

TOWN OF LOS GATOS
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SUMMARY MINUTES OF A SPECIAL MEETING OF THE GENERAL PLAN COMMITTEE OF THE TOWN OF LOS GATOS ON **SEPTEMBER 29, 2010**, HELD AT THE TOWN COUNCIL CHAMBERS LOBBY, 110 EAST MAIN STREET, LOS GATOS, CALIFORNIA.

The meeting was called to order at 5:30 p.m. by Jane Ogle.

ATTENDANCE:

Members present: John Bourgeois, Barbara Cardillo, Todd Jarvis, Marcia Jensen, Tom O'Donnell, Joe Pirzynski, Jane Ogle, Barbara Spector

Members absent: Chuck Sloan

Staff present: Wendie Rooney, Director of Community Development; Joel Paulson, Senior Planner; Suzanne Davis, Senior Planner

VERBAL COMMUNICATIONS: None

ITEM 1 HOUSING ELEMENT (DRAFT - SEPTEMBER 2010)

Wendie Rooney introduced this item noting that a redlined version has been provided showing changes that have been made to the document since it was last reviewed by the Committee. A number of actions have been added as required by state law. Tentative meeting dates for Planning Commission and Town Council review are October 18 for a joint Council-Commission study session, October 27 for Planning Commission, and November 1 for Town Council. If a second GPC meeting is needed it will be held on October 13. It is important to understand that the state requires jurisdictions to plan for affordable housing by removing constraints and identifying suitable sites. It does not mean that the Town is required to build the units.

John Bourgeois asked how the Conditional Use Permit (CUP) study will be done. *Wendie Rooney* said it will be reviewed by the GPC before being forwarded to the Commission and Council.

Tom O'Donnell commented that it would be helpful to know when the CUP requirement was adopted along with other background. Is there an example of how the CUP process has impeded low cost housing?

Marcia Jensen asked if the state requires multi-family housing to be allowed within a certain zone without a CUP, why is it something the Town wants to hold out on. *Wendie Rooney* clarified that staff recommends that the Town do what is necessary to achieve a certified

Housing Element. The GPC indicated previously that the CUP requirement could be removed for the AHOZ zones only.

Joe Pirzynski commented that the objective is to get the Housing Element certified. There will be time to discuss the issue between now and the next housing cycle in 2014, and to determine how to proceed.

Barbara Spector commented that she did not understand from previous discussions that the CUP process was required to be eliminated for multi-family zones.

Wendie Rooney requested that minor comments be forwarded to staff and the focus of tonight should be on substantive concerns.

Joe Pirzynski commented on the reference on page 8 stating 4.5% of housing is in need of rehabilitation is very specific. There are not many neighborhoods with real blight.

Wendie Rooney noted that the last Town survey was done in the late 1980s and that current data is based on Building Inspectors' input. She is confident that it is reasonably accurate. A definition of rehabilitation will be added to the glossary. The Committee agreed that the footnote should indicate that 4.5% of housing may be in need of rehabilitating.

Tom O'Donnell commented on the statement regarding continuing care facilities and whether further distinction is needed. Joel Paulson noted that the term "subsidized" refers to BMP units and will be clarified.

Joe Pirzynski asked how the information on page 10 regarding renters and the majority experiencing housing problems such as overpayment, overcrowding, and lack of plumbing and/or kitchen facilities, is being validated. Is the statement a generality or is it specific to Los Gatos? *Wendie Rooney* said staff will look into it. She noted that the 900 is based on the consultant's review of various data sources.

Barbara Cardillo commented that the first part of the paragraph is referencing real data and the last statement appears to also be factual to Los Gatos when it may be a general reference.

The Committee would like to have the statement clarified as to whether the statistics are specific to the Town or based on a national average (separate facts and generalities).

Barbara Spector commented that the allowance for a density bonus based on 20 units per acre is not clear (page 13). *Wendie Rooney* noted that the state has determined that for suburban municipalities like Los Gatos, a density of 20 units per acre is considered affordable by design. Therefore, 20 units per acre can be considered an affordable project. The Town is able to meet this requirement. On top of that, a density bonus of up to 100% could be achieved through provision of restricted (affordable) units.

Barbara Spector commented on the statement on page 16 that the Town has approved 41 affordable housing units leaving a RHNA requirement of 421. She clarified that units that are provided above and beyond that number can be used for the next housing cycle.

Marcia Jensen questioned whether policies are exclusive or if different policies could be combined. For example, a 100% density bonus could be achieved through providing affordable housing. Can second units then be added to further increase the density? (page 21). *Wendie Rooney* commented that there may be cases where different programs can be combined. The Town needs to plan for the RHNA number. If the number is not achieved with the sites that have been developed, additional sites must be identified that will allow the number to be met. *Wendie Rooney* further commented that it is unlikely that second units would be built on multi-family sites which are predominately the affordable housing sites.

Barbara Spector commented that Action HOU2.1 indicates that the Town will provide additional AHOZs. Does this refer back to Policy HOU 2.2 (page 25)?

Marcia Jensen questioned whether Policy HOU2.4 is feasible. *Wendie Rooney* clarified that the policy is intended to require a development to provide required services (infrastructure). Through environmental review, if services cannot be provided, or will be overtaxed, it could be used as justification to deny a project or to reduce the impact of the project.

Jane Ogle commented that the language in Policy HOU2.6 (page 26) is awkward (strive to ensure that at least 30% of the housing stock is rental units). The Committee decided not to change the language.

Jane Ogle asked for clarification on whether Villa Vasona received Section 8 status in 2008.

Barbara Spector asked if 15 units is the right number (Action 3.3). *Joel Paulson* noted that it is a goal. The language will be modified to state that the Town will “strive to approve at least 15 housing units...”

John Bourgeois commented on development standards that will be established for emergency shelters (page 30). *Wendie Rooney* noted that the Town is required to amend the Code to plan for shelters; however, restrictions such as zones they are allowed in and locations relative to other uses can be restricted. Language will be added to clarify that the Code will be amended to define and include provisions for emergency shelters.

Tom O'Donnell asked about the intent to add a definition of family on page 35 (staff indicated yes). He clarified that a facility with up to 6 is allowed by right, and that it is required to be licensed.

Jane Ogle noted an inconsistency in the definitions that state a small facility is “less than 6” versus “6 or more.”

Jane Ogle questioned whether consideration of adding staff is appropriate for the Housing Element.

The consensus of the Committee was to recommend approval of the Housing Element with the changes discussed this evening.

Wendie Rooney said the GPC meeting minutes will be provided to the Planning Commission and Town Council.

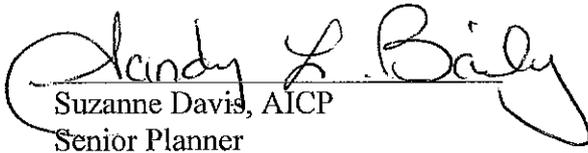
ITEM 2 APPROVAL OF MINUTES

Barbara Spector made a motion to approve the minutes of March 24 and April 7, 2010, noting that the April 7 minutes amended the March 24 minutes. The motion was seconded by *Marcia Jensen* and passed unanimously.

ITEM 3 ADJOURNMENT

The meeting was adjourned at 6:55 pm. The next meeting of the General Plan Committee is scheduled for October 13, 2010.

Prepared by:


Suzanne Davis, AICP
Senior Planner