



**TOWN OF LOS GATOS
COUNCIL AGENDA REPORT**

MEETING DATE: 12/19/2023

ITEM NO: 15

DESK ITEM

DATE: December 19, 2023
TO: Mayor and Town Council
FROM: Laurel Prevetti, Town Manager
SUBJECT: Review and Discuss the Draft Revised 2023-2031 Housing Element. Location: Town-Wide. General Plan Amendment Application GP-22-003.

REMARKS:

In response to Council Members' questions, staff has provided the following responses in *italics* to the summarized questions:

1. Was the December 1, 2023, HCD comment letter a comprehensive review or is there a possibility that further issues may be raised?

The December 1, 2023, HCD comment letter was a comprehensive review of the Draft Revised Housing Element, as submitted to HCD on October 2, 2023, along with the modifications submitted on November 28, 2023. Based on a subsequent review by HCD, it is possible that additional issues could be raised that would require further revisions before HCD would certify the Housing Element.

2. Is HCD aware of the pending referendum of the Land Use and Community Design Elements of the 2040 General Plan, given the recent comment regarding Missing Middle Housing and multi-family development in single-family residential neighborhoods?

HCD is aware of the referendum of the Land Use and Community Design Elements of the 2040 General Plan. Town staff and the Housing Element consultant met with the Town's HCD reviewer and the HCD Senior Program Manager, Paul McDougall, on December 13, 2023, to discuss potential ways for addressing the comment, as described below. Staff anticipates providing additional revisions to the Draft Revised Housing Element to the Housing Element Advisory Board (HEAB) in mid-January for their review and consideration prior to a resubmittal to HCD.

PREPARED BY: Erin Walters, Associate Planner and
Jocelyn Shoopman, Associate Planner

Reviewed by: Town Manager, Assistant Town Manager, Town Attorney, and the Community Development Director

REMARKS (continued):

- *Modifying Implementation Program J to create opportunities for other housing types, such as co-housing or home sharing;*
- *Amending the Town Code to facilitate small multi-unit housing in some of the low and medium density designations; and*
- *Creating a new section within Chapter 10 to summarize all of the existing opportunities available in the Town that further housing mobility through Accessory Dwelling Units (ADU) and Senate Bill 9 (SB 9).*

3. Were the September and November Housing Element drafts reviewed by any appointed or elected body prior to their submission?

On September 28, 2023, at a special meeting, a motion was passed by the HEAB with a 6-1 vote, with Council Member Hudes voting no, to direct staff to submit the Draft Revised Housing Element to HCD for review following the conclusion of the seven-day review.

The Draft Revised Housing Element (September 2023) was submitted to HCD for review on October 2, 2023. Mid-cycle through the 60-day review period by HCD, staff met with the Town's HCD reviewer on November 7, 2023, and was provided with a preliminary review matrix based on the October 2, 2023, submission. Revisions to the Draft Revised Housing Element were made by staff and the Housing Element consultant, and the Draft Revised Housing Element (November 2023) was made available to the public for a seven-day review period from November 16, 2023, to November 27, 2023.

On November 16, 2023, staff notified the Town's HCD reviewer of the proposed revisions to the Draft Revised Housing Element based on HCD's preliminary review matrix and the timeline of when the seven-day review period would take place. Following the seven-day review period, the Draft Revised Housing Element (November 2023) was submitted to HCD on November 28, 2023.

A mid-cycle review by HCD is not uncommon and has been utilized by other agencies within Santa Clara County; however, the mid-cycle review is dependent on the individual HCD reviewer's workload and availability and is only helpful if it can be completed, including the required seven-day public review, prior to the end of the 60-day review period by HCD.

4. The tentative schedule is described on page 572 of the full Council agenda packet, page four of six of the staff report. Are there any reviews planned with HCD?

At this time, there are no scheduled reviews with HCD.

5. Is there any reason that the Housing Element could not be reviewed at additional Council meetings in January or later?

REMARKS (continued):

At the direction of the Town Council, additional reviews of the Draft Revised Housing Element by the Town Council can be scheduled in January or later.

The December 19, 2023, staff report erroneously referenced public comments received between 11:01 a.m., Wednesday, November 29, 2023, and 11:00 a.m., Thursday, December 14, 2023, in Attachment 15; however, there were no public comments that were received during the time frame.

Attachment 15 contains public comment received after 11:00 a.m. Thursday, December 14, 2023, and before 11:01 a.m. on Tuesday, December 19, 2023.

ATTACHMENTS:

Attachments Previously Received with the December 19, 2023, Staff Report:

1. Draft Revised Housing Element (November 2023), Track Change Copy
2. Environmental Analysis
3. Response Memorandum to the HCD Draft Preliminary Review Matrix
4. November 15, 2023, Planning Commission Staff Report with Exhibits 1-2
5. November 15, 2023, Planning Commission Addendum Report with Exhibit 3
6. November 15, 2023, Planning Commission Verbatim Minutes
7. November 29, 2023, Planning Commission Staff Report with Exhibits 4
8. November 29, 2023, Planning Commission Addendum Report with Exhibit 5-9
9. November 29, 2023, Planning Commission Desk Item Report with Exhibits 10-12
10. November 29, 2023, Planning Commission Verbatim Minutes
11. December 1, 2023, HCD's Findings Comment Letter
12. Public Comments Received by HCD
13. Draft Resolution with Exhibit 1
14. Partial Interim Working Draft Response Table

Attachments Received with this Desk Item:

15. Public Comment Received Between 11:01 a.m. Thursday December 14, 2023, and 11:00 a.m., Tuesday, December 19, 2023