

**Program 6.G: Housing Mobility**

Housing mobility strategies consist of removing barriers to housing in areas of opportunity and strategically enhancing access (Los Altos is entirely highest resource in terms of access to opportunity and a concentrated area of affluence). To improve housing mobility and promote more housing choices and affordability throughout Los Altos, including in lower-density neighborhoods, the City will employ a suite of actions to expand housing opportunities affordable to extremely low, very low, low, and moderate income households. Actions and strategies include:

- SB 9 – Monitor the City’s SB 9 standards and amend standards to facilitate SB 9 applications (e.g., duplexes in single-family zones) if the City is not on track to meet its SB 9 application goal during the planning period. See Program 1.M.
- Rezoning – Modify zoning to allow residential or increased residential intensity and/or density of residential throughout Los Altos. This includes zoning amendments along higher intensity corridors (e.g., El Camino Real, San Antonio Road, and Foothill Expressway) and for sites within lower-density neighborhoods (e.g., Loyola Corners Specific Plan, OAZoned sites on Altos Oaks Drive, and church sites on Magdalena Avenue). See Programs 1.B, 1.C, 1. D, 1.E, and 1.F.
- Housing on City Sites – Enter into a public-private partnership to develop housing, targeting low-income households, on City-owned Downtown Parking Plazas. See Program 1.H.
- Enhanced Inclusionary Housing – Assess and amend the City’s inclusionary housing requirements to better produce low-income units and units for special needs groups throughout Los Altos. See Program 2.A.
- Accessory Dwelling Units (ADUs) – Encourage and streamline ADUs in single-family neighborhoods by preparing standardized ADU plans with a variety of unit sizes and by affirmatively marketing and outreach to increase awareness and the diversity of individuals residing in Los Altos. See Program 2.D.
- Junior ADUs – Develop and adopt objective standards to allow more than one (at minimum two) Junior ADU per structure by July 2025. The objective is to achieve at least 10 JADUs in lower-density neighborhoods by January 2031.
- Religious Institutional Sites – Allow housing on all religious institutional sites within the City (i.e., all PCF-zoned religious institutional properties in addition to the two sites identified in the housing sites inventory (Program 1.D)). Conduct outreach to owners and operators of religious institutions to raise awareness and encourage housing proposals. Permit 10 housing units on a religious institution/faith-based site(s) during the 2023-2031 planning period. If no application for housing on a religious institution/faith-based site is received by December 2025, the City will expand outreach

efforts to be conducted annually. This may include direct mailings to faith-based sites highlighting successful affordable housing units on other faith-based sites, as well as available City resources and programs to support such projects (e.g., Program 2.C – Assist in securing funding for affordable housing projects).

- Homesharing – Research and pursue a homesharing program, including coordination with non-profits and other organizations to assist with matching tenants with existing homeowners. The City will publicize and take other actions as necessary (e.g., facilitate presentations at the Los Altos Senior Center, etc.) at least annually with the goal of five opportunities per year.

**Responsible Body:** Development Services Department

**Funding Source:** General Fund

**Time Frame:** Annually review overall progress and effectiveness in April and include information in annual report to HCD. If the City is not on track to meet its 150 affordable housing unit goal for the 8-year RHNA cycle by 2027 (i.e., 75 affordable units built or in process by 2027), the City will consider alternative land use strategies and make necessary amendments to zoning or other land use documents to facilitate a variety of housing choices, including but not limited to, strategies that encourage missing middle zoning (small-scale multi-unit projects), adaptive reuse, and allowing additional ADUs and/or JADUs, within six months, if sufficient progress toward this quantified objective is not being met. Objective: Provide 150 housing opportunities affordable to lower income households by January 2031. Geographic Targeting: Citywide, but especially lower-density neighborhoods.

**Town of Los Gatos Housing Element**  
**Program: Housing Mobility**

Housing mobility strategies consist of removing barriers to housing in areas of opportunity and strategically enhancing access (Los Gatos is entirely highest resource in terms of access to opportunity and a concentrated area of affluence). To improve housing mobility and promote more housing choices and affordability throughout Los Gatos, including in lower-density neighborhoods, the Town will employ a suite of actions to expand housing opportunities affordable to extremely low, very low, low, and moderate income households.

Actions and strategies include:

- SB 9 – Monitor the Town’s SB 9 standards and amend standards to facilitate SB 9 applications (e.g., duplexes in single-family zones) if the Town is not on track to meet its SB 9 application goal during the planning period. See **Program AV**.
- Rezoning – Modify zoning to allow residential or increased residential intensity and/or density of residential throughout Los Gatos. This includes zoning amendments already completed along higher intensity corridors **with access to transit and other opportunities** (North 40, Los Gatos Boulevard, Highway 9, and Winchester Boulevard) and for sites within lower-density neighborhoods (Oka Lane, Lark Avenue Area, Union Avenue, Downtown Area). See Program **AZ** which has been implemented.
- Housing on Town Sites – Enter into a public-private partnership to develop housing, targeting low-income households, on Town-owned Properties. See **Program E**.
- Enhanced Inclusionary Housing – Assess and amend the Town’s inclusionary housing requirements to better produce low-income units and units for special needs groups throughout Los Gatos. See **Program L**.
- Accessory Dwelling Units (ADUs) – Encourage and streamline ADUs in single-family neighborhoods by preparing standardized ADU plans with a variety of unit sizes and by affirmatively marketing and outreach to increase awareness and the diversity of individuals residing in Los Gatos. **See Program Q**.
- Junior ADUs – Develop and adopt objective standards to allow more than one (at minimum two) Junior ADU per structure by July 2025. The objective is to achieve at least 10 JADUs in lower-density neighborhoods by January 2031.
- Religious Institutional Sites – **Expand housing opportunities** on all religious institutional sites within the Town. **See Program S**. Conduct outreach to owners and operators of religious institutions to raise awareness and encourage housing proposals. Permit 10 housing units on a religious institution/faith-based site(s) during the 2023-2031 planning

period. If no application for housing on a religious institution/faith-based site is received by December 2025, the Town will expand outreach efforts to be conducted annually. This may include direct mailings to faith-based sites highlighting successful affordable housing units on other faith-based sites, as well as available Town resources and programs to support such projects (e.g., Programs N, P, T, AI, AJ – Assist in securing funding for affordable housing projects).

- Homesharing – Research and pursue a homesharing program, including coordination with non-profits and other to assist with matching tenants with existing homeowners. The Town will publicize and take other actions as necessary (e.g., facilitate presentations at the Los Gatos Adult Recreation Center, etc.) at least annually with the goal of five opportunities per year.

**Responsible Body:** Community Development Department

**Funding Source:** General Fund

**Time Frame:** Annually review overall progress and effectiveness in April and include information in annual report to HCD. If the Town is not on track to meet its 160 affordable housing unit goal for the 8-year RHNA cycle by 2027 (i.e., 80 affordable units built or in process by 2027), the Town will consider alternative land use strategies and make necessary amendments to zoning or other land use documents to facilitate a variety of housing choices, including but not limited to, strategies that encourage missing middle zoning (small-scale multi-unit projects), adaptive reuse, and allowing additional ADUs and/or JADUs, within six months, if sufficient progress toward this quantified objective is not being met. Objective: Provide 160 housing opportunities affordable to lower income households by January 2031. Geographic Targeting: Townwide, but especially lower-density neighborhoods.

<b>Comment Number</b>	#1a.
<b>HCD Comment</b>	<p><i>Affirmatively further[ing] fair housing in accordance with Chapter 15 (commencing with Section 8899.50) of Division 1 of Title 2...shall include an assessment of fair housing in the jurisdiction. (Gov. Code, § 65583, subd. (c)(10)(A).)</i></p> <p><i>Promote and affirmatively further fair housing opportunities and promote housing throughout the community or communities for all persons regardless of race, religion, sex, marital status, ancestry, national origin, color, familial status, or disability, and other characteristics... (Gov. Code, § 65583, subd. (c)(5).)</i></p> <p><b>Income and Racial Concentration Area of Affluence (RCAA):</b> The element now includes actions to promote an inclusive community; however, the element must provide specific analysis of income and RCAA at a regional level (town compared to the broader region) to better formulate appropriate policies and programs. The analysis should at least address trends, conditions, coincidence with other fair housing factors (e.g., race, highest resource, overpayment), effectiveness or absence of past strategies (e.g., lack of publicly assisted housing and lack of multifamily zoning), local data and knowledge and other relevant factors.</p>
<b>Response</b>	Additional narrative regarding race, ethnicity, and income trends for Los Gatos was added on page A-69 Appendix A. In addition, discussion of zoning, including the Town's Zoning Map was added on page A-73 of Appendix A, as well as a narrative describing implementation programs included in the Housing Element which facilitate the creation of affordable housing units on pages A-69 of Appendix A.
<b>Priority Rating</b>	Straight forward
<b>Examples from Other Certified Housing Elements</b>	<p>City of Campbell, starting on page H.II-84.</p> <p>Town of Los Altos Hills, starting on page 101.</p>
<b>Campbell -</b> pop. 44,000 RHNA 2,977 / HE 5,311 Buffer 78% <b>Cert. 5/2023</b>	
<b>Los Altos Hills -</b> pop. 8,500 RHNA 489 / HE 616 Buffer 26% Cert. <b>5/2023</b>	
<b>Pleasanton -</b> pop. 78,000 RHNA 5,965 / HE 6714 Buffer 13% Cert <b>9/2023</b>	
<b>Los Altos -</b> pop. 31,000 RHNA 1,959 / HE 2,598 Buffer 32% <b>Cert. 9/2023</b>	
<b>Los Gatos -</b> pop. 31,000 RHNA 1,993 / HE 2,371 Buffer 19%	

<b>Comment Number</b>	#1b.
<b>HCD Comment</b>	Contributing Factors to Fair Housing Issues: Based on a complete analysis, the element should re-assess and prioritize contributing factors to fair housing issues. For example, the Town is wholly a RCAA, highest resource and highest median incomes in contrast to the rest of the region. As a result, fair housing issues such as the lack of affordable housing and segregation from the rest of the region should be a high priority.
<b>Response</b>	Additional narrative describing fair housing as an issue in Town was provided on page A-18 of Appendix A (RCAAs). Fair housing was also modified on page A-18 of Appendix A, to be a high priority for the Town.
<b>Priority Rating</b>	Straight forward
<b>Examples from Other Certified Housing Elements</b>	Campbell, starting on page H.II- 121. Town of Los Altos Hills, starting on page 78 and page 124.
<b>Campbell - pop. 44,000 RHNA 2,977 / HE 5,311 Buffer 78% Cert. 5/2023</b>	
<b>Los Altos Hills - pop. 8,500 RHNA 489 / HE 616 Buffer 26% Cert. 5/2023</b>	p124 Los Altos Hills brought together programs that would further AFFH into concise tables Table 49 displays the identified fair housing issues, contributing factors, relative priority, and meaningful actions drawn from the analysis of fair housing. Higher priority is given to factors that limit fair housing choice and/or negatively impact fair housing, per Government Code Section 65583(c)(10)(A)(iv). Identified Fair Housing Issue/Contributing Factor/Action/Priority Table 50 provides a detailed overview of actions included in Housing Element Programs that are aimed at affirmatively furthering fair housing. The table separates the actions by their identified fair housing issue and priority level. It provides an overview of each specific commitment, timeline, a geographic targeting, and metric for each program. HE Programs or Other Activities/Specific Commitment/Timeline/Geographic Targeting/2023-20321 Metric
<b>Pleasanton - pop. 78,000 RHNA 5,965 / HE 6714 Buffer 13% Cert 9/2023</b>	
<b>Los Altos - pop. 31,000 RHNA 1,959 / HE 2,598 Buffer 32% Cert. 9/2023</b>	
<b>Los Gatos - pop. 31,000 RHNA 1,993 / HE 2,371 Buffer 19%</b>	While the Town has median incomes comparable to neighboring jurisdictions, the proportion of non-Hispanic White residents in Los Gatos is higher than the countywide trend. The Town may lack sufficient housing opportunities suitable for lower income households and outreach about such opportunities for protected groups including communities of color.

<b>Comment Number</b>	#1c.
<b>HCD Comment</b>	0
<b>Response</b>	Modifications to Implementation Program J on page 10-44 of Chapter 10 were made to include actions that aim to facilitate a range of housing types, including small multi-unit housing in low to medium designations. Additionally, a separate action within Implementation Project J calls for creating opportunities for other housing types (tiny homes and co-housing).
<b>Priority Rating</b>	Moderately complex
<b>Examples from Other Certified Housing Elements</b>	City of Pleasanton, starting on page 61. Town of Los Altos Hills, starting on page 87.
<b>Campbell - pop. 44,000 RHNA 2,977 / HE 5,311 Buffer 78% Cert. 5/2023</b>	<p>H.IV-46 Campbell's affordable housing is currently limited and concentrated in areas of the city that are disconnected from amenities and services. H.IV-49 City Action: Support the dispersion of affordable housing throughout <b>Moderate and High Resource areas</b> in Campbell through the City's Inclusionary Housing Ordinance (HE Program H-1a) and new Affordable Housing Overlay Zone (HE Program H-1c), providing sites for 1,839 lower and 614 moderate income units. (Program H5-e). Action Outcomes : Through implementation of the Inclusionary Housing Ordinance, adoption of an Affordable Housing Overlay, promotion of ADUs, allowance for lots splits and duplexes in single-family zones, and adoption of an ordinance to allow development up to 10 units on small lots, provide increased housing options throughout Campbell's high resource neighborhoods to foster a more inclusive community.</p> <p>City Action: Initiate a marketing program for homeowners on the benefits of . . . seek to issue permits for 216 ADUs over the planning period. <b>216</b></p> <p>City Action: Implement the City's SB 9 Ordinance to expand the housing supply in High Resource single-family zones. . . Seek to integrate at least three SB 9 units annually in high resource single-family districts. <b>24</b></p> <p>City Action: Adopt an SB 10 Ordinance (2024) to allow up to 10 units to be developed on smaller residential parcels throughout the City, with a goal to produce 200 units of missing middle housing, targeting 75% of these units in RCAAs and high resource tracts (Program H-1g). <b>200</b></p> <p>City Action: Require affordable developers receiving public funds to prepare an affirmative marketing plan. . .</p> <p>City Action: Apply for Project Homekey funds and seek to achieve 100 units of permanent supportive housing, addressing approximately 50% the City's 2022 PIT count (or updated goal based on latest PIT count). <b>100 MH TOTAL: 540 UNITS</b></p>

<p><b>Los Altos Hills -</b>  <b>pop. 8,500</b>  <b>RHNA 489 / HE</b>  <b>616 Buffer</b>  <b>26% Cert.</b>  <b>5/2023</b></p>	<p>p87</p> <p>The Town is including several programs to further accommodate lower-income households. Increasing housing mobility and housing opportunities for the lower-income population includes multifamily rental housing and lower cost rental opportunities. The Town is including Programs A-1, A-2, A-5, and A-6 to create a multifamily overlay zone, allow by right approval for 20 percent affordable housing developments, establish minimum densities for low-income development, and conduct an inclusionary zoning feasibility study respectively. The Town is also incentivizing the production of ADUs using methods discussed in Programs A-7 and G-2, including tracking and monitoring ADUs and encouraging existing ADUs to remain affordable. The Town is also including Program F-3 to create a registry of affordable rental units as the units are built.</p> <p><b>**A-1</b> creates a new multifamily zone to allow and expedite affordable housing construction to increase housing choice options and mobility Rezone at least 34 acres via an overlay zone and rezone to ensure that the Town fully meets RHNA capacity within three years of the adoption of the housing element, including a buffer of 15% of the RHNA to ensure adequate capacity. Create a high density multifamily infill overlay zone that requires a minimum of 20 du/ac and permits densities of at least 30 du/ac for at least 19 acres on institutional properties. Rezone 15 acres from R-A to a new multifamily zone with a minimum density of 20 du/ac. The combined rezone and overlay zone will include capacity for at least <b>**A-2</b></p> <p><b>Tracking Unit Count</b> <b>**A-5</b> Minimum Density <b>**A-6</b> Inclusionary <b>**A-12</b> To increase housing opportunity and mobility beyond identified RHNA sites, the Town will amend the zoning ordinance to allow existing, conforming single family residences to be converted to up to three units (i.e., into a duplex or triplex), subject to objective development standards to be prepared by the Town. These conversion units would be permitted in residential areas in specific portions of the R-A zone that are in lower fire hazard areas with adequate water and sewer service availabilities, as determined by the City Council through the zoning ordinance amendment process, which goal is to identify areas that increase housing choice and mobility throughout Town and will include areas equal to at least 25% of conforming single family residences in the Town. The Town will conduct a mid-cycle evaluation to examine progress of the conversion units program. NOTE: All of these rezonings are proposed to occur through 2027. <b>160 ADUs 50 Conversions to Duplex or Triplex</b> <b>Appendix A: Vacant Lots with Potential</b></p> <p><b>SB 9 Units 37 MH TOTAL: 247 UNITS</b></p>
<p><b>Pleasanton -</b>  <b>pop. 78,000</b>  <b>RHNA 5,965 /</b>  <b>HE 6714 Buffer</b>  <b>13% Cert</b>  <b>9/2023</b></p>	<p>p61</p> <p>1. Religious institution/faith-based sites: . . . <b>Permit 10 housing units</b> on a religious institution/faith-based site(s) with a target of 60 percent of units in lower density areas during the 2023-2031 planning period</p> <p>2. Homesharing: Research and pursue a homesharing program, including coordination with non-profits and other organizations to assist with matching tenants with existing</p> <p>3. Accessory dwelling units (ADUs) and other “missing middle” housing in lower-density zones: Prepare pre-approved ADU building plans. Publicize ADU and JADU incentives such as reduced permit fees. <b>93</b></p> <p>City will provide information about Ordinance No. 2228 and Cal. GC§§65852.21 and 66411.7 (urban lot splits and two-unit developments) [SB 9]</p> <p>including the relevant objective design standards and streamlined review available for such units, with a <b>target of one application for an additional housing unit each year . 8</b></p> <p>4. Additional Junior ADUs: Develop and adopt objective standards to allow more than one Junior ADU per structure by July 2025. The objective is to <b>achieve at least 10 JADUs in lower density areas by January 2031.</b></p> <p>5. Marketing of housing resources and opportunities:</p> <p>6. Down Payment Assistance Loan Program: Provide down payment assistance loans for first-time homebuyers with incomes of up to 120 percent AMI</p> <p>7. Local Universal Design Ordinance: Adopt a local Universal Design Ordinance applicable to single-family, duplex, and triplex projects. See Program 5.4</p> <p>homeowners. . . <b>goal of five opportunities per year. 40</b></p> <p><b>8. Additional Housing Opportunities: Adopt an ordinance to zone certain parcels for up to 10 units of residential density if located in either a transit-rich area or an urban infill site</b> consistent with GC §65913.5. The ordinance will include a map demarcating the parcels subject to this upzoning. The City will adopt this ordinance no later than December 2025. The objective is to provide opportunities for at least an <b>additional 20 units through this zoning ordinance. MH TOTAL: 181</b></p>



<p>Los Altos - pop. 31,000 RHNA 1,959 / HE 2,598 Buffer 32% Cert. 9/2023</p>	<p>p49</p> <ul style="list-style-type: none"> <li>•SB 9 – Monitor the City’s SB 9 standards and amend standards to facilitate SB 9 applications (e.g., duplexes in single-family zones) if the City is not on track to meet its SB 9 application goal during the planning period</li> <li>•Rezoning – Modify zoning to allow residential or increased residential intensity and/or density of residential throughout Los Altos. This includes zoning amendments along higher intensity corridors and for sites within lower-density neighborhoods*</li> <li>•Accessory Dwelling Units (ADUs) – Encourage and streamline . . . <b>322</b></li> <li>•Junior ADUs – Develop and adopt objective standards to allow more than one (at minimum two) Junior ADU per structure by July 2025. The objective is to <b>achieve at least 10 JADUs</b> in lower-density neighborhoods by January 2031. <b>10</b></li> <li>•Religious Institutional Sites –<b>Permit 10 housing units</b> on a religious institution/faith-based site(s) during the 2023-2031 planning period. . . <b>10</b></li> <li>•Homesharing – Research and pursue a homesharing program. . . <b>with the goal of five opportunities per year. 40</b></li> <li>•If the City is not on track to meet its 150 affordable housing unit goal for the 8-year RHNA cycle by 2027 (i.e., 75 affordable units built or in process by 2027), the City will consider alternative land use strategies and make necessary amendments to zoning or other land use documents to facilitate a variety of housing choices, including but not limited to, strategies that encourage missing middle zoning (small-scale multi-unit projects), adaptive reuse, and allowing additional and/or JADUs, within six months, if sufficient progress toward this quantified objective is not being met. Objective: Provide 150 housing opportunities affordable to lower income households by January 2031. Geographic Targeting: Citywide, but especially lower-density neighborhoods.</li> </ul> <p><b>MH Total: 382 Units</b></p>
<p>Los Gatos - pop. 31,000 RHNA 1,993 / HE 2,371 Buffer 19%</p>	

<b>Comment Number</b>	#2a.
<b>HCD Comment</b>	<p><i>An inventory of land suitable and available for residential development, including vacant sites and sites having realistic and demonstrated potential for redevelopment during the planning period to meet the locality's housing need for a designated income level, and an analysis of the relationship of zoning and public facilities and services to these sites. (Gov. Code, § 65583, subd. (a)(3).)</i></p> <p><i>Identify actions that will be taken to make sites available during the planning period with appropriate zoning and development standards and with services and facilities to accommodate that portion of the city's or county's share of the regional housing need for each income level that could not be accommodated on sites identified in the inventory... (Gov. Code, § 65583, subd. (c)(1).)</i></p> <p><b>Small Sites:</b>  The element identifies several sites with parcels less than a half- acre (p. D-13) that have common ownership and, in some cases, expressed interest to redevelop the site. For small sites with expressed interest in redevelopment, the element should clarify that the expressed interest is also in consolidating the sites. For the remaining sites (Sites D-2 and D-5), the element should explain the circumstances leading to the potential for consolidation such as necessity to consolidate due to access, feasibility, shape, or site planning flexibility. Based on the outcomes of this analysis, the element should add or modify <u>Program K (Lot Consolidation) to further promote lot consolidation, if appropriate.</u></p>
<b>Response</b>	Additional narrative added to page D-12 of Appendix D, describing property owner interest in developing multiple parcels as a single parcel, how the sites share access, parking, and the conduciveness to redevelopment as a single parcel given the lot shape and configuration.
<b>Priority Rating</b>	Straight forward
<b>Examples from Other Certified Housing Elements</b>	This comment is not applicable to other similar cities with certified Housing Elements.
<b>Campbell - pop. 44,000 RHNA 2,977 / HE 5,311 Buffer 78% Cert. 5/2023</b>	
<b>Los Altos Hills - pop. 8,500 RHNA 489 / HE 616 Buffer 26% Cert. 5/2023</b>	
<b>Pleasanton - pop. 78,000 RHNA 5,965 / HE 6714 Buffer 13% Cert 9/2023</b>	
<b>Los Altos - pop. 31,000 RHNA 1,959 / HE 2,598 Buffer 32% Cert. 9/2023</b>	

Los Gatos - pop. 31,000 RHNA 1,993 / HE 2,371 Buffer 19%	
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<b>Comment Number</b>	#2b.
<b>HCD Comment</b>	<p><b><u>Electronic Sites Inventory:</u></b></p> <p>For your information, while the Town has submitted an electronic sites inventory as part of this submittal, pursuant to Government Code section 65583.3, the Town must submit an electronic sites inventory with its adopted housing element. Please see HCD's housing element webpage at <a href="https://www.hcd.ca.gov/planning-andcommunity-development/housing-elements">https://www.hcd.ca.gov/planning-andcommunity-development/housing-elements</a> for a copy of the form and instructions. The Town can reach out to HCD at <a href="mailto:sitesinventory@hcd.ca.gov">sitesinventory@hcd.ca.gov</a> for technical assistance.</p>
<b>Response</b>	N/A
<b>Priority Rating</b>	For information only
<b>Examples from Other Certified Housing Elements</b>	N/A
Campbell - pop. 44,000 RHNA 2,977 / HE 5,311 Buffer 78% Cert. 5/2023	
Los Altos Hills - pop. 8,500 RHNA 489 / HE 616 Buffer 26% Cert. 5/2023	
Pleasanton - pop. 78,000 RHNA 5,965 / HE 6714 Buffer 13% Cert 9/2023	
Los Altos - pop. 31,000 RHNA 1,959 / HE 2,598 Buffer 32% Cert. 9/2023	
Los Gatos - pop. 31,000 RHNA 1,993 / HE 2,371 Buffer 19%	

<b>Comment Number</b>	#2c.
<b>HCD Comment</b>	<p>Adequate Sites Programs:</p> <p>As noted in the prior review, if necessary to make appropriate zoning available to accommodate the lower-income RHNA, programs must be revised to meet all requirements pursuant to Government Code section 65583.2, subdivisions (c), (h) and (i). The element includes Programs D (Program By Right Zoning Text Amendment to Accommodate RHNA), AR (General Plan Amendment) and AS (Adequate Sites for Housing) to address these requirements. With respect to sites identified in prior planning periods, the element meets statutory requirements, but these actions must be completed by January 31, 2024.</p> <p>With respect to a shortfall of adequate sites to accommodate the lower-income RHNA, the element includes Programs AR and AS. However, the Programs commit to the appropriate zoning given the rezoning occurs after the statutory deadline of January 31, 2023. HCD understands the Town completed the rezoning after the statutory deadline and, therefore, the rezoning must meet all by right requirements pursuant to Government Code section 65583.2, subdivisions (h) and (i). Based on a cursory review, the rezoning does not appear to meet these requirements. As a result, these programs must clearly commit to meet all by-right requirements by January 31, 2024.</p> <p>In addition, please be aware, the recent California appellate decision in <i>Martinez v. City of Clovis</i> found that while overlays can be used in a rezone, when the base zone allows residential development, both the base zone and the overlay zone must comply with the minimum density requirements of Government Code section 65583.2, subdivision (h). The Town may need to adjust its rezoning strategy if the underlying zoning for sites that will be rezoned allows minimum densities less than 20 dwelling units per acre. <i>Martinez v. City of Clovis</i> (2023) 90 Cal.App.5th 193, 307 Cal.Rptr.3d 64.</p>
<b>Response</b>	On January 24, 2024, the Planning Commission will consider and make a recommendation on proposed amendments to the Housing Element Overlay Zone (HEOZ) Ordinance in response to the by right requirements pursuant to Government Code section 65583.2, subdivisions (h) and (i), as well as the minimum density requirements of Government Code section 65583.2, subdivision (h). The Town Council will consider the proposed HEOZ amendments at a future date.
<b>Priority Rating</b>	Straight forward
<b>Examples from Other Certified Housing Elements</b>	This comment is not applicable to other similar cities with certified Housing Elements.
<b>Campbell - pop. 44,000 RHNA 2,977 / HE 5,311 Buffer 78% Cert. 5/2023</b>	
<b>Los Altos Hills - pop. 8,500 RHNA 489 / HE 616 Buffer 26% Cert. 5/2023</b>	
<b>Pleasanton - pop. 78,000 RHNA 5,965 / HE 6714 Buffer 13% Cert 9/2023</b>	

Los Altos - pop. 31,000 RHNA 1,959 / HE 2,598 Buffer 32% Cert. 9/2023	
Los Gatos - pop. 31,000 RHNA 1,993 / HE 2,371 Buffer 19%	

<b>Comment Number</b>	#3a.
<b>HCD Comment</b>	<p>An analysis of potential and actual governmental constraints upon the maintenance, improvement, or development of housing for all income levels, including the types of housing identified in paragraph (1) of subdivision (c), and for persons with disabilities as identified in the analysis pursuant to paragraph (7), including land use controls, building codes and their enforcement, site improvements, fees and other exactions required of developers, and local processing and permit procedures... (Gov. Code, § 65583, subd. (a)(5).) Address and, where appropriate and legally possible, remove governmental and nongovernmental constraints to the maintenance, improvement, and development of housing, including housing for all income levels and housing for persons with disabilities...(Gov. Code, § 65583, subd. (c)(3).)</p> <p>Land Use Controls:</p> <p>HCD's prior review found that the Town must list and evaluate development standards in the North Forty Specific Plan and High Density Residential and Commercial designation. In response, the Town has now listed development standards by each zoning district but should also analyze those development standards for impacts on housing supply and cost and most importantly, the ability to encourage maximum densities without exceptions. For example, lot coverages, heights, and setbacks in the Multifamily Residential (RM) zone; and lot coverage heights and guest parking requirements in the North Forty Specific Plan could be constraints. Based on the outcomes of a complete analysis, the element should add or modify programs to include specific commitment to review and revise these development standards as necessary.</p>
<b>Response</b>	<p>Additional narrative added on pages C-8 and C-9 of Appendix C to identify the increased development standards, such as building height and lot coverage for sites within the HEOZ. The Housing Element already includes an action to develop standards to achieve maximum density, including reducing parking requirements.</p> <p>The Town does not have a trend of meeting the maximum density, which is primarily due to developer preference.</p> <p>Additional narrative added to Implementation Program J on page 10-45 of Chapter 10 to identify a new action to establish a maximum average unit size.</p>
<b>Priority Rating</b>	Straight forward
<b>Examples from Other Certified Housing Elements</b>	<p>Town of Los Altos Hills, starting on page 138.</p> <p>City of Campbell, starting on page H.II-123.</p>
<b>Campbell - pop. 44,000 RHNA 2,977 / HE 5,311 Buffer 78% Cert. 5/2023</b>	
<b>Los Altos Hills - pop. 8,500 RHNA 489 / HE 616 Buffer 26% Cert. 5/2023</b>	
<b>Pleasanton - pop. 78,000 RHNA 5,965 / HE 6714 Buffer 13% Cert 9/2023</b>	

Los Altos - pop. 31,000 RHNA 1,959 / HE 2,598 Buffer 32% Cert. 9/2023	
Los Gatos - pop. 31,000 RHNA 1,993 / HE 2,371 Buffer 19%	



<b>Comment Number</b>	#3b.
<b>HCD Comment</b>	<b>Local Processing and Permit Procedures:</b> The element now discusses decision-making bodies and lists approval findings for the Architecture and Site Application. However, the element should also analyze these processes to better inform programs to address identified constraint. For example, the element mentions the decision-making body depends on the scope of the application. The element should explain the scope, resulting decision-making body and impacts on approval timing and certainty. In addition, the element lists approval findings and concludes some findings may be constraints then modifies Program AQ (Zoning Code Amendments) to amend approval findings (considerations). But the element should discuss which approval findings may be constraints to better inform implementation of Program AQ.
<b>Response</b>	Portions of the constraints section located within Appendix C specifically identify approval findings that may be considered subjective, and; therefore, Implementation Program AQ on pages 10-67 and 10- 68 of Chapter 10 has been modified to include language to address subjective approval findings.
<b>Priority Rating</b>	Straight forward
<b>Examples from Other Certified Housing Elements</b>	City of Campbell, starting on page H.II-156. Town of Los Altos Hills, starting on page 152.
<b>Campbell - pop. 44,000 RHNA 2,977 / HE 5,311 Buffer 78% Cert. 5/2023</b>	H.11-156 This list describes the findings required for various housing projects.—Zoning Clearance (Ministerial Review):—Housing Projects Subject to Requirements: Housing projects not subject to—Administrative Site and Architectural Review Permit, Site and Architectural—Review Permit, Administrative Planned Development Permit, or Planned—Development Permit. This process includes SB-9 applications.—Required Findings: N/A.—Administrative Site and Architectural Review Permit (CMC—21.42.050.B)—Housing Projects Subject to Requirements:— . . .—Required Findings:—1. The project will be consistent with the general plan;—2. The project will aid in the harmonious development of the—immediate area;* and—3. The project is consistent with applicable adopted design—guidelines, development agreement, overlay district, area plan.—neighborhood plan, and specific plan(s). . .
<b>Los Altos Hills - pop. 8,500 RHNA 489 / HE 616 Buffer 26% Cert. 5/2023</b>	152 The Town's standard residential entitlement process does not require findings to be made prior to approving single-family residential projects. The approval body (generally the Planning Commission) approves single-family residential applications without requiring additional findings if the project complies with objective standards such as setbacks, height (27 feet), maximum floor area, and lot unit factor (which calculates lot area based on steepness of slope). The Town does not have a separate design review body, nor does it require housing projects to undergo design review. In 2010, the Town implemented a zoning text amendment to create a Fast-Track process, with specific implementation guidelines, that further allows the Planning Director to expedite review and approval of housing project applications if the project complies with applicable requirements including objective zoning and subdivision standards. The Fast-Track process also would allow such qualifying projects to be expedited regardless of the amount of public input the Town receives. With the Fast Track process in place, project approval timelines have significantly been reduced. To illustrate, 80% of new residences and rebuilds are heard at Site Development/Fast-track public hearings, scheduled weekly and on an as-needed basis, instead of during monthly Planning Commission meetings. . .
<b>Pleasanton - pop. 78,000 RHNA 5,965 / HE 6714 Buffer 13% Cert 9/2023</b>	

Los Altos - pop. 31,000 RHNA 1,959 / HE 2,598 Buffer 32% Cert. 9/2023	
Los Gatos - pop. 31,000 RHNA 1,993 / HE 2,371 Buffer 19%	

<b>Comment Number</b>	#3c.(1)
<b>HCD Comment</b>	<p><b>Programs:</b> As noted above, the element requires a complete analysis of potential governmental constraints. Depending upon the results of that analysis, the Town may need to revise or add programs and address and remove or mitigate any identified constraints. In addition, programs should be revised, as follows:</p> <ul style="list-style-type: none"> <li>• <b>Program D (Additional Capacity for the North Forty Specific Plan):</b> The Program should also commit to establish or modify development standards to facilitate achieving maximum densities, regardless of the level of affordability and should specify to either remove the unit cap or increase the unit cap to allow maximum build out of each parcel, including State Density Bonus Law or other circumstances that might warrant increasing allowable densities.</li> <li>• <b>Program V (Housing opportunities for Persons living with Disabilities):</b> Given the importance of promoting housing access for persons with disabilities, the Program could be modified with a date earlier in the planning period (e.g., by December 2024)</li> </ul>
<b>Response</b>	Modification of the language to Implementation Program D on page 10-41 of Chapter 10 to include an action to amend the North Forty Specific Plan to include a policy, specifying that additional units resulting from density bonus, SB 330, or other applicable State laws will not count toward the unit cap. Modification of the timing of completion for Implementation Program V on page 10-54 of Chapter 10 to be done earlier in the planning period.
<b>Priority Rating</b>	Straight forward
<b>Examples from Other Certified Housing Elements</b>	This comment is not applicable to other similar cities with certified Housing Elements.
Campbell - pop. 44,000 RHNA 2,977 / HE 5,311 Buffer 78% Cert. 5/2023	
Los Altos Hills - pop. 8,500 RHNA 489 / HE 616 Buffer 26% Cert. 5/2023	
Pleasanton - pop. 78,000 RHNA 5,965 / HE 6714 Buffer 13% Cert 9/2023	
Los Altos - pop. 31,000 RHNA 1,959 / HE 2,598 Buffer 32% Cert. 9/2023	
Los Gatos - pop. 31,000 RHNA 1,993 / HE 2,371 Buffer 19%	

<b>Comment Number</b>	#3c.(2)
<b>HCD Comment</b>	<ul style="list-style-type: none"> <li>• <u>Program AA (Reduce Parking Standards)</u>: The Program currently commits to “Initiate a study to determine specific updates...” While initiating a study and making a determination are important steps by themselves, these actions do not result in outcomes. The Program should clearly commit to amending the municipal code. For example, the Program could commit to: “Initiate a study and outreach, including with developers, and amend the Municipal Code, as follows:...”</li> </ul>
<b>Response</b>	Modification of the language to Implementation Program AA on page 10-57 of Chapter 10 to include a defined action.
<b>Priority Rating</b>	
<b>Examples from Other Certified Housing Elements</b>	
<b>Campbell -</b> <b>pop. 44,000</b> <b>RHNA 2,977 /</b> <b>HE 5,311</b> <b>Buffer 78%</b> <b>Cert. 5/2023</b>	
<b>Los Altos Hills -</b> <b>pop. 8,500</b> <b>RHNA 489 / HE</b> <b>616 Buffer</b> <b>26% Cert.</b> <b>5/2023</b>	
<b>Pleasanton -</b> <b>pop. 78,000</b> <b>RHNA 5,965 /</b> <b>HE 6714 Buffer</b> <b>13% Cert</b> <b>9/2023</b>	<p>Program 4.6</p> <p>The City allows for parking reductions in certain circumstances, and state law establishes no minimum parking requirement or highly reduced parking rates for qualifying projects (e.g., state density bonus law, SB 35, AB 2097, etc.). To further reduce the impacts of parking requirements on the production of housing, the City will assess and update multi-family parking standards citywide to establish lower rates for studios and one-bedroom units and reduce the covered parking requirement (i.e., not require covered parking for studio and one-bedroom units).</p> <ul style="list-style-type: none"> <li>• Responsible Agency: Planning Division</li> <li>• Time Period: June 2024</li> <li>• Funding Source: Planning Division Budget</li> </ul>
<b>Los Altos -</b> <b>pop. 31,000</b> <b>RHNA 1,959 /</b> <b>HE 2,598</b> <b>Buffer 32%</b> <b>Cert. 9/2023</b>	<p>p30 Revise parking standards citywide for commercial (mixed-use) and multi-family residential zones to implement a sliding scale based on unit size (number of bedrooms). Multi-family parking ratios shall be reduced to be consistent with State Density Bonus Law (Government Code §65915(p)), with no more than the following required:</p> <ul style="list-style-type: none"> <li>– 0-1 bedroom – one parking space</li> <li>– 2-3 bedrooms – 1.5 parking spaces</li> <li>– 4 or more bedrooms – 2.5 parking spaces</li> <li>– Guest Parking – 0 spaces</li> </ul> <p>Lower ratios or no parking shall be required for qualifying projects pursuant to §65915(p).</p> <ul style="list-style-type: none"> <li>• Consistent with AB 2097, the City will update its parking regulations to remove minimum parking requirements on any residential, commercial, or other development projects within one half-mile of public transit (as defined in AB 2097) unless required findings are made as specified in State law. The City will map eligible properties consistent with AB 2097 and will apply current State law even before local amendments are adopted (AB 2097 is effective January 1, 2023).</li> </ul>

Los Gatos -  
pop. 31,000  
RHNA 1,993 /  
HE 2,371  
Buffer 19%



<b>Comment Number</b>	#3c.(3)
<b>HCD Comment</b>	<ul style="list-style-type: none"> <li>• <u>Program AQ (Zoning Code Amendments)</u>: The Program commits to apply the Housing Element Overlay Zone (HEOZ) to identified sites and modify development standards. HCD understands this action has been completed. Based on a cursory review of the Town's Ordinance 2347, some development standards such as heights may be a constraint on achieving maximum densities. As a result, this Program should commit to monitor and evaluate these development standards, including outreach with the development community, and making adjustments, as appropriate, by a specified date.</li> </ul>
<b>Response</b>	<p>Modification of the language to Implementation Program AQ on page 10-67 of Chapter 10 to commit to monitoring and evaluating the HEOZ development standards and making adjustments as necessary.</p> <p>Additional edits were made to commit to modifications to the open space and parking requirements within Implementation Program AQ based on feedback received from HCD on December 13, 2023.</p>
<b>Priority Rating</b>	
<b>Examples from Other Certified Housing Elements</b>	
<b>Campbell -</b> pop. 44,000 RHNA 2,977 / HE 5,311 Buffer 78% Cert. 5/2023	
<b>Los Altos Hills -</b> pop. 8,500 RHNA 489 / HE 616 Buffer 26% Cert. 5/2023	
<b>Pleasanton -</b> pop. 78,000 RHNA 5,965 / HE 6714 Buffer 13% Cert 9/2023	
<b>Los Altos -</b> pop. 31,000 RHNA 1,959 / HE 2,598 Buffer 32% Cert. 9/2023	
<b>Los Gatos -</b> pop. 31,000 RHNA 1,993 / HE 2,371 Buffer 19%	

<b>Comment Number</b>	#3c.(4)
<b>HCD Comment</b>	<u>Program AW (Story Poles and Netting Policy)</u> : While the Program now commits to revise Story Poles and Netting Policy Requirements; these requirements are constraints and impact housing costs; supply (number of units) and approval certainty and should be removed or replaced with cost effective measures to promote certainty for the developers and the community. Further, the element should evaluate the effectiveness of any future requirements or measures, and making adjustments, as necessary, by a specified date (e.g., by 2028).
<b>Response</b>	Additional narrative added to Implementation Program AW on pages 10-72 and 10-73 of Chapter 10 to describe the further modifications made to the Story Pole Policy by the Town Council on December 5, 2023.
<b>Priority Rating</b>	
<b>Examples from Other Certified Housing Elements</b>	
<b>Campbell - pop. 44,000 RHNA 2,977 / HE 5,311 Buffer 78% Cert. 5/2023</b>	
<b>Los Altos Hills - pop. 8,500 RHNA 489 / HE 616 Buffer 26% Cert. 5/2023</b>	<p>Story Pole Policy</p> <p>Town policy requires new primary residences and major additions (over 900 square feet in floor area) to be staked on site and that story poles and netting be put up to help provide the decision-making body a visual tool to evaluate the proposed project. ADUs and SB 9 units do not require story poles as they are ministerial, and no public review is required.</p> <p>The cost of story poles is does not add significantly to development in the Town. Story poles cost from \$2,000 to \$4,000 dollars along with a nominal rental fee. They do not constrain the supply of housing, cost, or timing and ability to achieve maximum density on lots. The Town typically requires Story Poles to be up 10-day before a public hearing. Story poles are conducted concurrently within the required review process and do not extend time, their cost is relatively small in comparison to full entitlement and construction costs. After analysis of recent projects, story poles have not resulted in any denials, delays, or significant costs as costs reflect a fraction of a typical entitlement and therefore do not pose as a constraint to development. Story poles are not anticipated to be required for multifamily developments in the Town. Story poles are required to be used for the following applications: . . .</p>
<b>Pleasanton - pop. 78,000 RHNA 5,965 / HE 6714 Buffer 13% Cert 9/2023</b>	
<b>Los Altos - pop. 31,000 RHNA 1,959 / HE 2,598 Buffer 32% Cert. 9/2023</b>	
<b>Los Gatos - pop. 31,000 RHNA 1,993 / HE 2,371 Buffer 19%</b>	

<b>Comment Number</b>	#4
<b>HCD Comment</b>	<p>Develop a plan that incentivizes and promotes the creation of accessory dwelling units that can be offered at affordable rent... (Gov. Code, § 65583, subd. (c)(7).)</p> <p>Program Q Accessory Dwelling Units (ADU): While the Program now commits to amend the ADU Ordinance, it must also commit to establish incentives such as modifying development standards (e.g., heights), pursuing funding; waiving fees beyond ADU law; proactive marketing and establishing points of contact to ease permitting processes. In addition, the Program commits to monitor production and affordability of ADUs annually but should also commit to making adjustments by a specified date (e.g., within six months) if production and affordability are not meeting assumptions. Further, the Program should clearly commit to options beyond incentives such as rezoning if production and affordability far differs from assumptions.</p>
<b>Response</b>	Modification of the language to Implementation Program Q on pages 10-49 and 10-50 of Chapter 10 to include a monitoring component with a schedule to develop alternative actions.
<b>Priority Rating</b>	Straight forward
<b>Examples from Other Certified Housing Elements</b>	<p>City of Campbell, starting on page H.IV-67.</p> <p>City of Pleasanton, starting on page 29.</p>
<b>Campbell - pop. 44,000 RHNA 2,977 / HE 5,311 Buffer 78% Cert. 5/2023</b>	
<b>Los Altos Hills - pop. 8,500 RHNA 489 / HE 616 Buffer 26% Cert. 5/2023</b>	
<b>Pleasanton - pop. 78,000 RHNA 5,965 / HE 6714 Buffer 13% Cert. 9/2023</b>	
<b>Los Altos - pop. 31,000 RHNA 1,959 / HE 2,598 Buffer 32% Cert. 9/2023</b>	
<b>Los Gatos - pop. 31,000 RHNA 1,993 / HE 2,371 Buffer 19%</b>	



<b>Comment Number</b>	#5
<b>HCD Comment</b>	<p><i>Local governments shall make a diligent effort to achieve public participation of all economic segments of the community in the development of the Housing Element, and the element shall describe this effort. (Gov. Code, § 65583, subd. (c)(9).)</i></p> <p><b>Public participation</b> in the development, adoption and implementation of the housing element is essential to effective housing planning. Throughout the housing element process, the Town should continue to engage the community, including organizations that represent lower-income and special needs households, by making information regularly available and considering and incorporating comments where appropriate. Please be aware, any revisions to the element must be posted on the local government's website and to email a link to all individuals and organizations that have previously requested notices relating to the local government's housing element at least seven days before submitting to HCD. HCD particularly encourages the Town to continue engaging commenters on this review. These comments contained valuable insights that can result in a more effective housing elements, especially related to programs and specific commitment. HCD's future reviews will continue to consider the extent to which the revised element documents how the Town solicited, considered, and addressed public comments in the element. The Town's consideration of public comments must not be limited by HCD's findings in this review letter.</p>
<b>Response</b>	Town staff will continue to engage with the community regarding the Housing Element update process by maintaining the information posted on the Housing Element update website, through posting on the Town's various social media accounts, and evaluation of public comments received.
<b>Priority Rating</b>	Straight forward
<b>Examples from Other Certified Housing Elements</b>	This comment is not applicable to other similar cities with certified Housing Elements.
Campbell - pop. 44,000 RHNA 2,977 / HE 5,311 Buffer 78% Cert. 5/2023	
Los Altos Hills - pop. 8,500 RHNA 489 / HE 616 Buffer 26% Cert. 5/2023	
Pleasanton - pop. 78,000 RHNA 5,965 / HE 6714 Buffer 13% Cert 9/2023	
Los Altos - pop. 31,000 RHNA 1,959 / HE 2,598 Buffer 32% Cert. 9/2023	

Los Gatos - pop. 31,000 RHNA 1,993 / HE 2,371 Buffer 19%	
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<b>Comment Number</b>	<b>Note</b>
<b>HCD Comment</b>	For your information, pursuant to Assembly Bill 1398 (Chapter 358, Statutes of 2021), as the Town failed to adopt a compliant housing element within 120 days of the statutory deadline (January 31, 2023); programs to rezone and make prior identified sites available or address a shortfall of capacity to accommodate the RHNA (e.g., Program D: Program By Right Zoning Text Amendment to Accommodate RHNA, Program AR: General Plan Amendment, Program AS: Sites Previously Identified) must be completed no later than one year from the statutory deadline. Otherwise, the local government's housing element will no longer comply with State Housing Element Law, and HCD may revoke its finding of substantial compliance
<b>Response</b>	N/A
<b>Priority Rating</b>	For information only
<b>Examples from Other Certified Housing Elements</b>	N/A
<b>Campbell - pop. 44,000 RHNA 2,977 / HE 5,311 Buffer 78% Cert. 5/2023</b>	
<b>Los Altos Hills - pop. 8,500 RHNA 489 / HE 616 Buffer 26% Cert. 5/2023</b>	
<b>Pleasanton - pop. 78,000 RHNA 5,965 / HE 6714 Buffer 13% Cert 9/2023</b>	
<b>Los Altos - pop. 31,000 RHNA 1,959 / HE 2,598 Buffer 32% Cert. 9/2023</b>	*Loyola Corners is along Foothill Expy comprising about 15% of LA. Specific purposes for LC/SPZ Districts are as follows: A.To maintain a neighborhood convenience commercial orientation supplemented on a limited basis with retail service and office-administrative services uses; B.To implement the objectives, policies and commercial center specific plan; C.To assist in the re-establishment of business momentum for Loyola Corners; D.To protect nearby residents from unreasonable intrusions from the shopping area; E.To apply to the area delineated below:
<b>Los Gatos - pop. 31,000 RHNA 1,993 / HE 2,371 Buffer 19%</b>	