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

Los Gatos Planning Commissioners:  
Melanie Hanssen, Chair  
Kathryn Janoff, Vice Chair  
Mary Badame  
Jeffrey Barnett  
Kendra Burch  
Matthew Hudes  
Reza Tavana

Town Manager: Laurel Prevetti

Community Development Director: Joel Paulson

Town Attorney: Robert Schultz

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

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

CHAIR HANSSEN: We will now move on to the Public Hearings portion of the agenda and we will consider Agenda Item 2, which is forwarding a recommendation to the Town Council for approval of the amendments to Chapter 29, which are zoning regulations of the Town Council, regarding outdoor lighting, and there are also modifications to the Residential Design Guidelines for Outdoor Lighting as well.

The location is Town-wide, the Town Code Amendment Application is A-20-005, and the Applicant is Town of Los Gatos.

I understand that Ms. Armer will be giving the Staff Report this evening.

JENNIFER ARMER: Yes, good evening. Jennifer Armer, Senior Planner.

The item before you this evening is a combination of changes to the code and to the Residential Design Guidelines in regard to outdoor lighting; these are based on recommendations from the Town Council Policy Committee. They met several times near the end of last year and then another two times this year to consider what types of changes might bring the code more in alignment with the

1 Residential Design Guidelines so that there is consistency  
2 as well as more appropriate wording to allow things like  
3 shoestring lighting, previously prohibited, which they felt  
4 was no longer applicable in town.

5           The Staff Report includes descriptions of changes  
6 to the Zoning Code and changes to the Residential Design  
7 Guidelines that are recommended based on the recommendation  
8 from Town Council Policy Committee. Staff recommends that  
9 the Planning Commission review the information provided in  
10 the Staff Report and forward a recommendation to Town  
11 Council for approval.

12           CHAIR HANSSEN: Thank you very much, Ms. Armer.  
13 Do any of the Commissioners have questions for Ms. Armer or  
14 Staff? I don't see any.

15           I did have one question for Staff and that is  
16 there wasn't any mention of any changes to the commercial  
17 lighting, so was this driven by a specific need to address  
18 residential lighting guidelines?  
19

20           JENNIFER ARMER: My memory of the discussion was  
21 that by modifying this code that controls outdoor lighting—  
22 the section of the code that's being modified because that  
23 has now specifically targeted residential—it no longer  
24 applies to commercial buildings and so it leaves them the  
25

1 ability to do things like the shoestring lighting that was  
2 previously prohibited.

3 CHAIR HANSSEN: So, basically it was driven by  
4 the specific issues that were at hand and to fix those.  
5 Okay. If no other Commissioners have any questions we would  
6 now invite comments from the members of the public, and if  
7 you are called to speak you may choose to state your name  
8 and your address and you may choose to speak anonymously,  
9 and you will have three minutes to make your comments.

10 We did have one public comment that was included  
11 in our Staff Report but is there anyone that wanted to  
12 speak from the public on this item tonight?

14 JOEL PAULSON: Thank you, Chair. If anyone would  
15 like to speak on this item please use the Raised Hand  
16 feature on Zoom. Chair, I am not seeing any raised hands.

17 CHAIR HANSSEN: All right, so then we will close  
18 the public portion of the hearing and ask if any  
19 Commissioners have questions of Staff, wish to comment on  
20 the application, or introduce a motion for consideration by  
21 the Commission? Commissioner Hudes and Commissioner Burch.  
22 Commissioner Hudes first.

23 COMMISSIONER HUDES: Just a quick question  
24 conveying the question that was put forward in the  
25 correspondence by Lee Fagot. There is a suggestion that

1 perhaps we measure the light rather than try to regulate  
2 the type of light, so for instance I don't know if high-  
3 intensity light is a well-defined term but he had actually  
4 suggested doing what we do with sound nuisance or noise  
5 nuisance, which is to measure the noise. Is that even a  
6 possibility here or is that something that's been thought  
7 of?

8  
9 JENNIFER ARMER: At this point the wording that  
10 was recommended states that, "should not be producing glare  
11 or seen by nearby homes," and that is based on the text  
12 that we have had in the Residential Design Guidelines in  
13 the code in the past, and so rather than targeting a  
14 particular number it would be more about the effect of the  
15 light and whether it goes onto a neighboring property.

16 COMMISSIONER HUDES: Okay, thank you.

17 CHAIR HANSSEN: Let's see, I think Commissioner  
18 Burch had a question or a comment.

19 COMMISSIONER BURCH: So, obviously the California  
20 Building Code items I'm sure are always taken into account  
21 before these so we don't typically put things like required  
22 foot candles, but there was one item that I wondered if we  
23 had ever thought about putting this in, which is the part  
24 of the code that talks about at commercial properties the  
25 lighting being reduced 50-percent at close of business or

1 10:00p.m. I know that we've had other residents come before  
2 us, particularly if we're looking at an upgrade with a  
3 space that has like a large parking lot and lighting, that  
4 have talked about the fact that the lights are very bright  
5 even with the shields, as usually those are pretty bright  
6 LED lights. Is that something that we could consider  
7 putting in?

8 JENNIFER ARMER: It's not a topic that was  
9 discussed by Policy Committee but I'd let Community  
10 Development Director Paulson add if he has anything to add  
11 to that.

12 JOEL PAULSON: Commissioner Burch, so as Ms.  
13 Armer said that's not something that we looked at. My  
14 initial thoughts are that is something we could look at  
15 moving forward. Obviously that would take some outreach to  
16 the business community, and I would envision that some of  
17 them may have some concerns related to security depending  
18 on the type of circumstance, the type of business, but if  
19 that's something that you would like Staff to look at then  
20 that could be part of the recommendation from Planning  
21 Commission to Council, and then that would require further  
22 work.

23 COMMISSIONER BURCH: May I follow up, Madam  
24 Chair?

1 CHAIR HANSSEN: Yes.

2 COMMISSIONER BURCH: Well, I think my question  
3 was more of since it's already actually in the Building  
4 Code is it something that if somebody was having a  
5 particular problem with a particular spot that that would  
6 be enough maybe to contact the Town and Code Compliance? It  
7 wasn't that we had to add in a bunch of added items, it was  
8 that is just something I remember hearing a few times and  
9 just wondering if there's a way to address it without  
10 creating more work for you guys?

11  
12 JOEL PAULSON: I would say that generally it  
13 would be a code compliance issue that we would get and so  
14 we would look to address that. For the newer buildings I'm  
15 not sure when that requirement went into Building Code;  
16 obviously they change it every three years. So, ultimately  
17 we probably have a lot of existing facilities that are far  
18 older than that that may not have to comply or may not have  
19 the infrastructure to comply with that, but we would look  
20 at that on a case-by-case basis through our Code Compliance  
21 Program.

22 COMMISSIONER BURCH: Thank you.

23 CHAIR HANSSEN: Let's see, Commissioner Barnett.

24 COMMISSIONER BARNETT: Yes, if I'm reading this  
25 right, new language proposed by the Policy Committee would

1 make decorative lighting preferred over security lighting  
2 fixtures and I'm wondering where that came from, seeing  
3 that security is generally primary?

4           JENNIFER ARMER: Similar language to that has  
5 actually been in the regulations or at least the  
6 guidelines, the idea being that if there is going to be  
7 lighting on residences it could be something that is for  
8 the purpose of security but that it should be decorative in  
9 nature as part of the Residential Design Guidelines of  
10 having good design, that it's more about the utility can be  
11 done in a way that is aesthetically pleasing and consistent  
12 with those guidelines.  
13

14           CHAIR HANSSEN: Does that answer your question?  
15 Commissioner Barnett has another question.

16           COMMISSIONER BARNETT: If I may have a follow up  
17 question, the definition of decorative lighting seems to me  
18 to be necessary. I don't know if that relates to lighting  
19 such as for planting areas, landscaping, string lights,  
20 which you mentioned, other types of lighting that's  
21 basically decorative. In short, I wonder whether it would  
22 be wise to include a definition of decorative lighting.  
23

24           CHAIR HANSSEN: Thank you for your comment, and  
25 do you have any other questions, Commissioner Barnett?

          COMMISSIONER BARNETT: No, I don't.



1 CHAIR HANSSEN: Are there any other Commissioners  
2 that have a question or a comment at this point? I did want  
3 to ask the rest of the Commission, Commissioner Hudes did  
4 bring up the comment by the member of the public about  
5 considering—and this wouldn't be a today thing but  
6 something to recommend to Council to continue to look at –  
7 using lumens as a measure of how intense the lighting was.  
8 I didn't know if any other Commissioners had any comments  
9 about that, because we certainly have the opportunity in  
10 addition to voting on this item in terms of a  
11 recommendation to make additional recommendations. Let's  
12 see, Commissioner Badame.

14 COMMISSIONER BADAME: Should we forward a  
15 recommendation of approval to Town Council I would like to  
16 have Commissioner Hudes' comments considered as well as  
17 Commissioner Barnett's, because I find the word decorative  
18 to be very subjective. What might be decorative to one  
19 person is an eyesore to another.

20 CHAIR HANSSEN: I think that's a very good  
21 comment. Any other thoughts on that? Okay, so if there are  
22 no other comments could I get a motion on this item?  
23 Commissioner Badame.

25 COMMISSIONER BADAME: I move to forward a  
recommendation of approval of Town Code Amendment

1 Application A-20-005 in consideration of the comments made  
2 by Commissioner Hudes and Commissioner Barnett. I can make  
3 the findings for CEQA and I can also make the required  
4 findings for the General Plan.

5 CHAIR HANSSEN: All right, thank you, and do I  
6 have a second?

7 COMMISSIONER BARNETT: I'll second.

8 CHAIR HANSSEN: So, Commissioner Barnett seconds.  
9 Are there any other questions or comments from  
10 Commissioners before I call the question? Okay, once again  
11 we will do a roll call vote, and we'll start with  
12 Commissioner Burch.  
13

14 COMMISSIONER BURCH: Yes.

15 CHAIR HANSSEN: Commissioner Tavana.

16 COMMISSIONER TAVANA: Yes.

17 CHAIR HANSSEN: Commissioner Badame.

18 COMMISSIONER BADAME: Yes.

19 CHAIR HANSSEN: Commissioner Hudes.

20 COMMISSIONER HUDES: Yes.

21 CHAIR HANSSEN: Commissioner Barnett.

22 COMMISSIONER BARNETT: Yes.

23 CHAIR HANSSEN: Vice Chair Janoff.

24 VICE CHAIR JANOFF: Yes.  
25

1 CHAIR HANSSEN: And I vote yes as well, so the  
2 motion passes unanimously. Mr. Paulson, are there appeal  
3 rights regarding this item?

4 JOEL PAULSON: Thank you, Chair. No, there are  
5 not appeal rights as this is a recommendation to the Town  
6 Council, so we will forward that recommendation and the  
7 Town Council will consider it.

8 CHAIR HANSSEN: Okay. Thank you very much.  
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