.  
11

12 Let's go to public comments. This would be a time  
13 for any members of the public to speak about the Draft  
14 Objective Standards that is on the agenda and that we are  
15 discussing currently.

16 JENNIFER ARMER: If anyone is interested in  
17 speaking on this item, please raise your hand. Lee  
18 Quintana. You should be able to unmute. You have three  
19 minutes.

20 LEE QUINTANA: Number one that I would like to  
21 speak to is the fact that at previous meetings on this it  
22 was stated that there would be one unified document that  
23 included all the objectives that applied to qualifying  
24 projects, and that seems to have gone by the wayside. I do  
25 think that if you don't do that it is going to be totally

1 confusing to the public; they're not going to understand  
2 what exactly is included for these standards.

3 I do believe, as has been suggested, that you  
4 need to define in the document what a qualifying project  
5 is.

6 As for photos, I think for the public to  
7 understand the concepts—and this document should not be  
8 just for the developers—that you need to include either a  
9 photograph or probably even better, a graphic figure of  
10 what you're trying to present.

11 I think from what's being said it sounds like  
12 this is going to go the Town Council fairly rapidly, and  
13 that doesn't seem like giving either the public or the  
14 Commission adequate opportunity to really digest what is  
15 being proposed and what could be proposed.

16 Myself, I have not had a chance to look at the  
17 Palo Alto example, but the one thing I really believe is  
18 that it has to be an integrated document that all the  
19 objectives that apply are listed. You may not have to  
20 actually quote them, but you would at least have to give  
21 the direction as to where they could be found specifically  
22 by section, document page, or whatever. Otherwise, the  
23 document is not user-friendly and it is not transparent to  
24 the public.  
25

1 I guess that is basically going to be my  
2 statement right now. I think we need to pay more attention  
3 to how the documents are understood and perceived by the  
4 public so that they can understand the process and what is  
5 actually being proposed.

6 My other comment is that this document, my  
7 understanding anyway, can cover Multi-Family projects that  
8 contain duplexes on up to large Multi-Family structures, so  
9 there are a whole bunch of different types of buildings  
10 that are being covered, and yet the objectives don't break  
11 that down as to what applies to what building type, so  
12 again, I think that it needs better clarification for that,  
13 both for understanding by the public and even by developers  
14 themselves. Thank you.

16 CHAIR HANSSEN: Thank you for your comments.  
17 They're always very helpful and we really appreciate you  
18 talking to us. Any questions for Ms. Quintana? Seeing none,  
19 I'd like to ask if there is anyone else that would like to  
20 speak on the Draft Objective Standards?

21 JENNIFER ARMER: If you'd like to speak on this  
22 item, please raise your hand. I don't see any other hands  
23 raised, Chair.

24 CHAIR HANSSEN: All right, then I will close  
25 public comment and go back to the Commission.

1 Ms. Quintana brought up a more specific version  
2 of what was on my mind when I asked the question earlier  
3 about how does this process work, and so I would like to  
4 say that I appreciated her comment. I don't know where the  
5 rest of the Commission is on this, but I do think there  
6 would be some merit to having a more comprehensive thing  
7 even if we're pulling things out of code or whatever, so  
8 that people would know what all the Objective Standards  
9 were. I think that's not a bad thing to consider, so I'll  
10 just put that out there from my point of view.  
11

12 Are there other things that the Commission would  
13 want to bring up in terms of the things that are missing,  
14 or structural issues, or other things? We could also go  
15 through the document itself, but I wanted to see if anyone  
16 had any specific concerns about the overall structure and  
17 the direction that this is going.

18 I think there were a couple of comments about  
19 having pictures, and I don't know what Staff wants us to  
20 do. Should we vote on if there are specific  
21 recommendations, or just if it seems like we have consensus  
22 from the Commission we can forward that on as a  
23 recommendation? How does Staff want us to do that?  
24

25 JENNIFER ARMER: Thank you, Chair. I can jump in.  
I would say that there are a couple of different ways that

1 you could proceed. If, as you're talking through, there are  
2 certain recommendations that you want to make individual  
3 motions about to see if there is consensus and support, you  
4 could do it that way; or you could keep track as the  
5 discussion goes on and have a list of additional changes,  
6 modifications, or additional material that you think should  
7 be provided to Town Council, and consolidate that in a  
8 single motion at the end of the discussion.

9  
10 CHAIR HANSSEN: All right. Commissioner Janoff,  
11 you had your hand up and you don't anymore, so your  
12 question is answered?

13 COMMISSIONER JANOFF: I was just going to say if  
14 we're going to walk through the document, then there are  
15 opportunities for recommendation, but I think Ms.  
16 Quintana's point about having a... It could be a drawing, it  
17 doesn't need to be a photograph, but something that better  
18 illustrates different types of design standards would be  
19 helpful.

20 CHAIR HANSSEN: All right, then I'm okay with  
21 going ahead and looking at the document if you want to put  
22 that on the screen.

23 TOM FORD: Do you literally want to scroll through  
24 the entire document, or does somebody want to raise a  
25



1 specific standard that they'd like to discuss and I can  
2 flip to it?

3 CHAIR HANSSEN: I'm presuming that everyone on  
4 the Commission has read the draft document, so I don't know  
5 that we need to go over things, but what we did with the  
6 General Plan, and what we've done with the Housing Element  
7 so far, is go by section and see if there are things; and  
8 we did this is the Subcommittee as well. I think we didn't  
9 talk about every last thing, but we went through sections  
10 and said are there things that caught our attention that we  
11 want to talk about? So I will ask Commissioner Janoff.

12 COMMISSIONER JANOFF: Thank you. Mine are  
13 comments throughout that I'll just offer.

14 On 1.2 on this page we talk about a height, but  
15 we don't mention depth, and I'm wondering whether there  
16 might be an addition so it's a height of 6", and a depth of  
17 I don't know if it's 2', or what it might be?

18 TOM FORD: Okay.

19 CHAIR HANSSEN: It seems like a good suggestion.  
20 I don't have my whole document open in front of me, but is  
21 this everything under Pedestrian Access, or is that just  
22 the first page?  
23  
24  
25

1 TOM FORD: Yes, that's it for Pedestrian Access.  
2 The next page will start into the second section, Vehicular  
3 Access.

4 CHAIR HANSSEN: Commissioner Janoff, did you have  
5 another comment?

6 COMMISSIONER JANOFF: I don't.

7 CHAIR HANSSEN: Vice Chair Barnett, did you have  
8 a question about the Pedestrian Access or Vehicular Access?  
9

10 VICE CHAIR BARNETT: Pedestrian Access. I wanted  
11 to point out in my suggestions of possible modifications  
12 based on the Palo Alto Objective Standards, Item 2, there's  
13 a hierarchy of access issues for prioritizing pedestrians,  
14 bikes, and vehicles in that order, and I wonder if we could  
15 consider that as a possible modification?

16 CHAIR HANSSEN: Just to make sure that it's clear  
17 what you're asking, the Palo Alto document, they were  
18 saying that you would prioritize certain modes of  
19 transportation over like, say, cars for example?

20 VICE CHAIR BARNETT: Yes, it talks specifically  
21 about pedestrians and bikes before it gets to vehicles.

22 CHAIR HANSSEN: What do other Commissioners think  
23 about that? Commissioner Clark.

24 COMMISSIONER CLARK: The hierarchy was one of the  
25 things I liked the most from the Palo Alto Objective

1 Standards. I think that is something I would want to exist  
2 in any project anyway, so if it's feasible I would support  
3 incorporating it, but I'd definitely be curious to hear  
4 Staff opinions and if that seems to restrictive or anything  
5 like that.

6 CHAIR HANSSEN: What is Staff's reaction to the  
7 suggestion?

8 SEAN MULLIN: Thank you. My initial reaction is  
9 this is one of those examples that come out of Palo Alto's  
10 contextual design criteria, and it may be difficult to  
11 objectify the hierarchy of priority between different modes  
12 of travel. We certainly will take your suggestion and look  
13 into it. This is one of the examples where it may be a  
14 little difficult, but we'll see if there's a way to do it  
15 that is objective.

16 In the end, going back to the definition of these  
17 Objective Standards, it can't allow anyone to really think  
18 about it, if you will, or make a decision on whether  
19 they've adequately addressed the hierarchy. It needs to be  
20 something like--this is out of left field--all Mixed-Use  
21 projects shall include a Class 1 bike lane on the street-  
22 facing façade. It would need to be at that level versus all  
23 Mixed-Use projects shall prioritize pedestrian to bike to  
24 cars in that order, because there's no way to quantify that  
25

1 as did the developer meet that standard or not? But it's  
2 something we can look into.

3 CHAIR HANSSEN: I think that's fine, and I think  
4 there are a couple of Commissioners that think that it  
5 would be good to go in that direction if we could, but we  
6 understand there might be some concerns about whether or  
7 not you can make it objective.

8 Any other comments on the Pedestrian Access  
9 section? Then I think we can go on.

10 TOM FORD: Vehicular Access.

11 CHAIR HANSSEN: So we just have the one standard  
12 for Vehicular Access?

13 TOM FORD: Yes.

14 CHAIR HANSSEN: This is going to bring up like  
15 what's left out. If I recall, we didn't have anything for  
16 bicycles in here, we only have pedestrian and vehicle, and  
17 then we're going right into parking, is that correct?

18 TOM FORD: Correct, we don't have any bicycle-  
19 specific standards.

20 CHAIR HANSSEN: So question for Staff. I've seen  
21 for LEED standards, for example, if you want to get LEED  
22 certification you have to have like bike lockers or things  
23 like that, bike parking in parking lots and parking garages  
24 and so on, or is there another place that we would have  
25

1 standards for how projects are supposed to accommodate  
2 bicyclists?

3 JOEL PAULSON: Thank you, Chair. Joel Paulson,  
4 Community Development Director. A couple of things.

5 For the bike, we have a Bicycle and Pedestrian  
6 Master Plan that Parks and Public Works deals with, which  
7 has different right-of-way improvements depending on the  
8 street and what kind of improvements they're looking for  
9 moving forward. Those bicycle storage components are  
10 required in other documents by other agencies as well as  
11 far as whether it's LEED or things that you need to do to  
12 show that you're providing X number of bike parking spaces  
13 per either square foot or per vehicular parking spot, and  
14 so there are actual specifics, and I can't recall off the  
15 top of my head, but there may actually be some of those in  
16 the Building Code as well, so those are the types of things  
17 that, again, from an objective versus aspirational  
18 criteria, those are kind of two different topics.

19  
20 We definitely can, as Sean mentioned on the  
21 previous item, look into options for creating those. I  
22 think the challenge is once you start—which is what we  
23 tried not to do—to capture every Objective Standard from  
24 the Zoning Code, every Objective Standard from every other  
25 document, and pull it into one document, then every time we

1 make a change in one we have to make a change in all of  
2 them. So that's definitely something that we can look at,  
3 but I think the important component is it sounds like  
4 there's an interest to make sure that we're either  
5 capturing here or it's captured somewhere else, kind of two  
6 topics on this relating to bikes; I think it's the bicycle  
7 infrastructure from a public right-of-way standpoint as  
8 well bike storage mechanisms.

9  
10 CHAIR HANSSEN: From my perspective, and then I'm  
11 happy to hear from other Commissioners as well, if it's of  
12 interest to the Commission and it's in the Palo Alto  
13 standard to prioritize the bikes and pedestrians over other  
14 forms of vehicles, one of the ways that you're not doing  
15 that is by not calling out things that are in our Objective  
16 Standards that pertain to bicyclists. That being said, I  
17 understand that there is stuff in other documents, but I  
18 feel like that might be a miss that we should try to put  
19 something in here, even if it's about bike parking,  
20 something like that, especially when we're talking about  
21 parking cars. Commissioner Janoff.

22 COMMISSIONER JANOFF: A couple of comments.

23  
24 I think that the introduction could more clearly  
25 describe that this is a standalone document, but there are  
other complementary documents that should be referred to

1 that also contain Objective Standards, and you could name  
2 the various documents that exist. I would list them; there  
3 are a dozen of so, or a half a dozen. That way, to anyone's  
4 concern that we're silent on it and that we don't address  
5 it because it's not in this document, we've said go look  
6 for it in the appropriate document elsewhere, and I would  
7 feel comfortable doing that rather than duplicating the  
8 items that are already Objective Standards in other  
9 documents for the reason just mentioned.  
10

11           Having said that, I haven't thoroughly read the  
12 Palo Alto guidelines. I was confused about the contextual  
13 guidelines and the Objective Standards, so I kind of got  
14 mixed up in that a little bit. I'm not clear what  
15 prioritizing pedestrian and bicycle over vehicles, or  
16 pedestrian over bike, etc., I'm not sure what that means,  
17 but I would say in this instance that something about  
18 accommodating bicycles, just putting some objective  
19 language in here just so we cover all the modes of  
20 transportation, so that at least it's complete. I don't see  
21 that that's going to be needed going through this document,  
22 but I think it makes sense here; it's sort of an obvious  
23 omission, even though, as you say, we've got it covered in  
24 other documents.  
25

1 CHAIR HANSSEN: I kind of have a feeling our Vice  
2 Mayor, who is an avid bicyclist, will be bringing up  
3 something similar when the Town Council sees it.

4 As far as Vehicular Access, I think what we have  
5 is fine. It's intended to keep circulating in the parking  
6 garage from going out into the street, so that makes sense.  
7 Any other thoughts about Vehicular Access? Is there more  
8 Parking Location and Design on the next page?

9 TOM FORD: Yes.

10 CHAIR HANSSEN: It looks to me like most of the  
11 things as far as parking vehicles were there. Then I  
12 thought about bikes, so I already brought that point up.

13 TOM FORD: So move on?

14 CHAIR HANSSEN: Does anyone have any comments so  
15 far on the Parking Location and Design standards? Then  
16 there's Parking Structure Access. Commissioner Janoff.

17 COMMISSIONER JANOFF: When we get there, just a  
18 comment on Utilities.

19 CHAIR HANSSEN: Any other Commissioners that have  
20 comments on Parking Location and Design standards or  
21 Parking Structure Access?

22 Okay, Utilities. And then it goes on to the next  
23 page. So Commissioner Janoff.



1           COMMISSIONER JANOFF: When I read 5.1 I thought  
2 those are really huge light fixtures, so I think you're  
3 missing a word. "Light fixtures shall be *located* at a  
4 minimum of 3' and a maximum of 15'." I think that's what  
5 was intended, but correct me if I'm wrong.

6           CHAIR HANSSEN: Could Staff answer that question?

7           SEAN MULLIN: I'm sorry, I was just rereading it  
8 very carefully. Yes, I think the intent here is actually  
9 for pedestrian lighting along pedestrian paths, that the 3'  
10 is a minimum height and then a maximum height of 15'. This  
11 wasn't speaking to the distance between or the placement of  
12 the actual fixtures, so you could imagine path lighting  
13 that's incorporated into a bollard versus like the light  
14 fixture shown in the figure on the next page.

15           COMMISSIONER JANOFF: I understand what you're  
16 saying; I'm just reading this literally. It says, "The  
17 lighting fixture shall be a minimum of 3' and a maximum of  
18 15' in height." That describes the light fixture, not its  
19 location.  
20

21           SEAN MULLIN: I understand the recommendation.  
22 I'm going to make sure to note that. Thank you.

23           CHAIR HANSSEN: I actually think there's some  
24 merit to thinking about adding or tweaking one of the  
25 standards, especially with all the dark skies advocates

1 that we've had during the General Plan hearings, because  
2 there's nothing in here that would prohibit someone from  
3 putting like, say, path lighting every foot, so the height  
4 is only one aspect of it.

5           We just landscaped our own yard and put some path  
6 lighting in, and we put it like 15' apart from each other,  
7 so I would recommend maybe adding onto 5.1 something like  
8 that just to make sure that they're not doing access  
9 lighting in height or in volume. I don't know if it's  
10 possible to make that objective.

11           He had some other ones in there about when the  
12 parking lot is so long you do a landscape strip or  
13 something. It seems to me you could make that objective.

14           SEAN MULLIN: We've noted that and we certainly  
15 could look into that.

16           JENNIFER ARMER: Yes, we can look into it. Of  
17 course the spacing will depend somewhat on the style and  
18 height of the lighting itself and the brightness of it, so  
19 we can look to see if there's something to be included.

20           CHAIR HANSSEN: Any other comments? So that's  
21 everything on Utilities through 5.3. I remember talking  
22 about the screening, so then the next thing is Landscape  
23 and Screening. Any comments on Landscape and Screening?  
24 Commissioner Raspe.  
25

1 COMMISSIONER RASPE: Thank you, Chair, just a  
2 couple of comments. Under A.6 and I think again at A.9 we  
3 talked about plantings, and I know we spent a lot of time  
4 in our General Plan discussion talking about using native  
5 plantings and all that, and I just wanted to confirm, we  
6 don't have to reinsert that language into this document, is  
7 that correct? Because the General Plan is a more  
8 restrictive document in that sense, and then those  
9 standards were carried into this document, is that right?  
10

11 SEAN MULLIN: It would depend on how it's written  
12 in the General Plan. If the General Plan—and I'm sorry, but  
13 I don't have the language in front of me—says something  
14 similar to native planting is highly preferred by the Town  
15 versus native species shall be incorporated in all  
16 landscape plans, the first is a subjective criteria and  
17 couldn't be applied, and wouldn't be applied, under a  
18 project like this. The second statement would be objective  
19 and you'd have to meet that in addition to the Landscape  
20 and Screening requirements here.

21 So if there were a wish to be more restrictive or  
22 to create something objective that doesn't exist, or only  
23 exists in the subjective form in another document, that's  
24 the type of recommendation we would certainly entertain.  
25

1           COMMISSIONER RASPE: Perfect. Then my thought—and  
2 I would welcome the thoughts of my fellow commissioners—  
3 would be wherever landscaping is discussed—and again, my  
4 notes indicates at least Sections A.6 and A.9—that there  
5 would be either a requirement or a preference for native  
6 and drought tolerant plantings where possible.

7           Then as long as we're in the same section,  
8 Section 6.2a, when we're talking about screening it calls  
9 for a solid masonry wall, and we're talking about in the  
10 buffer between a Multi-Family and a Single-Family  
11 Residential building, and I'm just curious why a masonry  
12 wall is called for. It seems to me maybe regular fencing in  
13 certain circumstances might work and might fit in better  
14 aesthetically in some neighborhoods than a solid masonry  
15 wall. I suspect a masonry wall probably has some sound  
16 attenuation benefit to it, but aside from that is there a  
17 reason to use masonry as opposed to allowing some other  
18 forms and materials?  
19

20           SEAN MULLIN: Thank you. This is an example of an  
21 Objective Standard that was created from language that  
22 already existed, and I can't remember the exact language—  
23 I'd have to look up the source, and we can certainly do  
24 that—but there is a current requirement for a masonry wall  
25

1 when you are interfacing between, I think it might be,  
2 Commercial and Residential.

3 JENNIFER ARMER: Correct.

4 SEAN MULLIN: So this is where that was born  
5 from, and the caveat here would be if we created an  
6 Objective Standard that was less restrictive than an  
7 existing Objective Standard, because that could be  
8 problematic and in conflict between the two documents.  
9 We're looking a little bit farther forward as we consider  
10 this. So we've tried to maintain it at at least the level  
11 that existed somewhere else, if not more restrictive,  
12 within this document.  
13

14 COMMISSIONER RASPE: That's a fair comment and  
15 thank you for explaining it. I'll withdraw my  
16 recommendation then with respect to the masonry wall and  
17 just preserve my comments with respect to the plantings.

18 TOM FORD: I want to go back to what Commissioner  
19 Raspe was saying about landscaping. We actually can't write  
20 sentences that say things like "where feasible," because  
21 that just opens up to opinions; that's not objective. But I  
22 think we can still investigate the whole idea of native and  
23 drought tolerant, and I think one of the ways into it might  
24 be the C.3 guidelines, which are already in effect Town-  
25 wide on certain kinds of projects. I think there are a lot

1 of ways to look at it, but I just wanted to make sure  
2 everybody knows that we can't use sentences that say things  
3 like, "if feasible" or, "as necessary" and things like  
4 that.

5 CHAIR HANSSEN: The Town Council was just going  
6 over the General Plan on Monday, and I don't have the  
7 General Plan in front of me, but I want to say that we  
8 actually had that the plantings have to be in a category or  
9 this, or this, or this, and if it is, then I would say that  
10 Commissioner Raspe's suggestion we ought to make this a bit  
11 more robust.  
12

13 Then as far as the comment about the masonry  
14 wall, if that came from an existing document where it's  
15 between Residential and Commercial, is there a way to make  
16 sure that it's clear, or is this going to apply if there  
17 are two Residential buildings that are next to each other  
18 that they're going to have to put a masonry wall?

19 JENNIFER ARMER: Because this is a sub-point  
20 underneath the previous policy that does specify that it's  
21 between Multi-Family or Mixed-Use development abutting a  
22 Residential property, any of these higher-intensity  
23 projects that abut a Residential property would have this  
24 requirement.  
25

1 CHAIR HANSSEN: So it is clear that we know what  
2 the context would be, because I had the same reaction,  
3 because especially in the Planning Commission we are always  
4 hearing about fences, or screening trees, but if we already  
5 have that in another standard, then we don't want to be  
6 inconsistent.

7 Commissioner Clark has her hand up.

8 COMMISSIONER CLARK: I have two comments under  
9 Landscaping and Screening. First, to jump off of what Ms.  
10 Armer was just saying, so in that case if it's between a  
11 Multi-Family Residential and then a like Single-Family,  
12 does that mean that theoretically a duplex next to a  
13 Single-Family home would need a masonry wall, or where does  
14 the line exist for that?

15 JENNIFER ARMER: Based on the earlier discussion  
16 I think one of the things that we would work on developing  
17 is a more specific definition of qualifying projects so  
18 that we could make sure that it is clear maybe that there  
19 will be some references to State regulations, but make it  
20 clear as to which projects are considered Multi-Family for  
21 this type of policy.

22 COMMISSIONER CLARK: Thank you. Yes, I'd like to  
23 make sure that we flag to not have a wall between a duplex  
24 or a four-plex in the Single-Family home, because our goal  
25

1 this whole time with missing middle has been to have it  
2 kind of blend in with the neighborhood, so that might be  
3 for a different conversation, but just to raise that. And  
4 then, Chair, may I ask another question?

5 CHAIR HANSSEN: Absolutely.

6 COMMISSIONER CLARK: My other question is on 6.1.  
7 It says that the area shall be landscaped and I was  
8 wondering if there is a definition of landscaped sitting  
9 anywhere? I felt like that could be up to interpretation.  
10

11 TOM FORD: It could be left up to interpretation,  
12 however, I don't know if it's defined in the code, if it's  
13 one of the definitions that's already given.

14 SEAN MULLIN: I was going to say that it's  
15 something that we did discuss and this is where we landed.  
16 We could certainly look at it a little bit more carefully  
17 and see if it needs to be a defined term.

18 COMMISSIONER CLARK: Yes, great.

19 CHAIR HANSSEN: I actually had the same reaction.  
20 I was like it could be a pile of gravel, a bunch of mulch,  
21 or it could be all hardscape. Maybe those are all in the  
22 desirable category, but to me I think that would be worth  
23 looking into if it's clear enough what it would be.  
24 Commissioner Raspe.  
25



1           COMMISSIONER RASPE: Thank you, Chair. One more  
2 comment with respect to landscaping, and that's in Section  
3 6.3. The language provides for a minimum height of 3' with  
4 landscaping between parking lots and street to serve as  
5 kind of an official buffer. I'm wondering if we wanted to  
6 create or insert a maximum height as well? There could be  
7 aesthetic and safety reasons to create maximum heights, but  
8 it occurs to me there also are security reasons. Creating  
9 hiding places or little dark corners in parking lots is  
10 certainly something we want to avoid, I think, so for  
11 security reasons, if no other, so you may want to insert a  
12 height limitation on the buffers around parking lots.

14           SEAN MULLIN: Thank you. I would just quickly  
15 respond that part of what you'll see is duplicated this  
16 document and the Town Code is some of the regulations for  
17 fencing, because those were just updated back in 2019. That  
18 included a maximum height in basically the setback areas  
19 that are adjacent to streets, so that's the street side or  
20 up front setback area and areas as you get closer to  
21 corners or driveways.

22                       So now it's codified with a maximum height of 3'  
23 and that's where we started here, but that is something  
24 that we could clarify and duplicate so that we're calling  
25

1 out that you've got to be at least 3', but if you're in the  
2 setbacks abutting a street, then no higher than 3'.

3 COMMISSIONER RASPE: I think that would be  
4 helpful. Thanks so much.

5 CHAIR HANSSEN: That's a very good suggestion. I  
6 did want to make one more comment about the wall thing. I  
7 think that Commissioner Clark's comments were right on and  
8 I know we can do something about it, but the other thing  
9 that I thought of is since we're trying to promote  
10 affordable housing it might be onerous, especially if  
11 you're looking at a two-unit next to another two-unit, to  
12 have to build a wall, because it would be more expensive  
13 than planking and things like that, so I just want to make  
14 sure that we're really careful about under what  
15 circumstances a wall is required.

17 Anyone else have questions or comments on the  
18 Landscaping and Screening? So then we can go to Fencing.  
19 Staff, you did mention that most of this is taken directly  
20 out of our Fence Ordinance?

21 JENNIFER ARMER: Correct.

22 SEAN MULLIN: Correct. Thank you.

23 CHAIR HANSSEN: So there won't be any conflict  
24 between this and our Fence Ordinance?

25 JENNIFER ARMER: Correct.

1 TOM FORD: Should I move on?

2 CHAIR HANSSEN: I don't think anyone has any  
3 comments on Fencing. Retaining Walls?

4 JENNIFER ARMER: Chair, I would add also that  
5 this does come almost directly from the Hillside Design  
6 Standards and Guidelines for retaining walls.

7 SEAN MULLIN: That's correct.

8 CHAIR HANSSEN: Going back to Ms. Quintana's  
9 questions, I know we've already made this as a  
10 recommendation, but since we're taking this stuff out of  
11 other documents and putting it in here, it does beg the  
12 question of why we're not taking other things out of other  
13 documents and putting them in here that are clearly  
14 Objective Standards? I know you guys are going to look into  
15 that.  
16

17 Do any Commissioners have any questions about the  
18 Retaining Walls? Okay, then Open Space? Commissioner Clark.

19 COMMISSIONER CLARK: Thank you. I have a question  
20 about the relationship between 9.1 and 9.2. If a Mixed-Use  
21 development has to have at least 20% of the site area be  
22 landscaped open space, and then also has to have a minimum  
23 of 100 square feet per Residential unit of public gathering  
24 spaces, do you think that this becomes burdensome on them,  
25

1 or Staff? From your experiences, do you not see this as a  
2 problem?

3 JENNIFER ARMER: I can start, and I would say  
4 that as we look at this wording it might be that in some  
5 cases these two policies would actually overlap in terms of  
6 space that's required. For common open space, it could be  
7 some landscaped open space, and so it may not be additive,  
8 but it would overlap. Mr. Ford I don't know if you have any  
9 additional thoughts on those two.

10 TOM FORD: No. I think the primary thing we were  
11 trying to do was cover two different development  
12 typologies, one being a 100% Residential project and  
13 another that would have that Mixed-Use component, probably  
14 on the ground floor. We were trying to separate them so  
15 that it got handled first in 9.1 as just an overall  
16 standard, but then 9.2 augments it in terms of talking  
17 about when you have these two uses occupying the same site.  
18 And then we were also trying not to conflict with anything  
19 that the code already specifies in terms of open space  
20 requirements.

21 CHAIR HANSSEN: Staff, do we have anything in our  
22 code on minimum open space?

23 JENNIFER ARMER: We do. The code does have  
24 specifics for Multi-Family developments in terms of the  
25

1 amount of space for each unit, private open space as well  
2 as common open space, and so those would apply. This is  
3 looking more at the project as a whole, rather than  
4 individual spaces.

5 CHAIR HANSSEN: 9.1 is?

6 JENNIFER ARMER: Yes.

7 CHAIR HANSSEN: I want to tell you, I was really  
8 happy to see this, because one of the really nice things in  
9 the North Forty Specific Plan is the requirement for 30%  
10 open space, of which 20% has to be green open space, and  
11 I'm glad to see that we have something in here.  
12

13 Before I go onto any other questions, I wanted to  
14 ask the question though about 9.1. It says, "Landscaped  
15 open space may be..." Is that objective, or does it have to  
16 be one of those, or what could it be if it's one of those?

17 JENNIFER ARMER: The 20% of the site area is the  
18 objective part. Landscaping may be in these other forms,  
19 and gives examples of what it might be, but does, you're  
20 right, leave it open. We were talking earlier about the  
21 possibility of defining what landscaped means, and so it  
22 may be that that would actually increase objectivity of the  
23 second part of this, but it is still an Objective Standard  
24 because it is saying 20% of the site must be landscaped  
25 open space.

1 CHAIR HANSSEN: And now that we're in this  
2 drought crisis, having grass in here is not a good thing,  
3 so I think that if you're going there that we should work  
4 on this one a little bit. Commissioner Clark, did you have  
5 more comments than what you already asked about? I want to  
6 just make sure we covered everything.

7 COMMISSIONER CLARK: Yes, I want to quickly  
8 respond to Staff's response. I think something that I'd  
9 recommend is just making the potential for overlap between  
10 those two a little clearer, because when I saw them it felt  
11 like they had to exist separate, so that's something I'd  
12 recommend just exploring.

13 CHAIR HANSSEN: Good comment. Commissioner  
14 Janoff.

15 COMMISSIONER JANOFF: Thank you. Yes, I want to  
16 echo your concern about grass. Whatever is appropriate in  
17 this drought-tolerant foreseeable future, I think we need  
18 to be respectful of.

19 Also, 9.2, 9.3, and 9.4, I noted in the Palo Alto  
20 document some areas where they speak to the common area  
21 being open to sky, and in some areas it's 60% open to sky,  
22 so I would recommend looking for those objective criteria  
23 and speak to the open sky. Thank you.  
24  
25

1 CHAIR HANSSEN: So are you suggesting adding  
2 something? It talks about a minimum of shading. You're  
3 talking about some percentage of open sky?

4 COMMISSIONER JANOFF: If I just refer you back to  
5 the Palo Alto Objective Standards on open space, they do  
6 speak to an open sky concept in addition to coverings.

7 CHAIR HANSSEN: And you're recommending that  
8 Staff look into adding that here?

9 COMMISSIONER JANOFF: Yes.

10 CHAIR HANSSEN: All right. Vice Chair Barnett.

11 VICE CHAIR BARNETT: In the recommendations I  
12 made concerning the Palo Alto Objective Standards,  
13 Objective Standard #8 addresses private open space, and it  
14 appears that the draft that we have only refers to public  
15 or common open space, and I noted that Ms. Armer said that  
16 there is code language that addresses private open space. I  
17 haven't had a chance to look at that, but I thought that  
18 there were some good suggestions in there in terms of size  
19 and location.

20 SEAN MULLIN: And I would offer and remind that  
21 the code requirements for private open space would still  
22 apply in those circumstances. You're correct; this is  
23 speaking more towards public or common open space. The open  
24 space requirements for second-story units usually exist in  
25

1 the form of a balcony or a private balcony, which is not  
2 defined here, but we can look into including it or making  
3 sure that we have enough here. We still want to be a little  
4 bit careful with duplicating items that are in the Town  
5 Code per Director Paulson's caveat earlier.

6 CHAIR HANSSEN: I think just to make sure that  
7 anything that Palo Alto had might not be in our current  
8 code since we're not looking at it right now. I think it  
9 would be a useful thing to check on that.

10 SEAN MULLIN: Chair, you're speaking specifically  
11 to Objective Standard #8 in Vice Chair Barnett's  
12 attachment?

13 CHAIR HANSSEN: Yes. Then actually when you  
14 talked about the balconies it made me think of something.

15 When we had the Draft 2040 General Plan and  
16 Community Design Element, we did have—and I know Vice Chair  
17 Janoff and I had recommended taking it out—a requirement  
18 for when it was multi-story to have a balcony, and that  
19 could be included in the common open space, and you needed  
20 to offer it because they were stories above the ground.  
21 That was an Objective Standard that we had in the General  
22 Plan that we kind of referred out, and I don't remember  
23 what we decided about that or what happened to that.  
24  
25



1 JENNIFER ARMER: I believe that was part of the  
2 list of topics that were considered by the Subcommittee,  
3 because all of the things that we removed from the General  
4 Plan as too specific at that point, or inconsistent with  
5 code, were at least considered initially as part of this  
6 process.

7 SEAN MULLIN: That would have been part of the  
8 GPAC referrals.

9 CHAIR HANSSEN: I don't remember what we decided,  
10 but I'm asking the question why am I not seeing it here?

11 TOM FORD: I don't recall why it's not here. I  
12 would say though that if somebody has a balcony on an upper  
13 floor, that's only private. You would not be able to count  
14 that as common open space, because the unit is the only  
15 person that has access to it.

16 CHAIR HANSSEN: No, I totally understand that,  
17 but I think the issue was that if you're going to create a  
18 Multi-family building that you want to give the residents  
19 an opportunity to have some private open space.

20 JOEL PAULSON: Thank you, Chair. I'll just offer  
21 that right now we're looking at the site standards. That  
22 definitely is something we should probably consider, if  
23 it's not in there, for the building standards, which is  
24 Section B.

1 CHAIR HANSSEN: Yes, maybe I missed that and  
2 maybe it's in the building section.

3 All right, any other comments on Open Space?  
4 Okay, Building Placement? Commissioner Janoff.

5 COMMISSIONER JANOFF: Thank you. Just keeping it  
6 short here. I was curious why 10.1 only referred to  
7 development in a Community Place District when we look at  
8 the site inventory that the Housing Element Advisory Board  
9 has prepared? There are a number of developments that are  
10 outside of the Community Place District, so just curious  
11 whether this really is intended for only that, or whether  
12 it's for more than just Community Place Districts?  
13

14 TOM FORD: I don't recall why exactly we did  
15 that, other than it could be that the Community Place  
16 Districts were the only places where we were envisioning  
17 ground floor Commercial in a Mixed-Use context. That's the  
18 only thing I could think of offhand.

19 JOEL PAULSON: And to Commissioner Janoff's  
20 point, I think maybe that's too limiting, so we should  
21 probably just strike that so that it would apply to any  
22 Multi-Family or Mixed-Use. I think that's a good comment  
23 and I think you'll probably see that in a couple places, so  
24 we'll strike that wherever that occurs in this document.  
25

1 CHAIR HANSSEN: I think that's a good suggestion.  
2 Commissioner Clark, and then Commissioner Raspe.

3 COMMISSIONER CLARK: Thank you. Just to give  
4 another perspective, I have only liked this one knowing  
5 that it was in Community Place Districts, but I think  
6 normally I don't want to see everything, especially not 75%  
7 of everything, coming right up to the setback. This one is  
8 hard, because if that is mostly what another neighborhood  
9 is like, then I think that makes sense to do there, but if  
10 that doesn't exist in some places and you start doing it, I  
11 think that could make them look out of place, and so I  
12 don't personally think that's one that makes sense as an  
13 Objective Standard for everywhere.  
14

15 CHAIR HANSSEN: I'm going to ask a question on  
16 top of Commissioner Clark's question and comment. Could we  
17 make this like just specific to Mixed-Use? Because I know  
18 where this came from. It was when we were talking during  
19 the General Plan about creating communities, and we also  
20 talked about this during the redesign of our Planned  
21 Development Ordinance.

22 We have a Mixed-Use development on the northwest  
23 corner of Blossom Hill Road and Los Gatos Boulevard and  
24 that is kind of a non-vertical Mixed-Use, and the first  
25 thing you see in a lot of parts of it is parking lot, and

1 so when we were talking about re-envisioning what might  
2 happen, having Community Place Districts be Mixed-Use where  
3 it's close to the sidewalk and it's accessible and  
4 everything made sense. Would it make sense to just change  
5 this to a standard for Mixed-Use? Because any place there  
6 would be Mixed-Use would have ground floor Commercial.

7 JENNIFER ARMER: I was going to say that yes, we  
8 could. As with some of the previous standards where it  
9 referenced Mixed-Use projects in particular, one caveat I  
10 would say in our recent discussions about the Housing  
11 Element and housing developments and whether there is a  
12 possibility that for certain affordability levels, say it's  
13 100% affordable housing, that could then be allowed without  
14 a Mixed-Use component in one of these Commercial zones. So  
15 if it didn't have this requirement, then it could be  
16 (inaudible) on the street if we're trying to create this  
17 continuous streetscape, so those are some of the things to  
18 consider. We can't think of all possible situations when  
19 we're doing Objective Standards, but something to consider.

21 CHAIR HANSSEN: Commissioner Raspe, do you want  
22 to comment on this, or did you have something else?

23 COMMISSIONER RASPE: No, this one. Thank you,  
24 Chair.  
25

1 I join in Commissioner Clark's comment. The  
2 notion of a requirement of 75% for the frontage seems to me  
3 maybe not ideal in all situations, and so we may want to  
4 consider our limitation on that.

5 It also seems to me that it perhaps creates a  
6 conflict of some of the designs that are possible. I'm  
7 skipping ahead, unfortunately, a little bit to the Building  
8 Design section, but the building design in B.1d where it  
9 has the sheltered walkway within the building, I think that  
10 wouldn't be permitted if we have a requirement of 75%  
11 ground floor use on the setback, so I just want to make  
12 sure internally we're not precluding certain building  
13 design with this requirement.  
14

15 TOM FORD: If I might interject, it's just saying  
16 a minimum of 75%, so in the case of the arcade, what we've  
17 drawn there is 100%, which is more than 75%.

18 COMMISSIONER RASPE: On the arcade you have zero,  
19 don't you, because there's no ground floor in the setback?  
20 It's all removed from the street.

21 TOM FORD: Well, I consider the build to the front  
22 of the arcade, the one that establishes sort of the street  
23 frontage.

24 COMMISSIONER RASPE: In my mind's eye I see the  
25 posts as not part of it.

1 TOM FORD: Oh, okay, that's a good point.

2 SEAN MULLIN: I would jump in and say that  
3 typically those posts would be considered part of the  
4 structure and would have to meet setback, so in the case of  
5 the arcade, if that were built to the setback line that  
6 would qualify or comply with A.10.1. It's a little bit of a  
7 nuance. If you look at a Single-Family Residential, when  
8 they have a porch projecting off the front and you have  
9 those posts, those posts are the edge of the building and  
10 would be required to meet the setback, and that would be  
11 similarly applied here. We could look at another way to  
12 revise A.10.1 if there's still the concern about the 75%,  
13 but I just wanted to add that.

15 COMMISSIONER RASPE: I appreciate the  
16 clarification.

17 CHAIR HANSSEN: I'll go back to Commissioner  
18 Janoff in just a second.

19 I do think that some clarification is needed to  
20 address the concerns of Commissioner Clark and Commissioner  
21 Raspe and to make sure there's no conflict. Maybe we take  
22 out Community Place District, but we should be specific  
23 about what kinds of sites we're thinking of. Commissioner  
24 Janoff.  
25

1 COMMISSIONER JANOFF: I just wanted to add that  
2 when thinking about modifying 10.1 a big focus in the  
3 General Plan was street activation, and so these concepts  
4 of bringing the building to the street, creating a  
5 pedestrian access, was a highlight. So as you think about  
6 ways to modify it, just keep that in mind that that was an  
7 objective throughout the portions of the General Plan that  
8 spoke to these sorts of developments.

9  
10 CHAIR HANSSEN: I think that's a good comment,  
11 and that is exactly what the intent is. I was actually  
12 really glad to see this in here, but we just have to make  
13 sure we don't have unintended consequences. Commissioner  
14 Clark.

15 COMMISSIONER CLARK: Thank you. Just to kind of  
16 hop off of that, I think that there's a chance it could  
17 make sense to just say Mixed-Use for this, because, for  
18 example, if there were an affordable housing non-Mixed-Use  
19 development, maybe it should have a front yard or things  
20 like that, so I don't know if that's taken into  
21 consideration already for this, but I think that kind of is  
22 an example of what concerns me about it.

23  
24 CHAIR HANSSEN: Well, if it was 100% affordable  
25 and it was on Los Gatos Boulevard, for example, and it was  
next to a Mixed-Use development, then... But that's the

1 concern. Let's just leave it with Staff to try to figure  
2 out a way to either limit it to Mixed-Use, or whatever the  
3 context we could have, to make sure that we're not creating  
4 unintended consequences, but I definitely think we should  
5 keep this. It's just a question of making sure that it  
6 isn't creating anything that we don't want. Ms. Armer.

7 JENNIFER ARMER: Thank you, Chair. I was going to  
8 say that at this point, because of the number of comments,  
9 suggestions, and requests for additional information, it  
10 may be that it makes sense for us to continue this  
11 discussion, and once we get through the document then to  
12 continue to a date certain and have Staff come back with  
13 some of this so that you don't feel that you need to be  
14 working out the specifics tonight, as much as giving  
15 direction to Staff so that we can come back with some  
16 specifics for you to consider.

18 CHAIR HANSSEN: I think that's a good suggestion.  
19 Do you want us to go through the rest of the document and  
20 just take comments and then not try to bring it to closure  
21 because we know we're going to continue it?

22 JENNIFER ARMER: Yes, that would be my  
23 recommendation.

24 CHAIR HANSSEN: Okay, I think that's a good way  
25 to handle it. We're on page 8, so let's keep going. There



1 is Site Amenities for Mixed-Use, and then that's the last  
2 thing on Site Design, right? So this is taking us to  
3 Building Design. Any comments? Commissioner Clark, and then  
4 Commissioner Raspe.

5 COMMISSIONER CLARK: I have a question for this  
6 one. In terms of it having to implement a minimum of three  
7 of these solutions, I know that these are objective  
8 standards and that this might not be possible to work in,  
9 but I still wanted to voice my concern that I think that  
10 there's a chance that some of them could look a lot worse  
11 with three of them than with two of them, and I'm not sure  
12 how to reconcile that, but I felt like looking at each of  
13 these three could be a lot, and that might also be  
14 something where we could request some pictures of examples  
15 of things that incorporate all three, or something like  
16 that.

18 SEAN MULLIN: Tom, you may be able to pull up a  
19 couple of the parallel pictures if that's helpful to look  
20 at these concepts in particular. Admittedly, the first few  
21 times scrolling through this document it's hard to tie to  
22 what Tom has brought up here, Standard B.1.1a, but when you  
23 see it actualized, done in good architecture, it's a little  
24 bit easier. It may even be something to look at a concept  
25 image like this to see if of these six items, are three of

1 them present on just this image? Maybe there are two, maybe  
2 there are three, but some examples may be helpful.

3 TOM FORD: Right. For instance, on this example  
4 they've got two different materials, one of which is at  
5 least 30%, which I think is one of our standards. They have  
6 a setback on the upper level of part of the building. They  
7 have ground floor awnings, which is another piece. So there  
8 are a number of different things that get implemented here,  
9 but we were trying to talk about just this one specific  
10 thing. Here's another version. The front massing steps back  
11 quite a bit and they've used that step back to have an  
12 upper level deck.

14 I think Commissioner Clark brings up a good point  
15 about maybe three is not the right number, but maybe two,  
16 but as you can see, really good architects are able to do  
17 multiple standards in one building.

18 CHAIR HANSSEN: Then a couple of other  
19 Commissioners have their hands up, and they may want to  
20 comment on this or something else. I'll go to Commissioner  
21 Raspe, and then Commissioner Janoff.

22 COMMISSIONER RASPE: Thank you, Chair. I've  
23 actually got the same comment as Commissioner Clark. It  
24 seems to me that mandating a minimum of three different  
25 setbacks or massing requirements didn't necessarily work in

1 all situations. For instance, you had 50' of frontage, and  
2 three different articulation methods could be distracting,  
3 so I would encourage Staff to look at that. The thought off  
4 the top of my head is perhaps anchor it to how much street-  
5 facing there is. For instance, for 50' you would have two  
6 different requirements, and if you went to 100', maybe  
7 three different requirements, something so it wouldn't be  
8 so disjointed in a crammed area that it becomes more  
9 problematic, it doesn't solve the problem that we're  
10 looking to solve that is deemphasizing the building. So  
11 just a thought, but again, same general concern as  
12 Commissioner Clark voiced.  
13

14 CHAIR HANSSEN: Thank you for that. Commissioner  
15 Janoff.

16 COMMISSIONER JANOFF: I actually didn't have a  
17 concern at all, and I'm thinking of Mr. Ford's comment that  
18 good architects know how to incorporate these. I'm just  
19 glancing at the Palo Alto document. They're requiring three  
20 or more, so this may be something standard with developers,  
21 and I would defer to Staff if this were sort of common to  
22 have a set of objectives like that.  
23

24 Having said that, if it becomes overly burdensome  
25 to a developer because they've got to have all these more

1 expensive design features and that deters them from the  
2 project, then I would say that that's an issue.

3           Personally, before changing it I would want to  
4 hear from Eden Housing. I would want to hear from the  
5 people who are trying to do the hard work of the affordable  
6 housing and see whether these are unreasonable  
7 expectations, because that could fall into the category of  
8 government being too onerous in their standards.

9  
10           CHAIR HANSSEN: That is a good point, and I think  
11 from what I can remember of the affordable housing complex  
12 at the North Forty, they would have at least three of  
13 those. But let me go back to Commissioner Clark.

14           COMMISSIONER CLARK: I completely agree with what  
15 Commissioner Janoff was saying, and so I first wonder if  
16 you had talked to any developers in the creation of these  
17 Objective Standards?

18           Than also I wanted to say that I think  
19 regardless, something I'd like to see as we move forward  
20 with these is actually hearing from the developers if these  
21 are too stringent. Would this deter you from developing in  
22 Los Gatos and maybe make you go somewhere else? Does this  
23 make sense? That sort of thing.

24  
25           SEAN MULL IN: Thank you, and I would say in  
response that we reached out. Staff maintains a list of

1 architects that do a lot of work in the Town, and we  
2 included them in our outreach efforts for our community  
3 meetings. We didn't get much participation from them. And  
4 then we also included them in the notice for this meeting  
5 tonight, and I only heard from one of them that they  
6 planned to attend. We will continue to reach out to the  
7 design community and look for opportunities to increase  
8 their involvement.

9  
10 COMMISSIONER CLARK: Thank you. Yes, maybe going  
11 to them with a few specific questions like this that they  
12 can just send a reply to or something could be a good way  
13 to increase engagement. I know that's very difficult.

14 CHAIR HANSSEN: That's a good suggestion, and  
15 since we're continuing this to a future meeting, I don't  
16 know how much time there will be for doing that.

17 Director Paulson has his hand up, and then I'll  
18 go to Commissioner Raspe.

19 JOEL PAULSON: Thank you. I just want to remind  
20 folks too that we've got the Objective Standards for the  
21 streamlined process for the qualifying projects, but if you  
22 have an architect or a site, for instance, that maybe one  
23 or more of these ultimately become insurmountable from a  
24 design perspective, they also have the opportunity to go  
25 through our standard process.

1           Now, the whole point of some of these Objective  
2 Standards, especially when we're talking about affordable  
3 housing projects, what we want to do is to help streamline  
4 those. But for standard Mixed-Use projects, if it's on a  
5 constrained site, to Commissioner Raspe's point before, if  
6 you've only got 50' of frontage on this building because  
7 the lot is so small, then if they're not able to come up  
8 with solutions to these, then there is always an option.

9  
10           So I want to make sure to just remind everyone  
11 that if they can't meet this it doesn't mean that they  
12 can't do a project in town, it just precludes them from  
13 going through the streamlined process, just as kind of a  
14 high-level comment.

15           CHAIR HANSSEN: Would it be too much to ask to  
16 use the example of the North Forty, the affordable housing  
17 project that is being built over the Market Hall, and see  
18 if they've already done that, or how hard it would be,  
19 because that would be an example in our town?

20           JOEL PAULSON: Yes, we can definitely take a look  
21 at that. We'll work with Tom and with Staff and see how  
22 many of these A through F, or whatever it is, how many of  
23 those characteristics were they able to incorporate.

24           CHAIR HANSSEN: Without having the standard in  
25 place, but chances are they probably already did stuff like

1 that to make it not look like a big box. Commissioner  
2 Raspe.

3 COMMISSIONER RASPE: Thanks, Chair. Harking back  
4 to one of our earlier discussions, this would be a good  
5 section of the document where we could have examples of  
6 maybe finished renderings of buildings that incorporate two  
7 or three, or even four, of these different elements  
8 together. I think it would be helpful to have a good  
9 visualization of combined elements in single structures as  
10 we go through the process.

11  
12 CHAIR HANSSEN: Good suggestion. Why don't we go  
13 on, because we are going to see this again?

14 TOM FORD: Just go on to B.2?

15 CHAIR HANSSEN: Yes, because those are just  
16 individual examples of those six things, but I think the  
17 point about seeing them in single structure examples would  
18 be helpful. Then we're on B.2, Parking Structure Design.  
19 Any comments on Parking Structure Design, B.2? Commissioner  
20 Clark.

21 COMMISSIONER CLARK: I wanted to ask about 2.3b  
22 talking about the entire articulation change of 25%. I just  
23 felt like that's a very specific number and I wasn't sure  
24 if that is intentional or if that's something that is  
25

1 pretty normal or anything, but I wanted to flag that and  
2 ask about it.

3 TOM FORD: If you look at the body of 2.3 we  
4 stipulate the 25%, and the way we originally wrote 2.3b, we  
5 didn't say it down there and Staff brought to my attention  
6 somebody could read this in a way and not cover the entire  
7 articulation, so what we're trying to say is that 25% of a  
8 façade, if it's greater than 40' in length, needs to have  
9 one of those two things, and it's not enough just to  
10 introduce a second material, but you have to do it over  
11 that entire 25% articulation.

12  
13 COMMISSIONER CLARK: Okay. And does it make more  
14 sense to say 25% than to say like 25-50%, for example, or  
15 anything like that?

16 TOM FORD: The way the 2.3 body is written, it  
17 says, "at least 25%," so it wouldn't prohibit you from  
18 doing it for 50%. We could either introduce that same  
19 language here, or we could just make it known that so long  
20 as you make the 25%, you're there.

21 COMMISSIONER CLARK: Yes, I think adding "at  
22 least" would be perfect.

23 TOM FORD: Okay.

24 CHAIR HANSSEN: Other Commissioners have comments  
25 on B.2, Parking Structure Design? Then we can go on to B.3,



1 Roof Design. Any comments on Roof Design? It looks like  
2 everyone is okay with that.

3 TOM FORD: Still in Roof Design, but a different  
4 page.

5 CHAIR HANSSEN: Any comments on this second part  
6 of Roof Design? It looks like that's okay.

7 TOM FORD: So this is the last section, but it's  
8 a pretty long section and there's a lot of illustrations,  
9 but B.4, Façade Design and Articulation, comes out of a lot  
10 of discussion by the Subcommittee.

11 CHAIR HANSSEN: Yes, we spent a lot of time on  
12 this.

13 TOM FORD: Here's another one where 4.1 sets the  
14 general rule and then there's four options, at least two of  
15 which you need to accomplish. Actually, there are five  
16 options, but only four of them are illustrated; the fifth  
17 one is pretty obvious.

18 CHAIR HANSSEN: But they actually use at least  
19 two out of five?

20 TOM FORD: Correct.

21 CHAIR HANSSEN: I'm going to guess that since no  
22 one brought it up that it would probably be helpful,  
23 because of the discussion we just had, to have an example  
24  
25

1 picture where at least two of these are combined on an  
2 actual building that we can see.

3 TOM FORD: Okay, let me just take a moment to see  
4 if we've done that. This one is doing it in that it's got  
5 that modulation both lower and upper, and it also has a  
6 balcony, so in a sense maybe they don't have enough  
7 balconies, but they've done three.

8 Here they've got a varying roofline, they've got  
9 modulating the mass out, they've made more of a top to the  
10 building, they've articulated the base, and they've  
11 accentuated a corner.

12 Here they've not only put balconies, but they've  
13 also modulated the upper level massing, and they've also  
14 introduced a second material at I can't say what the  
15 percentage is, but it's a pretty significant percentage of  
16 the entire façade. This is a pretty long façade, and so  
17 they've broken it up, and it's done by a very, very good  
18 architect, but again, it's a number of things: taller  
19 ground floor and glass.

20 Anyway, we do have some images and I think we can  
21 find a way to bring those forward into a document.

22 CHAIR HANSSEN: Sounds good. Commissioner Janoff.

23 COMMISSIONER JANOFF: Thank you. My question has  
24 to do with varied plate heights. I think in some of the  
25

1 examples you showed and commented on they were different  
2 heights. I'm curious why varied plate heights aren't one of  
3 the criteria?

4 TOM FORD: I don't know, it could be. I don't  
5 know if that's what I meant when I said that. I think I was  
6 trying to say that they didn't just have a 12' ground  
7 floor, they had a 20'; it looks more like probably at least  
8 18-20' ground floor height. That's what I meant, I'm sorry.

9 And I don't think there's any place in our  
10 document where we specify a minimum ground floor height. We  
11 might have left that to the Zoning Ordinance, particularly  
12 in a Mixed-Use context.

13  
14 COMMISSIONER JANOFF: The reason I mentioned it  
15 is because several of these examples illustrate different  
16 plate heights. Even the Palo Alto example is showing a  
17 slightly higher plate height from the first floor and then  
18 shorter going up, which is the reverse of one of the  
19 examples you provided where you've got the taller plate  
20 height, or the illusion of a taller plate height, on the  
21 third story of that first illustration you showed.

22 Personally think that the variation of the plate  
23 heights is really interesting and it makes for dynamic  
24 architecture, so I'd be in favor of including that if that  
25 made sense to Staff.

1 TOM FORD: The only thing I would say, if you  
2 don't mind my interjecting, Chair, is a developer needs to  
3 make the building as inexpensively as possible, and I think  
4 if there's a lot of different... You know, you're on the  
5 third floor and then suddenly it goes up 5' and then it  
6 changes, it could just make the floor plan a little bit  
7 more expensive to execute, but we can look into it.

8 COMMISSIONER JANOFF: I would just say if this is  
9 one of several options that they have, then you're not  
10 forcing them to go that route. As an example, the senior  
11 community that my mom lives in, the top floor, the third  
12 floor apartments have interior 11' ceilings, and you can  
13 see that from the exterior of the building as well; it  
14 looks interesting and elegant.

15 CHAIR HANSSEN: Commissioner Raspe.

16 COMMISSIONER RASPE: Thank you, Chair. I had a  
17 question going to Section 4.2; again we're in the Building  
18 Design and Articulation. The language says, "Buildings  
19 shall incorporate the same materials on all facades," and  
20 then if you look at, for instance, the language directly  
21 above it in 4.1e, one of the articulation and design  
22 methods is use of at least two different façade materials,  
23 so it seemed to me there's some inconsistency internally in  
24 the document. I'm not sure exactly what 4.2 is trying to  
25

1 say. Is it trying to say that the building will use the  
2 same façade materials all the way around its face on all  
3 corners, or on all (inaudible)?

4 TOM FORD: Correct. It could be that we've not  
5 written this clearly enough, because really what 4.2 is  
6 trying to achieve is what they call 360-degree  
7 architecture, so you don't treat your front façade with all  
8 the good stuff and then the other three you don't care  
9 about. It's probably not written well enough to do this,  
10 but I would read that if you had two materials on your  
11 front façade, then you need to have those same two  
12 materials show up on the other three facades as well;  
13 that's the goal here. It's not to conflict with each other,  
14 to have 4.1e specifying two materials and then 4.2 just  
15 saying one material.

17 COMMISSIONER RASPE: I actually agree with your  
18 point that you don't want the stick-on brick, for instance,  
19 on the front façade and then plaster on the other three  
20 faces, but I'm not sure we want to also limit our builders  
21 to say you have to use the exact same materials on all four  
22 exterior walls. There may be some design reasons why you  
23 want one side looking slightly different than the other  
24 sides. That's just my thought; maybe we should give a  
25 little bit more thought to 4.2.

1           TOM FORD:   Okay.

2           CHAIR HANSSEN:   I will say that we have the idea  
3 of 360-degree architecture in the Community Design Element  
4 of the General Plan Draft that's being reviewed, so I think  
5 that there's merit to that, but maybe there's a better way  
6 to say this so that it isn't in conflict with other things.  
7 Commissioner Janoff.

8           COMMISSIONER JANOFF:   I was just going to echo  
9 the same thought. In many of the projects that come before  
10 us one of the issues is they haven't carried that design  
11 element 360 degrees on all surfaces of the house, and so  
12 that is part of our standard. This hung me up a little bit  
13 too, and then I realized that's not what they mean, they  
14 mean whatever you do on face 1 you do on faces 2, 3, and 4,  
15 or however many, so I didn't have a problem with it, but it  
16 probably could be clarified. Maybe it makes sense to have  
17 some duplication of the materials, but not all of the  
18 materials, I don't know. I think it's an interesting  
19 question and I put that back to Staff.  
20

21           CHAIR HANSSEN:   I had the same thought, that  
22 maybe that if you had to use the same material on all four  
23 sides it didn't have to be 100% in the same way on all four  
24 sides or something like that, but I'm sure Staff and our  
25

1 consultants can figure this out since we're going to see  
2 this again. Any other questions on this section?

3           We have a community comment on the point system.  
4 This is the first time we've seen the point system.  
5 Everything else was choosing from a menu. This one is  
6 choose from a menu, but certain things have more points  
7 than others. And I assume that this kind of thing has been  
8 used other places successfully?

9           TOM FORD: Yes. It's also sort of the way some of  
10 the LEED standards work. The goal for us was to leave as  
11 much flexibility as possible to an architect, so instead of  
12 coming in here saying your façade has to have an arcade,  
13 your façade has to have a belly band, or bay windows, we  
14 tried to establish there are two parts of building the  
15 standard.  
16

17           One is what is the right minimum point threshold  
18 that they need to meet? And so we chose 12 points, and then  
19 you generally sort of weight the improvements, or the  
20 articulation pieces, as to how difficult they are to  
21 achieve or how much affect they have. So what we tried to  
22 do is certainly weight it in such a way that you couldn't  
23 just do one and get to 12 points, you had to do at least  
24 two, and if you only did two, they were probably at the  
25

1 top, because those are the most points, so that's kind of  
2 how we went about constructing this.

3 CHAIR HANSSEN: I actually like this, assuming  
4 that it would be reasonable to architects, which has been  
5 brought up before, but I like the idea of this and it looks  
6 like it gives you a lot of options about how to go about  
7 creating variations in the facades, which is something we  
8 would all worry about, especially with bigger and Multi-  
9 Family and Mixed-Use developments.

10  
11 TOM FORD: Right. If you think back to that first  
12 photo I showed of the Mark Steele building in San Diego, he  
13 probably has about 40 points, because he had balconies, he  
14 had a change of color, he had a change of upper level  
15 floor, he probably had a belly band, and he had awnings and  
16 canopies. He had a lot of different things going on. He  
17 would have had no problem with 4.3 on that building.

18 CHAIR HANSSEN: Any Commissioners have any  
19 concerns about 4.3? Then on this page there's also 4.4 and  
20 4.5. I don't see anyone with their hands raised, so we can  
21 go ahead. We're getting close to the end.

22 Can you stop at 4.6? I thought this one was kind  
23 of confusing. It was the columns part that messed me up. In  
24 the picture it has the example of the materials changing at  
25 the inside corner, but how would you do that with a column?



1 TOM FORD: That's just saying, for instance, if  
2 you want to call these columns that you could change your  
3 material here, but not like here, but you could use the  
4 column to make a change, because the column would be a  
5 significant enough piece on the façade that it's a logical  
6 place to break.

7 CHAIR HANSSEN: And it's talking about a corner.  
8 Yes, I was confused where the column would be.

9 TOM FORD: Inside corners or at architectural  
10 features that break up the façade plane.

11 CHAIR HANSSEN: Okay, so it's either/or.

12 TOM FORD: But maybe we've overwritten this and  
13 made it more confusing than it needs to be.

14 CHAIR HANSSEN: It might have just been me.  
15 Commissioner Janoff.

16 COMMISSIONER JANOFF: An illustration would help.

17 CHAIR HANSSEN: Yes, an illustration of the "or"  
18 of the columns, because I totally got the inside corner  
19 material change, but I was trying to visualize the column  
20 and it just wasn't happening for me. Vice Chair Barnett.

21 VICE CHAIR BARNETT: Going back to 4.3 if I  
22 might, it addresses only the street-facing façade planes,  
23 and it occurred to me that if you had two large buildings  
24 adjacent that you would be looking at sort of a bare façade  
25

1 except for the fenestration, and I wonder if consideration  
2 should be given to the other sides of the building?

3 CHAIR HANSSEN: Does Staff want to comment on  
4 that? Would we be covered by 4.2 as rewritten?

5 TOM FORD: That was our thinking, because we did  
6 discuss this quite a bit in the context of the 360 concept,  
7 and what we didn't want to do was start requiring all of  
8 this sort of architectural embellishment on every façade,  
9 so this was just supposed to be street-facing façade with  
10 this point system one, but we were hoping that 4.2 would  
11 carry enough of the idea around to the other sides of the  
12 buildings, but you certainly wouldn't have a chimney on all  
13 four sides of your building, you wouldn't necessarily want  
14 bay windows on all four sides, so it could be that we need  
15 to do more thinking about 4.2 rather than trying to  
16 establish 4.3 as something that happens on multiple  
17 facades.  
18

19 VICE CHAIR BARNETT: That would be appreciated.  
20 Thank you.

21 CHAIR HANSSEN: I think that would be fine to  
22 think about 4.2, because that already came up. Any other  
23 comments going through 4.6? Then we've got 4.7. I didn't  
24 have any issues with this one.  
25

1 TOM FORD: 4.7 has two parts. It also has a  
2 minimum amount of glazing, and I think I looked really  
3 quickly at that long Palo Alto document last night. I think  
4 they were using a 60% minimum as well for glass.

5 CHAIR HANSSEN: I thought this was all fine. Do  
6 any Commissioners have any concerns about what is written  
7 so far? We're on the second to last page. And then there's  
8 4.12, 4.13, and 4.14. Vice Chair Barnett.

9 VICE CHAIR BARNETT: Going back to page 19, I  
10 just noted that the Palo Alto Objective Standards spent  
11 quite a bit of time talking about entry dimensions, and I  
12 wonder if that would be worth considering?

13 TOM FORD: Sure. This dimension right here, how  
14 deep and how wide? I think I saw that.

15 SEAN MULLIN: It's tied to, I think, the number  
16 of units and the use, like the intensity of the use  
17 essentially. The more units the wider the entry.

18 TOM FORD: The only problem with that, just to  
19 play devil's advocate, I don't have a problem looking at  
20 it, but the door is either going to be 3' or 6'. It's not  
21 like you have a 3' door, but then if you have 12 units more  
22 you're going to have a 4.5' wide door, unless we're talking  
23 about the vestibule.  
24  
25

1 SEAN MULLIN: I think it's talking about the  
2 vestibule, so the door and the side lights and things like  
3 that. It's more about the defined entry and the importance  
4 of a more defined entry on a building that serves more  
5 folks.

6 TOM FORD: Okay, I see.

7 CHAIR HANSSEN: It sounds like there might be  
8 some stuff from the Palo Alto standards that you've already  
9 looked at that could be helpful to make it more robust.

10 TOM FORD: Right. We actually were tracking their  
11 progress, and so we actually used some of their earlier  
12 draft of their Objective Standards as some of the case  
13 study materials, so what you saw of those massing  
14 articulation standards that we had, we were keying into  
15 some of the things they were doing.

16 CHAIR HANSSEN: Vice Chair, did you have more on  
17 the earlier pages? I didn't want to go through it quicker  
18 than you guys were ready for.

19 VICE CHAIR BARNETT: I'm good now, thanks.

20 CHAIR HANSSEN: Anything on 4.12, 4.13, or 4.14?  
21 I'm not seeing any hands raised.

22 I think this has been a very good discussion.  
23 Staff, do we need to make a motion for a continuance?  
24  
25

1 JENNIFER ARMER: Yes, and we would recommend a  
2 date certain of July 27<sup>th</sup>. If we need more time we could  
3 continue it again at that point.

4 CHAIR HANSSEN: All right, that sounds like a  
5 good plan. Would one of the Commissioners make a motion to  
6 continue this to a date certain of July 27<sup>th</sup>? Commissioner  
7 Raspe.

8 COMMISSIONER RASPE: Thanks, Chair. I move that  
9 we continue the discussion regarding the Town of Los Gatos  
10 Draft Objective Standards to our meeting of July 27<sup>th</sup>.

11 CHAIR HANSSEN: That sounds good, and is there a  
12 second? Vice Chair Barnett.

13 VICE CHAIR BARNETT: Second the motion.

14 CHAIR HANSSEN: Okay. Then we'll just go ahead  
15 and call the question, since we've already had lots of  
16 comments. Commissioner Raspe.

17 COMMISSIONER RASPE: Yes.

18 CHAIR HANSSEN: Commissioner Clark.

19 COMMISSIONER CLARK: Yes.

20 CHAIR HANSSEN: Commissioner Janoff.

21 COMMISSIONER JANOFF: Yes.

22 CHAIR HANSSEN: Vice Chair Barnett.

23 VICE CHAIR BARNETT: Yes.

24 CHAIR HANSSEN: And I vote yes as well.

1 I'd like to thank Staff and all the Commissioners  
2 for their excellent comments. I will look forward to the  
3 next meeting when we get to follow up on some of these  
4 items that we've discussed and come up with an even better  
5 result. Vice Chair Barnett.

6 VICE CHAIR BARNETT: I was wondering if we could  
7 be presented with a redline for the changes before the  
8 meeting? That would be appreciated.

9 CHAIR HANSSEN: Is that feasible, Staff?

10 SEAN MULLIN: I believe so, yes. We'll take a  
11 look at the changes that we end up making and try to  
12 provide a redline and a clean copy.

13 CHAIR HANSSEN: All right, very good.

14 (END)  
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