

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

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

Los Gatos Planning Commissioners: Jeffrey Barnett, Vice Chair
Susan Burnett
Adam Mayer
Joseph Sordi
Rob Stump
Emily Thomas

Community Development Director: Joel Paulson

Town Attorney: Gabrielle Whelan

Transcribed by: Vicki L. Blandin
(619) 541-3405

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

VICE CHAIR BARNETT: We'll move on to Item 6, the related issue of forwarding a recommendation to the Town Council on a resolution amending the North Forty Specific Plan pursuant to Implementation Program D of the 2023-2031 Housing Element to allow 30 to 40 dwelling units per acre, remove the housing unit cap, and remove guest parking requirements on properties zoned North Forty Specific Plan and North Forty... I have North Forty Specific Plan twice. Am I missing something? It's a typo?

JOCELYN SHOOPMAN: There are two zones. There is North Forty Specific Plan and North Forty Specific Plan: Housing Element Overlay Zone.

VICE CHAIR BARNETT: Oh, the Housing Element. I didn't go far enough. Thank you. Project location: North Forty Specific Plan Area. North Forty Specific Plan Amendment Application A-26-005. Not subject to CEQA under 15061(b)(3) because it can be seen with certainty that there is no possibility that the amendments to the Specific Plan would have a significant effect on the environment. All projects to which the Specific Plan applies will undergo separate CEQA review and approval. Applicant is the Town of Los Gatos, and Ms. Shoopman, you're on.

1 JOCELYN SHOOPMAN: Thank you. Good evening.

2 VICE CHAIR BARNETT: First, lets... Oh, we already
3 know who has visited the property and disclosed, so please
4 proceed.

5 JOCELYN SHOOPMAN: Before the Planning Commission
6 this evening is consideration of Implementation Program D
7 of the Town's Housing Element. Implementation Program D
8 requires that the Town amend the North Forty Specific Plan
9 to make specific modifications to facilitate achieving
10 maximum densities and increasing the total number of
11 dwelling units allowed within a Specific Plan by
12 implementing the following amendments: allowing for a
13 density from 30 dwelling units per acre to 40 dwelling
14 units per acre in order to increase the total number of
15 dwelling units allowed, removing the housing unit cap, and
16 removing the guest parking requirements.

17
18 A redline version of the proposed amendments to
19 the Specific Plan can be reviewed in Exhibit 3 of the Staff
20 Report packet.

21 To add further clarification on CEQA, the adopted
22 the Housing Element, which includes Program D, is within
23 the scope of the previously approved 2040 General Plan, and
24 the program EIR for the General Plan adequately describes
25 the impacts of the Housing Element for the purposes of

1 CEQA. This additional information will be provided in a
2 resolution should this item move on to the Council.

3 The Town will report completion of and progress
4 made on other implementation programs to HCD as part of the
5 annual reporting process to demonstrate compliance with the
6 Town's Certified Housing Element.

7 This concludes Staff's presentation and we are
8 available for any questions.

9 VICE CHAIR BARNETT: Are there questions? I don't
10 see any. Oh, you're over there. Okay, thank you.

11 COMMISSIONER STUMP: To use the vernacular, is
12 this kind of a cleanup on aisle five? I mean, we're having
13 to go back now and deal with things that need to be
14 enabled, so is this really an enabling action that we're
15 taking tonight?

16 JOCELYN SHOOPMAN: It is. A lot of these were
17 discussed through the Housing Element Advisory Board
18 process and Planning Commission/Town Council. This
19 particular implementation program came directly from HCD to
20 include in our Housing Element to clean up these items and
21 to provide consistency.

22 DIRECTOR PAULSON: And Ms. Shoopman, could you
23 also just reference, I think it's Program AA, that
24
25

1 previously dealt with parking in the Zoning Code and its
2 link to this?

3 JOCELYN SHOOPMAN: Yes, so Program AA of the
4 Housing Element was about reducing parking standards. This
5 was adopted by the Town Council, I think, in early 2025,
6 and that modified the parking requirements in the Town Code
7 to remove guest parking from multi-family projects. What
8 we're doing to the Specific Plan is just aligning to what
9 the Zoning Code already says.

10 COMMISSIONER STUMP: I may have missed the
11 reasoning, but why did we decide to eliminate guest
12 parking? Were we being pushed in that direction? Was this
13 just something taken as a voluntary measure to support
14 multi-family development? What was the rationale behind
15 basically eliminating any guest parking?

16 JOCELYN SHOOPMAN: My understanding, and other
17 Staff can jump in, is that this was direction from HCD,
18 because the parking requirements were an impediment to
19 housing.

20 COMMISSIONER STUMP: Thank you. Answers the
21 question.

22 VICE CHAIR BARNETT: Commissioner Mayer.

23 COMMISSIONER MAYER: I was on the Housing Element
24 Advisory Board when we went through this. I probably won't
25

1 be as diplomatic as Staff is being tonight, but yes, HCD
2 was driving the hammer hard on this stuff, as I recall, so
3 the Town wasn't really put in a position to resist, because
4 we were trying to get it done and there was a timeline
5 issue and everything, but now looking back at it, it's like
6 okay, were these the best decisions? Maybe not, but at the
7 time it's sort of the process that we had to go through.

8 VICE CHAIR BARNETT: Commissioner Thomas.

9
10 COMMISSIONER THOMAS: I also was on the Housing
11 Element Advisory Board and just also wanted to point out
12 that the State laws are trending in the direction of
13 reducing parking minimums as it is. In general, that's
14 something that just keeps happening.

15 But I did have a question for Staff. I was like,
16 wait, this is in the Housing Element Overlay Zone, so that
17 technically it is already reduced. That is the top thing
18 that applies when they go to do any further process to... Or
19 which supersedes? Because there's a conflict right now with
20 what is in the Specific Plan, and we've eliminated the
21 parking minimums in all the overlay zones.

22 JOCELYN SHOOPMAN: I'll start. We can think about
23 the most recent application we had in the Specific Plan
24 Area, which was Phase 2, and under Phase 2 they were vested
25 to the Specific Plan in place and that required guest

1 parking, and so they were required as part of that
2 application to provide it. They used a waiver under Density
3 Bonus Law to reduce those parking requirements.

4 COMMISSIONER THOMAS: Okay.

5 DIRECTOR PAULSON: Just further clarification, as
6 I recall, Program AA wasn't specific to the HEOZ, it was
7 the actual Zoning Code itself, so I don't believe we had
8 parking requirements in the HEOZ, so that's a separate
9 issue, so they will need to comply with the HEOZ and the
10 North Forty Specific Plan moving forward.

11 COMMISSIONER THOMAS: Okay, so it just aligns
12 everything. Okay, thank you.

13 VICE CHAIR BARNETT: Commissioner Stump.

14 COMMISSIONER STUMP: Just a follow-up question.
15 Was guest parking reduced in Phase 2, or eliminated by
16 exception, or by...

17 JOCELYN SHOOPMAN: They still provided guest
18 parking as part of Phase 2; it was just reduced from what
19 would have originally been required had they not utilized a
20 waiver.

21 COMMISSIONER STUMP: Thank you.

22 VICE CHAIR BARNETT: It appears that I didn't
23 open the public meeting on the last item of this item, but
24
25

1 there is no one here wishing to speak, and there is no one
2 on Zoom?

3 DIRECTOR PAULSON: I don't see any hands raised
4 on Zoom for this item. You did open the public hearing and
5 we had a speaker for the last item, so you didn't miss it
6 last time.

7 VICE CHAIR BARNETT: Maybe I didn't close it.
8 Okay, thank you. If there are no other questions, I'll
9 start with Commissioner Stump.

10 COMMISSIONER STUMP: I'll go ahead and make a
11 motion as it relates to the North Forty Specific Plan
12 Amendment Application A-26-005.

14 I move to approve forwarding a recommendation to
15 the Town Council on a resolution amending the North Forty
16 Specific Plan pursuant to Implementation Program D of the
17 2023-2031 Housing Element to allow 30 to 40 dwelling units
18 per acre, remove the housing unit cap, and remove guest
19 parking requirements. Applicant: Town of Los Gatos. Project
20 location: North Forty Specific Plan Area. Project Planner:
21 Jocelyn Shoopman.

22 I can make these findings: the required findings
23 for CEQA, that the proposed amendments are not subject to
24 CEQA review pursuant to CEQA Guidelines Section 15061(b)(3)
25 because it can be seen with certainty there is no

1 possibility that the amendments to the Specific Plan would
2 have a significant effect on the environment. All projects
3 to which the Specific Plan applies will undergo separate
4 CEQA review and approval. I can make the finding for the
5 General Plan the proposed amendments to the North Forty
6 Specific Plan are consistent with the General Plan and its
7 elements, and further, a draft resolution is provided for
8 Town Council consideration and approval of amendments to
9 the North Forty Specific Plan Amendment Application A-26-
10 005. Applicant: Town of Los Gatos.

11
12 VICE CHAIR BARNETT: Thanks for that complete
13 motion. Is there a second?

14 ATTORNEY WHELAN: Before you second it, I just
15 wanted to say can that include the additional CEQA language
16 that Ms. Shoopman referenced, and also the public interest
17 finding that Ms. Shoopman referenced?

18 COMMISSIONER STUMP: Yes, it can as long as I
19 don't have to state it.

20 ATTORNEY WHELAN: No, what Ms. Shoopman said will
21 be incorporated into the resolution that is presented to
22 the Council.

23 COMMISSIONER STUMP: Perfect. Agreed.

24 VICE CHAIR BARNETT: All right, and with that, is
25 there a second? Commissioner Thomas.

1 COMMISSIONER THOMAS: I second the motion, and I
2 would just like to add that per Item 1 amending a minimum
3 density of 30 dwelling units per acre and the maximum of
4 40, I think that I just want to point out that it's really
5 important that we have that minimum, because with the no
6 net loss and everything, we don't want to end up with a
7 situation where things are developed under we had goals for
8 in our Housing Element, so I just wanted to say that I
9 think that that really strengthens and can hopefully show
10 HCD that we're really trying to move in the right
11 direction.
12

13 VICE CHAIR BARNETT: Okay, thank you. Are there
14 comments? Otherwise, I'll call the question. Those in
15 favor? And it passes unanimously. Recommendation, so no
16 appeal rights, correct.

17 SEAN MULLIN: That is correct.
18
19
20
21
22
23
24
25