



**TOWN OF LOS GATOS
PLANNING COMMISSION
REPORT**

MEETING DATE: 6/22/2022

ITEM NO: 3

DATE: June 17, 2022
TO: Planning Commission
FROM: Joel Paulson, Community Development Director
SUBJECT: Review and Recommendation of the Draft Objective Standards to the Town Council.

RECOMMENDATION:

Review and recommendation of the Draft Objective Standards to the Town Council.

BACKGROUND:

The Town of Los Gatos has developed Draft Objective Standards for the review of multi-family and mixed-use development applications. This effort is in response to State legislation (Senate Bill (SB) 167, SB 35, and SB 330) requiring jurisdictions to adopt objective standards and to implement them in a streamlined review of qualifying housing projects. Objective standards are defined under State law as, “standards that involve no personal or subjective judgement by a public official and are uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official prior to submittal” (California Government Code, Section 65913.4).

The purpose of adopting objective standards is to:

- Comply with recent State housing legislation;
- Implement streamlined and ministerial review processes for qualifying housing projects;
- Ensure that these qualifying projects align with the Town’s expectations and vision to maintain and support the character of the Town;
- Provide a set of clear criteria to guide development; and
- Establish an objective framework by which a qualifying project will be evaluated.

PREPARED BY: SEAN MULLIN, AICP and RYAN SAFTY
Senior Planner Associate Planner

Reviewed by: Planning Manager and Community Development Director

BACKGROUND (continued):

On November 5, 2019, the Town Council adopted Resolution 2019-053 (Exhibit 1) to authorize application for, and receipt of, SB 2 Planning Grant Program funds, including execution of an agreement with the California Department of Housing and Community Development (HCD) by the Town Manager. Planning staff submitted an application with a proposal to develop objective standards and by-right findings for the review of qualifying housing development applications, and to identify amendments to the Town Code necessary to add the objective standards and findings to Chapter 29 of the Town Code (Zoning Regulations). The Town received approval of the application and entered into an agreement with HCD to receive reimbursable grant funding for the proposed scope of work.

On November 20, 2020, staff released a request for qualifications (RFQ) to provide services for preparation of objective standards and by-right findings for the review of qualifying housing development applications as provided in the Town of Los Gatos SB 2 Planning Grant Program application. Staff received proposals from four firms. After reviewing the submittals and conducting interviews, staff concluded that M-Group planning consultants provided the best fit, capacity, and professional expertise for the proposed scope of work. On March 16, 2021, the Town Council authorized the Town Manager to execute an agreement with M-Group for the proposed scope of work.

To date, the project initiation phase has been completed, including review of State legislation and existing Town guidelines and standards, and collation of feedback received during five meetings with the Planning Commission subcommittee between July and December 2021. On February 22, 2022, staff conducted the first of two community engagement meetings to gather feedback from residents and stakeholders. On May 12, 2022, a preliminary draft of the objective standards was presented and discussed at a second community engagement meeting. A summary of the feedback received at the community engagement meetings is included as Exhibit 2. Based on the feedback from the Planning Commission subcommittee and the community, staff and M-Group developed Draft Objective Standards for consideration by the Planning Commission (Exhibit 3).

DISCUSSION:

The Draft Objective Standards document is organized into two sections: Site Standards (Section A) and Building Design (Section B). The Site Standards section includes objective standards for site layout and building placement; vehicular access and parking; and outdoor spaces and amenities. The Building Design section includes objective standards for building form and massing; façade articulation; materials; and roof design. Many of the objective standards have corresponding figures to help visualize the standards.

DISCUSSION (continued):

In addition to the objective standards listed in this document, qualifying multi-family and mixed-use projects would also be required to comply with all existing development requirements in the Town Code, including but not limited to building code requirements, existing Town standards, adopted specific plans, and development standards such as height and setbacks. If there is any conflict between these standards and those in another adopted document, the more restrictive standard shall apply.

PUBLIC COMMENTS:

Throughout the process and prior to the June 22, 2022, Planning Commission meeting, staff contacted several professional organizations, design professionals, developers, and residents to inform them about the meeting and encourage participation and written comment on the Draft Objective Standards. In addition to the direct contact summarized above, staff requested public input through the following media and social media resources:

- A poster posted at the Planning counter at Town Hall and at the Library;
- On the Town's website home page, What's New;
- On the Town's webpage dedicated to objective standards; and
- On the Town's social media accounts.

Public comments received by 11:00 a.m., Friday, June 17, 2022, are included as Exhibit 4.

CONCLUSION:

A. Summary

The Town of Los Gatos has developed Draft Objective Standards for the review of multi-family and mixed-use development applications as required by State legislation. The Draft Objective Standards were developed following research by staff and the Town's consultant, five meetings with the Planning Commission subcommittee, and two community engagement meetings.

B. Recommendation

The Draft Objective Standards have been forwarded to the Planning Commission for review. Staff recommends that the Planning Commission:

- Receive and consider public comments;
- Complete the review of the Draft Objective Standards;
- Provide input on any recommended modifications to the Draft Objective Standards; and

CONCLUSION (continued):

- Forward a recommendation to the Town Council to approve the Draft Objective Standards.

C. Alternatives

Alternatively, the Commission can:

1. Forward a recommendation of approval to the Town Council with additional and/or modified objective standards; or
2. Continue the matter to a date certain with specific direction to staff.

NEXT STEPS:

Following review and recommendation by the Planning Commission, the Town Council will consider the Draft Objective Standards, the Planning Commission recommendation, and any additional public comments. Once the Town Council adopts objective standards, staff will return to the Planning Commission for consideration of a Town Code amendment to incorporate by-right findings for qualifying housing projects meeting the adopted objective standards into the Town Code. Additionally, staff will develop streamlined review procedures for applications proposing qualifying housing projects.

EXHIBITS:

1. Town Council Resolution 2019-053
2. Summary of feedback received during community engagement meetings
3. Draft Objective Standards
4. Public Comments received prior to 11:00 a.m., Friday, June 17, 2022