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

Los Gatos Planning Commissioners:	Melanie Hanssen, Chair Jeffrey Barnett, Vice Chair Kylie Clark Kathryn Janoff Steve Raspe Emily Thomas
Town Manager:	Laurel Prevetti
Community Development Director:	Joel Paulson
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2 P R O C E E D I N G S:
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4 CHAIR HANSSEN: The last item on the agenda is the
5 continuation of the discussion of the Draft 2040 General
6 Plan as well as the Final EIR that goes along with it.
7 Staff did an amended agenda.

8 The Planning Commission met on Monday of this
9 week to continue its discussion that started in our April
10 13th meeting, and during the meeting on Monday, as noted in
11 the Staff Report, we did finish several of the elements and
12 got through most of the comments on the Land Use Element,
13 but did not finish our recommendation on the Land Use
14 Element. In addition we will be discussing the Community
15 Design Element, and then we'll be discussing the Final EIR,
16 and the goal is for the Planning Commission to make a
17 recommendation regarding the overall Draft General Plan as
18 well as the Final EIR and whether it should be certified or
19 not.
20

21 That being the case, I will ask Staff if you
22 wanted to make a quick Staff Report covering anything
23 before we start the discussion?
24
25

1 JENNIFER ARMER: Thank you, Chair. Good evening,
2 Commissioners. You actually did cover most of the points
3 that I was going to go over to start us off this evening.

4 Just making sure that everybody who is watching
5 is aware that there are materials on the Draft 2040 General
6 Plan and Final Environmental Impact Report available in the
7 Planning Commission packets for the April 13th meeting, the
8 April 25th special meeting, and then for tonight's meeting.

9 The discussion so far has been focused on going
10 step-by-step through the summary of potential comments and
11 potential changes proposed by the public and other agencies
12 and Staff, all included in Exhibit 7, and that's from the
13 Staff Report from April 13th.

14 As previously stated, we have made it through
15 most of the chapters, most of the elements of the General
16 Plan, and at the end of the last meeting on Monday we got
17 through a discussion of the Land Use Element. The
18 discussion of the Land Use Element did go through all of
19 the ideas summarized in Exhibit 7 as well as some other
20 ideas by the Commissioners, though no specific motion was
21 made, because we didn't get to the end of that discussion.

22 Staff's notes include general support from the
23 Commission for items 21, 33, and 34, but we expect a motion
24 giving specific direction would occur after the conclusion
25

1 of the discussion of the housing numbers, which is what we
2 will be focusing on next. Once that discussion of the Land
3 Use Element is complete, then as the Chair mentioned, we
4 would move on to the Community Design Element and then on
5 to the Final EIR.

6 I'm available to provide additional information
7 on the Final EIR when we do get to that section, since that
8 discussion is slightly different than discussing the Draft
9 2040 General Plan.

10 There was a Desk Item today with some additional
11 Commissioner comments, but this concludes Staff's
12 presentation and I'd be happy to answer any questions.

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

16 As a reminder to members of the public, we did
17 take all of the verbal comments relative to the Planning
18 Commission's consideration of the 2040 General Plan and
19 Final EIR during our April 13th meeting, so we will not be
20 doing public comments during this portion of the meeting,
21 however, we have received hundreds of comments over the
22 last year since the General Plan Update Advisory Committee
23 ceased meeting and completed the Draft General Plan, and we
24 continue to receive a number of written comments and
25

1 received quite a few verbal comments as well during our
2 April 13th meeting, so all of those comments that you have
3 made have been reviewed and considered by the Commission as
4 we discussed the General Plan, and we do incredibly
5 appreciate all of the public input that we've received on
6 the Draft General Plan.

7 With that in mind, we will turn our discussion
8 to, as Ms. Armer and I alluded to, where we were in the
9 Land Use Element. The very last thing that we did in our
10 meeting on Monday, which was a special meeting, is we
11 talked about Exhibit 7 is something that Staff did for us
12 and that was part of the April 13th Staff Report, and it is
13 a summary of all of the comments that have been received
14 since the Draft General Plan was received, and they did
15 categorize them by element, and while we did go through all
16 of the comments we did not complete the discussion of what
17 the build number would be in the recommendation that was
18 going to go to Town Council.

19 What we did do is we took a poll of the
20 Commissioners in terms of what their feelings were on the
21 possibility of reductions to the build number that were
22 listed in item 20.
23
24
25

1 In the comments were no increase in housing units
2 and housing levels whatsoever, which is not recommended,
3 because that would be in violation of state law.

4 The second one is reducing the number of new
5 housing units to a lower, less ambitious target than the
6 3,738 number that was put into the build table of the Draft
7 General Plan.

8 Item C is reducing the number of new housing
9 units to 1,993, which is not recommended by Staff, because
10 that is the actual number for the RHNA for the plan and it
11 doesn't incorporate anything that is naturally going to
12 happen that the Town has no control over, such as growth of
13 ADUs and projects that are already in the pipeline, and
14 also that we are required to do a buffer by HCD.

16 Then item D is reducing the number of new housing
17 units to 1,993 plus a 15-20% buffer, and of course while we
18 can look at doing that, we also have to remember that there
19 will be housing units built outside of the timeline of 2031
20 when the completion of the next Housing Element is done.

21 I added an additional item, which was item E,
22 which was to leave the number and the densities in the Land
23 Use section as they were and as are listed currently in the
24 Draft General Plan, and the reason that's not in item 20 is
25

1 because the whole Exhibit 7 was recommended changes, and
2 leaving it the way it is would not be a change.

3 I thought it might not be a bad idea before we go
4 any further, rather than just having a poll of the
5 Commissioners that we should vote whether or not to reduce
6 the number in the General Plan versus leaving it the same.
7 I was hoping to get a motion one way or the other and then
8 we could vote on that, and then depending where the
9 Commission comes out will help guide our discussion in
10 terms of if the will of the Commission was to recommend to
11 reduce the number, then we would be able to proceed with
12 that, and if the will of the Commission was to leave it the
13 same, then we would proceed with that. Are there any
14 questions or comments on that?

16 Commissioner Janoff.

17 COMMISSIONER JANOFF: Thank you. I think that I
18 will repeat what I said when we started this conversation
19 at our last meeting on Monday.

20 We're the Planning Commission and our job is to
21 plan and make sure the plans for the Town are recommended
22 in a prudent and thoughtful manner listening to the public,
23 listening to what we have to do legally, so we've got a big
24 decision.

1 I understand why the number in the current Draft
2 General Plan is what is, the total as well as the
3 breakdown, and I'm also mindful of the amount of feedback
4 we've gotten from the public. Let me say that it's more
5 than feedback, it's more like uproar, recommending that we
6 reduce those numbers, in some cases to the lowest that we
7 would recommend, which would be the current RHNA housing
8 cycle numbers plus the buffer, or someplace in between that
9 RHNA number and buffer and what is in the current General
10 Plan.
11

12 I'm in favor of doing what the Commission through
13 its deliberation is interested in doing, but I would say,
14 as I did last time, that in our planning capacity we have
15 to remember that the General Plan is covering three housing
16 cycles, two complete housing cycles and the initiation of a
17 third, so I'd like to hear the Commission's discussion
18 around whether it's prudent or not to simply ignore the
19 next two or severely reduce the next targets for the next
20 two housing cycles, which is the general direction that a
21 lot of the public is asking us to take. What impact does
22 that have—maybe is a question for Staff—if we don't include
23 those numbers greater than the current RHNA cycle in
24 anticipation of additional numbers coming in the future
25 RHNA cycles?

1 I'm just interested in what the conversation
2 around that would be. I personally feel like we have a
3 responsibility to include those future cycles. Whether we
4 need to do it with specific numbers or not, I'm not sure,
5 but certainly our zoning designations and the changes that
6 we're making to the zoning designations would facilitate
7 growth in those future housing cycles. I'm just really
8 struggling with that question and would appreciate
9 conversation from the Commission and Staff.
10

11 CHAIR HANSSEN: Would you like Staff to respond
12 to what you were saying, if we were to, say, focus only on
13 1,993 plus the buffer, how would that translate into
14 possibilities for considering that the General Plan is a
15 2040 General Plan?

16 COMMISSIONER JANOFF: Yes, I would.

17 CHAIR HANSSEN: So if Staff could comment on
18 that, that would be helpful.

19 JENNIFER ARMER: Thank you for that question. You
20 are correct, this is a 20-year plan and the housing numbers
21 associated with the RHNA allocation, that is just for the
22 eight-year RHNA cycle, the next Housing Element update, and
23 so that is one component of what has been discussed through
24 this process, that there will be another cycle-and-a-half
25 that's included in these 20 years, and so recognizing that

1 the growth projected in this Draft General Plan is based on
2 a 20-year rather than just an eight-year cycle.

3 In addition to that, one of things though to keep
4 in mind in this discussion is that you have recommended
5 that there be a five-year kind of check in on the Land Use
6 Element in particular, and there is an implementation
7 measure for a ten-year check in on the whole General Plan,
8 so there are options through that timeline to check in, or
9 if we get to the next cycle and find that there isn't
10 enough capacity within the General Plan, then it may be
11 that as part of that Housing Element there needs to also be
12 some updates to the land use regulations.

14 All of that being said, Staff is in support of
15 the Draft 2040 General Plan as recommended by the GPAC, and
16 if some reductions were proposed as part of the
17 recommendation from the Planning Commission, we would
18 recommend that it not be any more than the difference that
19 was noted on page six of the Staff Report for the April 13th
20 meeting where we laid out certain portions of the built-out
21 table, certain portions of those numbers that wouldn't
22 count towards the next eight year, for example, 300 ADU
23 units, and we modified some of those numbers to try to make
24 this more of a apples-to-apples comparison and then showed
25 what the different between that and the RHNA plus buffer

1 is, and so a reduction that's greater than that would not
2 be recommended by Staff.

3 CHAIR HANSSEN: Very good. Commissioner Thomas,
4 you have your hand up.

5 COMMISSIONER THOMAS: Thank you, Chair Hanssen. I
6 do appreciate the reminder that we will be checking in on
7 the Land Use Element at a more frequent cycle than the 20-
8 year General Plan cycle, I just don't see how we reasonably
9 are not going to get similar RHNA numbers moving forward in
10 the future, and so if that's the case I feel like this
11 3,700 number seems very reasonable. I completely understand
12 that that makes a lot of people in Town very scared for
13 very justifiable reasons, but I also am very confident that
14 the rest of the General Plan and the implementation
15 programs that are being prioritized over the next five and
16 ten years are ones that will improve infrastructure and
17 ensure that the Town can support this housing.
18

19 I think that when people voiced concerns to me
20 prior to when I came I didn't talk to anyone about it, but
21 when I saw all of our feedback and public comments that
22 were received, I feel like people see this number and have
23 an initial reaction without reading and looking at the
24 entire General Plan, and I think that a lot of residents
25 would be comforted by understanding more fully the entire

1 General Plan as an entire package instead of just this
2 small piece of the Land Use Element.

3 I want to be in agreement with the other
4 Commissioners tonight and I've really been trying to think
5 a lot about this over the past two days since our meeting
6 on Monday, but I am afraid that we're setting future
7 Commissions, Housing Element Advisory Boards, and the Town
8 up for many more challenges instead of opportunities to
9 meet our future RHNA numbers if we reduce this number
10 significantly. So that's my main concern, and I think that
11 having a goal, and then if we in like five or ten years
12 need to adjust this land use number down, that's going to
13 be easier to do than getting our RHNA and then having to go
14 back and change our land use, and check in with our Land
15 Use Element as we're writing a new Housing Element, so I
16 don't think we should plan on having to change the Land Use
17 Element. I think we should try to hope for it to be
18 designed to last 20 years and as the backup have it be
19 available to be updated. So those are my feelings on these
20 things.
21

22 I think also something that is really important
23 is that no matter what the number is in the General Plan,
24 the Town and the plan itself does not have control over how
25 many units are going to be developed. The Town itself is

1 not developing those units. Developers have to come in and
2 want to build, and what is much more important to the
3 number of units that are going to be built is how zoning is
4 going to be changed and densities are going to be changed.
5 I think that just because this is written into the General
6 Plan as a goal that's a Guiding Principle it does not
7 automatically set us up for the addition of 3,700 new units
8 in the next just couple of years at a growth that's
9 unsustainable for the Town, because we still have local
10 control. But if we don't meet our RHNA numbers, then I'm
11 afraid that we're going to lose control over a lot of
12 things that are really important to people in Town.
13

14 That's just how I'm feeling about this, but I
15 really am curious to hear what other Commissioners have to
16 say.

17 CHAIR HANSSEN: Thank you, Commissioner Thomas,
18 for all your comments, and that was very thoughtful and
19 gave us a lot of things to think about as a Commission in
20 terms of making our recommendation.

21 Director Paulson has his hand up, so I'm going to
22 ask him to comment before I go to Commissioner Clark.

23 JOEL PAULSON: Thank you, Chair. Thank you for
24 the comments, Commissioner Thomas. Just for the entirety of
25

1 the Commission's understanding, a couple of points of
2 clarification.

3 The challenge that has been brought up in public
4 comments as well, we modify the densities for the General
5 Plan to what is currently proposed. Under current state law
6 there is not an option to draw those back, so we're not
7 allowed to reduce those densities. I just want the
8 Commission to understand that component.

9 It gets a little bit to the point, which I think
10 we talked about before, if the number is changed, which is
11 definitely under the purview of the Commission and then
12 ultimately the Council, if that number is changed, should
13 we run into an issue, whether it's five years or as we
14 start to look at the next seventh cycle Housing Element out
15 in probably 2028 or 2029, if we don't have capacity for
16 whatever the anticipated number there for that cycle is,
17 then ultimately we would be revisiting the General Plan
18 Land Use Element either while we're going through the
19 Housing Element or we would have implementation programs in
20 that Housing Element that would require modification so
21 that we could accommodate our RHNA if we didn't have the
22 capacity left.

23 I just wanted to make those two points of
24 clarification for both.

1 CHAIR HANSSEN: All right, thank you for that,
2 Director Paulson.

3 Commissioner Clark.

4 COMMISSIONER CLARK: Thank you. I first want to
5 say that I really, really value the opinions of my fellow
6 commissioners and so I'll share my thoughts, but I'm really
7 excited to hear what others have to say and I'm very open
8 to everyone's ideas, comments, and knowledge.

9
10 A few of my thoughts are first, I do think just
11 one problem we've had so far is misinformation and the
12 knee-jerk reaction that people had to that number. I heard
13 people saying that we're going to build 30,000 units, and
14 so it did get really inflated, and also I think that people
15 did imagine the Town going and building 3,700 units or
16 something like that, and people not really understanding
17 that this is for three cycles, like we've been talking
18 about.

19 My thoughts are that I think that one thing that
20 the entire community can agree on is that we want to get
21 our Housing Element through, and I think that we agree on
22 this whether you're the biggest CMB ever or whether you
23 really want to avoid state control and to maintain local
24 control that we all want our Housing Element to go through
25 for whatever reason.

1 For me, I think that these numbers make it
2 exponentially more likely that we get our Housing Element
3 through and that we would need to accommodate for this
4 number of units within the three General Plan cycles
5 regardless, so my inclination for what's really best is
6 that I think that we should leave it as is, or very close
7 as is, but I also understand that we need to alleviate
8 community concerns, and so I think regardless something
9 we'll have to do after this is some additional education
10 and really making sure that people understand the reasons
11 behind whatever decision we make tonight.

12
13 But I also think in terms of keeping a high
14 number, we need as many opportunities as possible to offer
15 developers, so as many locations and as much density in the
16 appropriate zoning, because there are only so many
17 developments to go around and I think we don't want all of
18 them to get built in other communities that were a little
19 more ambitious or did do more to accommodate for
20 construction, and so I want to make sure that we're also an
21 appealing location and one where there is opportunity.

22 CHAIR HANSSEN: Thank you for that, Commissioner
23 Clark.

24 Vice Chair Barnett.
25

1 VICE CHAIR BARNETT: Thank you. I also am
2 desirous of hearing from all the Commissioners on this
3 important issue.

4 I come from the other direction, more of what Mr.
5 Paulson was saying, that we review the housing capacity on
6 a five-year basis and see where we are, so we're not
7 speculating about what the future RHNA requirements would
8 be.

9 I also am very concerned that if we up-zone 40%
10 of the land in the Town that we will not be able to down-
11 zone despite problems with traffic and greenhouse gases,
12 which are noted already in the EIR as being over the
13 acceptable margins, and also problems concerning public
14 service demands, school crowding, and water, which have
15 been major sources of concern to the members of the public.

16 So again, while I'm open minded, I think that a
17 more appropriate approach would be to start with the RHNA
18 and the buffer and add additional housing opportunities in
19 certain zoning areas as I've suggested in my submission.
20 Thank you.

21 CHAIR HANSSEN: Thank you for that, Vice Chair
22 Barnett. Commissioner Raspe.

23 COMMISSIONER RASPE: Thank you, Chair. First off,
24 like all my fellow commissioners I think we've collected a
25

1 diverse group of Commissioners with varying ideas and I
2 think that adds to this discussion. I'm looking forward to
3 the discussion that we're about to have.

4 As part of that, as I was thinking about it over
5 the last several days I called into question a little bit
6 what is the roll of a Planning Commissioner? Are we here to
7 just give our own voices, or is it to give voice to all
8 those in the community? We certainly heard a lot of voices
9 on these particular issues, and I think as Commissioner
10 Janoff indicated, maybe upheaval is a better word. Those
11 kind of set the tone for my thinking and my discussion.

12 I think at the end of our last meeting I
13 indicated that I was in the camp of the RHNA numbers plus
14 the buffer, 15-20%, and since that time I've done a little
15 bit more thinking and I want to actually commend Vice Chair
16 Barnett. I spent time studying your initial proposal and
17 then our revised proposal that I looked at today, and in my
18 view those are good starting points for the discussion. I
19 think they encapsulate well, perhaps not the exact number
20 that I'm at, but certainly my thinking on the subject.

21 And like Vice Chair Barnett, and as Director
22 Paulson indicated, the five-year review gives me comfort
23 that if we don't get it exactly right this first time, it's
24 not irretrievable, it's not irreversible. This is going to
25

1 be an ongoing process. I think even if we adopt the GPAC
2 numbers, it probably won't carry us through all the cycles
3 that will occur in the 20-year General Plan, and so at some
4 point it's going to have to be revisited.

5 Those are my thoughts, but again, I look forward
6 to having this discussion with all my Commissioners.

7 CHAIR HANSSEN: Thank you for that. Before I go
8 back to Commissioner Janoff and Commissioner Thomas, and
9 Commissioner Thomas was first, I will reiterate some of
10 what I said the other night.

11
12 When we started the process of the General Plan
13 update back in 2018 we didn't know what our RHNA was, and
14 so we had to imagine what might happen over the next 20
15 years, and the number we put in during the (inaudible) was
16 2,000 units, and low and behold, that became our RHNA for
17 eight years.

18 Getting back to all the concerns that we had in
19 the public, putting 2,000 units in Town, although we have
20 no responsibility for building them, it will be developers
21 doing that, we do have to plan for them, and it's a scary
22 thing for everybody.

23 We've had issues, beach traffic and whatnot, so
24 I'm of the mind that Staff made some recommendations in the
25 Staff Report that we should consider a compromise position

1 in between satisfying the needs of the eight years and
2 looking somewhat ahead, and being mindful of the fact there
3 are some things over the 20-years that we have no control
4 over, for example, Staff is forecasting that we'll have 500
5 ADUs, and that's based on the rate that we're getting ADUs
6 right now, and state law makes it a ministerial permit to
7 be able to do ADUs and there's nothing at all that the
8 Commission or the Town Council or anyone can do about that.

9
10 My feeling is that we ought to consider an
11 approach that's balanced, that does not isolate housing
12 into one particular zoning category, but that is something
13 in between what we saw and had put out a year ago and where
14 we need to be in the RHNA numbers, so something in between
15 those two is where I thought we should be, but I also
16 respect and want to hear from the rest of the Commission.

17 I'll go back to Commissioner Thomas.

18 COMMISSIONER THOMAS: Thank you. I think that it
19 is a great idea to be able to come back and review the Land
20 Use Element every five years, but I don't think my intent
21 of being able to do that and recommend that to Town Council
22 was not so that we can come back and adjust our numbers
23 every five years. That was an emergency because things
24 might be changing over the next 20 years, and I still do
25 think that it is our responsibility as a Planning

1 Commission to try to get this as good as we can for a 20-
2 year vision and the backup to be that we can review this
3 every five years and make updates if needed.

4 I also understand, Commissioner Raspe, what
5 you're saying with regard to public comments and public
6 outcry and what Commissioner Janoff mentioned, but I feel
7 very strongly that it is also our job as Planning
8 Commissioners to make sure that we represent underserved
9 populations and their voices and those that can't
10 necessarily speak up for themselves.

11
12 We're going to need to build a lot of these units
13 and that's going to need to be for like young children who
14 live in Town right now and who are going to grow up and
15 can't afford to live here, and so I do think that we
16 shouldn't just always listen to the loudest voice in the
17 room as Planning Commissioners and it is our role to take a
18 step back and make decisions that are best for the entire
19 community, and that includes people that work here that
20 can't afford to live here right now.

21 I do really want to come into agreement, but I
22 really do feel strongly that we should be trying to plan
23 for the next 20 years, even though I know that we have a
24 backup plan of being able to change things on a five-year
25 time period with the Land Use Element.

1 CHAIR HANSSEN: Commissioner Janoff.

2 COMMISSIONER JANOFF: Thank you. Let me just
3 start by saying I noted in the 2020 General Plan currently
4 in place there is a discussion of land use, but there's no
5 discussion of numbers whatsoever, so I appreciate the fact
6 that we've got a table of numbers in here. It's really full
7 transparency to the public what is happening and is
8 anticipated to be happening in terms of the drive by the
9 State of California to increase housing, and the reason
10 that we're at this 2,000 number now, which is extraordinary
11 in itself, is because Los Gatos as well as-perhaps the
12 exception is Morgan Hill-has not planned adequately to get
13 to the population that's most in need.

15 I especially appreciate Commissioner Thomas'
16 comment about the underserved in our community. That's
17 precisely the sector that we don't hear from, but that's
18 precisely the sector that the state is hoping to be better
19 served through these laws and measures. So I just wanted to
20 comment that I truly appreciate that the General Plan is
21 laying it all out there, the draft plan, so that people can
22 understand.

23
24 There are two bullets in the list of potential
25 reductions that are reducing the density from 40 dwellings
per acre to 30 in Mixed-Use and High-Density. My question

1 to Staff is if we did reduce that density in the General
2 Plan, can we do incentives in a Land Use Element to provide
3 increased density beyond the 30, if we were to reduce it to
4 30? Can the Housing Element incentivize over what's in the
5 General Plan? My suspicion is the answer is no. But
6 alternatively can we condition what's in the General Plan
7 in terms of zoning densities that it's 40 units per acre
8 only if you are providing this type of housing, otherwise
9 it goes down to 30?

10
11 JENNIFER ARMER: Thank you for that question.
12 I'll start with one point in terms of the densities and
13 reduction of them and some concerns about reducing those
14 down to, say, a level of 30, and then I would guess that
15 our Community Development Director or Town Manager may have
16 more to add.

17 The one thing to keep in mind in terms of
18 reduction of some of those zones that are higher density
19 under the current Draft 2040 General Plan is that if we are
20 going to count those parcels are potential affordable
21 housing it's not just that the maximum allowed density
22 needs to be at least 30, it's actually that it needs to be
23 a range with the minimum being 30, so it does actually need
24 to be a bit above that, and we can talk more about that to
25 provide additional clarification, but that's one component.

1 Providing incentives for more affordable housing
2 is more likely to be something that would be part of the
3 Housing Element, a program there, but with that I think I
4 will pass it off Community Development Director Paulson.

5 JOEL PAULSON: Thank you. I think Jennifer
6 touched on a couple of important points. For our default
7 density, which in the last cycle was 20 dwelling units per
8 acre, some of you might remember, because the San Jose
9 metro area is now above two million we are now in a
10 different category, which our default density is now 30
11 dwelling units per acre.
12

13 Just to go back, the reductions that are outlined
14 in the Staff Report, those are just examples based on input
15 from Council of what kind of information we should bring
16 for consideration. They're not necessarily recommendations
17 of Staff.

18 But ultimately, I think that range, again,
19 getting back to the point of we're not going to be able to
20 reduce the density, maybe rather than 30 to 40, it's an
21 option of 30 to 35. Obviously, those could be reduced in
22 any and all of the zones, so whatever the Commission and
23 ultimately the Council want, but in those conversations I
24 think it's important to understand that default density
25 opportunity, and the biggest opportunity with that is that

1 once we hit that default density we're going to have better
2 justification even though we're going to have to provide
3 evidence and additional information to say that those types
4 of sites, because we are increasing the density, are going
5 to be able to accommodate that very low category, which is
6 the most difficult for many jurisdictions, especially
7 jurisdictions like the Town, to accomplish.

8
9 So as you get into those higher densities, that
10 default density is going to be looked at differently this
11 cycle, frankly, than the last cycle, and I think I might
12 have mentioned that in one of the last two meetings we
13 heard comments about the North Forty, that they had
14 promised to do these affordable levels in the Housing
15 Element and didn't do that. That wasn't a promise from the
16 developer. That is part of the Housing Element, and because
17 it was 20 dwelling units per acre the state said yes, you
18 can say all of those are going to be affordable, and so
19 that's what was done.

20 Even though we can't compel developers to build
21 to those levels, there is not any state law that allows us
22 to compel that, we do have inclusionary housing, which
23 covers moderate and low, but we don't have anything that
24 can get down to that very low. It's really, as you've seen
25 with the North Forty, an affordable housing developer

1 teaming up with a market rate developer and them basically
2 providing land and other options so it makes sense for the
3 affordable housing developer to develop that house.

4 Ultimately, we need to have the density, from my
5 perspective, and I'm not sure, we'll see if Ms. Prevetti
6 has additional comments, but I don't think you can put in
7 our General Plan the density is, let's say, 30, but if you
8 do X, Y, and Z you can go to 40. That becomes challenging.
9 There are a lot of opportunities through other state laws,
10 state density bonus law changed recently and is much more
11 generous. Previously the maximum density bonus was 35%
12 through that law, now it's all the way up to 80% density
13 bonus.
14

15 So those are some of the other factors to
16 consider as you're going through this process, but the
17 answer to your incentivizing, I would say no. We can, again
18 as Ms. Armer mentioned, look for opportunities to
19 incentivize through the Housing Element, which may lead to
20 implementation programs that look to modify the General
21 Plan; that's a possibility. Hopefully we can do it kind of
22 as a standalone option, but those are definitely going to
23 be opportunities through the Housing Element that we're
24 going to have to explore just to try to come up with
25 realistic opportunities for that very low housing level.

1 COMMISSIONER JANOFF: I did have a second
2 question, unless the Town Manager wanted to jump in. My
3 second question is would there be any problem with changing
4 the way that the projected number of housing units is in
5 the plan, instead of giving one lump number that separates
6 it out by zoning designation, we have a table that
7 separates the numbers by Housing Element, so it's clear
8 that we've got Housing Element 1 with 2,292 units as the
9 target, and then an estimate for the next cycle and an
10 estimate for the third cycle, because that seems to be a
11 way that we can make the numbers more understandable to the
12 public rather than lumping it all together.

14 At this point I haven't really heard a compelling
15 reason to reduce these numbers down to the number that Vice
16 Chair Barnett is suggesting. That may be appropriate for
17 the first eight to ten years, but we're still looking at a
18 longer duration plan, and if the expectation is that we
19 estimate a number or put a number forward that we think is
20 reasonable for the entire period of the plan, then I think
21 it needs to be a higher number. If what we're doing is
22 recognizing what we know as our current RHNA target and
23 then we don't know for the next two cycles, that's
24 different.
25

1 I don't think that's as transparent as we should
2 be with the Town, so at the moment I'm still not convinced
3 that we shouldn't communicate the numbers much higher than
4 the, I guess, 2,400 or 2,600 that Vice Chair Barnett has
5 offered. But I'm open to understanding why that would make
6 sense.

7 CHAIR HANSSEN: Thank you for that, and I just
8 want to check in, because the Town Manager has her camera
9 one. Did you want to comment or not?

10 LAUREL PREVETTI: I just wanted to say I think
11 what Commissioner Janoff is suggesting is some kind of
12 phased housing development in the General Plan, maybe 1,993
13 plus a buffer for the first, I don't know, eight or ten
14 years, and then some other increment of housing for another
15 time period. I just want you to know that from my
16 experience of having tried to implement a phased housing
17 General Plan, usually the sites that you identify for that
18 first phase just never seem to line up with where the
19 developers want to build, so you're still going to be
20 looking at General Plan amendments and having those policy
21 debates, and quite frankly, we're so small that I'm not
22 sure a phased approach for Los Gatos would really work. In
23 theory it can work, but the implementation of that is very,
24 very, challenging, so I would recommend that the Commission

1 focus on a total number for the Council's consideration and
2 then we can work through the implementation once we have an
3 adopted General Plan. Thank you.

4 COMMISSIONER JANOFF: If I could just add a
5 comment. I wasn't suggesting a phased plan per se, just
6 that these are how the numbers might play out over a period
7 of time, but not phasing. I don't think I would change the
8 zoning designations that we have to enable the 3,700 or
9 however many numbers, so I wouldn't recommend a phasing of
10 any of those policies or zoning limits. It was just a
11 matter of communicating this is the number we know for this
12 cycle, and then there are going to be more without phasing.

14 JENNIFER ARMER: Commissioner Janoff, what I'm
15 hearing from you is just ideas of how to share the
16 information about what this development would be. Since
17 these numbers were estimated based on a 20-year timeline,
18 what is that estimate? If you broke that out into chunks of
19 time over the 20 years, how many numbers would go into each
20 bucket is what I'm hearing.

21 COMMISSIONER JANOFF: That's exactly what I'm
22 suggesting, just for clarification for the public so
23 they're not saying, oh my goodness, 3,700 units in the next
24 five years; we'll be overwhelmed. Yes, we would be
25 overwhelmed, and that's not what we're planning for.

1 JENNIFER ARMER: Yes, and I'm not sure if that's
2 something that with a General Plan, it's general, it's long
3 range, and so getting into that kind of detailed prediction
4 is likely a difficult thing and might not be feasible. It
5 looks like Director Paulson may have something to add.

6 JOEL PAULSON: We have tried through many methods
7 to communicate the current cycle versus the 20-year plan
8 and that we're going to have two-plus cycles in there. I
9 would say absolute best-case scenario from an assumption
10 perspective, we know that we have this cycle.

11
12 Let's say by some miraculous stroke of luck the
13 state in the next cycle says that was too ambitious, we're
14 going to go back to your fifth cycle number, which was 619,
15 so you can just use that number, again, not knowing what
16 that number is going to be. But if it did go back that far,
17 we still wouldn't have the capacity in what we're currently
18 proposing, and I think the reality is—we talked about this
19 a lot in the GPAC also—this is a big leap for the Town in a
20 lot of these areas from a density perspective, so we
21 understand that.

22 My thought is going into this we understand that
23 whether it's five years from now, ten years from now, 15
24 years from now, we're probably going to be reevaluating
25 some other options so that we can accommodate whatever that

1 next cycle number is, because we probably aren't going to
2 have the capacity, and then state laws change relating to
3 Housing Elements.

4 You're all aware, there's much more stringent
5 guidelines about using sites that were in previous
6 elements, sites that are not vacant, and with a town like
7 ours, we don't have a whole lot of vacant land sitting
8 around, so those are going to be conversations over the
9 next decades, whatever chunk you want to put that in, that
10 we're going to have to accomplish, and we understand that,
11 but we also appreciate that from the community's
12 perspective this is a big leap from a density perspective
13 in a lot of these areas.

15 CHAIR HANSSEN: Thank you for all that. I know
16 Commissioners Clark and Thomas have had their hands up, but
17 I do have a couple of questions that I think are really
18 important to ask right now.

19 Supposing that it was the will of the Commission
20 to be more conservative and know that we will have to
21 reevaluate this thing at the next Housing Element cycle and
22 that we weren't going to be tying our hands behind our back
23 to get there, I wanted to ask a couple of specific
24 questions about the suggestions that were on page six of
25 the April 13th Staff Report.

1 One was about the potential reductions. If it was
2 the will of the Commission to do potential reductions,
3 Commissioner Janoff brought up about the density for Mixed-
4 Use or High-Density, even knowing about how affordable
5 housing happens I would be really reluctant to change any
6 of the densities for Mixed-Use or High-Density, because
7 what we really want to encourage is smaller units, and
8 while there is no guarantee that the smaller units will be
9 smaller prices, they will be but it might not be as small
10 as we'd like, and that's where the affordable housing
11 developers come in. The affordable housing developers are
12 not going to get involved in Low-Density Residential,
13 because it's simply not going to be enough units for them
14 to make a difference, so I definitely wouldn't want to
15 change any of that.

17 One of the things that occurred to me since I was
18 on the GPAC, at the very last minute toward the very end of
19 the process to give ourselves more tools we did add in the
20 possibility of housing in Office and Service Commercial,
21 and if you look on page six of the Staff Report, that
22 translated in terms of modeling into 313 units, but when we
23 were discussing it at the GPAC I don't think any of us
24 thought that we would get that many units out of that,
25 because a lot of the service that we're talking about are

1 like the auto repair shops. It's going to be one unit or
2 something like that, so my question for Staff would be if
3 we were take away that particular housing designation to
4 allow housing in Office and Service Commercial, would that
5 prevent us from having Mixed-Use in another area where
6 there would be Office and Housing.

7 JENNIFER ARMER: Thank you. Office is an allowed
8 use in some of our other Commercial zones, for example,
9 Mixed-Use, and so having a Mixed-Use Office and Residential
10 would still be possible in those land use designations.

11 JOEL PAULSON: In Office it currently is proposed
12 at 40, and in Service Commercial it's currently proposed as
13 a maximum of 30, so should those be more aligned with, for
14 instance, the Neighborhood Commercial which has a maximum
15 of 20, or as you suggested, should one or both of those be
16 pulled off the table, I think the challenge you run into is
17 if you still want to have the opportunity for Mixed-Use on
18 those sites, then we need to have a density for those
19 sites, so that gets to be the conversation. So if you were
20 trying to maybe lessen the impact from a number of units
21 perspective, but also allow the opportunity for a Mixed-Use
22 project, for instance, then we would want to set a density
23 range for that designation. Maybe it's just a lower density
24
25

1 range that incrementally reduces that number but not the
2 entirety of the 313 units.

3 CHAIR HANSSEN: I think I understand. Similar
4 question for Low-Density Residential. The current proposal
5 in the General Plan is to go up to 12 units per acre.
6 Twelve units per acre isn't anywhere close to the minimum
7 density that's required to consider affordable housing, so
8 I'm not sure what we get by doing that except for that we
9 would be not concentrating as much in other zones, because
10 it would be spreading the housing around more, and also the
11 fact that with Low-Density Residential, and we're not
12 planning as such to make ADUs happen, we're certainly
13 educating people about it, but ADUs are where I would think
14 would be mostly in Low-Density Residential, and then to the
15 extent that SB 9 actually does take off, we don't know yet,
16 that will be a Low-Density Residential as well, so would we
17 be hurting ourselves in terms of production of affordable
18 housing by lowering our density somewhat in Low-Density
19 Residential? That's my question.

21 JENNIFER ARMER: Thank you for your question. I
22 think the major impact of reducing the density in the Low-
23 Density Residential zone is the loss of that missing middle
24 housing. That density, you would need to keep it pretty
25 close to where it is really to allow the potential for

1 triplexes and potentially fourplexes on some of the larger
2 lots in the Low-Density. That still would need to be
3 designed for compatibility with those neighborhoods, but
4 allowing that missing middle, that variety of housing, not
5 just the small affordable housing, but that in between, and
6 so if we do move forward with a recommendation to reduce
7 that density back to the existing level for Low-Density
8 Residential, because the General Plan is no longer
9 providing a place for the missing middle housing, then that
10 discussion and those policies would be removed along with
11 it.
12

13 CHAIR HANSSEN: That seemed like such an
14 appealing thing to everyone in on the General Plan Advisory
15 Committee.

16 Director Paulson.

17 JOEL PAULSON: Yes, thank you. Ms. Armer is
18 correct, and as we pointed out in the Staff Report, that
19 would be the impact to the current Draft General Plan.

20 I think what we've seen in public comment and we
21 hear in public meetings, and you reference as well, is we
22 don't know what's going to become of SB 9. SB 9, frankly,
23 provides similar opportunities from a unit count
24 perspective, and even with the missing middle, unless it
25 was a very large site where you have five or more units

1 that are going to be proposed, which obviously SB 9 doesn't
2 cover, because currently we've been limited to four, but
3 five is our current trigger for our inclusionary housing,
4 so unless it was a large site that would even accommodate
5 five units so you're getting up to close to a half-acre
6 even at the 12 range, that's where you lose that
7 opportunity. The reality is even with missing middle,
8 that's not going to get into the moderate or low, and for
9 sure not the very-low, from an income category.

10
11 ADUs are a little bit different, because as I've
12 mentioned before, we're currently able to count those as
13 all moderate units, even though they're not deed
14 restricted. We're going to have that same conversation with
15 HCD. This time there's actually been some early guidance
16 that in some jurisdictions HCD may be willing to allow
17 jurisdictions to split their ADUs into three different
18 categories: moderate, low, and very-low, and one of the
19 ratios that we've heard is 30% moderate, 30% low, and 10%
20 very-low. We're going to have to provide evidence if we're
21 able to convince HCD to get down to that very-low level,
22 and that could be based on factors such as Junior ADUs,
23 which can't be more than 500 square feet, so those are
24 going to be renting for a lower level. Whether it's the
25 very-low or we're able to split in some ratio even between

1 moderate and low, those are the opportunities that we see
2 with that.

3 Ultimately, I think that's the counter-argument
4 you'll hear, that SB 9 creates that capacity already and
5 we're not allowed to use density to limit that, so you're
6 going to have a lot of those same opportunities potentially
7 for SB 9, it's just a matter of how many folks are going to
8 be interested in utilizing that state law.

9 CHAIR HANSSEN: All right, thank you for that.
10 I'll go to Commissioner Clark, and then Commissioner
11 Thomas.

12 COMMISSIONER CLARK: Thank you. I appreciated
13 hearing your questions before, actually, so thank you.

14 Real quick, on that conversation we were just
15 having about missing middle housing, I do think that it's
16 pretty important that we don't reduce the density in Low-
17 Density Residential just because those missing middle
18 opportunities I think are one of the few ways that we have
19 of building housing that's at least more affordable that
20 doesn't require a non-profit developer to come in, so I
21 think that's something that we should keep there. I know
22 that there are some really affordable fourplexes in Los
23 Gatos that aren't technically affordable housing; they're
24
25

1 just naturally affordable because of the way that they're
2 built.

3 Then I have a few thoughts. I agree with what
4 Commissioner Thomas said earlier. I don't think that we
5 should use the every five years thing as a fallback. I
6 think that the conversation we're having, we shouldn't keep
7 saying but we can do this in five years or things like
8 that. I think it's good to know that it's there, but we
9 should try to plan for longer term than that, because it
10 really is there more as a safety net.

11 In terms of the public outcry that we've been
12 receiving, and obviously we've heard a lot from the public,
13 I do absolutely think that our role as Planning
14 Commissioners is to represent the public, not just our own
15 voices and obviously not our own interests and opinions,
16 but I do think we've heard more from members of the public
17 who are traditionally engaging in these spaces and who have
18 more access to that and are more affluent and are better
19 off, and so they're coming more from a place of fear, and
20 we haven't been hearing as much from the people who really
21 need this housing, because they may be like working two
22 jobs and so they don't have enough time to write public
23 comment, or they're completely unaware that this is
24
25

1 happening, or they're currently working in Los Gatos but
2 not able to afford to live here.

3 I, personally, work with those people. The non-
4 profit I work at serves Los Gatos, and so I think that I
5 personally feel like we need to remember to represent those
6 voices, even if we haven't received an equal number of
7 public comments from them.

8 Also I do think we need to balance the public
9 comments in opposition with misinformation, so like for
10 schools really we need more students in the schools. Like
11 they're closing in this area, and statistically the way
12 that the population is going, more children in the schools
13 isn't going to affect the overall number just because of
14 the way that our population is structured.

16 Then for water, like only 3% of water is used for
17 residential, and that's just for landscaping and
18 agriculture and things like that.

19 The last thing I want to say is just that I think
20 in hindsight community members will be less upset about the
21 higher number and things like that, because I remember when
22 the Town was one of very few in the area not to appeal our
23 RHNA numbers. People were up in arms and were so upset that
24 the Town didn't do that, and then every single application
25 got denied, and so in the end the Town saved us a lot of

1 money and time and resources by not doing that, and I think
2 that the same could happen when the Housing Element review
3 comes around. If ours is one of few that goes through, or
4 we have a lot easier of a time, and other communities who
5 tried to be as strict as they could don't have that same
6 scenario happen for them.

7 CHAIR HANSSEN: All right, well said. Thank you
8 for that, Commissioner Clark.

9 Commissioner Thomas, and then Commissioner
10 Janoff.

11 COMMISSIONER THOMAS: I want to thank
12 Commissioner Clark for bringing up the reminder about
13 school enrollment and some of the populations that are less
14 likely to engage in public discourse, because I think that
15 that is really important and as a group we need to make
16 sure that we are serving and representing.

17 I also think that the questions about the changes
18 about the densities was really helpful, because I had a lot
19 of questions about that, which ones are really open
20 realistically to change, which ones we can change but
21 should not, because it won't allow us for the growth that
22 we need.

23 I think adding on to some of the comments that
24 Commissioner Clark just said, I know that traffic is a
25

1 major, major concern in Town, and I know that that is
2 honestly for a lot of residents one of the top, top reasons
3 that they are opposed to this Residential build-out chart.
4 And I understand. I grew up in Los Gatos and I still live
5 here and I fully understand that traffic has gotten worse,
6 but I do think when I look at our Pedestrian and Bike
7 Master Plan, and I look at our Capital Improvement
8 projects, and I look at the rest of the General Plan, and
9 when we went to the Planning Commissioner Academy last year
10 and we saw some of the really amazing changes for getting
11 people out of cars and onto transit and into bike lanes and
12 walking, all of us were really excited that we were there
13 and got to see some of the amazing changes.

15 I think that the potential for those changes are
16 really built into other parts of the General Plan outside
17 of this very small section of the land use, and so I think
18 that the GPAC did so much work before I got to it, and I
19 was just so incredibly impressed with how forward thinking
20 with regard to connectivity the General Plan really is, and
21 I think that that will relieve a lot of the issues with
22 traffic.

24 And one of the reasons traffic is bad is because
25 people have to travel so far because people that work in
Town can't affordable to live here, and that is one of the

1 reasons why traffic is bad, because people are living so
2 far away from their place of work, and in lower density
3 communities and lower density towns there is a higher cost
4 to getting transit, so the most important part about
5 getting connected to the rest of Silicon Valley, like
6 getting our connection with VTA and light rail, is that we
7 need to build higher density so that VTA will actually
8 bring more service here. We know that Los Gatos has said we
9 want light rail to extend all the way to Vasona, and light
10 rail is like there's no point, because there's not enough
11 ridership, because you don't have housing available there.
12 I know that some people complain and say that because
13 there's too much traffic we can't build more housing, but
14 really this is like an if you built it, it will come
15 scenario, and there is a ton of funding available for
16 connectivity and transit, which makes me super excited for
17 our Town.

18
19 It just makes me very excited for the
20 opportunities, like very genuinely I really do love
21 transit, but very genuinely it makes me really excited for
22 our towns and for our youth.

23
24 I'm not a teacher here in Town, but I was just
25 talking this week to my students. They're studying air
pollution and they all are like the number one thing that

1 the State of California needs to do is get people out of
2 cars and onto transit and other multimodal transportation,
3 and they're like you need to make it easier to use, you
4 need to build it out, you need to make it free, and they
5 know this, and I'm like comment to this meeting. I feel
6 like these are the people that we're planning for for the
7 future, and we have to build higher density in some parts
8 of our Town in order for transit to make sense and be
9 economically feasible, and that will significantly reduce
10 traffic in the entire region.
11

12 I just get really excited about transit, so thank
13 you for letting me talk about it, but it is really
14 fascinating because a lot of fears about traffic are very
15 counterintuitive to reality, and there are a lot of studies
16 that show that high-density housing reduces traffic because
17 of linkages to transit.

18 The last thing, I know a lot people are nervous
19 about this number in combination with SB 9. I agree with
20 Commissioner Clark and I appreciate that Director Paulson
21 has reiterated that we're going to have opportunities for
22 duplexes and triplexes, etc., through SB 9. I think that
23 it's nice to have two pathways and two opportunities,
24 especially because one will be more locally controlled and
25

1 we'll have a little bit more say on it as a town and as
2 residents.

3 A lot of people are worried and concerned and
4 afraid of SB 9, and the reason that SB 9 is here is because
5 towns like Los Gatos, not like us historically, but because
6 towns and cities didn't make the all out effort to meet
7 their RHNA numbers, and so the state is going further and
8 further with trying to take state control, and I think that
9 we have done a really amazing job with the General Plan and
10 the GPAC did such a great job regarding trying to be a
11 leader with the Racial, Social, and Environmental Justice
12 element, and I really think that this is our responsibility
13 to like be leaders right now.

15 Like Commissioner Clark just said, like not
16 appealing, make it as easy as possible to get our Housing
17 Element passed as a way to save time, energy, and money for
18 our Staff and the Town, and try to make the effort to meet
19 the growth that the state is going to demand of us, because
20 I don't want us to look back and think that we have regrets
21 because we resisted growth and there's more state-wide
22 housing laws that come down the pipeline that strip us of
23 local control.

24 I think that we really have an opportunity to be
25 a leader in this, and I know that one major fear of Town

1 residents is losing local control, and so I think that
2 that, even though we've heard a lot about the specific
3 number, I think we need to take that fact and that idea of
4 the potential loss of local control the more we resist
5 growth and development as something that we need to take
6 into consideration. I mean, there's even talk that all new
7 housing projects will be exempt of CEQA no matter what, and
8 so I think that I just really want us to be a part of the
9 solution, so I just am very excited about the
10 possibilities.

11
12 Now, I do want to say, and I will be done with my
13 comments in a moment, I do think what Commissioner Janoff
14 was mentioning earlier about the changing of the numbers, I
15 appreciate that we are too small of a Town to phase things
16 out over the next 20 years, but I do think that just adding
17 a little bit of information to Table 3.3-1 with the build-
18 out, with the explaining before like this is a 20-year
19 thing; this is the expected growth of the entire county;
20 the state is going to make us responsible for absorbing
21 some of this growth over the next 20 years; this is our
22 current RHNA number; we are going to go through two more
23 cycles; etc., as a preface. Having that in there I think
24 would maybe ease some of the public tension, and then also
25 just having that like this number is also linked to all of

1 the planning in the entire General Plan. So that's my
2 suggestion for a recommended change.

3 CHAIR HANSSEN: Thank you for that, and thank you
4 for all your comments. I think we could make it really
5 simple in terms of whatever the final number (inaudible)
6 have to be to put it into the current RHNA cycle, and then
7 anything after that. It doesn't have to be broken down in
8 any more granular detail, but I think that would help at
9 least in terms of communicating what we're doing.

10
11 If you look at what Staff did in the Staff
12 Report, they essentially did that for our consideration. If
13 you look at page five it has the 3,738 number, and then
14 when they normalized it for the current RHNA cycle it was
15 3,038, 700 less units. I think something like that is
16 really essential for everyone. It will help with some level
17 of panic, but it is a big number and it's a scary thing for
18 everyone.

19 Commissioner Janoff.

20 COMMISSIONER JANOFF: Thank you. I just wanted to
21 add too that not all of the comments we received were
22 negative. In fact, there were a number that came in that
23 were in favor of growth, or in favor of the General Plan as
24 it's drafted. We understand that there is likely to be
25 infrastructure problems, but don't make the infrastructure

1 that we don't have now the barrier to adding housing that
2 we need, because you'll never get the infrastructure in
3 place before housing. There are great comments and
4 levelheaded comments that came from a different
5 perspective, and some of those comments included no, we
6 shouldn't concentrate development or new housing in one
7 space. This is a Town issue; we should spread housing
8 throughout the Town and ensure that the burden is shared.
9 Or you could say ensure that the benefits are shared,
10 right?
11

12 We heard a lot of great testimony during our
13 meetings with... I'm going to get the topic wrong, but it was
14 engage in the communities so that we could hear the story
15 relative to the low-income housing, and what we heard was
16 such beautiful stories of communities and connectedness
17 among people, increased diversity, and she made me really
18 excited for the dimensions that Los Gatos could grow into,
19 and so those are all really exciting things, and I think if
20 we think about this as a benefit to the Town and try to see
21 it that way and pursue it that way, it makes much more
22 sense, and everyone can engage in a positive way rather a
23 not in my backyard way.
24

25 I also appreciate the comments of Commissioners
Clark and Thomas and I would just underscore the concept of

1 leadership. That's what we are here for. We are in a
2 position to make a difficult designation or make an easy
3 designation, however you see it, but that's what we need to
4 do, and we need to make sure that we aren't just playing a
5 numbers games, because for me the numbers, aside from the
6 current RHNA cycle numbers, don't really matter.

7 The point is that we need to plan for growth and
8 we need to plan for it reasonably, and that's what we're
9 doing. I really am not sure that I care about the numbers
10 beyond the current cycle, but it's still prudent to
11 estimate for the benefit of the public, for transparency.

12 I'm still of a mind that the General Plan as
13 written, maybe pull some of the numbers down a little bit
14 if we are... One of the things that I had a little bit of an
15 issue with was letting ADUs be a standalone number when in
16 fact they may actually be—and Chair Hanssen and I have had
17 this conversation over many months—that those ADUs are more
18 likely to be in a Low-Density and Medium-Density
19 Residential, and so you're going to have added housing in
20 all density areas of Town. Acknowledge that and let it be
21 part of the plan.

22 CHAIR HANSSEN: Thank you for that. Some very,
23 very good comments.

24 Vice Chair Barnett, go ahead.

25 LOS GATOS PLANNING COMMISSION 4/27/2022
Item #4, Draft 2040 General Plan and Final
Environmental Impact Report

1 VICE CHAIR BARNETT: I appreciate all the
2 comments that have been submitted. I have a couple of
3 thoughts.

4 First, increased housing is not going to
5 necessarily bring low-cost housing. What with the land
6 values in Los Gatos, that's going to be a struggle. We did
7 hear in the past about some consolidation of interest by
8 nonprofits as well as for-profit developers as being a
9 possible avenue to increase low-cost housing, but from the
10 speakers that I heard at the presentation of Commissioner
11 Clark's organization, West Valley Community Services,
12 that's going to be a tough road to hoe. We hope it happens.
13 I'm in favor of low-cost housing and there is a housing
14 crisis throughout the State of California.

15 Saying that, I do think that we can achieve
16 significant housing growth in Los Gatos without going up to
17 the 3,738 number. We know there's going to be SB 9 and ADU
18 developments that are going to go into the R-1 area and
19 will make a reasonable contribution to the growth of
20 housing in that area, and I think that it would be
21 important to recognize that there is some value to keeping
22 the traditional character of the neighborhoods in place
23 where possible while still accommodating reasonable growth
24 within the community.

1 So those are some of the concerns that I have,
2 some perspectives on how Los Gatos can continue to be Los
3 Gatos and yet meet the state legal requirements. I think
4 they're compatible.

5 CHAIR HANSSEN: Thank you for that, Vice Chair
6 Barnett. Commissioner Janoff.

7 COMMISSIONER JANOFF: A question related to what
8 Vice Chair Barnett mentioned. It's not clear to me, and
9 Staff, hopefully you can clarify how SB 9 units and/or ADUs
10 over the 500 planned might be counted. Well, let's not talk
11 about 500, let's talk I guess it's 200 that are in the
12 first cycle. If those are not named as items to be counted
13 in our Housing Element, but they come, do we count those as
14 units toward the RHNA goals or do they not count at all?

15 JENNIFER ARMER: Thank you for the question. I
16 think there are two different ways to respond to your
17 question.
18

19 One part of it is what can we count in terms of
20 the showing that the Housing Element will meet our RHNA
21 requirement and getting it accepted by the state? That has
22 to be based on our past history, and that's what this
23 estimate of 200 units over the eight years is based on.
24 It's based on our past history, which has been increasing,
25 and so we will do a final study in terms of what that final

1 number is, but what we have right now is an estimate of 200
2 over that eight years.

3 The second part of your questions I think is then
4 do those units, if we actually have more than that number
5 built over those eight years, how are those counted? And
6 they would be counted. Every new housing unit that comes
7 into the Town during that RHNA cycle, that eight-year
8 reporting period, would be counted. It would be part of the
9 ongoing reporting that we do every year, and so they will
10 be part of reporting out on how we're doing, our status,
11 but we can't go beyond what our past studies show as
12 reasonable; that's the justification we'd be providing to
13 the state.
14

15 COMMISSIONER JANOFF: So you're saying that in
16 the plan in advance of anything being certified or
17 approved, but that the plan that we put forward needs to
18 have history behind it, but once the plan is certified and
19 we're moving forward in that period that whatever is built
20 is counted.

21 But I think it's also fair to say that we
22 acknowledge that ADUs and the SB 9 lot splits might not
23 wind up being low-income housing, so if our density and our
24 targets need to be focused on how to develop the low-income
25

1 housing, that's kind of a different conversation, but thank
2 you for clarifying how the units are actually counted.

3 CHAIR HANSSEN: I would add to this, I had
4 brought this up with Staff earlier. If you look at what the
5 Housing Element Advisory Board is working on right now, we
6 just met last week and talked about the site inventory, and
7 since the beginning of the month the Balancing Act tool is
8 something that was introduced as part of this Housing
9 Element and the Balancing Act tool actually has the draft
10 site inventory loaded into it, along with a possible
11 housing production, and the way that the tool works is that
12 you can't submit anything until you get up to 1,993,
13 meaning that if you're any member of the public or anyone
14 using the tool, if you only wanted to grow 200 units, you
15 can't submit it, because you have to actually get the bar
16 up to 1,993.

17
18 However, in that Balancing Act tool, it's set up
19 where the 200 expected units of ADUs are actually deducted
20 from the 1,993, so that is where I think Commissioner
21 Janoff's question was going and I kind of had the same one.

22 But with the General Plan, because it's a 20-year
23 timeline, Staff has pulled that out because we do expect
24 500 ADUs over the course of the timeline between now and
25 2020, but it does beg the question of do we really need to

1 plan for 1,993 units plus a buffer, or is it the 2,292 that
2 would include the buffer minus 200 ADUs, meaning we only
3 need to plan for 2,092 units.

4 So it's not clear how all that is going to work,
5 but that is a question that I had as well, and so I don't
6 know if we have the latitude to think about that as a
7 potential reduction of the overall growth. That's a
8 question.

9
10 JENNIFER ARMER: What I would say is the way that
11 we presented it in the April 13th Staff Report was intended
12 to try to narrow down the difference in numbers we're
13 looking at, trying to avoid this confusion about how many
14 ADUs are or aren't counted, so when we adjusted those
15 numbers to the 3,038 that was trying to adjust how much of
16 the potential development that's shown in that table in the
17 Land Use Element of the Draft 2040 General Plan, how much
18 of that capacity might potentially we counted toward the
19 Housing Element since 300 of the ADUs could not be counted
20 towards our RHNA requirement.

21 So then rather than needing to really fully
22 understand where all those numbers come from and where they
23 go, trying to adjust those numbers then to say if you start
24 from an assumption that for the Housing Element we want
25 enough capacity for the RHNA allocation, the 1,993, plus

1 the recommended buffer of at least 15%, then you look at
2 the development capacity as estimated in the Draft General
3 Plan.

4 What we came to was saying that there is some
5 additional room within those calculations, because it is a
6 20-year plan, because the GPAC was trying to provide some
7 additional capacity so that there would be some choices
8 when we got to the point of working out the details, which
9 is what the Housing Element Advisory Board is working on
10 now. That extra capacity, as we laid it out in that Staff
11 Report, is the 746 units.

12 So we can talk through more and try to understand
13 how many ADUs you keep in or keep out, but as we laid out
14 in the Staff Report, if the Planning Commission as a whole,
15 the recommendation as a whole, is to reduce below what was
16 recommended by the GPAC, if your desire is to find some way
17 to reduce those numbers somewhat, the reduction factor, the
18 limit of that reduction that Staff would recommend is that
19 it not go for more than a 746 unit reduction.

20 Because we knew there was that interest for you
21 to have some numbers to work with, both based on the public
22 comments that were received, but also direction from Town
23 Council to provide you with some nice, clear options, these
24 aren't the only options, and you could do some kind of
25

1 partial options, but this was intended to allow if the
2 Planning Commission wishes to reduce, to modify what was
3 recommended by the GPAC, here are some different ways that
4 you could do it.

5 Just like the Exhibit 7 was put together not as
6 verbatim of all of the public comments, but a summary in a
7 way that was intended to help in your discussion. For many
8 of those Staff was neutral. It's really up to the Planning
9 Commission to as to what changes, but we would recommend
10 focusing on if you want to reduce as part of your
11 recommendation what components, where would those
12 reductions be, and focusing on a number in the range of
13 that 746 kind of as a limit if you are going to reduce.

14 CHAIR HANSSEN: We thank you for that, and that's
15 where I was going with some of my questions earlier. I
16 believe that we're well and truly divided right now in
17 terms of whether or not to reduce the number, and also it
18 is 9:25, so I'm going to suggest that we take a ten minute
19 break, and when we come back see if we can get to a
20 consensus about whether or not the number needs to be
21 reduced. It might be a split vote, but I think we need to
22 see if we can get some resolution on that, and if we do
23 decide to reduce it, then we do have to make a specific
24
25

1 recommendation on how we would do it. So let's do that.

2 It's 9:25 and then we'll come back at 9:35.

3 (INTERMISSION)

4 CHAIR HANSSEN: ...but we do at some point need to
5 get to whether or not we want to recommend reducing the
6 number that's proposed, and Staff has given us some
7 possible ways to go about that. I'm not sure what the best
8 way to proceed is, but I'm going to make a suggestion that
9 because I think we're divided on this we could try having
10 someone make a motion, because I'm quite sure that the six
11 of us that are here are not going to vote for one or the
12 other unanimously.
13

14 The options on the table would be to leave the
15 number as is, which I know at least two Commissioners
16 aren't there, and then as far as the option of reducing the
17 number, I think there are varying opinions about how much
18 to do. So would anyone want to try to make a motion and see
19 where that goes, or do you want to ask more questions?

20 Commissioner Thomas.

21 COMMISSIONER THOMAS: I'm happy to make a motion.
22 I think we all know what it would be, and if it passes,
23 then we're done, and if not, then we'll need to discuss
24 changes to the numbers.
25

CHAIR HANSSEN: Okay.

1 COMMISSIONER THOMAS: I guess I shouldn't include
2 everything in the Land Use Element in this?

3 CHAIR HANSSEN: Not yet.

4 COMMISSIONER THOMAS: Oh, not yet. So we're just
5 voting for number 20?

6 CHAIR HANSSEN: I think that would be best. We do
7 have to go there on the other ones, but let's take it in
8 two parts, kind of like we did with the Environment and
9 Sustainability Element where we looked at sections of it.
10

11 COMMISSIONER THOMAS: Okay. We were in agreement
12 from the other night on the other three items that the
13 Staff mentioned earlier, correct? Or do we need to go back
14 to discuss that more?

15 CHAIR HANSSEN: I don't know that we need to
16 discuss it. That was close to my recollection on it, but I
17 didn't know if Commissioners wanted to relook at it to make
18 sure that that. Now I'm seeing no. Well then, go ahead and
19 make the motion on the entire Land Use Element, including
20 the other changes that...

21 COMMISSIONER THOMAS: Director Paulson says
22 don't. I'm not, because then people will have to vote on
23 some and not others, and then they're split.

24 CHAIR HANSSEN: Yeah, yeah, yeah.
25

1 COMMISSIONER THOMAS: I get it. I get it. But I
2 could make a motion first for those other three, if you
3 want me to try to do them together, two separate motions.
4 I'm trying to be efficient and now I'm not.

5 CHAIR HANSSEN: You can make two separate
6 motions, and that's fine, but in terms of timing I would
7 just make them serial.

8 COMMISSIONER THOMAS: My first motion is to
9 recommend the changes in the Land Use Element outlined in
10 21, 33, and 34. And 40? No.

11 CHAIR HANSSEN: Well, yes. Actually, that's a
12 very good one to bring up. We had a conversation on Monday
13 about making a recommendation to modify the North Forty
14 Specific Plan.

15 COMMISSIONER THOMAS: Yes, so do we want to make
16 that an implementation program? We do want to make that an
17 implementation program. Okay, so yes, include 40 in that
18 too.

19 CHAIR HANSSEN: Yes.

20 COMMISSIONER THOMAS: So 40, 34, 33, and 21 as
21 written in the document.

22 CHAIR HANSSEN: All right, so then is there a
23 second? Looks like Commissioner Clark has her hand up.
24
25

1 COMMISSIONER CLARK: I have a couple of
2 modifications, a couple of other additions. I think I
3 didn't realize at the end of the last meeting that we were
4 done with it, so can I just make two short suggestions?

5 CHAIR HANSSEN: Yes.

6 COMMISSIONER CLARK: First is to add a definition
7 of "rafters" to key terms, because they're referenced in
8 the definition of eave, but there's no definition of
9 rafters, and I felt like that could be helpful.

10 CHAIR HANSSEN: Okay.

11 COMMISSIONER CLARK: Then the other one was
12 supposed to be in the Community Design Element, I'm sorry.
13 I will second Commissioner Thomas' motion.

14 CHAIR HANSSEN: Will the maker of the motion be
15 willing to add the rafters definition to your motion?

16 COMMISSIONER CLARK: The rafters was actually in
17 Community Design Element. My bad

18 CHAIR HANSSEN: I'm sorry, that was for the
19 Community Design Element, so we don't have to modify the
20 motion at all.

21 COMMISSIONER CLARK: (Shakes head no.)

22 CHAIR HANSSEN: So the motion on the table that
23 has been seconded is 21, 33, 34, and 40. So motion and a
24 second. Any other comments? And this is on everything other
25

1 than the discussion we've been having about 20. So then
2 we'll do a roll call vote, yes, no, or abstain.

3 CHAIR HANSSEN: Commissioner Thomas.

4 COMMISSIONER THOMAS: Yes.

5 CHAIR HANSSEN: Commissioner Raspe.

6 COMMISSIONER RASPE: Yes.

7 CHAIR HANSSEN: Commissioner Janoff.

8 COMMISSIONER JANOFF: Yes.

9 CHAIR HANSSEN: Commissioner Clark.

10 COMMISSIONER CLARK: Yes.

11 CHAIR HANSSEN: Vice Chair Barnett.

12 VICE CHAIR BARNETT: Yes.

13 CHAIR HANSSEN: And I vote yes as well.

14 So that one was easy. Then we have the harder
15 one, which is whether or not to recommend any reductions.
16 Normally we are only making motions if we were going to
17 recommend a change, but in this particular case I think if
18 the will of the Commissioner would be to keep it, we should
19 vote that way as well.
20

21 Commissioner Janoff.

22 COMMISSIONER JANOFF: I just had a question before
23 we attempt to form a motion. I think it's clear where
24 Commissioner Clark and Commissioner Thomas are on a
25 possible motion. It's not clear to me where Commissioner

1 Raspe and Vice Chair Barnett are. We've heard in early
2 comments that you are recommending something that was about
3 1,000 units lower than what's already recommended in the
4 General Plan, and I'm just curious to know whether that's
5 your current position so you're really focusing on the
6 current RHNA with a slight increase, or has the discussion
7 at all modulated your thinking, and are we still so far
8 apart, or had any middle ground been reached on your
9 behalf? Sorry to put you on the spot, but I just am not
10 sure where we are here.

11
12 CHAIR HANSSEN: I actually think that is a fair
13 question, only because it's awkward to put motions out
14 there that are going to fail. It's better if you know where
15 you stand.

16 Go ahead, Commissioner Raspe.

17 COMMISSIONER RASPE: Thank you, Chair. I'll
18 answer Commissioner Janoff's question to the extent I
19 might.

20 First of all, I think I indicated a general
21 support for Commissioner Barnett's proposal as he
22 circulated on April 27th, and if I read it correctly I think
23 it actually calls for a total reduction of 569 units, and
24 as I read those I supported him and I still support them
25 now.

1 I will tell the Commission I feel most strongly
2 about the Low-Density Residential and slightly less, but
3 also fairly strongly, about the Medium-Density Residential.
4 Changes to those densities I find the most troubling of the
5 recommendations, and so those are the ones I feel most
6 strongly about, which I guess results in about 350 units or
7 so, or maybe a little bit more than that.

8 That's kind of where my thinking is, and so I
9 wouldn't support, if we were to take a vote, which I
10 suspect we will immediately, not an across the board
11 acceptance of the GPAC numbers. I would like to see some
12 movement, most specifically in the Low-Density and Medium-
13 Density Residential numbers. So that's my current thinking.

14 COMMISSIONER JANOFF: Through the Chair, may I
15 ask a question?

16 CHAIR HANSSEN: Yes.

17 COMMISSIONER JANOFF: Commissioner Raspe, I
18 wasn't clear if you were saying you wanted to see Low-
19 Density and Medium-Density revert back to the 2020 numbers?

20 COMMISSIONER RASPE: Correct, yes.

21 COMMISSIONER JANOFF: And did the conversation
22 about the missing middle give you any pause with respect to
23 how going to the 2020 numbers might eliminate that category
24 and the benefits that that offers?

1 COMMISSIONER RASPE: It absolutely did, and just
2 in my own mind in response, and I think maybe Vice Chair
3 Barnett or someone else made the comment, to the extent
4 those developments come into play I'm not sure, again, the
5 way those would be priced and built. I suspect those would
6 be high-income developments, if they happened at all, but
7 I'm not sure that it's just by virtue of the fact that we
8 are bringing the densities up that those developments will
9 come in. I understand your argument; I just don't know that
10 it's going to be the natural flow of events that follow
11 from our decisions.

13 CHAIR HANSEN: Let's see, I'm going to go to
14 Vice Chair Barnett, because he had his hand up next, but I
15 suspect that Commissioner Thomas had a response to that,
16 but let's hear from Vice Chair Barnett and then
17 Commissioner Thomas.

18 VICE CHAIR BARNETT: I think the reductions that
19 I proposed in my spreadsheet are reasonable and consider
20 all the factors that have been talked about in realistic
21 terms. How much are we going to be able to reduce traffic
22 by multimodal? That's certainly the goal, but I think the
23 public raised questions as to how practical that is in real
24 life.
25

1 The other concerns about character of the
2 neighborhood, of course I'm working off the 3,038 number
3 with my reduction of 569, getting to 2,469, not the 3,738
4 number.

5 CHAIR HANSSEN: The 3,738 number as per the Staff
6 Report on page five versus page six, they parse that out
7 between what's beyond the current Housing Element and
8 what's in the current Housing Element timeline.

9 VICE CHAIR BARNETT: I think that's realistic.

10 CHAIR HANSSEN: Can you reiterate for everybody
11 that might not have that page open what the components were
12 of the reductions that you were recommending?

13 VICE CHAIR BARNETT: Yes. The Low-Density, I was
14 proposing all 279; Medium-Density reduction was 165; the
15 Community Commercial to Neighborhood Commercial was 58; and
16 the Central Business District was 67; so that's a 50%
17 reduction in the Medium-Density and the Central Business
18 District and 100% in the Low-Density.

19 CHAIR HANSSEN: What was the last one? You said
20 58 in Community Commercial to Neighborhood Commercial, and
21 then what was the last one?

22 VICE CHAIR BARNETT: Central Business District.

23 CHAIR HANSSEN: And how much was that?

24 VICE CHAIR BARNETT: Half of the total, 67.

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1 CHAIR HANSSEN: All right, good. That helps to
2 not have every page open at the same time.

3 COMMISSIONER JANOFF: Through the Chair, can I
4 ask a clarifying question? Vice Chair Barnett, you're
5 recommending a reduction of 165 Medium-Density Residential
6 units over what I'm looking at Table 3-1 in the General
7 Plan, and there's a total of approximately 570 units in the
8 Medium-Density. You're proposing to keep the balance of
9 that number but just reduce it a little bit?

10
11 And I actually had the same question, again
12 looking at Table 3-1 in the Draft General Plan. The Low-
13 Density Residential total number is 283 plus 84, which
14 would bring us to about 367. I'm not sure what table you
15 might be looking at, but that's my reference in terms of
16 the numbers proposed in the current Draft General Plan that
17 we would be reducing from.

18 JENNIFER ARMER: Through the Chair, if I may?

19 CHAIR HANSSEN: Go ahead.

20 JENNIFER ARMER: Commissioner Janoff, I recommend
21 you also take a look at page six of the Staff Report from
22 April 13th. I believe that some of the numbers that are
23 proposed for reduction are from that list of potential
24 reductions laid out by Staff in response to previous input.
25

1 One of those, the 279, is the reduction in
2 housing if the Low-Density housing designation were to
3 revert back to the density allowed in the current 2020
4 General Plan, and then it appears that the 165 unit
5 reduction for the Medium-Density Residential designation
6 that's proposed by Vice Chair Barnett is half of the
7 reduction, basically going halfway down to what is
8 currently allowed in the 2020 General Plan, because bullet
9 number two on page six of that Staff Report talks about
10 reverting the Medium-Density housing designation to the
11 existing 2020 General Plan level, and that that would be a
12 reduction in 327 units. The Director has something to add
13 too.
14

15 VICE CHAIR BARNETT: That's correct what you're
16 referring to.

17 JOEL PAULSON: Through the Chair, I think it's
18 important for the Commission to understand that the numbers
19 that are in the Staff Report and that Vice Chair Barnett is
20 using, that's the delta between the existing General Plan
21 and the proposed General Plan, so that's why it's not
22 coming up with the numbers. Commissioner Janoff, you're
23 looking at the new, and that's why they're not jiving.
24

25 JENNIFER ARMER: So there would be some
development.

1 COMMISSIONER JANOFF: Right, the numbers wouldn't
2 be zero for Low-Density, or 165. Well, it might be 165, but
3 it wouldn't be zero for Low-Density is what I'm hearing.

4 JENNIFER ARMER: Correct, because there is still,
5 even with the current density, some capacity for growth and
6 redevelopment.

7 CHAIR HANSSEN: Can I ask a question on what was
8 said though? I'm looking at Table 3-1. Let's take Low-
9 Density Residential. It talks about the proposed new
10 density range, and then with the assumed redevelopment rate
11 it's 84 units for Low-Density Residential, but if we
12 reverted to the existing 2020 levels in the Staff Report as
13 described on page six, it would be 279 units. Why would it
14 be 279 units versus 84?

16 JENNIFER ARMER: Thank you for that question. The
17 new housing from the Low-Density Residential is actually
18 283 on vacant land plus 84 for redevelopment. So those two
19 columns actually get combined to give you how much
20 additional housing would be estimated within the Low-
21 Density Residential designations.

22 CHAIR HANSSEN: Yes, of course. I should have had
23 my glasses on when I was looking at that.

24 JENNIFER ARMER: It's a lot of numbers.
25

1 CHAIR HANSSEN: But it's still not the same,
2 because 283 plus 84 is well over 300, and then 279 is less
3 than that.

4 JENNIFER ARMER: Right, and so 279, if we had
5 Table 3-1 and we put in put in appropriate assumptions
6 based on the current density for the current 2020 General
7 Plan, those numbers in the columns would not be zero. There
8 would be some redevelopment and there would be some new
9 units on vacant land. It would be less than what is here,
10 because the densities would be lower, the redevelopment
11 assumptions would be lower because of those lower
12 densities, so what we put in the Staff Report for some of
13 the designations is what's that delta? We worked with the
14 consultant to figure out what would those numbers be if we
15 kept it at the 2020 General Plan, and we said what's the
16 change? So if you revert back to the 2020 General Plan you
17 don't remove all of the 283 plus 84 units; it's a portion
18 of that.

20 CHAIR HANSSEN: I see. That makes perfect sense.
21 Thank you for explaining that.

22 Director Paulson.

23 JOEL PAULSON: Just another way to think about
24 it, I think Vice Chair Barnett is looking at roughly half
25 of what is allowed in the proposed General Plan. Currently

1 the maximum density in the Medium-Density is 12, the
2 proposed is 24, so if you split that in half you end up—and
3 we'd have to run the numbers—but the maximum would come
4 down from 24 to 18, because the difference between 12 and
5 24 is 12, and you cut it in half, so it would probably be
6 around 18, if not 18.7. So that's how you could think about
7 some of these numbers where it's half, whether it's this
8 proposal or some other proposal that might have a different
9 ratio, but this one happens to be half.

10
11 CHAIR HANSSEN: Thank you for that. That helps,
12 because you have to kind of think through the whole
13 problem.

14 Vice Chair Barnett and then Commissioner Thomas.

15 VICE CHAIR BARNETT: I just wanted to say that I
16 was looking at the reduction numbers on page 184 and I did
17 play with the Medium-Density Residential figure and figured
18 it 8 to 18 instead of 14 to 24, just as an example.

19 CHAIR HANSSEN: Thank you for that. Commissioner
20 Thomas.

21 COMMISSIONER THOMAS: Thank you for the
22 clarification about the reduction and everything. I think
23 that I understand the argument that higher density does not
24 automatically equal lower income, but it does allow for
25

1 that possibility, and not including higher density is going
2 to make lower income housing less likely to happen.

3 I know that there's been a lot of talk with the
4 GPAC. I know the GPAC, before I joined, talked a lot about
5 how all the Town has to absorb this new growth, like we all
6 have to be responsible for it, and we all have to be
7 responsible for trying to increase low-income housing
8 throughout Town and affordable housing throughout Town, and
9 I completely understand that we could do everything in the
10 world and housing is still going to be expensive in Los
11 Gatos, but we're definitely guaranteeing that we're not
12 going to improve access to affordable housing if we don't
13 increase our densities in certain areas, so I personally
14 don't feel that the argument that higher density doesn't
15 automatically equal more affordable housing or low-income
16 housing is a reason that we shouldn't increase densities.

18 CHAIR HANSSEN: Thank you for that.

19 Commissioner Clark.

20 COMMISSIONER CLARK: I'm just going to quickly
21 tack onto what Commissioner Thomas just said. I completely
22 agree. I think even though a fourplex existing doesn't mean
23 that the units will be completely affordable. Naturally,
24 smaller units cost less, and so it will be more affordable
25 than other housing and I think we really can count on that,

1 and I really agree with what she said that it's everyone's
2 responsibility, it's every designation's responsibility.

3 Just because you live in a single-family
4 neighborhood shouldn't mean that you're completely immune
5 to these changes, and I really feel like the purpose of the
6 kind of housing that this would allow, like fourplexes and
7 triplexes and things like that, is that it blends in with
8 the neighborhood, and I think that once there are a few
9 around people will see that they're not so scary and that
10 they can make a valuable contribution to a neighborhood,
11 and so I really think that we should reframe how we're
12 thinking about them. I think that they kind of guarantee
13 more affordability compared to a large single-family home.

15 CHAIR HANSSEN: Thank you for that, Commissioner
16 Clark.

17 Commissioner Janoff.

18 COMMISSIONER JANOFF: Thank you. I see the appeal
19 of reducing the Low-Density designation. It seems to be
20 popular among those who are most concerned, and I can
21 understand that, and there has also been discussion that
22 that designation isn't likely to generate as much housing,
23 period, let alone affordable housing.

24 But the reason I'm having trouble with reverting
25 back to the 2020 numbers is precisely what Staff said, and

1 that is that we lose the missing middle. I can't express to
2 you how long and deeply the GPAC discussed missing middle
3 and how important those concepts are in ensuring that the
4 visual character of the Town is maintained, the transitions
5 between single-story and two-story. The transitions in
6 different areas between Low-Density and Medium-Density are
7 really accomplished most beautifully by the missing middle
8 concept, and it's a very, very important concept that I
9 personally would have a lot of trouble just throwing
10 completely out, and if that's the effect of reverting back
11 to the 2020 General Plan density for Low-Density, I would
12 not be in favor.
13

14 The change in the Medium-Density, maybe, but
15 again, there are unintended consequences of messing around
16 with the numbers and I think we run the risk of throwing
17 something that's really important completely out.

18 I guess relative to Vice Chair Barnett, I would
19 agree that the Community Commercial or Neighborhood
20 Commercial could be reduced. The Office and Service
21 Commercial, which is 313 units, maybe that could be
22 reduced, but I'm really concerned about losing the
23 opportunity in High-Density and many units of affordable
24 housing aside, we heard a lot of feedback from the
25 community about how we didn't want to ruin the visual look

1 of Los Gatos, and the missing middle really gives us more
2 control over how that is going to be affected than
3 anything, and if we think about missing middle as being a
4 better for the Town alternative in terms of retaining Town
5 charm and Town character then SB 9 simple lot splits, which
6 could just be ugly boxes and we have no discretion
7 whatsoever over how those look as long as they meet
8 building codes, so I think we lose something extremely
9 valuable in the ability to hold onto or control the
10 character of our Town when we throw out the missing middle,
11 so I would not be in favor of changing the density in the
12 Low-Density back to 2020 numbers.

14 CHAIR HANSSEN: Thank you for that, Commissioner
15 Janoff. Back to Commissioner Thomas.

16 COMMISSIONER THOMAS: I just really wanted to
17 echo what Commissioner Janoff just said, because I do think
18 that missing middle is the key to maintaining our Town
19 character, which in addition to the traffic and other
20 infrastructure concerns I know is a huge concern of
21 residents in Town and it is something that is really
22 important to a lot of people that live here, and I do think
23 that if we can build visually appealing structures in Low-
24 and Medium-Residential areas right now to accommodate for
25 our growth, we're going to avoid having to go back and

1 change like the heights so that we're building a ton of
2 concentrated housing on Los Gatos Boulevard.

3 And I know other communities have had this
4 struggle in the past. I know up in San Mateo that they have
5 made decisions to keep their Low-Density Residential
6 densities lower, and then a lot of their growth has been
7 concentrated in areas and gone really upward, because
8 that's the only way that they can build more housing, and
9 then people have been really unhappy with that in the area
10 too.

11
12 So I do really think that missing middle, I know
13 it was discussed a lot before I was on the GPAC, but I do
14 know that it was definitely a priority and there was a lot
15 of thought put into that with the whole entire General
16 Plan, and I do think that it's something that is
17 particularly helpful here in Town that we're truly missing
18 for our specific residents and future residents.

19 CHAIR HANSSEN: Thank you for that. Before I take
20 additional comments I wanted to ask Staff a question.

21 We haven't completed the process of the objective
22 standards, but Vice Chair Barnett and I and former-
23 Commissioner Burch had worked on where we could go with the
24 objective standards and the consultants have taken it to
25 the community, but supposing that we stay with the existing

1 proposed densities in the Draft 2040 General Plan, what
2 tools do we have in Town to make sure that the vision we
3 have describing the General Plan doesn't change the
4 character of neighborhoods? Because I know people are
5 really panicked, everyone's neighborhood, but for instance
6 historic neighborhoods and whatnot. What tools do we have
7 to enforce the idea of the missing middle?

8 JENNIFER ARMER: Thank you. I would say that yes,
9 we are working on objective standards. We're going to the
10 community for a community meeting with a list of draft
11 standards based on the work that you discussed. That's
12 going to be on May 12th to get input on that, and once we do
13 get further input, that will be proceeding to Planning
14 Commission and Town Council. That is really targeted at the
15 Medium-Density Residential and High-Density Residential and
16 Mixed-Use projects rather than these duplex type projects
17 that go through the SB 9 process.

18
19 When we do work towards a permanent ordinance for
20 the SB 9 type projects, that will include, as it did with
21 the interim ordinance, some objective standards there as
22 well, but for a lot of those smaller projects we don't have
23 a whole lot of objective standards that apply to them.

24 It does look like Director Paulson has something
25 else to add as well.

1 JOEL PAULSON: Thank you. Just briefly to try to
2 differentiate from a control perspective SB 9 versus
3 missing middle.

4 Missing middle, we would be using the controls of
5 the underlying zone, so setbacks, height, coverage, that's
6 where you get to what a lot of you have been talking about
7 where you get the potential form of a single-family house
8 but maybe it has three or four units in it, so you still
9 have those controls from a zoning perspective.
10

11 Now, there could be some consideration after the
12 General Plan gets adopted to modify some of those, maybe
13 allow an additional 5' or a little bit more FAR like we do
14 for ADUs, because we know we're having more units, whereas
15 SB 9, a lot of those controls are gone, so the side and
16 rear setbacks are 4'. Our lowest side setback for a
17 residential building, and I'll use the R-1:D, which is
18 happens to be Medium-Density Residential, is 5', so it's
19 those types of things where a lot of the provisions of SB 9
20 give way more flexibility to whoever is developing those,
21 and so that's where that control comes in.

22 The other is obviously SB 9 is going to be tied
23 to objective standards, so when we're doing the ordinance
24 we may want to look at that as a separate document. As Ms.
25 Armer mentioned, the current objective standards really are

1 Mixed-Use and Multi-Family, so that's something to use as
2 you're thinking about this from a control perspective;
3 that's the simplest distinction I can make at this point.

4 CHAIR HANSSEN: I think that's fine. And we do
5 have Residential Design Guidelines, and if you're really
6 trying to make a duplex in the same form factor as a
7 single-family home, then the Residential Design Guidelines
8 will apply as well.

9 Commissioner Clark and then Vice Chair Barnett.

10 COMMISSIONER CLARK: I just want to say that I
11 think we're seeing that it's risky when you start to play
12 with the numbers, and I think what this is really all about
13 is opportunities and the number of opportunities that we
14 are providing, and I would hate to see us have to choose
15 what density we're reducing in order to lower the numbers
16 just because we want to lower the numbers, and then miss
17 out on some opportunities that we could have had otherwise.

18 I just want to emphasize that we need a bigger
19 number, because these units can't all get built. It's not
20 going to be like we allow for all of this development and
21 developers all come in, but I think that we need to make
22 sure that we're providing options and that we're not
23 limiting ourselves, which I just think that we do start to
24
25

1 do that when we start moving around the numbers like that
2 and kind of having to choose where that happens.

3 CHAIR HANSSEN: Thank you for that, Commissioner
4 Clark. Vice Chair Barnett.

5 VICE CHAIR BARNETT: I just wanted to point out
6 that in my proposal there would be missing middle in the
7 Medium-Density Residential zone for area in that
8 designation, and again, I'm harping back on what I've said
9 before, but the ADUs and the SB 9 units will add density to
10 the Low-Density Residential designation as well.
11

12 One concern I had with the 3,738 number, the
13 lower number, is how are we achieving that? Is it possible
14 to realistically and reasonably project what the housing is
15 going to be in the seventh and eighth RHNA allocations? I
16 think that the number is somewhat arbitrary and it makes
17 more sense to focus on what we have and then to adjust as
18 we go forward, although I recognize there will be some
19 small inconvenience in amending the General Plan at
20 possibly two different cycles downstream, but it seems to
21 me that's the more responsible approach rather than going
22 into this with some speculative numbers. Thank you.

23 CHAIR HANSSEN: Thank you for that, Vice Chair
24 Barnett. Director Paulson has something to say, and then
25 I'll go to Commissioner Thomas.

1 JOEL PAULSON: Thank you, Chair. I just wanted to
2 pull back a little on how we started this conversation,
3 which was maybe you should have a conversation or ask the
4 question of does the majority of the Commission think we
5 should reduce the number or not, because if the majority
6 thinks we should reduce the number, then we can get into
7 all the which designations and how much it should be
8 reduced, so I would say going back to where I think
9 Commissioner Thomas started, that's where we're going to
10 start.
11

12 Then we got to the elements outside of 20, but we
13 were still going to come back to that conversation of
14 should the numbers be reduced from what's currently
15 proposed if there's a motion to that effect, and see where
16 that does, and then that will help inform this continued
17 conversation and think about what, if any, modifications
18 should be done.

19 CHAIR HANSSEN: Well, that's how I started at the
20 very beginning, and then I think a lot of the Commissioners
21 had a lot to say and there has been a lot of very good
22 discussion.
23

24 Here's a suggestion. I think that if I had to
25 read where everyone was at I'm going to say that we have
two Commissioners that are in the same place with Vice

1 Chair Barnett's suggestion that was submitted in writing,
2 we have two Commissioners that are firmly convinced that we
3 should stay with the numbers already proposed in the 2040
4 General Plan, and then Commissioner Janoff and I are
5 somewhere in the middle I think is where I would
6 characterize us.

7 Then the question should be whether or not we
8 reduce it at all, and then we can see if there's consensus
9 about that if we can get agreement on what the number is,
10 although I suspect that the people who wanted to keep the
11 number the same would not be comfortable with any changes
12 that got made, but nonetheless we have to come to a
13 decision.
14

15 I have comments from Vice Chair Barnett, and then
16 from Commissioner Thomas.

17 VICE CHAIR BARNETT: I just want to say that I
18 agree with the approach from the Chair.

19 CHAIR HANSSEN: All right. Commissioner Thomas.

20 COMMISSIONER THOMAS: I think that it's really
21 important for us to try to maintain local say and control
22 over what housing gets developed in Low-Density
23 Residential, and if we don't increase the density and the
24 only option is the SB 9 route, and we don't have any
25 control over that, I think residents are going to be not

1 happy with our decision, and so that makes me really
2 nervous about reverting back to the current General Plan's
3 density, especially for Low-Density Residential, because I
4 think that we want to keep the option open that people have
5 the opportunity to increase density with input from
6 neighbors and the Town and everything, so I feel that way.

7 I kind of feel like from Director Paulson, I
8 don't know if I need to make a motion. I'm fine with my
9 motion failing if it does. I can make a motion, but do we
10 need to continue to discuss options? I'm not entirely sure
11 what to do moving forward.

12
13 CHAIR HANSSEN: I think that the Staff did make
14 the recommendation that we should see if we can't get some
15 resolution on reduce yes or reduce no, and then we could
16 talk about how.

17 I can tell you for me, personally, I would be
18 very uncomfortable about reverting to the 2020 General Plan
19 densities in any category, honestly, because I think that
20 we're going to have unintended consequences.

21 When I looked at the proposed site inventory for
22 the Housing Element, something like 70-80% of the sites are
23 on Los Gatos Boulevard, and while that makes a lot of sense
24 from so many dimensions, because we can put more High-
25

1 Density and Mixed-Use housing there, it's close to
2 Commercial, all those things.

3 But it has the unintended consequence of if it
4 all gets built there, if you think the traffic is really
5 bad now, and Los Gatos Boulevard is one of the places where
6 the traffic is the worst, how much worse is it going to
7 get? What if there are several hundred units spread
8 throughout the Town, through all of our single-family
9 neighborhoods, that's going to be incrementally way, way
10 less traffic for everyone and it won't be felt at all.

11
12 So while I'm not in one side or the other in
13 terms of where I come out, I wouldn't be comfortable with
14 going to zero change in any zone.

15 Commissioner Janoff.

16 COMMISSIONER JANOFF: As the other person who is
17 sort of in the middle here, I'm going to make a
18 recommendation that we start with the 2,262, which is the
19 current RHNA cycle, and we add to that two cycles of 600
20 units which are commensurate with the previous RHNA cycles,
21 so we have some history around why that might be. That gets
22 me to a total of 3,462 units. If I subtract that number
23 from the 3,782, that is the total proposed in the current
24 Draft General Plan, the difference is 320.

1 My proposal then would be to remove housing from
2 Office and Service Commercial designations, which is 313
3 units. That would be my recommendation. So we're coming
4 down off the 3,782, we're recognizing that we're going to
5 get something in the next two RHNA cycles, possibly not as
6 much as what we've had this cycle, and then my question to
7 Staff was are there any unintended consequences of removing
8 housing from Office and Service Commercial that would make
9 that less than a desirable option? But that would be my
10 proposal.
11

12 CHAIR HANSSEN: Commissioner Thomas really wanted
13 to say something.

14 COMMISSIONER THOMAS: You're saying 3,782, but I
15 think it's 3,738, right?

16 COMMISSIONER JANOFF: Yes, thank you.

17 COMMISSIONER THOMAS: Okay. I just wanted to make
18 sure before you wrote down any firm math.

19 CHAIR HANSSEN: And the RHNA plus the 15% buffer
20 I believe is 2,292.

21 COMMISSIONER JANOFF: 2,292. I've got a lot of
22 little errors in my math, but if you guys get the idea
23 where I'm (inaudible).
24

25 CHAIR HANSSEN: We totally get it.

1 COMMISSIONER JANOFF: So we need to find a few
2 more units if this seems like an acceptable approach, but
3 I'd be interested in hearing from Staff. I'm so concerned
4 about the missing middle loss that I don't want to go
5 there. These are new housing opportunities for us and in
6 general these were planned, these came up during GPAC. I
7 said what if we added these here? It might be beneficial to
8 the people who work in these sorts of environments, but we
9 also had some concern about then becoming only housing.
10

11 CHAIR HANSSEN: It was the last thing that we
12 added out of everything that we discussed.

13 COMMISSIONER JANOFF: Yes.

14 CHAIR HANSSEN: And so that's where I had
15 started, but go ahead, Staff.

16 JOEL PAULSON: Thank you. The only unintended
17 consequence I see we don't see it very often. I can't
18 recall any in the Office, but technically someone could
19 propose a Mixed-Use Office project, and so that would be
20 the only one, but that obviously also is the largest number
21 between Office... The Service Commercial is kind of light
22 industrial, which was a new one for sure, but that was only
23 54 units, I think. So that's the only unintended
24 consequence I could see. The other is the Office is spread
25 around Town, so you have the option for that disbursement

1 as well, given what everyone has been talking about
2 tonight.

3 So off the top of my head those are the couple of
4 things from a consideration perspective I'd like the
5 Commission to think about.

6 CHAIR HANSSEN: But let me go back to what I
7 asked earlier though. If there are Office properties that
8 are currently in a Mixed-Use General Plan designation, they
9 can add housing, right?

10 JENNIFER ARMER: That's correct. For example, the
11 new office building that's being constructed that was
12 approved a few years ago on Alberto Way, that actually is
13 the Highway Commercial designation, and so anything in that
14 zone can be office. It also can be Mixed-Use, Office and
15 Residential, or other Mixed-Use.

16 CHAIR HANSSEN: Where I was going with that is
17 that by removing that designation where it's just Office or
18 just Service Commercial, we're not eliminating the
19 possibility of Mixed-Use using Office.

20 JENNIFER ARMER: Correct.

21 CHAIR HANSSEN: But it would have to already be
22 in a designation where Mixed-Use with Residential were
23 permitted along with Office?
24
25

1 JENNIFER ARMER: Correct. It's just eliminating
2 Mixed-Use from those that are actually designated with the
3 Office land use designation.

4 CHAIR HANSSEN: Yes. Okay, got it. So was that a
5 proposal, Commissioner Janoff? It was sort of heading
6 towards a motion.

7 COMMISSIONER JANOFF: I'd be happy to call that a
8 motion if somebody has the correct numbers.

9 COMMISSIONER THOMAS: Can you read the numbers
10 one more time so that we know them?

11 COMMISSIONER JANOFF: All right. Let me use the
12 correct numbers. We're at 2,292 for the current RHNA cycle,
13 plus 600 for the next RHNA cycle, and 600 for the third
14 RHNA cycle. It adds 1,200 units to that. However, if you
15 want to be really precise, we only have a fraction of the
16 third RHNA cycle. We could change that third 600 down to, I
17 think, 200 if you wanted to do that, so adding, let's say,
18 800 units, 600 and 200, then we're at 3,092. And then we
19 subtract that from the 3,738. So if somebody wants to do
20 that math, that comes out to about 720 units or so.

21 CHAIR HANSSEN: I'm just going to have you hold
22 for a second, because the Town Manager just turned her
23 camera on, but then I'm going to give you back the floor,
24 Commissioner Janoff.
25

1 LAUREL PREVETTI: I just want to make sure that
2 the motion includes the totality of what you're
3 recommendation a few minutes ago was, that in order to get
4 to that reduced number you were proposing that we remove
5 housing from Office and Service Commercial on the order of
6 the 313 units, and that might be a simpler way of
7 explaining the net effect. Just a suggestion.

8 COMMISSIONER JANOFF: Through the Chair for the
9 Town Manager. Is it reasonable to reduce that third RHNA
10 cycle number from 600 if we only have a partial RHNA cycle
11 to accommodate under this Draft General Plan?
12

13 LAUREL PREVETTI: I think the real exercise is
14 what total capacity would you like to see in the 2040
15 General Plan, and I think it is useful, as we were talking
16 earlier this evening to explain that we're trying to not
17 only accommodate the current RHNA but also future RHNA. I
18 think it might be simpler to just really focus on that the
19 idea is that we need capacity for missing middle based on
20 the conversation that the Commission is interested in more
21 Mixed-Use opportunities. However, in the interest of trying
22 to protect Service Commercial and some of these other needs
23 that we have in the Town, that really what we're talking
24 about is a net decrease of the 313.
25

1 And again, we can provide the context as
2 discussed earlier, but I think simplifying the motion might
3 be easier as we continue to move forward in the process.
4 Again, that's just a suggestion based on the very nice
5 recommendation you made just a few minutes ago.

6 CHAIR HANSSEN: I understood all that, so
7 question for Commissioner Janoff. If I'm going by where the
8 Town Manager is going with this, which is we should really
9 be thinking of what is the overall capacity that we have,
10 and based on the Draft 2040 General Plan we have 3,738 as
11 the reasonable growth during that timeframe given the
12 densities that are proposed, and if we take 313 off the
13 table, then that only gets us down to 3,400-and-something,
14 right?
15

16 COMMISSIONER JANOFF: Which is where I'm prepared
17 to stop.

18 CHAIR HANSSEN: That is actually where you first
19 stated talking, and if you look at what makes up that
20 number, 300 units of that is ADUs that are not going to be
21 built until after 2031, so in terms of more current
22 housing, that number is going to be likely under 3,000.

23 Let's see, we have comments or questions from
24 Commissioner Clark and then Commissioner Thomas.
25

1 COMMISSIONER CLARK: I do just want to clarify,
2 so now we're talking about subtracting 313 units from the
3 3,738 original number, which would give us 3,425 is the
4 number.

5 CHAIR HANSSEN: Okay. And then Commissioner
6 Thomas, did you have a question or a comment?

7 COMMISSIONER THOMAS: My question is that I think
8 we need to follow up with where those numbers would come
9 from, if that's what I'm hearing from the Town Manager,
10 that we need to make sure that we're reducing that 300 from
11 a specific place, and I'm only seeing 259 in Office
12 Professional, so that's a little bit confusing to me, or
13 I'm not following something.

14 CHAIR HANSSEN: If you look on page six of the
15 Staff Report, at the bottom it says, "These are some
16 options to reduce," and it says if we remove housing from
17 Office and Service Commercial it equates to 313 units.
18 What's behind that is they would be changing the densities,
19 and I think it's also a permitted use then for that
20 category.

21 COMMISSIONER THOMAS: Oh, because it's Office and
22 Service Commercial combined?

23 CHAIR HANSSEN: Yes.

24 COMMISSIONER THOMAS: Fifty-nine plus 54, got it.

1 CHAIR HANSSEN: I don't know if you remember when
2 we discussed it at GPAC, but we all knew that Service
3 Commercial is going to be a lot smaller, because we're
4 talking about like a unit above an auto repair shop.

5 COMMISSIONER THOMAS: I get it. I just was like I
6 thought you were only referring to Office Professional, and
7 I was like wait, but it's Office and Service Commercial.
8 Okay, now I understand that.

9
10 My concern with this is that I think that most of
11 the feedback and input from the community that we have
12 gotten is that people don't want growth and development in
13 Low-Density and Medium-Density Residential areas, and so
14 now we're just taking off the table development in other
15 areas just to appease and make the number seem lower, and I
16 feel like we're just taking away options for developers. I
17 mean, I truly commend Commissioner Janoff for trying to get
18 us to a consensus, but I just fear that the fear is coming
19 from those other neighborhoods.

20 COMMISSIONER JANOFF: Let me elaborate a little
21 bit. As we look back over the course of the meetings and
22 information that we've received from developers in
23 particular, we've heard a lot of input that this particular
24 format is an unlikely format to build, that office builders
25 build office, and home builders build homes, and putting

1 the two together may be a laudatory vision, but it's an
2 unlikely thing to happen.

3 So realistically, looking at what developers
4 would be interested in building, I think this is a very
5 unlikely format. I could be wrong, but if that's the case
6 and removing it doesn't affect any of the really special
7 things that GPAC wanted to do to incorporate real beautiful
8 change into the community, this doesn't really impact that
9 vision, so that's my thinking behind it, and thank you for
10 asking.

11
12 CHAIR HANSSEN: Director Paulson.

13 JOEL PAULSON: Thank you. I think Town Manager
14 Prevetti may have some input.

15 CHAIR HANSSEN: Yes, go ahead, Ms. Prevetti.

16 LAUREL PREVETTI: Thank you. I just wanted to
17 clarify, I think we have a motion on the floor and
18 typically we need a second before discussing it.

19 CHAIR HANSSEN: Actually, you are correct about
20 that and I was remiss because so many hands came up. So can
21 we get a second for Commissioner Janoff's motion?

22 Commissioner Clark.

23 COMMISSIONER CLARK: I second.
24
25

1 CHAIR HANSSEN: Okay, so we do have a second, so
2 we can continue the discussion before voting, and thank you
3 for remind us of that.

4 Commissioner Clark, did you want to comment?

5 COMMISSIONER CLARK: Yes, thank you. I just want
6 to jump off of what Commissioner Janoff was saying about
7 the reasoning behind this, and I think something else we've
8 discussed a lot tonight is everybody needs to do their
9 part, and so to me it's if we do want to be a little less
10 ambitious and build a little less housing, I want to do
11 that in a way that doesn't alleviate anyone of playing some
12 sort of role in this, because we need to do this as an
13 entire community, so I think that, along with it not being
14 as realistic of an option for developers, to me makes it
15 the best way that we can reduce our numbers.

17 CHAIR HANSSEN: Thank you for that.

18 I would comment that I like where this is going,
19 and that my first thought when we were thinking about these
20 exercises is that especially since the GPAC added that at
21 the very end and it didn't seem essential, and then since
22 we've gotten the additional feedback from developers it
23 doesn't seem like it's that feasible.

24 We kind of have a good idea about ADUs, but
25 because of the uncertainty of where SB 9 will go, it would

1 be my preference. I could get comfortable with where we
2 are. It would be my preference to take something off the
3 table in Low-Density Residential, but not all of it. But
4 that might not be enough for me to not vote...to go with the
5 motion that Commissioner Janoff presented. I don't know if
6 other people have thoughts about that.

7 Commissioner Janoff.

8 COMMISSIONER JANOFF: Question for Staff. Is it
9 possible to reduce the density in Low-Density and still get
10 missing middle, and if so, what would that look like?

11 JENNIFER ARMER: There is probably some room to
12 reduce it somewhat, but my understanding is if it went
13 below ten dwelling units per acre, then that really would
14 eliminate the possibility of missing middle housing. I
15 believe that's what we've discussed previously.

16 CHAIR HANSSEN: I know we talked about this
17 earlier, that if we were going to go in this direction that
18 you wouldn't automatically be able to spew out what would
19 the number be with that change in density, but I'm sure if
20 we took it to ten it would be less than 279.

21 JENNIFER ARMER: Correct.

22 CHAIR HANSSEN: But we don't know how much less,
23 so that's the uncertainty of this process, but we could go
24 down that path and in theory, I guess, but if we don't know
25

1 what numbers it gives us, it kind of makes it hard, but I
2 would be agreeing with Commissioner Janoff that I wouldn't
3 want to do anything that would take away the possibility of
4 missing middle housing, because I think that really is
5 essential to creating balance in the community, but if it
6 was possible to bring it down a little bit, I think that
7 makes a lot sense, and that would take away some of the
8 uncertainty with where we don't know where SB 9 is going to
9 go.
10

11 Commissioner Janoff.

12 COMMISSIONER JANOFF: Thank you. Even though I
13 started the motion by talking about numbers, I think at
14 this point we should depart from that conversation and give
15 Staff the guidance. I'd be willing to modify the motion or
16 add to the motion that we consider reducing the density in
17 Low-Density and Medium-Density to a number that still
18 supports missing middle but lowers the numbers. It may be a
19 small number, but if that makes sense to do so, I don't
20 need to know what that number is. Staff can take that into
21 consideration and then run the numbers and include that as
22 part of the illustration of how the numbers come down, but
23 I would be willing to do that. The numbers themselves are
24 kind of general, but if we can get more specific reductions
25

1 in density without losing the benefits that the GPAC has
2 put forward, I would say that is a reasonable inclusion.

3 CHAIR HANSSEN: Thank you for that. Let's see, I
4 think it was Commissioner Clark and then Commissioner
5 Thomas.

6 COMMISSIONER CLARK: I think it was Commissioner
7 Thomas first.

8 CHAIR HANSSEN: Oh, thank you for that. Actually,
9 Director Paulson has his hand up, so I just want to make
10 sure we capture Staff's comments before we continue to
11 deliberate on this.
12

13 JOEL PAULSON: Since Commissioner Clark was the
14 seconder; she would need to accept that amendment.

15 COMMISSIONER CLARK: Yes, I accept that
16 amendment. Actually, can I ask you a question about it, or
17 do I need to second it before I can ask a question?

18 JENNIFER ARMER: You can ask a clarifying
19 question.

20 CHAIR HANSSEN: Yeah, I think you can ask a
21 question.

22 COMMISSIONER CLARK: I just want to clarify, like
23 I want to make sure that we're on the same page about what
24 it would mean to still allow missing middle. I think we
25 need to be really clear about that. For me, it would be all

1 the way up to fourplexes, because I think that those are
2 able to very well fit the structure of a single-family home
3 and that they don't look very different from triplexes and
4 stuff, but they're still affordable, and so would that be
5 what we consider?

6 COMMISSIONER JANOFF: I think missing middle to
7 me means whatever number of units is proposed. It doesn't
8 have to be up to a limit, I don't think, but I would
9 certainly be in support of fourplexes, or five or sixes.

10 CHAIR HANSSEN: I was going to say, Commissioner
11 Clark, and Staff would probably explain it better than me,
12 but if you're looking at, let's just say, the hearing we
13 had earlier to day, the 6,800 square foot lot, you'd have
14 to do the math and figure out if you're doing ten dwelling
15 units maximum per acre, then what percentage of an acre
16 that is, and so if it's ten, it depends on the size of the
17 lot whether you could get four units, if that makes sense.

18 COMMISSIONER CLARK: Okay, I do see what you
19 mean.

20 CHAIR HANSSEN: And so it wouldn't unilaterally
21 be true that... Even with 12 dwelling units per acre, I'm not
22 sure if you could do a fourplex on every single lot, but
23 maybe Staff would a better way to talk through that.

24 Director Paulson has his hand up.

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1 JOEL PAULSON: Thank you, Chair. I was just going
2 to comment to Commissioner Clark's thought on if we're
3 trying to get four to allow four units at ten dwelling
4 units per acre, for instance, you need more than a 15,000
5 square foot lot, and if you're talking about, let's say,
6 eight units as a max, then you're looking somewhere around
7 approximately 20,000 square feet in lot size to accomplish
8 that.

9
10 COMMISSIONER CLARK: Thank you. I just want to
11 make sure we're providing the right amount of direction, if
12 that makes sense, so understanding what it means to
13 slightly reduce the number. I don't know if we are being
14 clear enough about that. I also do trust Staff and they
15 have all the context of this conversation.

16 CHAIR HANSSEN: Director Paulson.

17 JOEL PAULSON: Thank you. Commissioner Janoff and
18 Commissioner Clark can correct me if I'm wrong, but I would
19 envision how Staff would carry this forward to Council is
20 that there was a desire to have some reduction of the
21 maximum density for Low-Density Residential, and so
22 ultimately we would provide a couple of options or
23 scenarios like I just mentioned, but we check those numbers
24 to see what the exact number is from a lot size to get to
25 the four units to make sure that what's the minimum lot

1 size that's required to allow four units. So that would be
2 one way we would carry it forward to the Council for their
3 consideration.

4 COMMISSIONER CLARK: Okay, thank you.

5 CHAIR HANSSEN: Then the other question that we
6 wish we knew the answer to is out of all our Low-Density
7 Residential, how many lots are there at that size? Because
8 we do have a fair number of lots that are like 8,000 square
9 feet. I don't expect Staff to have the answer to that, and
10 they won't in tonight's meeting, but that would be
11 important information to know to increase the comfort level
12 with making that decision, the recommendation.

14 I'll go back to Commissioner Clark, and then I
15 don't know between Commissioner Janoff and Commissioner
16 Thomas who was first, but they both have their hands up.

17 COMMISSIONER CLARK: Thank you, and yes, I see
18 Commissioner Janoff has her hand up. I'm curious to hear
19 what you'll think about this, but I feel like reducing the
20 number in Low-Density Residential is not doing what we want
21 it to do, because where the number is only really allows up
22 to missing middle, and so reducing the number will just
23 reduce the number of missing middle housing, so if we do
24 feel like we need to reduce it, I would rather go up one
25 level or something, and especially just because we don't

1 know how many lots it would affect, and you do need a
2 relatively lot to do this.

3 CHAIR HANSSEN: I hear you. Commissioner Janoff.

4 COMMISSIONER JANOFF: Commissioner Clark, when
5 you say you would like to go up one level, do you mean to
6 do Medium-Density?

7 COMMISSIONER CLARK: Yeah, like if we felt like
8 we needed to do that, I'd be more comfortable in Medium-
9 Density, although my preference would be to leave the
10 motion as it originally was.

11 COMMISSIONER JANOFF: My hand is up because I
12 wanted to just clarify with Director Paulson that the
13 interest is in reducing the density in Low-Density and
14 Medium-Density as long as that reduction can still
15 accommodate missing middle, and if it can't, then I
16 wouldn't be in favor of making a reduction.

17 JOEL PAULSON: Thank you for the clarification.
18 Yes, it's Low-Density and Medium-Density. I only gave the
19 example for Low-Density. Medium-Density, right now the
20 maximum is 24. Like we talked about before, if we cut it in
21 half we'd still be at 18, so that would accommodate missing
22 middle even on smaller lots than our Draft General Plan
23 currently allows in Low-Density.

24 COMMISSIONER JANOFF: Thank you.

1 CHAIR HANSSEN: I think it would be fine to
2 proceed forward with that motion, since there is still some
3 investigation to be done as long as the proviso is that
4 we're not eliminating missing middle, then the research can
5 be done, and if it turns out that it doesn't work for Low-
6 Density Residential, then we should stay with the 2040
7 proposal as is, is kind of where I was thinking that would
8 go.

9 Ms. Armer.

10 JENNIFER ARMER: Thank you. I wanted to ask
11 whether the seconder had received enough clarification that
12 they could accept the modification or not?
13

14 COMMISSIONER CLARK: I'd like to ask one more
15 clarifying question, and I think I'm just having a hard
16 time grasping this, but to me it seems like reducing the
17 density in Low-Density Residential only has the possibility
18 of like reducing or eliminating missing middle, because I
19 want to know pretty much at that density level what other
20 types of properties there is the possibility of reducing,
21 if that makes sense.

22 COMMISSIONER JANOFF: I'm not if that's a
23 question to me, but the motion would be to reduce density
24 only if it did not eliminate missing middle.
25

1 COMMISSIONER CLARK: And Staff, are you able to
2 clarify if there are other types of properties that might
3 be like not possible if you go from 12 to ten units per
4 acre, for example?

5 JENNIFER ARMER: In just taking a lot at some of
6 the numbers, we have a lot of Low-Density Residential, for
7 example, it's 8,000 square foot lots, and even at the 12
8 units per acre, that's only going to allow a duplex, the
9 two units plus whatever ADUs, for example, so this
10 modification wouldn't necessarily change for that size of
11 lot a whole lot of what would be allowed.

13 It is really going to be on the slightly larger
14 lots where there might be possibilities for triplexes or
15 fourplexes, and we can provide some of that additional
16 information, and that Planning Commission's recommendation
17 was only to do the modification to this Low-Density
18 Residential designation if it doesn't reduce or eliminate
19 the possibility to missing middle housing.

20 I think just based on looking at some of those
21 numbers preliminarily that the reduction is more likely to
22 be possible in the Medium-Density Residential designation
23 rather than Low-Density Residential, but we can provide the
24 qualitative motion from the Planning Commission and provide
25 them some quantitative numbers that they can then consider

1 in determining whether to accept the recommendation from
2 the Planning Commission or to do something different.

3 COMMISSIONER CLARK: Thank you. Yeah, I think
4 that that's where my stipulation was. It feels like in the
5 Low-Density Residential that wouldn't really happen, but I
6 also think because that's in the motion then that would be
7 okay, so I'm still comfortable seconding the motion. Thank
8 you, everyone, for clarifying.

9
10 CHAIR HANSSEN: No problem. Commissioner Thomas.

11 COMMISSIONER THOMAS: I think that I am much more
12 comfortable just reducing the overall number by 313 from
13 the Office Professional and Service Commercial areas,
14 because we know that those were added at the end for GPAC,
15 those were like just bonus extra things that were added on
16 at the end, and we know that that type of a development is
17 going to be the most difficult for the Town to essentially
18 incentivize, because it's just not appealing to developers,
19 so I would be much more comfortable reducing the number by
20 313 with those.

21 I think that the only thing that we achieve with
22 reducing the density in Low-Density Residential or Medium-
23 Density Residential is making the SB 9 pathway more
24 appealing, which again, doesn't allow for as much local
25 input and I think could actually upset people in those

1 neighborhoods. I wouldn't want to reduce any potential
2 housing opportunities that could go through Town. I want to
3 make our options in Town more appealing than going the SB 9
4 route, if that makes sense, because I do think that that's
5 in the best interest of the community and neighbors that
6 will be affected by any new development or redevelopment,
7 so I'm not in favor of changing the densities, but I do
8 understand and think that it's a good compromise to knock
9 those 313 units off from those two places.

10
11 I think that that also gives a very clear
12 recommendation to Town Council, and I'm afraid that if we
13 say we can change the densities a little bit for Low-
14 Density Residential and Medium-Density Residential and we
15 forward that along to Town Council, it's not quite as
16 clear, and then that is a concern to me that we're not
17 going to really see the final number before we forward
18 that, so that's where I'm at with this motion.

19 CHAIR HANSSEN: Based on us having a motion and a
20 second, you would be a no vote. I would go ahead and count
21 it before I go back to Commissioner Clark.

22 Commissioner Clark and I both went to the recent
23 Planning Commissioner Academy and they did a pretty
24 extensive thing on SB 9, and what I remember them talking
25 about was that it actually is really hard only with SB 9 to

1 get fourplex, because you would have to do it with a lot
2 split, start with a lot split was my understanding of it,
3 and so it would have to be supplemented by ordinances from
4 towns that would help facilitate that, so it isn't
5 necessarily the panacea that everyone thought it was, and
6 that's why they're not expecting the take up rate to be
7 super high, because not everyone is going to want to do a
8 lot split.

9
10 But with that being said, we don't know for sure,
11 right? And so I understand your concern, but given that we
12 have this motion on the table we should probably see that
13 through and see if we can get enough votes and go from
14 there, but Commissioner Clark, you wanted to comment and
15 it's fine to go ahead.

16 COMMISSIONER CLARK: Can I ask a clarifying
17 question about that? I mean, that makes me feel better if
18 you think that it is going to not be as appealing to do a
19 fourplex at that level through the SB 9 route. I hope that
20 we're all on the same page, that we want people to take the
21 local Town route versus the SB 9 route as much as possible.

22 I'm trying to ask you, Chair Hanssen, you're not
23 concerned that reducing the density slightly in these two
24 areas would discourage people from going through Town or
25 only give people options to go through SB 9?

1 CHAIR HANSSEN: Based on what I understand, which
2 I'm no expert, but based on what I've heard about SB 9 so
3 far, and Staff probably knows more than me, I don't know
4 that you could make the statement that slightly reducing
5 the densities in Low-Density Residential for the General
6 Plan would open the door for SB 9, because I think there
7 are enough things about SB 9 that are limiting, that's all.

8 COMMISSIONER CLARK: Okay, thank you.

9 CHAIR HANSSEN: If Staff has anything more to add
10 on SB 9, because you guys are closer then I am, but that
11 was my impression. But I don't see them.

12 Commissioner Clark, and then Vice Chair Barnett.

13 COMMISSIONER CLARK: Thank you. I'll add
14 something on SB 9. It doesn't allow fourplexes, which I
15 think is another reason why these density changes are
16 really important, because they'll open up that possibility,
17 because that's something I'm bummed about with SB 9 is that
18 that wasn't an option.

19 Then I want to clarify something. So the
20 amendment to Commissioner Janoff's original motion had been
21 made because of Chair Hanssen's concerns with Low-Density
22 Residential, and so I wasn't sure how Medium-Density
23 Residential became part of the motion and if it officially
24
25

1 is part of it, because it would be my preference to keep it
2 for just Low-Density Residential.

3 CHAIR HANSSEN: I would have said both Low-
4 Density Residential and Medium-Density Residential with a
5 slight reduction with the idea that I'm not taking too much
6 off the table for any one particular thing. That was my
7 logic.

8 COMMISSIONER CLARK: That's good with me. Thank
9 you.

10 CHAIR HANSSEN: Vice Chair Barnett.

11 VICE CHAIR BARNETT: Thank you, Chair. I'm having
12 trouble understanding how we could give meaningful
13 direction to the Council if we're talking about not
14 impairing the missing middle in the Low-Density Residential
15 and Medium-Density Residential designations. I don't see
16 how we can, given the variety of types of those kind of
17 housings with duplexes, triplexes, fourplexes, I don't know
18 how that can materially be evaluated. Maybe I'm missing
19 something.
20

21 CHAIR HANSSEN: Staff, first of all, we aren't
22 going to get any more clarity on this for our meeting
23 tonight, so then if we were able to get resolution on this
24 and get a majority vote, what could you tell the Council on
25 this particular point?

1 JENNIFER ARMER: Thank you. What I heard from the
2 Planning Commission this evening on this item and this
3 motion is that if this were supported, the recommendation
4 to Town Council is to remove the housing densities from the
5 Office and Service Commercial and to consider lowering the
6 allowed densities in the Low-Density Residential and
7 Medium-Density Residential zones, but only to a point that
8 would still allow the missing middle.
9

10 As I said, it's more of a qualitative kind of
11 quality direction rather than a number direction. It's
12 indicating that you recognize that there is interest from
13 the community to not increase the densities in those
14 designations as far as in the Draft General Plan, but
15 recognizing the importance of missing middle housing, and
16 so that they could then when they have additional numbers
17 consider that recommendation and how to implement it, if
18 they support it. Is that helpful?

19 CHAIR HANSSEN: Vice Chair Barnett took his hand
20 down, so I guess he got his answer as much as we have an
21 answer.
22

23 VICE CHAIR BARNETT: It seems to me that it's
24 still pretty ambiguous and doesn't give a lot of direction.
25 I would favor going for a number such as proposed, or a

1 bigger number than that, but I think we're moving into a
2 nebulous area.

3 CHAIR HANSSEN: Ms. Armer has her hand up.

4 JENNIFER ARMER: Thank you, Chair. I just wanted
5 to call attention to the fact that it is 10:57, and so we
6 will need a motion if we want to go past 11:00 o'clock.

7 CHAIR HANSSEN: I'm going to ask someone to make
8 a motion to continue to 11:30, because I would like to at
9 least finish this part of the discussion. I don't think
10 we'll finish the rest of the plan, but would someone make a
11 motion to continue to 11:30? Let's see, I've got
12 Commissioner Janoff, is that a motion? And then
13 Commissioner Thomas.
14

15 COMMISSIONER JANOFF: Sorry, I had my hand up for
16 a clarification, but I defer to Commissioner Thomas.

17 COMMISSIONER THOMAS: I move to extend the
18 meeting until 11:30.

19 CHAIR HANSSEN: Okay, thank you for that, and do
20 we have a second? Commissioner Clark.

21 COMMISSIONER CLARK: Second.

22 CHAIR HANSSEN: And then a quick roll call vote.
23 Commissioner Thomas.

24 COMMISSIONER THOMAS: Yes.

25 CHAIR HANSSEN: Commissioner Raspe.

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1 COMMISSIONER RASPE: Yes.

2 CHAIR HANSSEN: Commissioner Janoff.

3 COMMISSIONER JANOFF: Yes.

4 CHAIR HANSSEN: Commissioner Clark.

5 COMMISSIONER CLARK: Yes.

6 CHAIR HANSSEN: Vice Chair Barnett.

7 VICE CHAIR BARNETT: Yes.

8 CHAIR HANSSEN: And I vote yes as well. We may

9 not need to go to 11:30.

10

11 So Commissioner Janoff, you had a question, and

12 then I think Commissioner Thomas does as well.

13 COMMISSIONER JANOFF: Actually a clarification.

14 The purpose of adding the Low-Density and Medium-Density

15 reduction possibilities is to call attention to the Council

16 that if it goes too far they'll lose missing middle, and so

17 it's really a notion that the GPAC felt very strongly about

18 missing middle, and we had over the course of time a number

19 of Council members on the GPAC also very much in favor of

20 missing middle, so it's really not a number per se. I mean,

21 Staff will get it down to a number by the time this goes to

22 Council, so they'll know what that is, but the notion is

23 the Planning Commission is in favor of retaining missing

24 middle.

25

1 CHAIR HANSSEN: To add onto that, if you look at
2 it from the number perspective, such as you did, Vice Chair
3 Barnett, it has to translate into a change in density, so
4 if you say all, then it goes back to 2020, but if it's half
5 and you say I want to reduce the number in half, then the
6 Staff has to do the calculations to determine at what
7 density level would it actually translate into half of
8 that, so you wouldn't know the answer to that if you put
9 the number out there either in terms of the only thing that
10 will change in the actual General Plan is the density,
11 because we don't have control over the exact number, we
12 have only a model that translates from the density, if that
13 makes sense.
14

15 Commissioner Thomas.

16 COMMISSIONER THOMAS: I understand what you're
17 saying, but I do still have the same concerns as Vice Chair
18 Barnett, and so therefore I'd just feel comfortable like
19 knocking off the Office Professional and Service
20 Commercial, because I feel like that's just a very specific
21 thing that we can eliminate from this equation and sends a
22 message that we think the missing middle is still
23 important, which is also what we want to do as a group.
24

25 COMMISSIONER JANOFF: Through the Chair, that
number is already part of the motion.

1 COMMISSIONER THOMAS: I know, but I think that
2 that's the only part of the motion that I support. I don't
3 want to change the densities also, because I think that
4 then it does get into a gray area and we're forwarding
5 something that we haven't seen the final numbers of.

6 CHAIR HANSSEN: Okay, that's a fair comment. Are
7 there others that would like to comment on this?
8 Commissioner Clark.

9
10 COMMISSIONER CLARK: I agree overall with
11 Commissioner Thomas. I think that would definitely be my
12 preferred motion, but I don't think that's the direction
13 we're overall going. I also think that Commissioner
14 Janoff's motion does kind of acknowledge that Council still
15 very well might reduce these numbers further, and so if we
16 do it this way there's a very strong message to keep
17 missing middle housing, and we've also created a path in
18 which missing middle housing is retained in the General
19 Plan, and so yeah, I think for those reasons I prefer this
20 motion overall.

21 CHAIR HANSSEN: I don't like having an uncertain
22 situation go along to Council, but I feel like there's
23 enough parameters on it with Commissioner Janoff's motion,
24 and then as I said, we kind of knew when we had a meeting
25 before this meeting to discuss it that we would end up with

1 incomplete information, because you can't off the top of
2 your head translate densities into numbers necessarily, so
3 we would have ended up in the this situation unless we went
4 with one of the numbers that's on this page here in the
5 Staff Report, because they've already done those
6 calculations for us for those.

7 If there are no other comments, I think it would
8 be worth going ahead and taking a vote and see where we
9 stand, and if we can't have a majority, that's fine, we'll
10 have to come up with another motion and go from there.

11 So the motion on the table, do we need to go back
12 over it, or is everyone clear? I think Commissioner Janoff
13 did outline it several times, so I think we're fine. I will
14 start out with Commissioner Thomas.

15 COMMISSIONER THOMAS: No.

16 CHAIR HANSSEN: Commissioner Raspe.

17 COMMISSIONER RASPE: No.

18 CHAIR HANSSEN: Commissioner Janoff.

19 COMMISSIONER JANOFF: Yes.

20 CHAIR HANSSEN: Commissioner Clark.

21 COMMISSIONER CLARK: Yes.

22 CHAIR HANSSEN: Vice Chair Barnett.

23 VICE CHAIR BARNETT: No.

1 CHAIR HANSSEN: And I vote yes, so we're split 3-
2 3, so the motion fails, and we have to go back and come up
3 with another suggestion.

4 Commissioner Thomas and then Commissioner Janoff.

5 COMMISSIONER THOMAS: Commissioner Janoff can go.
6 I'm fine.

7 COMMISSIONER JANOFF: So we understand the
8 concern that Commissioner Thomas voiced, and I'd like, if
9 it's not inconvenient, to ask Commissioner Raspe and Vice
10 Chair Barnett if you're still with Vice Chair Barnett's
11 numbers, or is there something else that you have in mind?

12 CHAIR HANSSEN: Commissioner Raspe, you have our
13 hand up.

14 COMMISSIONER RASPE: Sure. I raised that for a
15 different reason, but I'll answer Commissioner Janoff's
16 question.

17 As I indicated earlier, my strongest concern is
18 changing the numbers of the Low-Density housing
19 designation, and the motion as presented leaves great
20 ambiguity in that respect. Largely it's unknown if we vote
21 for that motion what will happen to those designations,
22 whether those numbers will change. It could be the case
23 that none may change, it could be the case that a great
24 many will change.

1 And I appreciate the guidance we want to give the
2 Council, but I think in that formulation it leads to too
3 many questions and too much unknowns, so that hopefully
4 answers your question, Commissioner.

5 Mine was a question more to Staff. I'm curious;
6 we are two or three different positions amongst us. Is it
7 necessary that we agree on a point to provide to Council?
8 Would it be adequate that we provide them an advisement
9 that two Commissioners feel this way, three Commissioners
10 feel this way, etc.? Because again, these are
11 recommendations we're making to Council, as I understand
12 it, so would that be a way through this? I'm just thinking
13 out loud. I'm sorry. And part of it is it's 11:00 o'clock.
14 Thanks so much.

15
16 CHAIR HANSSEN: Would Staff want to comment on
17 Commissioner Raspe's question?

18 JOEL PAULSON: Thank you. I think we're typically
19 looking for a majority motion. There are a lot of different
20 views and ideas across the Commissioners that we have here
21 tonight, and I think that's pretty obvious through the
22 discussion. It may be that, as I mentioned before, we'll
23 send them verbatim minutes.

24 I'll defer to Ms. Prevetti after I say what I
25 probably shouldn't say, but it is after 11:00, so I'm going

1 to say it anyway. You could get to a point where you can't
2 reach majority on any reconfiguration of the numbers, and
3 so at that point we're going to come to an impasse and
4 we're just going to have to move it forward without an
5 actual, explicit motion on any reduction in the number is
6 my thought.

7 LAUREL PREVETTI: And I would support Director
8 Paulson with that. You've had a very robust conversation
9 over these last two meetings over the numbers, and so there
10 is a lot of really good commentary for the Council to
11 consider. We do have a little bit of time yet tonight if
12 somebody would like to try another motion, but it's
13 perfectly fine for us to express the three-way split that
14 has emerged through the course of these conversations.
15 Thank you.

17 JENNIFER ARMER: Just to clarify that, I would
18 say that if that is where the Commission ends up finding
19 themselves on the numbers, then in the end the motion that
20 the Commission would be considering is a recommendation to
21 forward the Draft 2040 General Plan to Town Council for
22 consideration with the modifications that we have discussed
23 over these three meetings and no specific recommendation on
24 modifications to the housing densities, but Staff would
25

1 provide a summary, and as Town Manager Prevetti mentioned,
2 they will have access to verbatim minutes as well.

3 COMMISSIONER RASPE: Thank you, Staff. And just
4 to be clear, I don't believe we're at an impasse yet, I
5 think there are still discussions and ideas to be had. I
6 just wanted to discuss the what-if situation just so we all
7 have that in our heads, so thank you for answering the
8 question.

9
10 CHAIR HANSSEN: We're going to have to go to
11 another meeting anyway, because we haven't gotten to the
12 Community Design Element or the EIR yet, so that isn't
13 going to happen tonight.

14 The other thing that is in play here is
15 Commissioner Tavana is not here, so we have six votes
16 instead of seven, and even the last motion couldn't have
17 been split.

18 So that being said, I think that where we're
19 stuck is kind of where I'm not seeing that anybody has a
20 problem with the motion to remove Office and Service
21 Commercial housing and therefore the density associated
22 with it from the 2040 General Plan.

23 The issue is around Low-Density Residential and
24 Medium-Density Residential and where the split is is
25 between taking that off the table except for what's already

1 ministerial by law or something in between, and then we
2 have the let's not change anything so that we can make the
3 most possible.

4 Commissioner Janoff and then Commissioner Clark.

5 COMMISSIONER JANOFF: What I'm thinking is in
6 order to further assist if we don't have a majority
7 decision is to go through the bullets on page 219. We're
8 talking about potential reductions, and I think for
9 clarification to Council we should probably indicate which
10 the Planning Commission would be in favor of, kind of a yes
11 or no, and then if we had any conversation... I think it's
12 clear where we are with the Low-Density and Medium-Density.
13 We've already suggested removing the Office and Service
14 Commercial. "Revert properties in New Community designation
15 back to Neighborhood 58 units," that could be. But I think
16 we also agree that we don't want to reduce the density in
17 the Mixed-Use designation or the final bullet.

18
19 CHAIR HANSSEN: You're suggesting we have that
20 discussion?

21 COMMISSIONER JANOFF: That's my summary. We've
22 kind of been talking around these bullets, but I was just
23 thinking since these bullets were potential reductions that
24 came I believe from Council, then responding to those
25 potential reduction areas probably further gives guidance

1 as to the recommendation of the Planning Commission, even
2 if we can't reach a consensus.

3 CHAIR HANSSEN: Yes, I think that makes sense.

4 Commissioner Clark, you have your hand up.

5 COMMISSIONER CLARK: Thank you. I do feel like we
6 can reach an at least majority consensus, and I think that
7 to me feels like an important thing to do to really be able
8 to pass a single General Plan on with at least something
9 that we've all come together to recommend.

10
11 Earlier we were able to have a majority who
12 agreed to eliminating the 313 from the Office and Service
13 Commercial designations, then beyond that the concern was
14 that they get the strong message about missing middle
15 housing that they understand that the dissenting
16 Commissioners' concerns are related to Low-Density
17 Residential and Medium-Density Residential.

18 So I would like to make a motion that is along
19 the lines of the original one, which is to remove the 313
20 housing units from Office and Service Commercial
21 designations.

22 CHAIR HANSSEN: You mean to just get approval for
23 that and recognize that the Commission is not comfortable
24 with the balance of it? I'm trying to understand.
25

1 COMMISSIONER CLARK: I think we were all in a
2 place where we were ready to agree with that or that we had
3 the majority in agreement with that, and then beyond that
4 our concerns were that the Council receive certain
5 messages, and so I think that it's recommending that number
6 and then us having the comfort of knowing that the Council
7 will be aware of this entire conversation and of the
8 nuances of our conversation.

9
10 CHAIR HANSSEN: I think I understand where you're
11 going. I'm not really comfortable with that personally as
12 the Chair, but it is a Commission decision, but feel like
13 we should, and it is our role to try to come to some
14 resolution on the other issues that are on the table
15 besides that.

16 Director Paulson

17 JOEL PAULSON: I just wanted to say, we have a
18 motion on the floor, we need to at least see if we have a
19 second, and then we can have a discussion.

20 CHAIR HANSSEN: Yes, fair enough. Thank you for
21 that. Commissioner Thomas.

22 COMMISSIONER THOMAS: I second the motion.

23 CHAIR HANSSEN: So there is a motion and a
24 second, and the motion is simply about the Office and
25 Service Commercial. My question is we're not making a

1 recommendation on the overall land use number, we're only
2 making a recommendation on that one aspect of the land use
3 number, is that correct?

4 COMMISSIONER CLARK: I think that my vision of it
5 is that it's pretty much Commissioner Janoff's original
6 motion, so that it is on the overall number with the
7 reduction of the 313 units. Does that make sense?

8 CHAIR HANSSEN: Yes. So there's a motion and
9 second, and is there other discussion?

10 Commissioner Janoff.

11 COMMISSIONER JANOFF: Yes, I think that I would
12 like to hear from Commissioner Barnett regarding also
13 adding to this the Community Commercial to Neighborhood
14 Commercial and Central Business District reductions. Vice
15 Chair Barnett is recommending a 50% reduction in those
16 numbers and I'm just curious what of those numbers is
17 actually on the list of bullets from the Council, and I'm
18 just wondering whether there is agreement in adding the
19 reverting the properties in the new Community Commercial
20 back to Neighborhood Commercial for an additional 58 units,
21 and reducing the Central Business District down to 67
22 units?
23

24 CHAIR HANSSEN: So Vice Chair Barnett.
25

1 VICE CHAIR BARNETT: The motion that's on the
2 floor, I thought we already voted on it and it was a motion
3 that failed. Yes, in the abstract with looking at specific
4 line items I would agree with the two changes that
5 Commissioner Janoff just mentioned, but that leaves all the
6 other ones to be discussed.

7 CHAIR HANSSEN: Commissioner Clark.

8 COMMISSIONER CLARK: I'd like to amend my motion
9 to include those two additional changes suggested by
10 Commissioner Janoff.
11

12 CHAIR HANSSEN: And is there a second?
13 Commissioner Thomas, do you agree to the amendment of the
14 motion?

15 COMMISSIONER THOMAS: Yes. Can they be repeated
16 one more time before I agree? I need clarification.

17 COMMISSIONER JANOFF: Yes, and let's look at the
18 Town's bullet number four, "Revert properties in the New
19 Community Commercial designation back to Neighborhood
20 Commercial, which would have a reduction of 58 units," and
21 then not on this list, but Vice Chair Barnett has
22 recommended the Central Business District be reduced, I
23 don't know what from, but to 67. Let me just look.
24

25 COMMISSIONER THOMAS: It's from 135 total.

1 COMMISSIONER JANOFF: Right, 135 total down to
2 67.

3 COMMISSIONER THOMAS: Down to 67. Yes, I accept
4 the second.

5 CHAIR HANSSEN: Ms. Armer, did you have a
6 comment?

7 JENNIFER ARMER: In looking at the numbers it
8 looks like the reduction in the Central Business District,
9 I believe you just reduced the total number half. That
10 keeps it still slightly above the densities that are
11 currently allowed in downtown, but gets it pretty close to
12 what the existing is. We have to do some numbers to figure
13 out what the density would actually be.

14 JOEL PAULSON: I'll just jump in real quick.
15 Since the max now is 20 and proposed is 30, he's cutting it
16 in half, the 135, so it's probably somewhere in the order
17 of a maximum of 25 (inaudible) that's greater.

18 CHAIR HANSSEN: All right, so we do have a motion
19 from Commissioner Clark and then a second by Commissioner
20 Thomas. Is there more discussion? I'll weigh in. I'm not
21 super comfortable for a couple of reasons.

22 One is given the discussion that we had at the
23 Housing Element Advisory Board about the site inventory,
24 and we did already go through downtown. We had some very
25

1 passionate comments from the Vice Mayor, who lives
2 downtown, and a few others about there are some really
3 wonderful opportunities for Mixed-Use development that
4 could fit in nicely with downtown, and one of the specific
5 properties that was mentioned was the post office, and
6 while there is no application on the table at the moment
7 that I know of, I'm not sure that given the things that
8 we've been hearing from people about Mixed-Use that that
9 wouldn't come off the table if we were to take more density
10 off the table. In fact, what I've been hearing is we might
11 even need to do more, so I'd be uncomfortable with that
12 part of it alone.
13

14 The Community Commercial to Neighborhood
15 Commercial was fine, but I would further add that I'm not
16 sure that not reducing anything in Low-Density or Medium-
17 Density is going to be acceptable to Commissioner Raspe and
18 Vice Chair Barnett. We can go ahead and try to vote on it,
19 but those are the problems I see.
20

21 Let's see, Commissioner Thomas and then
22 Commissioner Clark.
23

24 COMMISSIONER THOMAS: Chair Hanssen, which part
25 of the motion are you uncomfortable with?

 CHAIR HANSSEN: The Central Business District,
downtown.

1 COMMISSIONER THOMAS: Just the reducing the
2 density of that specific space?

3 CHAIR HANSSEN: Yes.

4 COMMISSIONER THOMAS: But you're okay with
5 changing Community Commercial, reverting that back to
6 Neighborhood Commercial?

7 CHAIR HANSSEN: Yes. But I don't know if it's
8 going to work out to not make some reduction in Low-Density
9 or Medium-Density, but I could be okay with that.

10 COMMISSIONER THOMAS: Okay.

11 CHAIR HANSSEN: Let's see, Commissioner Clark and
12 then Commissioner Janoff.

13 COMMISSIONER CLARK: Thank you. Here's my
14 thought. Since we're clearly going to meet again, would it
15 be possible to have Staff explore that loose guidance that
16 had been given about reducing the densities in Low-Density
17 Residential and Medium-Density Residential to a point where
18 they still allow missing middle housing, and then we would
19 be able to use that to guide our discussions since some of
20 the problems were with the ambiguities?

21 JOEL PAULSON: I'll jump in. That's a definite
22 maybe. We'll see what we can pull together. It's almost
23 11:30. We still have to get through this motion if we ever
24 actually call the question, and then we also are going to

1 have to continue this to a date certain, so we need to keep
2 that in mind. We may need another motion to extend past
3 11:30, but we will work with Staff to see what we can pull
4 up from a numbers perspective to try to get what the
5 minimum lot size for four units or missing middle is and
6 then see if we can go through our GIS to figure out how
7 many lots of the lots in those designations would still
8 remain viable.

9
10 COMMISSIONER CLARK: Thank you. That's a lot of
11 work, so thank you very much, and yeah, I think that's my
12 preference. I don't know if this is possible, but I don't
13 think we need to worry about that motion I made previously,
14 and the motion that I would prefer that we make is what I
15 just suggested, to wait and have the Staff explore that
16 possibility.

17 CHAIR HANSSEN: Can she just withdraw her motion?

18 JOEL PAULSON: She would need to withdraw her
19 motion, yes.

20 COMMISSIONER CLARK: I withdraw my motion.

21 CHAIR HANSSEN: All right, and then since we are
22 running close to our deadline, I don't know that we need to
23 continue past 11:30 as long as we can come up with a date
24 certain and vote on that before, but I'm going to look to
25 Staff for guidance on that.

1 JENNIFER ARMER: Thank you, Chair. We have looked
2 at the Town's calendars in terms of upcoming meetings and
3 what dates might be possibilities for continuance. Next
4 Monday, May 2nd would be one option. If it were a 7:00
5 o'clock meeting it would not conflict with other scheduled
6 Town meetings.

7 Unfortunately we've got a lot of evening meetings
8 coming up, so another option then would be Tuesday the 10th,
9 which is the day before your next regular meeting on the
10 11th, which would also be an option.

11 CHAIR HANSSEN: Can I just see a show of hands
12 from the Commissioners who can make it on Monday, May 2nd?
13 It looks like everybody. And Tuesday, May 10th. Not as much.
14 Okay.

15 I'll go ahead and make the motion to continue
16 this to a date certain of Monday, May 2nd at 7:00 o'clock.
17 Can I get a second? Vice Chair Barnett.

18 VICE CHAIR BARNETT: I second the motion.

19 CHAIR HANSSEN: Okay, great.

20 Commissioner Raspe, did you have a question.

21 COMMISSIONER RASPE: Quick question. I just want
22 to confirm with Staff that May 2nd is enough time for them
23 to complete the work that we've asked them to do?
24
25

1 CHAIR HANSSEN: Thank you for that. That's a good
2 question.

3 JENNIFER ARMER: Well, as Director Paulson said,
4 it's a definite maybe. We will put together what
5 information we can for a Staff Report this Friday, but that
6 is the day after tomorrow, so we can pull some information,
7 but it would likely be limited.

8 JOEL PAULSON: I'd just offer that if we can't
9 get it for the Friday memo, then we can see what we can
10 pull together on Monday for a Desk Item.

11 CHAIR HANSSEN: I think that was a good issue to
12 raise though. It looked like we had five out six of us for
13 the 10th.

14 Commissioner Janoff.

15 COMMISSIONER JANOFF: I would just like to say
16 that personally I'm not looking for a precise number, it's
17 more an order of magnitude. Are we going to get 10%, 20%,
18 just so we know that there's a meaningful reduction if we
19 go down that route? I know that some Commissioners are keen
20 on having a precise number, but if time does not allow for
21 that analysis, then I think knowing that there's a
22 substantial enough number or not would be sufficient for
23 me.
24
25

1 JENNIFER ARMER: And I would say that I think we
2 can come up with some numbers as to what minimum lot size
3 would be required for a fourplex based on a couple of
4 different densities, and then I am hopeful that we would be
5 able, if not Friday then by Monday, to figure out the
6 number of parcels in our Low-Density designation to meet
7 that. It may be that we would need to do that for Medium-
8 Density as well, so I think we could get you some
9 information. It's just it is going to be a quick
10 turnaround, so we don't want to promise too much.

11
12 CHAIR HANSSEN: I think that would be enough. I
13 hope you guys feel the same way. There's always going to be
14 more, but I think that would give us, based on the
15 questions I was hearing, so can I get a second for my
16 motion for Monday, May 2nd?

17 Commissioner Raspe.

18 COMMISSIONER RASPE: I'll second.

19 CHAIR HANSSEN: And then I will do a quick roll
20 call vote.

21 CHAIR HANSSEN: Commissioner Thomas.

22 COMMISSIONER THOMAS: Yes.

23 CHAIR HANSSEN: Commissioner Raspe.

24 COMMISSIONER RASPE: Yes.

25 CHAIR HANSSEN: Commissioner Janoff.

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COMMISSIONER JANOFF: Yes.

CHAIR HANSSEN: Commissioner Clark.

COMMISSIONER CLARK: Yes.

CHAIR HANSSEN: Vice Chair Barnett.

VICE CHAIR BARNETT: Yes.

CHAIR HANSSEN: And I vote yes as well.

Since we're continuing the meeting we don't need
to do the concluding things, right Staff? Okay.

I want to thank you all for a really very good
and in depth discussion, and I think that so much good
things have gone on and that's why there are some people in
different directions on this thing, but I think the end
result is going to be much, much better because of all the
issues that we're bringing up and vetting through this
process, so we will see you all on Monday, May 2nd, and good
night.

This meeting is adjourned.

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