



**TOWN OF LOS GATOS
HOUSING ELEMENT ADVISORY
BOARD REPORT**

**MINUTES OF THE HOUSING ELEMENT ADVISORY BOARD
FEBRUARY 16, 2023**

The Housing Element Advisory Board of the Town of Los Gatos conducted a Regular Meeting on February 16, 2023, at 7:00 p.m., via teleconference.

This meeting was conducted utilizing teleconferencing and electronic means consistent with Government Code Section 54953, as Amended by Assembly Bill 361, in response to the state of emergency relating to COVID-19 and enabling teleconferencing accommodations by suspending or waiving specified provisions in the Ralph M. Brown Act (Government Code § 54950 et seq.). Consistent with AB 361 and Town of Los Gatos Resolution 2021-044 this meeting was not physically open to the public and the Advisory Board Members were teleconferencing from remote locations. Members of the public were able to participate in the meeting by joining the Zoom webinar (log in information provided below).

MEETING CALLED TO ORDER AT 7:00 P.M.

ROLL CALL

Present: Chair Melanie Hanssen; Vice Chair Kathryn Janoff; Council Member Matthew Hudes; Council Member Rob Moore; Board Member Joseph Mannina; Board Member Adam Mayer; Board Member Steven Piasecki; and Board Member Ryan Rosenberg.

Absent: Planning Commissioner Emily Thomas; and Board Member Randi Chen.

Staff present: Jennifer Armer; Joel Paulson; Jocelyn Shoopman; Erin Walters; and Gabrielle Whelan.

VERBAL COMMUNICATIONS

None.

CONSENT ITEMS (TO BE ACTED UPON BY A SINGLE MOTION)

1. Approval of Minutes – December 1, 2022

MOTION: Motion by Board Member Piasecki to approve adoption of the Consent Calendar. **Seconded by Board Member Mannina.**

VOTE: Motion passed unanimously 8-0.

DISCUSSION ITEMS

2. Review the California Department of Housing and Community Development's (HCD) findings/comment letter received by the Town on January 12, 2023 and discuss possible modifications to the Draft Housing Element.

Presentation by Jocelyn Shoopman.

Chair Hanssen states that this is a good opportunity to ask about the timeline for the Housing Element along with focus on the comments made by the HCD and public. Staff is not asking us to go through each comment, but rather to touch on any specific comments that should be discussed to provide more direction to staff to respond to those comments.

Housing Element Advisory Board (HEAB) member's comments and questions:

- Should the Housing Element be described as a Draft?
- Does Table D-1 require modification in response to the HCD findings/comment letter?
- Is there a concern by staff about the May 31, 2023, deadline?
- How should HEAB members communicate with residents on the timeline of the Housing Element Update?
- Will HCD be providing staff with comments on the recently submitted Draft Housing Element?
- If staff makes changes to the Draft Housing Element currently under review by HCD, which version will HCD provides comments on?
- Did the Town receive the same number of comments from HCD as other Bay Area jurisdictions?
- One of the comments the Town received from HCD talks about describing the consistency between the Housing Element and the General Plan. When the Housing Element is certified, what are the next steps for the General Plan?

VERBAL COMMUNICATIONS

Lee Quintana

While I am not surprised that HCD comment list is as long as it is, I am surprised that only one of the comments has been addressed so far. I would also like to know happens when a permit application comes in, after our Housing Element has been certified and implemented, how the application gets reviewed against the Housing Element and Zoning Code. What happens when a project comes in that is not consistent with the anticipated changes with the Zoning Code? Does the General Plan take precedence over the Housing Element if there is a conflict?

HEAB member's comments and questions (continued):

- There was a comment about the different income levels. What do we have to do to satisfy this comment?
- Item 3, Racially Concentrated Areas of Affluence (RCAA) and Item 8, other relevant factors, are two comments that came up. What implementation programs does the Town have in the Housing Element to address these comments?
- Is there a process built in where if we don't agree with our reviewer, we can consult another person at HCD?
- Is there anything that will be a substantive and/or fundamental modification to the document since most comments appear to be asking for more narrative?
- Going back to Item 8, other relevant information. Most people in our community are not aware that this is on many home deeds in Town. It is important to touch on our history.
- It does not look like the Town has transitional, permanent supportive housing in the Housing Element. Will we be including this in the Zoning Code moving forward?
- If we do not have a property interest form for a site, are we actively contacting the larger non-vacant sites to see if the site could become available?
- The comments from SV@Home are very detailed and staff should consider incorporating most, if not all, of the comments made.
- Comments from South Bay YIMBY about ending apartment bans in high opportunity areas. It appears that the Town has banned over 93.6 percent apartment builds. This might be something to look at.
- There appear to be several comments around government barriers such as how long it takes to get an approved building permit. We may want to look at our Town's permit processes to see if there are changes to help lessen the governmental barriers.
- Comments made by a Planning Commissioner to modify some of the definitions provided in the Housing Element look to be a good recommendation and will help to make the language more modern.
- One constraint that could be looked at are story poles based on their cost constraint.
- Are we using the same consultants we used for the General Plan?
- California Renters in 350 Contra Costa stated that we may not be meeting the deadline for declaring if CEQA is required. Is there any merit to that?

VERBAL COMMUNICATIONS

None.

HEAB member's comments and questions (continued):

- Once the revised version goes to HEAB and is approved, does the Town have to do another seven-day public review period?
- Supposing some of the comments are major, would we still submit a draft to HCD while simultaneously working on another draft?

MINUTES OF HOUSING ELEMENT ADVISORY BOARD MEETING OF FEBRUARY 16, 2023

- Once HCD states that the Housing Element is ready to be certified, they will not certify the document until it has been approved by Planning Commission and Town Council, correct?
- Can staff provide a percentage or brief description of work completed based on the comments we have already received?

ADJOURNMENT

The meeting adjourned at 8:17 p.m.

This is to certify that the foregoing is a true and correct copy of the minutes of the February 16, 2023, meeting.

/s/Joel Paulson, Director of Community Development