

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:	Matthew Hudes, Chair Mary Badame Kendra Burch Kathryn Janoff Tom O'Donnell Reza Tavana
Town Manager:	Laurel Prevetti
Community Development Director:	Joel Paulson
Town Attorney:	Robert Schultz
Transcribed by:	Vicki L. Blandin (619) 541-3405

1
2 P R O C E E D I N G S:
3

4 CHAIR HUDES: We now move to the Public Hearings
5 portion of our agenda and we will consider Item 2, which is
6 a Town Wide application. The applicant is the Town of Los
7 Gatos and it's considering modifications to Chapter... This
8 is all of the Hillside Design Standards and Guidelines, and
9 so it's modifications to Chapter III, Chapter IV, Chapter
10 V, Chapter VI, Chapter VIII, Chapter IX, and Chapter X.

11 I understand, Ms. Shoopman, that you'll be giving
12 the Staff Report tonight.

13 JOCELYN SHOOPMAN: Good evening, Chair and
14 Commissioners. The item in front of you is consideration of
15 modifications to Chapters III through VI and VIII through X
16 of the Hillside Design Standards and Guidelines as
17 recommended by the Town Council Policy Committee and
18 forwarded to you for your recommendation to the Council.
19

20 The recommendation from the Policy Committee
21 proposes to modify the deciding body for single-story
22 additions over 800 square feet or greater than 20-percent
23 of the existing floor area from the Development Review
24 Committee to the Community Development Director.
25

1 In addition, to modify the deciding body for
2 homes over 5,000 square feet that do not exceed the maximum
3 allowable floor area and are not visible from the Planning
4 Commission to the Development Review Committee, remove the
5 requirement that subsequent Architecture and Site
6 Applications may not be applied for for the same property
7 for a period of three years following the issuance of an
8 Occupancy Permit, and to modify language regarding
9 accessory dwelling units, viewing areas, below-grade square
10 footage, fences, and entry gates to be consistent with
11 previous amendments to the Hillside Design Standards and
12 Guidelines and amendments to the Zoning Ordinance.
13

14 This concludes Staff's presentation and we'd be
15 happy to answer any questions.

16 CHAIR HUDES: Great. Thank you. Are there
17 questions? I had a question. This is about process. My
18 understanding is that by moving the approval from the
19 Planning Commission to the DRC the approval body is
20 changing, is that correct?

21 JOCELYN SHOOPMAN: That's correct.

22 CHAIR HUDES: So, in terms of streamlining, are
23 any steps being taken out of the process?
24

25 JOCELYN SHOOPMAN: No, no steps are being taken
out of the process. The same departments, which include

LOS GATOS PLANNING COMMISSION 8/14/2019
Item #2, Modifications to the
Hillside Design Standards and Guidelines

1 Building, Planning, Fire, and Engineering are all still
2 reviewing the application and it's still being publicly
3 noticed.

4 CHAIR HUDES: Okay. In the interest of
5 understanding the benefits of streamlining, how often have
6 we had appeals of this this type of a hillside development
7 in the last five years or so?

8 JOCELYN SHOOPMAN: Are you asking if we had any
9 appeals or how many applications we've processed?

10 CHAIR HUDES: I guess it's applications.

11 JOCELYN SHOOPMAN: Okay, so we were able to pull
12 data from the last three years and we were able to
13 determine that 13 new hillside homes have been applied for,
14 seven have been greater than 5,000 square feet, five of
15 those did go to the Planning Commission and were approved
16 at greater than 5,000 square feet, and six applications
17 were approved by the Development Review Committee because
18 they were less than 5,000 square feet.

19 CHAIR HUDES: Okay. The other question I had was
20 about on page 30, the criteria for the Planning Commission
21 approving a residential project greater than the maximum
22 that's allowed. Basically it states that, "The Town Council
23 or Planning Commission may approve a project greater than
24 the maximum when all of the following criteria apply," and
25

1 I'm focusing in on #8, which says, "A significant below-
2 grade square footage element is included in the design
3 unless it conflicts with other standards." I'm a little bit
4 confused about this one and what this achieves, so could
5 you explain #8 and can you explain what's achieved by it?

6 SALLY ZARNOWITZ: I'll take a stab at that, and
7 then if the Director wants to join in he can, but the one
8 issue would be how that is written and whether you wanted
9 to change just the wordsmithing of it a little bit. I guess
10 the other would be whether that would be required in order
11 to approve that larger amount or whether that would be
12 something that would be considered in approving the larger
13 amount of square footage.
14

15 CHAIR HUDES: I was just trying to understand the
16 intention of it, because the way it's worded it appears
17 that it would encourage or compel people to add below-grade
18 square footage when in fact I think from some of the
19 hearings I've been in the intention is to do a tradeoff
20 where additional square footage is put underground rather
21 than outside, and I'm wondering if the way this is worded
22 it actually doesn't achieve that but encourages additional
23 square footage to be put below-grade.
24

25 SALLY ZARNOWITZ: Yeah, and I think that we can
take that recommendation and look at that language before

1 taking this on to Council if that's what the Commission
2 would like.

3 JOEL PAULSON: Through the Chair, it's difficult
4 to know—it was 2004 I think when these were originally
5 adopted—what the intent was. In looking at it it does seem
6 a little bit counterintuitive in that you're asking to
7 exceed the FAR, we want you to put a whole bunch of square
8 footage underground, which gives you more square footage,
9 and then we want you to increase it above from a visible
10 mass perspective.
11

12 Now, the one thing that could come into play is
13 you may have an existing house that has an existing cellar
14 and you want to add 100 square feet, 500 square feet, so
15 you already have that cellar element and so you're looking
16 to request that.

17 The opposite would be if someone came in and they
18 had no cellar but they wanted to exceed the FAR. That's
19 where we would be looking to try to get them to put that
20 underground, which theoretically then would hopefully bring
21 them down below the square footage, but if you want any
22 specific language or ideas on how that should be worded the
23 other option is that that could be removed if that's of
24 interest from the Commission.
25

1 CHAIR HUDES: Well, when we get to deliberating
2 I'll think about maybe some different language, because I
3 don't know that it's accomplishing what the intention is as
4 it's worded. Just it strikes me that the wording may not
5 achieve that.

6 Are there any questions further of Staff? Okay,
7 then I will close the applicant's portion, and I have no
8 cards from the public, so the public portion of the hearing
9 is closed as well and we'll move into discussion,
10 deliberations, and perhaps a motion. Any comments from
11 fellow commissioners on this? Commissioner Badame.
12

13 COMMISSIONER BADAME: I would agree with the
14 Chair's recommendation. I would go along with some type of
15 change to what he's suggesting. I wouldn't know what that
16 might be but it seems to me it is counterintuitive there.

17 CHAIR HUDES: The thought that I had was that if
18 we're really trying to encourage a tradeoff so that
19 additional square footage is put underground then maybe we
20 just state that so that it's encouraged to put any square
21 footage that would be beyond the FAR to be located
22 underground if possible. That just seems a little more
23 straightforward. Commissioner O'Donnell.
24

25 COMMISSIONER O'DONNELL: That's not what it says
though. It's not even close, I think, to what it says, so

1 if you want to add some new concept I guess that would be
2 fine but I think your original comment that this really
3 doesn't make a lot of sense is true, and if I understand
4 the rejoinder was yeah, it happened a long time ago and
5 we're just trying to clean it up a little bit, but if you
6 don't like it you can take it out.

7 It's never been our attitude that if you put a
8 basement in that's great because now you put more above. I
9 remember many discussions where we said you've got this
10 huge basement, but you haven't reduced the size of the
11 house at all, and that was the original intent, so this
12 language, I think, is better gone than there, and your
13 comment may be a good comment but I don't think it has
14 anything to do with #8.

16 CHAIR HUDES: Well, actually, I didn't finish my
17 thought, but my thought would be that the language that's
18 in there would be removed and the language that I suggested
19 would be added to encourage people if they do need to go
20 beyond the FAR to put it underground.

21 COMMISSIONER O'DONNELL: So, it would be...

22 CHAIR HUDES: I wouldn't make it a requirement as
23 it is today, one of the eight that has to be (inaudible).

24 COMMISSIONER O'DONNELL: But there's no
25 inhibition at the moment preventing them from putting in a

1 bigger basement. The thought again here is two things are
2 happening. One, we're talking about the basement or cellar
3 area, and two, we're talking about the above ground area.
4 Your comment, if I understand it correctly, deals only with
5 the underground comment. In other words, you don't get any
6 bonus points for putting in a bigger basement, which I
7 agree with you on, although originally the concept was we
8 could say to people, "Why are you building such a big house
9 when you've got a 2,000 square foot subterranean portion of
10 the house?" and then we'd argue about that, but what you're
11 suggesting we put in, I'm just not sure why we need that.

12
13 COMMISSIONER JANOFF: Could we just get a reread?
14 Because I'm not sure I heard what...

15 CHAIR HUDES: Okay, so what I'm saying is that I
16 think #8 may encourage development that we don't want, so
17 my suggestion, as Commissioner O'Donnell said, would be to
18 strike #8.

19 Additionally, my thought was that since the
20 concept isn't addressed elsewhere that if an applicant
21 requires more than the allowable floor area ratio, to
22 consider putting it below grade instead of asking for an
23 exception to the requirement.

24 COMMISSIONER O'DONNELL: And I guess all I'm
25 saying is wouldn't that... We would hope that would occur to

1 somebody, because if you stand pat on what you're going to
2 grant above ground and they have an architect or somebody
3 who knows what's going on they would tell them, "You can
4 have a bigger basement."

5 CHAIR HUDES: Right. So, basically you're saying
6 it's not necessary to make that a statement?

7 COMMISSIONER O'DONNELL: That's what I think,
8 yeah.

9 CHAIR HUDES: Right, okay. Commissioner Janoff.

10 COMMISSIONER JANOFF: I agree that it could be
11 struck from the list of... Because you don't really want to
12 encourage that as a requirement for approval, but I do
13 think it makes sense to cover it elsewhere, and what I was
14 thinking might be... Because what we're talking about is
15 offsetting above-ground square footage but varying it, not
16 adding to, so I would just simply say, "A significant
17 below-grade square footage element is included in
18 (inaudible) to offset above-ground square footage," and put
19 that as a separate statement somewhere—I'm not sure where
20 it would be appropriate—but make it a separate objective
21 for hillside structures.

22 CHAIR HUDES: And you're suggesting that it be
23 removed as one of the criteria for allowing the Commission
24 to decide whether to go over the FAR?

1 COMMISSIONER JANOFF: Yes.

2 JOEL PAULSON: Through the Chair?

3 CHAIR HUDES: Yes.

4 JOEL PAULSON: I guess the only thing that comes
5 to mind for that is if someone does decide to put that
6 square footage underground they no long will be exceeding
7 the FAR. So, we can look at where that language should go
8 to kind of encourage that rather than going through this
9 process of exceeding the FAR.
10

11 SALLY ZARNOWITZ: And also through the Chair,
12 there is some language under Bulk and Mass that talks about
13 excavate or use below-grade rooms to reduce effective bulk,
14 so it looks like there are some recommendations there.

15 CHAIR HUDES: What page is that?

16 SALLY ZARNOWITZ: That is on page 38 of the
17 Design Guidelines.

18 CHAIR HUDES: And which one is that? Oh, that's
19 K? Yeah. Is that sufficient do you think, Commissioner
20 Janoff?

21 COMMISSIONER JANOFF: I would say not because it
22 doesn't specifically address square footage and so this
23 could be the place where that language is inserted, but I
24 would say as it reads now we're still missing that concept
25 of the offset, go below to get the square footage.

1 CHAIR HUDES: Commissioner O'Donnell.

2 COMMISSIONER O'DONNELL: I'm not sure it's our
3 job to tell (inaudible) so what we're saying is you can't
4 do it that way but you could do it this way. I just don't
5 know why. If you read it you know that's the case. Do we
6 have to say come look at this, you can make a bigger house,
7 here's how you do it? Why do we want to do that?

8 CHAIR HUDES: Commissioner Janoff.

9
10 COMMISSIONER JANOFF: I'm relatively new on the
11 Planning Commission but I have yet to see an application
12 where we've seen a hillside design that doesn't try to
13 exceed in every possible square or otherwise corner of the
14 structure to maximize well beyond what is proposed, so I
15 think it's reasonable. If the intent of the guideline or
16 the intent of the Planning Commission or the Town at this
17 time is to try to minimize the above-ground square footage
18 it is reasonable to include language that says that.

19 COMMISSIONER O'DONNELL: I don't think your
20 proposal says that, but I don't see harm in it. To me we're
21 telling people what the limits are and if we did that, what
22 we've done each time is somebody comes in with a big
23 basement and they still want to get, typically, every
24 square foot they could possibly get, and then somebody-of
25 us-gets up and says gee whiz, the idea of the basement was

1 to take away from the bulk and mass. Nobody pays any
2 attention to that and typically we approve it.

3 Now, adding this little thought you have is fine,
4 nothing wrong with it, but I'm not exactly sure why we want
5 to do that because we haven't...in my recollection we've said
6 that every time: If you've got a big basement you don't
7 need that in the house. I can't tell you statistically how
8 many we've approved but I think a lot, so if you put it in
9 we're saying gee whiz, would you please think again about
10 the basement, and I'm just saying that's nice but anybody
11 who has appeared before us or read our rules kind of knows
12 that, but if you want to highlight it there's nothing wrong
13 with it if you highlight it.
14

15 CHAIR HUDES: We're at a point where maybe we
16 should either entertain a motion with specific language or
17 a motion to drop #8. I wonder if people have thoughts about
18 whether we should continue and try to work the language
19 now. Commissioner O'Donnell.

20 COMMISSIONER O'DONNELL: I think we could divide
21 that into two parts. I think probably we're all in
22 agreement that #8 should just be deleted, because the
23 discussion now is not about that sequence but to put it
24 someplace else, so I'd like to make a motion just on that
25 one point, and that motion would be that we strike the

1 proposed section or paragraph #8 and then simply change the
2 numbering and #9 of course would become #8, so that's the
3 motion.

4 CHAIR HUDES: Okay. Do we have a second?
5 Commissioner Badame.

6 COMMISSIONER BADAME: Second.

7 CHAIR HUDES: Discussion? Okay, all in favor? It
8 passes unanimously 6-0. The second thing is is there
9 specific language? I didn't come prepared with specific
10 language as you can see, and I don't know whether anyone
11 else would like to take a try at specific language talking
12 about the tradeoff. Okay, I think we may have other
13 opportunities to deal with this in the future, so I think
14 we can move to further discussion of this item. Are there
15 other points that people would like to bring up?

16 Commissioner Badame.

17 COMMISSIONER BADAME: I would just like to say
18 that we're just forwarding a recommendation to Town
19 Council, so it could be that along the way Staff or Council
20 also has an opportunity to refine some wording on this
21 particular issue.

22 CHAIR HUDES: Okay. The other point that I wanted
23 to raise as part of the recommendation is my concern about
24 removing the Planning Commission review of applications. As
25

1 I asked the question earlier, I don't think it achieves an
2 objective of streamlining because there is still the
3 hearing, there is still a notice, it's just the hearing
4 shifts from Planning Commission to DRC, and there are
5 compelling reasons to have certain items heard by a
6 Planning Commission as compared to Staff, and in my mind
7 one of the primary objectives that's achieved when you
8 bring it to a hearing such as a Planning Commission is
9 visibility and transparency.
10

11 It isn't about the power of the Planning
12 Commission, it's about the visibility that residents have
13 to what's going on, and yes, they can attend a DRC meeting.
14 A DRC meeting is typically at 10:00 o'clock on a weekday
15 and given the number that we've heard of applications that
16 met the criteria of going to Planning Commission—I believe
17 it was 13 or so—that to me is limiting visibility to these
18 things, and frankly, limiting some of the debate and
19 discussion that goes on.
20

21 It's doesn't achieve streamlining really, because
22 it's still the same step. It's a hearing that's noticed,
23 it's just a hearing before the Planning Commission that is
24 being moved to a hearing before the DRC. Commissioner
25 O'Donnell.

1 COMMISSIONER O'DONNELL: I think that same
2 comment can be made about every document we're going to
3 look at tonight. It's clear that somebody would like to
4 remove the Planning Commission from as much as possible
5 with the theory being it will be faster if those guys
6 aren't involved. That may be true, but your comment, I
7 think, to a Planning Commissioner is persuasive.

8 I like the concept that the public can
9 participate, and I do think it's very difficult to show up
10 at 10:00 or 10:30 in the morning, and when I read the
11 minutes of what goes on at 10:00 or 10:30 in the morning
12 almost nobody ever says anything and nobody ever shows up
13 except the people who are directly involved.

14 To me it's a fundamental issue. We serve at the
15 pleasure of the Council and the Council gets to draft the
16 rules, and if the Council says we'd like you guys to do
17 very little, they can say that, but this is sort of like
18 death by a thousand cuts and this whole thing tonight is
19 about how can we get the Planning Commission out? We're
20 going to really speed it up because we're going to have in
21 many cases one person make the designation and no hearing
22 is required but it can be appealed.

23 It doesn't bother me that much. Maybe that's
24 because I'm almost finished here, but that's the whole

1 point of tonight, and as I said, I happen to believe the
2 Planning Commission allows people to get their comments in.
3 It could be slower, but it isn't slower in the one instance
4 you're talking about. But some of these we'll look at it
5 doesn't go to a committee, in fact it takes away from that
6 committee too and gives to Joel is what it really does. I'm
7 not sure he's looking for that but he'll be stuck with it,
8 and I don't know how that helps the public, the theory
9 being that somehow things are so slow around here that they
10 have to be speeded up, and I'm sure the Staff can tell me
11 why things are so slow around here. I haven't observed that
12 but I'm sure there must be a lot of war stories, and if
13 those war stories suggest if only the Planning Commission
14 wasn't involved we wouldn't have these problems, I've never
15 heard that argument, but it sure would be nice if we did
16 hear that argument, because that's what this is all about.

18 CHAIR HUDES: I maybe want to just add one other
19 point. Having now been involved in the Planning Commission
20 for almost four years and having been involved in other
21 Town committees and commissions I realize that we're at a
22 point in time of a heritage and legacy of people caring
23 about this town, and yes, things can get changed by the
24 current council. A policy committee of two people, yes, can
25 have a big impact, but there are many people over years who

1 put a great deal of effort and thought into our Hillside
2 Design Guidelines and Standards, and the public remembers
3 that and the public shows up for these hearings often
4 because they care about what is going on in the hillsides,
5 and so I am reluctant to make a change easily to the
6 process that has served the Town well.

7 I think the Town is really exemplary in the way
8 we treat the hillsides. We treat things differently than
9 many other towns, having looked at many ordinances where
10 they don't distinguish; we do, and there's been a lot of
11 care and thought put into the process, so for that reason,
12 again, I would be reluctant to make a change to a process
13 that served the Town well and doesn't seem to really add
14 very much to streamlining.

16 JOCELYN SHOOPMAN: Pardon me. Just to aid in your
17 discussion of this, there are some differences too in the
18 Architecture and Site Application either reviewed by the
19 Planning Commission or the Development Review Committee,
20 and that's the cost of the application and the length of
21 time. So, applications that are reviewed by the Development
22 Review Committee are typically approximately \$3,700 less
23 than being reviewed by the Planning Commission and can take
24 about two months less time to process when they're reviewed
25 by the Development Review Committee.

1 CHAIR HUDES: Thank you, and just as a follow up,
2 what is \$3,700 less? What is the total that we're talking
3 about?

4 JOCELYN SHOOPMAN: The total for an Architecture
5 and Site Application to be reviewed by our Development
6 Review Committee is \$10,071.03, and by the Planning
7 Commission it's \$13,713.99.

8 CHAIR HUDES: Thank you. Yes, Commissioner
9 Badame.

10 COMMISSIONER BADAME: Okay, so devil's advocate
11 on the flip side here, if the Town likes revenue why do we
12 want to reduce our revenue by reducing these associated
13 costs? Just throwing that out there.

14 CHAIR HUDES: Okay. Let me go to Commissioner
15 Janoff.

16 COMMISSIONER JANOFF: Just a clarification from
17 Staff, please. As I read the modification it's fairly
18 narrow, it's over 5,000 square feet but still within the
19 maximum allowable floor area and it's not visible. When you
20 mentioned that there were, I believe, 13 applications that
21 came before the Planning Commission, did they meet that
22 criteria or were they just hillsides over 5,000 square
23 feet? I mean, I can't think of one that wasn't visible, so
24 I'm just not sure what that number was.
25

1 SALLY ZARNOWITZ: The 13 applications, this was
2 just a snapshot in time, that's all of the Architecture and
3 Site Applications for a new hillside home, so that's just
4 to say within these three years 13 of those types of
5 applications came in. Not all of those were over 5,000
6 square feet; seven of the 13 were actually over 5,000
7 square feet.

8 And then in that same period of time we looked at
9 how many applications for new homes in hillside over 5,000
10 that the Planning Commission saw, and that was five, and
11 then how many under did DRC see, and that was six, so
12 roughly half as they come in are either over or below 5,000
13 square feet, the 30,000 foot level.

14 COMMISSIONER JANOFF: Okay, and just to clarify,
15 the Planning Commission would still see applications that
16 are visible?
17

18 JOCELYN SHOOPMAN: Yes, if it was determined to
19 be a visible home the way the guidelines define it, it
20 would be reviewed by the Planning Commission.

21 COMMISSIONER JANOFF: And, forgive me, there's no
22 change to that? There's a change from viewing platform to
23 viewing area in the associated papers that we have, but no
24 change to the notion that there's an area from which you
25 can view these properties?

1 JOCELYN SHOOPMAN: No change to that.

2 CHAIR HUDES: Commissioner O'Donnell.

3 COMMISSIONER O'DONNELL: Okay, so what I've heard
4 now is in one way it will be more efficient, is it will
5 save the applicant roughly \$3,000, and the other way is it
6 takes two months longer, sort of minimum it takes two
7 months longer, so the applicant will benefit by an amount
8 of money and the time, so I can see how that would be...I
9 accept that as the case.
10

11 I guess the only issue is when you use those
12 objective standards on a fairly subjective thing, which is
13 the approval of Architecture and Site and that kind of
14 thing, it isn't a calculation of numbers that you add up
15 and there it is, it's when you look at it and you listen to
16 the public and you decide whether that's what you really
17 want, so I would argue with the fact that you'll save
18 \$3,000 on some of these applications, and it will shorter.

19 I guess the real question is are the
20 distinguishing factors where you're going to save that
21 enough to make sure that the public gets enough input?
22 Because as I said before, maybe you have different
23 experience with the I think it's 10:30 in the morning—it
24 might be 10:00—whenever I read the minutes there's almost
25 nobody there and it takes about four minutes before a

1 unanimous motion is made and it's approved. So, that's
2 fine, that's very efficient, but if you weigh that against
3 the consideration by seven people who have different jobs
4 to do, is there a tradeoff? Because that's what we're
5 dealing with, and personally when I went through all of
6 these things the overarching message I got was the best way
7 to solve this stuff is to have fewer people involved, and
8 that kind of makes sense, because they said if we don't
9 have the Planning Commission involved that ought to speed
10 things up and save money, and then your other committee if
11 we get rid of those guys and we have it all decided by
12 Joel, that's going to save time and save money. That's kind
13 of where we are, and if that's the case we can have a
14 fairly short night.

16 CHAIR HUDES: Well, we are just considering the
17 first item.

18 COMMISSIONER O'DONNELL: I know, but it's all the
19 same.

20 CHAIR HUDES: Personally, I do see some
21 differences and I in fact don't have issues with some of
22 the other ones, but this one in particular came really to
23 my attention and it was just me recalling the hearings that
24 we've had, the input from the neighbors and from the Town,
25 and often we have people who come and speak about these who

1 are not noticed, because the hillsides are a treasure of
2 the whole town and so people look at the Planning
3 Commission agenda and they say, "I think I need to come and
4 talk about this one," and I think we've had quite a bit of
5 that. Now, they could do that at the DRC, they could, but
6 the hearing is a different kind of a hearing, and I am
7 reluctant to make that change given the investment that the
8 Town has in the hillsides and the process that I think
9 served us well.

10
11 So, I'm prepared to make a motion on this, unless
12 folks have other points.

13 COMMISSIONER O'DONNELL: It's clear that all
14 we're doing is making a recommendation, right? So, your
15 comment would go to whether or not we recommend that
16 approval?

17 CHAIR HUDES: Yes.

18 COMMISSIONER O'DONNELL: Okay, that's fine.

19 CHAIR HUDES: Commissioner Janoff.

20 COMMISSIONER JANOFF: I would just ask that the
21 motion... In making a motion I know the concerns that the
22 Planning Commission has voiced will be heard by the Town
23 Council, but I think it's useful to summarize the salient
24 concerns in a motion.
25

1 CHAIR HUDES: Okay, I'll try, and then if someone
2 would like to second and help me out, I'd appreciate that
3 as well.

4 I move that we forward a recommendation to
5 approve the changes in Item 2, modifications to Chapters
6 III, IV, V, VI, VIII, IX, and X as written with two
7 exceptions: One is to strike on page 30 Item 8, and the
8 second change is to leave in place the current language
9 about the approval process for hillside development
10 applications.

11
12 So, that's the heart of the motion and I would
13 add to that that I have difficulty in finding compelling
14 evidence that this would make very much of a streamlining
15 difference, but that it would in fact result in a loss of
16 visibility and transparency on hillside developments. So,
17 that's where I'm going to stop. Would anyone like to
18 comment or second?

19 COMMISSIONER O'DONNELL: I'll second.

20 CHAIR HUDES: Okay, Commissioner O'Donnell
21 seconds. Any further comments? Commissioner Badame.

22 COMMISSIONER BADAME: I'm in agreement, so I will
23 be supporting the motion.

24 CHAIR HUDES: Any other comments?

25 JOEL PAULSON: Through the Chair?

LOS GATOS PLANNING COMMISSION 8/14/2019
Item #2, Modifications to the
Hillside Design Standards and Guidelines

1 CHAIR HUDES: Yes?

2 JOEL PAULSON: You stated that the changes that
3 were proposed in Chapter 9 related to Development Review
4 Committee. There's more than just the 5,000 square foot.
5 Did you intend to mean all of the changes you don't agree
6 with or just the homes over 5,000?

7 CHAIR HUDES: What page are you talking about?

8 JOEL PAULSON: Pages 66 and 67 have a number of
9 changes to deciding bodies. The one that you've been
10 talking about is the homes over 5,000 square feet going to
11 the Planning Commission, but there a number of other
12 changes moving from DRC to Building Permit, for instance,
13 which is the Director of Community Development, so I wanted
14 to make sure we have the distinction of are you talking
15 about all of those or just specifically the 5,000 square
16 foot homes?

17 CHAIR HUDES: Just specifically the 5,000 square
18 foot homes.

19 JOEL PAULSON: Thank you. Commissioner Tavana.

20 COMMISSIONER TAVANA: I was just going to say I
21 think you summed it up very nicely and I'll be supporting
22 the motion.
23
24
25

1 CHAIR HUDES: Okay, I'll call the question. All
2 in favor? Opposed? Passes unanimously 6-0. There's no
3 appeal, because this is a recommendation, correct?

4 SALLY ZARNOWITZ: That is correct.

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