

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

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

Los Gatos Planning Commissioners:
Emily Thomas, Vice Chair
Jeffrey Barnett
Susan Burnett
Melanie Hanssen

Town Manager: Chris Constantin

Community Development Director: Joel Paulson

Town Attorney: Gabrielle Whelan

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

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

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

VICE CHAIR THOMAS: The next item on the agenda is Item 4. This is to forward a recommendation to the Town Council on an ordinance amending Chapter 29 (Zoning Regulations) of the Town Code regarding parking standards, pursuant to Implementation Program AA of the 2023-2031 Housing Element. Adoption of this ordinance is exempt pursuant to CEQA Section 15061(b)(3) in that it can be seen with certainty that it will not impact the environment. Town Code Amendment Application A-24-009. Project Location is Town Wide, and the Applicant is the Town of Los Gatos.

I believe, Mr. Mullin, you'll be providing the Staff Report. Thank you.

SEAN MULLIN: Yes, thank you, Vice Chair. Before you this evening is consideration of Town Code amendments required for the Housing Element Implementation Program AA regarding reduced parking requirements.

Program AA requires that the Town initiate a study and outreach and make specific updates that would reduce parking standards of the Town by aligning parking requirements with the preparation of the Objective Design Standards by reducing parking requirements near transit, by removing guest parking requirements for all residential and

1 mixed-use projects in all zones, and by allowing parking to
2 be unbundled from residential units.

3 For Item 1, no action is needed (inaudible) the
4 Town since the final Objective Design Standards document
5 did not include parking standards.

6 For Item 4 regarding unbundled parking, Staff is
7 currently studying existing state law and programs in other
8 municipalities and anticipates returning to the Planning
9 Commission with amendments to the Town Code in spring of
10 next year.

11 The Staff Report details the proposed changes to
12 the Town Code for implementation of Item 2 for reduced
13 parking near transit, and Item 3, removing guest parking
14 requirements throughout the Town.

15 Additional code amendments for parking are also
16 included in the draft amendments to reintroduce parking
17 requirements that were erroneously removed during a
18 previous code update and remove some other language for
19 clarity.
20

21 In April the Town will be reporting progress made
22 on this and other implementation programs to HCD to
23 demonstrate compliance with the certified Housing Element.
24

25 This concludes Staff's presentation and we are
available for any questions.

1 VICE CHAIR THOMAS: Thank you. Are there any
2 questions for Staff at this time? Commissioner Hanssen.

3 COMMISSIONER HANSSEN: Because there are multiple
4 items in here, and some of them are not for action, we're
5 making a recommendation to the Council on the specific
6 items that we need to that are mentioned in the Staff
7 Report, or do we need to itemize them in any motion we
8 would make?

9
10 SEAN MULLIN: Thank you for that question. I
11 think you can go either way. I think if there is consensus
12 with the draft amendments as proposed by Staff, then a
13 single motion could carry the recommendation forward. If
14 there are significant changes or recommendations to be
15 made, it's the option of the Planning Commission and the
16 Vice Chair to go item-by-item.

17 COMMISSIONER HANSSEN: Okay, thank you.

18 VICE CHAIR THOMAS: Commissioner Burnett, and
19 then Commissioner Barnett.

20 COMMISSIONER BURNETT: Thank you. A question for
21 Staff. This only pertains to sites on our Housing Element,
22 correct?

23 SEAN MULLIN: Thank you for that question. No,
24 this would pertain to the Town for the effected parcels,
25 not just the HEOZ sites.

1 COMMISSIONER BURNETT: So, it would be Town wide?

2 SEAN MULLIN: It would Town wide in that some of
3 these would relate to parcels and their proximity to
4 transit stops in one instance, and then Town wide for
5 removal of the guest parking requirement for multi-family
6 housing.

7 COMMISSIONER BURNETT: In single-family
8 districts, R-1?

9 SEAN MULLIN: It's more about the use, because
10 the parking code applies regardless of the zoning, so if
11 you had, let's say, a nonconforming multi-family
12 development in an R-1:8 district, which is not where our
13 multi-family project would be permitted, then the guest
14 parking requirements would be removed; I'm using that as an
15 example.
16

17 COMMISSIONER BURNETT: Okay, thank you.

18 VICE CHAIR THOMAS: Commissioner Barnett.

19 COMMISSIONER BARNETT: Thank you. Mr. Mullin or
20 other members of the Staff, if the Town Council agreed with
21 the recommendations by the Planning Commission to approve
22 the changes, would all the Implementation AA be included,
23 except for Item 4 on bundling?
24

25 SEAN MULLIN: Thank you for that question. That's
correct. The unbundled parking is not part of the draft

1 amendments before you tonight, but Staff anticipates
2 returning with those in the spring. Item 1, there is no
3 action needed, since the Objective Design Standards
4 document, which was under development at the time of the
5 Housing Element draft, ended up not including parking
6 standards, so we'd just be looking at Items 2 and 3, and
7 then the additional code cleanup items that aren't related
8 to the program.

9
10 COMMISSIONER BARNETT: A follow-up.
11 Implementation Program AA has quite a number of items in
12 it, and what I was trying to figure out is whether all of
13 those intended implementation items are being addressed by
14 this amendment, except for Item 4.

15 SEAN MULLIN: Thank you for that. It would be
16 Items 2 and 3 that it would be addressed through tonight's
17 proposed amendments.

18 COMMISSIONER BARNETT: Items 2 and 3 only. Thank
19 you.

20 VICE CHAIR THOMAS: Any other questions for
21 Staff? I did have one question. Mr. Mullin, could you just
22 explain why we're seeing some of these implementation
23 programs right now in a context for it about next steps
24 with regard to the Housing Element?
25

1 SEAN MULLIN: Sure, thank you for that question.
2 I can start, and someone else can jump in if there is more
3 information needed.

4 As part of the adopted Housing Element, as you
5 may be aware and for the public's knowledge, there were a
6 number of implementation programs that the Town included in
7 our certified Housing Element. Most of them have a timeline
8 and the Town is busy working on making progress on those
9 implementation programs. It intends to provide a progress
10 report to HCD in April of this year and then continuing
11 progress reports following up to show whether we've
12 completed programs. Or in this case, we'd be making
13 progress on a program and come back with further progress
14 later on, but it's all in an effort to adhere to the
15 Housing Element and maintain its certification.

17 VICE CHAIR THOMAS: Great, thank you.
18 Commissioner Burnett.

19 COMMISSIONER BURNETT: Thank you. These changes,
20 they will become part of our Objective Design Standards?
21 Because going through the standards we have now, this is
22 not addressed.

23 SEAN MULLIN: Thank you for that question. The
24 Objective Design Standards do not include any quantitative
25 parking requirements, such as number of spaces per square

1 footage or space for use. The amendments in front of you
2 tonight would be included in the parking division of
3 Chapter 29, which is the Zoning Code.

4 COMMISSIONER BURNETT: Because it was mentioned
5 that it would align parking requirements with the... When we
6 add to our Objective Design Standards, it will become part
7 of that in some way though, right?

8 SEAN MULLIN: To clarify, because it does get a
9 little bit confusing on the timing admittedly, when these
10 implementation programs were being considered and drafted
11 by the Council and the Planning Commission, at the same
12 time and on a separate track the Objective Design Standards
13 document was in development.

14 As part of development of Program AA in its draft
15 form, the implementation program wanted to make sure that
16 any parking standards that would end up in the Objective
17 Design Standards align with the Town Code. The finished
18 product of the Objective Design Standards does not include
19 parking requirements, such as quantity. There are some
20 things about treating parking lots, but that's a separate
21 issue; this is about parking quantity requirements, so
22 there is no action needed on Item 1, because of the timing
23 of when the design standards were being drafted and when
24 the program was being drafted.
25

1 COMMISSIONER BURNETT: Okay, thank you.

2 VICE CHAIR THOMAS: Commissioner Hanssen.

3 COMMISSIONER HANSSEN: I just had a comment. It
4 was my recollection, since I was one of the people that
5 worked on the Objective Design Standards, at least version
6 one, that when we went through everything if it was already
7 objective in our code, we opted not to duplicate it in the
8 Objective Design Standards, because then you have an
9 updating issue if you're ever going to change anything.
10 That is why you wouldn't necessarily need to put this in
11 the Objective Design Standards, because we already have it
12 in our code. If that's not right, please correct me.

14 SEAN MULLIN: Thank you for that. I worked on the
15 Objective Design Standards and I remember those
16 conversations and agree with that.

17 VICE CHAIR THOMAS: Okay, great. Thank you. Any
18 other questions? We will now open the floor to public
19 comment. Is there anyone in the public that wants to speak?
20 Through Zoom?

21 DIRECTOR PAULSON: Through the Chair, there are
22 no hands raised on Zoom.

23 VICE CHAIR THOMAS: Okay, thank you. I will close
24 the public comment portion of the evening and look for
25 discussion and possibly a motion. Commissioner Burnett.

1 COMMISSIONER BURNETT: I think this item, I'm
2 having problems with the parking issues. Why are we
3 removing guest parking requirements in all areas? I'm just
4 wondering why are we needing to do that?

5 SEAN MULLIN: Thank you for that question. I can
6 start, and someone can jump in if they have other
7 information. I think the intent was to remove barriers to
8 creating housing; that was part of the driving force of the
9 Housing Element and through guidance through HCD, so the
10 guest parking may have been identified as a barrier to
11 creating additional housing on parcels, or new housing in
12 multi-family developments, to clarify that.

14 DIRECTOR PAULSON: I'll just add, thank you,
15 through the Chair, all of these implementation programs,
16 many of them were requirements of HCD for us to get
17 certification, and to Mr. Mullin's point, they're looking
18 to remove as many barriers as possible across the State,
19 and the Town included, and parking is often a barrier
20 because it is so expensive to create, and so that's one
21 that's in many housing elements across the State.

22 COMMISSIONER BURNETT: To continue, and that
23 includes housing that is already in our environment and in
24 our different zones?
25

1 DIRECTOR PAULSON: For a little bit more
2 clarification, I think you asked a question before about
3 single-family homes. Those are required guest parking. Only
4 multi-family rentals currently require guest parking, and
5 that's up to one space per unit.

6 We have other documents, like the North Forty
7 Specific Plan, which requires, I think, a half-space per
8 guests. That's ultimately something that we might have to
9 modify as well. It also has requirements based on the
10 number of bedrooms.

11 There is also reduced parking in State law
12 through State Density Bonus statute, so what we're seeing
13 is with the environment that we have with current State
14 law, through State Density Bonus folks are requesting
15 waivers anyway to be even less than one in some cases, so
16 that's not something we're ultimately going to be able to
17 enforce moving forward.

18 This really is, again, something the State is
19 requiring through the Housing Element. If we choose not to
20 do that, then there may be consequences down the line with
21 this or any of the other items that we bring forward.

22 COMMISSIONER BURNETT: Is this for new
23 development, new mixed-use, new homes?
24
25

1 DIRECTOR PAULSON: Yes, new multi-family projects
2 or mixed-use projects going forward would not be required
3 to do guest parking.

4 COMMISSIONER BURNETT: So, this is moving
5 forward?

6 DIRECTOR PAULSON: It is moving forward. Will we
7 see existing developments request maybe additional
8 development and remove some of that parking? That's
9 possible. We haven't seen that, and we have enough on our
10 plates with the new projects that are currently in the
11 pipeline.
12

13 COMMISSIONER BURNETT: Okay, thank you.

14 VICE CHAIR THOMAS: Yes, Commissioner Barnett.

15 COMMISSIONER BARNETT: For Mr. Mullin or Staff, I
16 understood that the implementation program is to satisfy
17 the requirements of HCD. How were the particular details
18 and formulas established to try to achieve that goal of
19 approval in April?

20 SEAN MULLIN: Thank you for that question. I'd
21 ask a clarifying question specific to the changes in the
22 ordinance, in the draft amendments?

23 COMMISSIONER BARNETT: Yes.

24 SEAN MULLIN: Like how did Staff determine..
25

1 COMMISSIONER BARNETT: What the new formulas
2 would be.

3 SEAN MULLIN: Removing the guest parking
4 requirement is pretty binary, it's pretty straightforward;
5 we needed to remove it.

6 The reduced parking near transit was a balancing
7 act, and it's laid out in your Staff Report, but looking at
8 what's required in other ordinances. I looked at the ADU
9 Ordinance and the SB 9 Ordinance. The requirements for
10 reduced parking and density bonus law, and so on, so we
11 looked at these things, we looked at other communities
12 similar to ours in Santa Clara County and tried to strike a
13 balance between the needs of the community but also being
14 responsive to HCD's requirement that we reduce parking near
15 transit.
16

17 And to the transit point, there are so many
18 different... It's an ambiguous term that's included in the
19 Housing Element, and so that was an evaluation of, again,
20 where is it going to be effective and responsive to HCD's
21 requirements to reduce parking near transit?

22 What is in front of you tonight would reduce
23 parking within a half mile of a transit stops, or bus
24 stops, for a multi-family development, let me be clear
25 about that, and that's a half mile walking distance.

1 DIRECTOR PAULSON: Just to add also, Commissioner
2 Barnett, for instance, our current requirement is one-and-
3 a-half for those types of units, so we could have gone to
4 1.25 or 1.15, or some other number in between one and one-
5 and-a-half, but that's not typical across jurisdictions, so
6 I think that was another point, why we kind of landed
7 there.

8 COMMISSIONER BARNETT: Thank you for both of
9 those comments. Very helpful.

10 VICE CHAIR THOMAS: I have one question about as
11 you were looking at some of the other jurisdictions,
12 especially in the Bay Area, are some fully eliminating
13 parking requirements?
14

15 SEAN MULLIN: Thank you for that question. You'll
16 see that I can't remember the jurisdictions offhand, but
17 there are some typically in bigger cities with more dense
18 development. A lot of those programs that remove parking
19 tag onto other strategies as well, so transit, where you
20 see more frequent transit, high-quality transit corridors,
21 it might tie to those sorts of things.

22 The approach here was to recognize the level of
23 transit we have in our community, which is pretty low-
24 frequency, low-headway, and also recognize that we're only
25 reducing it by a half parking space per unit, and when you

1 combine that with the reduction in the guest parking it was
2 about that balance and not over-reducing too far so that
3 there is still some parking required onsite.

4 With all that said, as Director Paulson
5 mentioned, there are other strategies through State laws to
6 reduce further, and in some cases ignore the Town's
7 requirements.

8 VICE CHAIR THOMAS: Thank you. I would just like
9 to make a comment, I think, about this, if we're ready for
10 some discussion on it.

11 I recognize that we don't have a lot of options
12 for transit, unfortunately, in Los Gatos, but something
13 that VTA has said many times about the light rail, we can't
14 build the light rail all the way to Los Gatos if we don't
15 have housing and people living there that would use it, and
16 so I think this is a way that we start to get there with
17 these reducing parking minimums.

18 We know that we've seen many applications, just
19 in my time on the Planning Commission, where parking can be
20 a limiting factor for some of these developers, however,
21 because we *don't* have all of those options with all of this
22 transit, and it's not really realistic for most people to
23 live without a car that live in Los Gatos and are of
24 working age and commuting outside of our community.
25

1 There is still an incentive for parking spots. I
2 don't think that we're at a place where people are just
3 going to want no parking, so I see this as quite a good
4 balance, but I am curious what my other fellow
5 commissioners think. Commissioner Hanssen.

6 COMMISSIONER HANSSEN: Since I was on the Housing
7 Element Advisory Board as the chair, we heard over and over
8 again during the process of developing the Housing Element
9 that parking requirements, as mentioned by our Community
10 Development Director, are an impediment to building new
11 housing. We had testimony from a number of developers that
12 develop here in some of the study sessions that we had, and
13 it goes further than that.

14 Jurisdictions that have certified housing
15 elements that opt not to follow through on their programs
16 that facilitate that housing can have their certification
17 removed, so this isn't a decision that we can opt not to
18 make. I think there are good questions, but this is the
19 direction that the State is going, and whether it applies
20 to the sites that are in the Housing Element or the entire
21 Town, while it could ultimately become burdensome, I think
22 the developers have to be sensible when they're building
23 housing that it's going to work for the people that are
24 going to be renting or procuring that housing.
25

1 VICE CHAIR THOMAS: Commissioner Burnett.

2 COMMISSIONER BURNETT: I have a question for the
3 Vice Chair. You mentioned that it was a nice balance. Could
4 you expound on that a little bit, what you mean by that?

5 VICE CHAIR THOMAS: I think that before the one-
6 and-a-half down to one, for example, we could be going
7 further than that. I mean, hopefully this is enough for HCD
8 to show that we're making progress towards removing
9 parking. As a barrier to build housing we could be going
10 further, but I also understand that right now we live in a
11 space that people need to have cars, because we don't have
12 the transit available, so that's what I meant.
13

14 But I was also on the Housing Element Advisory
15 Board and at those study sessions where developer after
16 developer wanted the parking minimums to go away, for all
17 development, not just for housing, for commercial
18 development, for all these things. To redevelop and
19 encourage redevelopment along Los Gatos Boulevard it was
20 asked for, so I think that this is something that meets
21 some of those needs of the developers that the Town at some
22 point is having to partner with in order to make progress
23 on our Housing Element goals.

24 COMMISSIONER BURNETT: Thank you for that. And I
25 understand for developers and new development coming in,

1 when I asked the question whether this is Town wide, I'm
2 concerned about what we have in place now, and the
3 neighborhoods we have in place now. Are their parking rules
4 going to change? Are their guest parking needs, or are
5 those going to be taken away, or how is it going to impact
6 what is in our town now versus new development? That's
7 where I'm getting confused here.

8 DIRECTOR PAULSON: I think that's obviously a
9 challenge, and as I tried to explain earlier, we don't know
10 if some of our existing multi-family, for instance, is
11 going to request I have the density to add three more
12 units, I'm going to remove X number of parking spaces and
13 add those, and it complies with your new Town Code. We
14 don't know whether or not that's going to be an issue
15 moving forward and how frequent that may or may not be.

16 I know there were early discussions of other
17 potential strategies, because obviously even just the SB
18 330 applications we currently have, not to mention the
19 existing multi-family, there is that potential with just
20 the sheer number of units and the amount of parking being
21 provided that there probably could be collateral impacts to
22 other public parking that currently exists that is not
23 regulated, so that's a strategy I think that will be
24
25

1 evaluated moving forward, but again, there's nothing really
2 concrete yet.

3 COMMISSIONER BURNETT: To follow-up, why can't we
4 just limit it to what is before us with our site inventory?
5 Then if the need comes for more housing and we have to
6 rezone areas, then we would make a new amendment to the
7 Zoning Code.

8 DIRECTOR PAULSON: Because HCD required us to
9 remove all required guest parking from our Zoning Code.
10 That's why we're doing it. They didn't say remove it or
11 your sites, because other sites may be redeveloped too.
12 Again, they're interested in removing barriers to have as
13 much housing built all over California as possible, and so,
14 again, this is not an uncommon request.

15 COMMISSIONER BURNETT: Guest parking even in
16 areas that aren't going to be part of the Housing Element?

17 DIRECTOR PAULSON: Yes, absolutely. Because
18 they're not just interested in housing element sites,
19 they're interested in every site.

20 COMMISSIONER BURNETT: Thank you.

21 VICE CHAIR THOMAS: Commissioner Barnett.

22 COMMISSIONER BARNETT: I wanted to bring up that
23 I had an exchange of emails with Mr. Mullin today because I
24 questioned the definition of "transit stop" in the proposed
25

1 new language, and I know there are a couple of terms you
2 looked at. Help me with the two terms. Major transit stop?

3 SEAN MULLIN: There's a "high-quality transit
4 corridor," and a "major transit stop." Those are defined
5 terms in State law in different statutes and are used
6 throughout different State law and in some of our
7 ordinances, specifically SB 9. The proposal here is for
8 transit stops, so that would be equated to a bus stop in
9 this town. As the area of a high-quality transit... We don't
10 have any bus stops by definition, so that's ruled out.

11
12 The high-quality transit corridor that we do have
13 is very limited. It's out near Good Samaritan, and in that
14 balance again of being responsive to HCD's requirements to
15 reduce parking near transit versus looking at how the
16 impacts would be distributed through the Town, the decision
17 was made to pursue bus stops, or in this case called
18 transit stops, so a half-mile walking (inaudible) transit
19 stops. We've only got, I think, three bus lines that serve
20 the Town in different locations, but two of them are just
21 on the edge and one runs through the Town.

22 COMMISSIONER BARNETT: Okay, thank you. To my
23 fellow commissioners, I would suggest as part of the motion
24 approving this matter that we make a suggestion for Staff
25

1 to possibly propose a definition for "transit stop" for
2 consideration by the Town Council. It's a new term.

3 VICE CHAIR THOMAS: Okay, thank you. I think that
4 that's a good idea; I support that. Is that something that
5 will be easy for Staff to do when it presents to Council?

6 SEAN MULLIN: Yes.

7 VICE CHAIR THOMAS: Okay, thank you. Any other
8 questions?

9 COMMISSIONER BARNETT: I'm sorry; I had two more.
10

11 VICE CHAIR THOMAS: Oh, yes, go for it.

12 COMMISSIONER BARNETT: On page 132, Item 3(c),
13 there's just a reference to "downtown" and I thought it
14 might be changed to the "downtown zone," because Town Code
15 29-40 and following use that term. That would be a
16 suggestion for a change to the proposed language.

17 The last one is—I hope I got this right—the
18 proposed language refers to parking for theaters, and it
19 says, "One parking space for each 300 square feet of gross
20 floor area," and my question is what about the Los Gatos
21 Theater?

22 SEAN MULLIN: Thank you for that question. Item 3
23 and then below it, Item 4.

24 Item 3 was in the code until sometime last year,
25 and it was mistakenly removed through a code update that

1 had to do with economic vitality. It was not proposed to be
2 removed, it just got caught by our codifier and
3 unfortunately got pulled out by the way that the ordinance
4 was written. This isn't a new requirement for the Town. All
5 we're doing here is reinstating it in the downtown area, so
6 Item 3 would fall under the downtown area.

7
8 Item 4 is moving some language to where it
9 belongs that was included with the hospital requirement for
10 parking for many years for some reason, so this is just
11 cleanup; there's no new requirements here.

12 DIRECTOR PAULSON: Through the Chair, there is a
13 little nuance with the downtown versus the C-2, for
14 instance. The downtown is actually from a parking
15 perspective broader; it actually goes into the C-1. We have
16 a map where it's actually broader than just the C-2
17 district, so that's why it is referenced currently and
18 proposed to be moving forward as downtown.

19 COMMISSIONER BARNETT: Okay, so I'll withdraw the
20 suggestion of changing that language. But does the Los
21 Gatos Theater comply in terms of current parking
22 regulations?

23 SEAN MULLIN: I don't have that information in
24 front of me. It's also in the Parking Assessment District,
25 which further complicates things, to answer on the fly. But

1 it's an existing condition, and if it didn't comply, then
2 it's existing nonconforming.

3 COMMISSIONER BARNETT: That makes sense.

4 VICE CHAIR THOMAS: Thank you for clarifying
5 about the parking for the downtown area, because we do want
6 that language to be consistent throughout. Are there any
7 other questions? Commissioner Hanssen.

8 COMMISSIONER HANSSEN: Are we ready to make a
9 motion, or are there more questions?
10

11 VICE CHAIR THOMAS: I just have one more comment.

12 COMMISSIONER HANSSEN: Go ahead.

13 VICE CHAIR THOMAS: Thank you. I just want to say
14 that as someone that was on the Housing Element Advisory
15 Board and worked very hard both on that and on the Planning
16 Commission to get a certified Housing Element passed and
17 adopted in Town, I feel like it's really important for us
18 to continue to push forward with the implementation
19 programs that are considered lower hanging fruit.

20 It does specifically say that with some of these
21 implementation programs that were adopted with the Housing
22 Element there are going to be some requirements and
23 language that people might have issues with or question,
24 but it's already part of the Town's Housing Element, and so
25

1 we're going to have to continue forward with them; we can't
2 go back and undo.

3 I think the risk of getting it decertified is
4 something that we really don't want to do, so focusing on
5 the stuff we have control over, moving forward, and just
6 getting the easier code amendments and updates that don't
7 cost as much money and time or energy by Staff pushed
8 forward through Town Council, I think, is going to be
9 really important moving forward, so I just want to thank
10 everyone that has worked hard on all of this stuff.

11
12 Now, are we ready for a motion? Commissioner
13 Hanssen? I think because we just have that one minor
14 addition, we can do everything in one. Okay, perfect.
15 Commissioner Burnett.

16 COMMISSIONER BURNETT: This is further comment
17 here. The programs under AA, which is what we're
18 discussing, say, "Remove guest parking requirements for all
19 residential and mixed-use projects in all zones," and as
20 Director Paulson had said, this is an HCD requirement. It
21 would be nice to also include in the Staff Report where you
22 can find that HCD requirement, because in reading the
23 materials I never came across that specific language that
24 we had to remove.
25

1 DIRECTOR PAULSON: Thank you, Commissioner
2 Burnett. I think that's actually the specific language of
3 the implementation program, the four topics that are listed
4 in the Staff Report. I would just look to Mr. Mullin to nod
5 his head and agree with that, but that is the specific
6 language in the implementation program, and that's what
7 we're trying to bring forward with all of these.

8 I think to the Vice Chair's point, there are
9 going to be a number of these topics that folks have had
10 concern with, are going to continue to have concern with,
11 but the reality is that if the Town decides—ultimately most
12 of this stuff will end up with the Council—to adopt an
13 implementation the HCD doesn't agree with, worst-case
14 scenario, as was mentioned by Commissioner Hanssen, we
15 could be decertified. There are steps in between that where
16 we probably would be allowed to discuss rectifying that,
17 but nevertheless, that is the potential worst-case
18 scenario. That's going to be challenging moving forward
19 with a lot of this stuff, and so that is something to keep
20 in mind.

21
22 COMMISSIONER BURNETT: Okay, thank you for that.

23 VICE CHAIR THOMAS: Commissioner Hanssen.

24 COMMISSIONER HANSEN: I'd like to make a motion
25 that we forward a recommendation to the Town Council to

1 move forward on parts of Implementation Program AA,
2 including reducing parking requirements near transit and
3 removing guest parking requirements for all residential and
4 mixed-use projects in all zones, as well as some additional
5 cleaning up items in our general Parking Code, and those
6 are the items that we can forward on for recommendation at
7 this time.

8 VICE CHAIR THOMAS: Is there a second? Director
9 Paulson?

10 DIRECTOR PAULSON: Just for the record, that's in
11 accordance with the findings as illustrated in the Staff
12 Report, and the code amendments in Exhibit 2, just for
13 extra clarification.

14 COMMISSIONER HANSSEN: Yes, and that there is no
15 impact per CEQA.

16 VICE CHAIR THOMAS: Can I get a second?
17 Commissioner Barnett.

18 COMMISSIONER BARNETT: Yes, second the motion.

19 VICE CHAIR THOMAS: Thank you. Any discussion?

20 SEAN MULLIN: Through the Vice Chair. There was
21 some consensus about the definition, but that was not
22 included in the motion, just for clarification.

23 COMMISSIONER HANSSEN: I would be happy to amend
24 the motion to say that we should have a clear definition of
25

1 a "transit stop" incorporated as we forward this along and
2 put it in our code.

3 COMMISSIONER BARNETT: Seconder agrees.

4 VICE CHAIR THOMAS: Any discussion? Seeing none,
5 by a show of hands, all those in favor of the motion,
6 please raise your hand. And the motion passes 3-1 with
7 Commissioner Burnett dissenting.

8 Appeal rights, again, because this is a
9 recommendation.
10

11 SEAN MULLIN: That's correct, this is a
12 recommendation to the Council, so it's not subject to
13 appeal.

14 VICE CHAIR THOMAS: Okay, thank you.

15 (END)

16

17

18

19

20

21

22

23

24

25

*This Page
Intentionally
Left Blank*