



**TOWN OF LOS GATOS  
PLANNING COMMISSION  
REPORT**

MEETING DATE: 09/14/2022

ITEM NO: 3

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DATE: September 9, 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:**

On June 22, 2022, the Planning Commission received and considered public comments on the Draft Objective Standards, completed the review of the document, and provided input to staff on recommended modifications. The item was continued to a future meeting to allow staff time to prepare responses to the input received and to prepare a revised Draft Objective Standards document.

On August 24, 2022, the Planning Commission received and considered public comments on the revised Draft Objective Standards (previously provided as Exhibit 9). A representative from the local architect community was present and provided verbal comments on the Draft Objective Standards. The item was continued to a future meeting to allow the architect community time to prepare written comments on the Draft Objective Standards document for Planning Commission consideration.

**DISCUSSION:**

At the August 24, 2022 Planning Commission hearing, the Commissioners discussed four topics: architect community input, public comment, privacy, and pictures. Staff's understanding of the discussion items is summarized below.

**PREPARED BY:** RYAN SAFTY  
Associate Planner

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Reviewed by: Planning Manager and Community Development Director

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DISCUSSION (continued):

1. Architect Community Input: The community of local architects met prior to the August 24, 2022 Planning Commission hearing to discuss the Draft Objective Standards document. A representative from the architect community was present at the August 24, 2022 Planning Commission hearing and raised concerns regarding the draft design standards and the ability of the document to be used to facilitate “good architecture.” The Planning Commission continued the item to the September 14, 2022 hearing to give the architects time to provide written comments on the document. Town staff met with the group of architects on September 1, 2022, to answer questions and facilitate input. On September 7, 2022, the architects submitted written comments, which are provided in Exhibit 16.
2. Public Comment: Written public comment was received on August 24, 2022, and was forwarded to the Commissioners via a Desk Item. Based on the general support expressed by Planning Commissioners at the meeting of the changes included in the public comment, staff has reviewed the 27 individual suggestions. The majority of the suggestions are simple changes that could be implemented if supported by the Planning Commission. The following suggestions have either already been discussed or are not consistent with past direction. Staff requests direction from the Planning Commission on the following:
  - a. Comprehensive stand-alone document. The public comment requests that all existing Town-wide objective standards be listed in this document. Staff and the Planning Commission have discussed this topic in the past, with the conclusion that the Town include a list of other applicable documents that must be followed within the Purpose and Applicability section.
  - b. Removal of the term “Design” throughout the document. The public comment requests that text throughout the document be changed from “Objective Design Standards” to “Objective Standards.” No explanation was given.
  - c. Decrease tree spacing. The public comment requests that the spacing between trees within parking lots be reduced. Draft Objective Standard A.4.3 requires that a landscape area with at least one tree be located between every 10 consecutive parking stalls when the parking row exceeds 15 consecutive spaces. The public comment requests that the number of spaces be reduced below 10. Staff does not recommend this change as it was included for consistency with Town Code Section 29.10.155(g)(7).
  - d. Format change for B.4.3. The public comment requests that the format for B.4.3 be changed so that it is consistent with the rest of the document. Draft Objective Standard B.4.3 contains the menu options of architectural solutions to achieve 16 points. This was discussed by the Planning Commission Subcommittee and Planning Commission and was received with support.

DISCUSSION (continued):

3. Privacy: A Commissioner submitted excerpts from the City of Palo Alto Objective Standards that were included as Exhibit 13 with the August 24, 2022 Addendum Report, which led to the discussion on whether to increase privacy standards. The general consensus expressed at the hearing was to not increase privacy standards. Additional Commissioner comment was received on September 6, 2022 (Exhibit 17), to further discuss the privacy standards and to express concerns regarding the subjective nature of drafted standard B.4.11. Draft Objective Standard B.4.11 states, “[...] Balconies facing existing residential uses on abutting parcels are allowed when the design is proven to prevent views to the residential use.” Staff agrees that this standard may not be objective with the “proven to prevent views” statement and looks forward to further discussion and recommendation from the Planning Commission.
4. Pictures: The current Draft Objective Standards contains design illustrations to demonstrate the intent of some of the drafted standards; however, the general consensus at the August 24, 2022 Planning Commission hearing was to include pictures of existing development within the document for real-world examples of some of the complicated design techniques to make the document more user-friendly. Staff looks forward to further discussion and recommendation from the Planning Commission.

PUBLIC COMMENTS:

Throughout the process, and prior to the Planning Commission meeting of September 14, 2022, staff contacted several professional organizations, design professionals, developers, and residents to inform them about the meeting and encourage participation and written comments on the Draft Objective Standards. Staff also met with a group of local architects on September 1, 2022, to answer questions and facilitate input. The comments from the architect community are provided in Exhibit 16. In addition to the direct contact summarized above, staff requested public input through the following media and social media resources:

- 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.

Additional public comment has been received and is included as Exhibit 18.

CONCLUSION:

A. Summary

The Town of Los Gatos has prepared 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. Following input received from the Planning Commission on June 22, 2022, staff prepared revised Draft Objective Standards and other supporting materials for consideration by the Planning Commission on August 24, 2022, and the matter was continued to September 14, 2022.

B. Recommendation

The revised 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 revised Draft Objective Standards; and
- Forward a recommendation to the Town Council to approve the revised 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 revised Draft Objective Standards, the Planning Commission recommendation, and any additional public comments. Once the Town Council adopts objective standards, staff will develop streamlined review procedures for applications proposing qualifying housing projects.

EXHIBITS:

Previously received with the June 22, 2022, Staff Report:

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

Previously received with the June 22, 2022, Addendum Report:

5. Staff response to Commissioner's questions
6. Issues considered by the Objective Standards Subcommittee
7. Commissioner email regarding City of Palo Alto Objective Standards

Previously received with the June 22, 2022, Desk Item Report:

8. Suggested additions and modifications provided by a Planning Commissioner

Previously received with the August 24, 2022 Staff Report:

9. Revised Draft Objective Standards
10. Revised Draft Objective Standards with Redlines
11. Summary of Revisions Made and Responses to Comments Received at the Planning Commission Hearing of June 22, 2022
12. Evaluation of Existing Developments

Previously received with the August 24, 2022 Addendum Report:

13. Planning Commissioner Comments

Previously received with the August 24, 2022 Desk Item Report:

14. Planning Commissioner Comments
15. Public Comment received between 11:01 a.m., August 23, 2022, and 11:00 a.m., August 24, 2022

Received with this Staff Report:

16. Architect Comments, received September 7, 2022
17. Planning Commissioner Comments
18. Public Comments received prior to 11:00 a.m., Friday, September 9, 2022

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