



**TOWN OF LOS GATOS  
COUNCIL AGENDA REPORT**

MEETING DATE: 11/15/2022

ITEM NO: 11

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DATE: November 10, 2022  
TO: Mayor and Town Council  
FROM: Laurel Prevetti, Town Manager  
SUBJECT: Consider Adoption of a Resolution Establishing Objective Standards for  
Qualifying Multi-Family and Residential Mixed-Use Developments.  
Location: Town-wide. Applicant: Town of Los Gatos.

**RECOMMENDATION:**

Consider adoption of a resolution establishing Objective Standards for qualifying multi-family and residential mixed-use developments.

**BACKGROUND:**

The Town of Los Gatos has developed Draft Objective Standards (Attachment 1) for the review of qualifying 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 such as multi-family and residential mixed-use developments. 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:** Ryan Safty  
Associate Planner

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Reviewed by: Assistant Town Manager, Town Attorney, and Public Works Director

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BACKGROUND (continued):

On November 5, 2019, the Town Council adopted Resolution 2019-053 (Exhibit 1 of Attachment 5) 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 for the review of qualifying housing development applications. 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 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.

The project initiation phase included 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 of Attachment 5. 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 of Attachment 5).

On June 22, 2022, the Planning Commission received and considered public comments on the Draft Objective Standards, reviewed the document, and provided input to staff on recommended modifications (see Verbatim Minutes in Attachment 8). 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.

BACKGROUND (continued):

On August 24, 2022, the Planning Commission received and considered public comments on the revised Draft Objective Standards (Exhibit 9 of Attachment 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 (see Verbatim Minutes in Attachment 12). Staff met with the group of local architects on September 1, 2022, to answer questions and facilitate input.

On September 14, 2022, the Planning Commission received and considered public comments on the latest Draft Objective Standards, as well as written comments from the local architect community (Exhibit 16 of Attachment 13). Staff provided written responses to the public comments and architect comments within and attached to the Addendum Report for Planning Commission's consideration (Exhibit 19 of Attachment 14). Planning Commission discussed the written comments and staff's responses, and suggested edits in their recommendation of approval to Town Council (see Verbatim Minutes in Attachment 15).

DISCUSSION:

On September 14, 2022, the Planning Commission conducted a public hearing, listened to testimony, and reviewed and discussed each of the public comments, architect comments, and previous Commissioner comments received throughout this process. The Planning Commission made several recommendations based on these comments, which are summarized below and incorporated into the revised Draft Objective Standards document (Attachment 1). The drafted edits based on Planning Commission direction are shown in track changes in Attachment 2. The recommendations are summarized in the order that they appear in the document.

A. Introduction

The Introduction section of the Draft Objective Standards document includes the Purpose and Applicability, Organization, and Key Terms sections. Based on the Planning Commission recommendation, staff incorporated each of these within the revised Draft Objective Standards document as described below:

**Purpose and Applicability.** Comments were received from the public regarding the organization of the Purpose and Applicability section and the reference to the California Government Code Section 65559.5 definition of qualifying housing development projects. Staff incorporated the suggested edit in the revised document. Additionally, the local architect community requested that clarification be added, specifying that these objective standards are only to be used for review of qualifying projects, and not all discretionary applications. Staff incorporated this at the end of the Purpose and Applicability section.

DISCUSSION (continued):

**Key Terms.** Comments were received regarding several of the definitions provided in the Key Terms section of the document. The Draft Objective Standards document was amended as follows:

- Addition of a definition of *Objective Design Standards*;
- Separation of *Community Recreation Space* into two sections to better differentiate the requirements for mixed-use developments and multi-family developments;
- Separation of *Private Recreation Space* into two sections to better differentiate the requirements for mixed-use developments and multi-family developments;
- Amendment of the *Private Recreation Space* definitions, requiring that they be accessible from the dwelling unit; and
- Amendment of *Mixed-Use* to specify that residential uses need to be included in at least two thirds of the building square footage.

B. Site Standards

The Site Standards section of the Draft Objective Standards document includes objective standards for: site layout and building placement; vehicular access and parking; and outdoor areas and amenities. Based on the Planning Commission recommendation, staff incorporated each of these within the revised Draft Objective Standards document as described below:

**A.1 – Pedestrian Access.** Comments were received from the public regarding the minimum width of pedestrian pathways, as well as the minimum six-inch grade separation requirement for pedestrian pathways that intersect vehicular drive aisles. Draft Standard A.1.1 was amended to specify that pedestrian pathways must be a minimum of four feet in width. Draft Objective Standard A.1.2 was amended to exempt the six-inch grade separation of pedestrian pathways when they intersect drive aisles.

**A.3 – Vehicular Access.** Comments were received from the public questioning the difference between the vehicular access standards in A.3.1 and A.4.2. The intent of the two standards is the same: to require parking lots to be internally connected: and prohibiting use of a public street to access two different parking areas. Standard A.3.1 was amended to incorporate A.4.2, and A.4.2 was deleted.

**A.4 – Parking Location and Design.** Public comment was received requesting that previous standard A.4.4 (carport location) be moved under A.4.1 (parking lot location). Draft Objective Standard A.4.1 was amended to include A.4.4, specifying that parking lots and carports shall not be located between the primary building frontage and the street, and A.4.4 was deleted.



DISCUSSION (continued):

**A.5 – Parking Structure Access.** Public comment was received regarding the parking structure automobile entry gate setback requirement of 25 feet from the back of the sidewalk in A.5.1. Planning Commission recommended that this standard be reduced to 18 feet, similar to Town Code standard 29.40.0315(c)(3), which requires 18 feet from the edge of the adjacent street. This was incorporated in the Draft Objective Standard document.

**A.6 – Utilities.** Public comment was received requesting that the utility screening requirements for rooftop and ground utilities in A.6.3 be separated. This was incorporated in the Draft Objective Standard document with a new A.6.4 for rooftop equipment. Additionally, further clarification was added, specifying that wall and fence heights within the front and street-side setbacks must comply with Town Code.

**A.10 – Landscape, Private, and Community Recreation Spaces.** Several public comments were received regarding the landscaping, private recreation space, and community recreation space requirements. Specifically, there were requests to allow landscaping within community recreation areas to count towards both requirements, to reduce the size of both private and community recreation spaces, and to eliminate the community recreation space requirement for smaller developments. Based on Planning Commission's recommendation and staff's analysis of other jurisdiction requirements, Draft Objective Standard A.10 was amended as follows:

- Allowance of landscaped areas within community recreation spaces to contribute to the required minimums for both landscaped area and community recreation space;
- Reduction of the private recreation space size requirement for a ground floor unit from 200 square feet to 120 square feet;
- Reduction of the private recreation space size requirement for above ground floor units from 120 square feet to 60 square feet;
- Reduction of the minimum dimensions for private recreation space from 10 feet by six feet to six feet in both directions;
- Reduction of the community recreation space requirement from 200 square feet for each unit to 100 square feet; and
- Addition of a provision that if the development includes four or less residential units, the community recreation space requirement is waived.

**A.11 – Building Placement.** Public comment was received questioning if the setback standard in A.11.1 applies to the entire site or just building footprints, and a request that the maximum percentage of ground-floor site amenities be removed in A.11.2. Planning Commission supported these requests, and the Draft Objective Standards document was amended as follows:

DISCUSSION (continued):

- Amendment of Draft Objective Standard A.11.1 to clarify that the 75 percent continuous frontage requirement applies to the amount of the ground floor street-facing façade;
- Replacement of the term “Community Growth District” with “commercial zones” based on the current status of the General Plan Land Use Element; and
- Amendment of Draft Objective Standard A.11.2 to remove the maximum percentage that site amenities can occupy within the area between the building and the street.

C. Building Standards

The Building Standards section of the Draft Objective Standards document includes objective standards for: building form and massing; façade articulation; materials; and roof design. Based on the Planning Commission recommendation, staff incorporated each of these suggestions within the revised Draft Objective Standards document as described below:

**B.1 – Massing and Scale.** Comments were received from the public regarding Standard B.1: questioning if B.1.1 applies to each individual primary building fronting the street, or the combined façade area; questioning if B.1.1.c applies to the façade plane or the front door and requesting clarification on whether awnings can project beyond this plane; requesting that a sliding scale for arcade requirements be implemented in B.1.1.d; and questioning the drawing of a “courtyard” in Figure B.1.1.e. The Draft Objectives Standards document was amended to incorporate each of these comments, as follows:

- Clarification to B.1.1 was provided, specifying that the standard applies to the combined façade area of all primary buildings;
- Clarification to B.1.1.c was provided, specifying that the standard applies to the façade plane of an entry and that a covered entry can extend beyond this façade plane;
- Amendment of B.1.1.d, with a sliding scale added with different requirements on the amount of arcade depending on the length of the building; and
- Replacement of the term “courtyard” with “open area” in standard B.1.1.e.

**B.2 – Parking Structure Design.** A public comment was received regarding Standard B.2.2, regulating the façade openings on upper levels of parking structures. The previous standard included a maximum screening percentage of 30 percent, but no minimum. Standard B.2.2 was revised to include a minimum 10 percent standard.

DISCUSSION (continued):

**B.3 – Roof Design.** Public comment was received regarding Figures B.3.1 and B.3.3. There were concerns that the alternative roof forms shown in B.3.1 would lead to confusion; and therefore, this figure was removed. There was also concern that the dormers shown in Figure B.3.3 read more as gables; and therefore, this figure was revised to show dormers within the roof form.

**B.4 – Façade Design and Articulation.** Comments were received regarding the: individual design options (a-f) for buildings greater than two-stories contained in Standard B.4.1; the specificity of the architectural solutions listed in Standard B.4.3; and the privacy requirements for balconies and rooftop decks in B.4.10 and B.4.11. Based on the public comment and Commissioner recommendations, Standard B.4.1 was amended as follows:

- Deletion of B.4.1.d (belly bands and horizontal architecture elements);
- Amendment of B.4.1.f (B.4.1.e in the updated document), to specify that the exterior façade height of the upper floor must be a minimum of two-feet taller than the floor immediately below, and not the internal floor-to-ceiling height;
- Amendment of B.4.3, clarifying the amount and type of each architectural solution required;
- Amendment of B.4.10, to allow rooftop and upper floor terraces when abutting single-family when no part of the rooftop or upper floor terrace or deck is closer than five feet from the façade plane below to prevent views into adjacent residential uses; and
- Amendment of B.4.11, to no longer allow balconies facing existing residential uses.

D. Appendix – Evaluation of Existing Developments

The Planning Commission discussed the idea of including example design images throughout the document to make these standards easier to understand. The Planning Commission recommended that an appendix be included at the end of the document with example images of developments in Town that comply with the more complex standards in Section B – Building Standards. Staff has incorporated this appendix in Attachment 3, with an analysis of three different developments in the Town in relation to Standards B.1.1, B.4.1, and B.4.3.

PUBLIC OUTREACH:

Public input has been requested through the following media and social media resources:

- An eighth-page public notice in the newspaper;
- A poster at the Planning counter at Town Hall and the Los Gatos Library;
- Email to interested parties;
- Community Meetings;
- In-person meeting with local architect community;
- The Town's website home page, What's New;
- The Town's Facebook page;
- The Town's Twitter account;
- The Town's Instagram account; and
- The Town's NextDoor page.

Issues raised by the public are identified in the Discussion section of this report.

PUBLIC COMMENT:

Attachment 16 includes additional public comment received between 11:01 a.m., Wednesday, September 14, 2022, and 11:00 a.m., Thursday, November 10, 2022.

CONCLUSION:

Staff recommends that the Town Council adopt a resolution to approve and adopt the Objective Standards document (Attachment 4), with findings that the project is not subject to the California Environmental Quality Act [Section 15061(b)(3)] and is consistent with the General Plan; and includes any specific changes agreed upon by the majority of the Town Council.

ALTERNATIVES:

Alternatively, the Council may:

1. Continue this item to a date certain with specific direction to staff;
2. Refer the item back to the Planning Commission with specific direction; or
3. Take no action, and proceed without Objective Standards to regulate qualifying projects.

ENVIRONMENTAL ASSESSMENT:

The project is Categorical Exempt pursuant to the adopted Guidelines for the Implementation of the California Environmental Quality Act, Section 15061(b)(3), in that it can be seen with certainty that there is no possibility that the proposed objective standards will have a significant effect on the environment.

Attachments:

1. Draft Objective Standards
2. Draft Objective Standards with Changes Red-Lined
3. Appendix for Draft Objective Standards – Evaluation of Existing Developments
4. Draft Resolution with Exhibit 1
5. June 22, 2022 Planning Commission Staff Report with Exhibits 1-4
6. June 22, 2022 Planning Commission Addendum Report with Exhibits 5-7
7. June 22, 2022 Planning Commission Desk Item Report with Exhibit 8
8. June 22, 2022 Planning Commission Verbatim Minutes
9. August 24, 2022 Planning Commission Staff Report with Exhibits 9-12
10. August 24, 2022 Planning Commission Addendum Report with Exhibit 13
11. August 24, 2022 Planning Commission Desk Item Report with Exhibits 14-15
12. August 24, 2022 Planning Commission Verbatim Minutes
13. September 14, 2022 Planning Commission Staff Report with Exhibits 16-18
14. September 14, 2022 Planning Commission Addendum Report with Exhibits 19-20
15. September 14, 2022 Planning Commission Verbatim Minutes
16. Public Comment received between 11:01 a.m., Wednesday, September 14, 2022, and 11:00 a.m., Thursday, November 10, 2022

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**TOWN OF LOS GATOS**  
**DRAFT OBJECTIVE DESIGN STANDARDS**  
**November 15, 2022**

**PURPOSE AND APPLICABILITY**

The purpose of the Objective Design Standards is to ensure that new qualifying projects in Los Gatos provide high-quality architecture, integrate with surrounding development, and include well-designed amenities and outdoor areas to enhance community character. These standards are intended to guide property owners, applicants, developers, and design professionals by providing clear design direction that enhances the Town's unique character and ensures a high-quality living environment.

California Government Code Section 65559.5 identifies Qualifying Housing Development Projects to include:

- Multi-family housing developments;
- Residential Mixed-Use Housing developments with a minimum of two-thirds of the square footage designated for residential use;
- Supportive and transitional housing development.

A Qualifying Housing Development Project shall be approved through a streamlined, ministerial review process when the project complies with these Objective Design Standards as well as complying with all existing objective development regulations in the Town, including but not limited to the following:

- General Plan
- Town Code
- Guidelines and Standards for Land Use Near Streams
- Bicycle and Pedestrian Master Plan
- Parks and Public Works Standards
- Santa Clara County Fire Department Requirements

These standards are only to be used for review of qualifying projects where Town review, approval, and/or denial is limited to only objective standards. Many projects will proceed through the standard review process, in which case the objective standards included herein would not apply.

**ORGANIZATION**

The Objective Design Standards are organized into two primary sections: Site Standards; and Building Standards. The Site Standards section includes objective standards for site layout and building placement; vehicular access and parking; and outdoor areas and amenities. The Building Standards section includes objective standards for building form and massing; façade articulation; materials; and roof design.

ATTACHMENT 1

## KEY TERMS

*Community recreation space* in Residential Mixed-Use developments means public gathering spaces, such as: plazas, outdoor dining areas, squares, pocket parks, or other community areas for the use of all residents and the business patrons and tenants.

*Community recreation space* in multi-family developments means gathering spaces, such as: play areas, pool areas, patios, rooftop decks, or other community areas for the use of all residents.

*Façade articulation* means the division of a building façade into distinct sections; including the materials, patterns, textures, and colors that add visual interest to a building or façade.

*Fenestration* means the design, construction, and presence of any openings in a building, such as: windows, doors, vents, wall panels, skylights, curtain walls, and louvers.

*Landscaping* means an area devoted to plantings, lawn, ground cover, gardens, trees, shrubs, and other plant materials; excluding driveways, parking, loading, or storage areas.

*Multi-family use* means the use of a site for three or more dwelling units on the same site.

*Objective Design Standards* means development regulations that are measurable, verifiable, and knowable to all parties prior to submittal of a qualifying project. A planning review process based on objective standards involves streamlined ministerial review with no personal or subjective judgement by a public official.

*Primary building* means a building within which the principal or main use on a lot or parcel is conducted. Where a permissible use involves more than one building designed or used for the primary purpose on the subject property, each such building on the parcel shall be construed as constituting a primary building.

*Private recreation space* at ground level means an outdoor enclosed patio or deck accessible from a single dwelling unit.

*Private recreation space* above ground level means an outdoor balcony, terrace, or rooftop deck, accessible from a single dwelling unit.

*Residential Mixed-Use* means a development project where a variety of uses such as office, commercial, and institutional, are combined with residential use(s) in a single building or on a single site in an integrated project. Two thirds of the project square footage must be residential uses.

*Transitional and supportive housing* means a type of housing used to facilitate the movement of people experiencing homelessness into permanent housing and independent living.



## A. SITE STANDARDS

### A.1. Pedestrian Access

- 1.1 All on-site buildings, entries, facilities, amenities, and vehicular and bicycle parking areas shall be internally connected with a minimum four-foot-wide pedestrian pathway or pathway network that may include use of the public sidewalk. The pedestrian pathway network shall connect to the public sidewalk along each street.
- 1.2 Pedestrian pathways within internal parking areas shall be separated from vehicular circulation by a physical barrier, such as a grade separation or a raised planting strip, of at least six inches in height and at least six feet in width. A pedestrian pathway is exempt from this standard where it crosses a parking vehicular drive aisle.

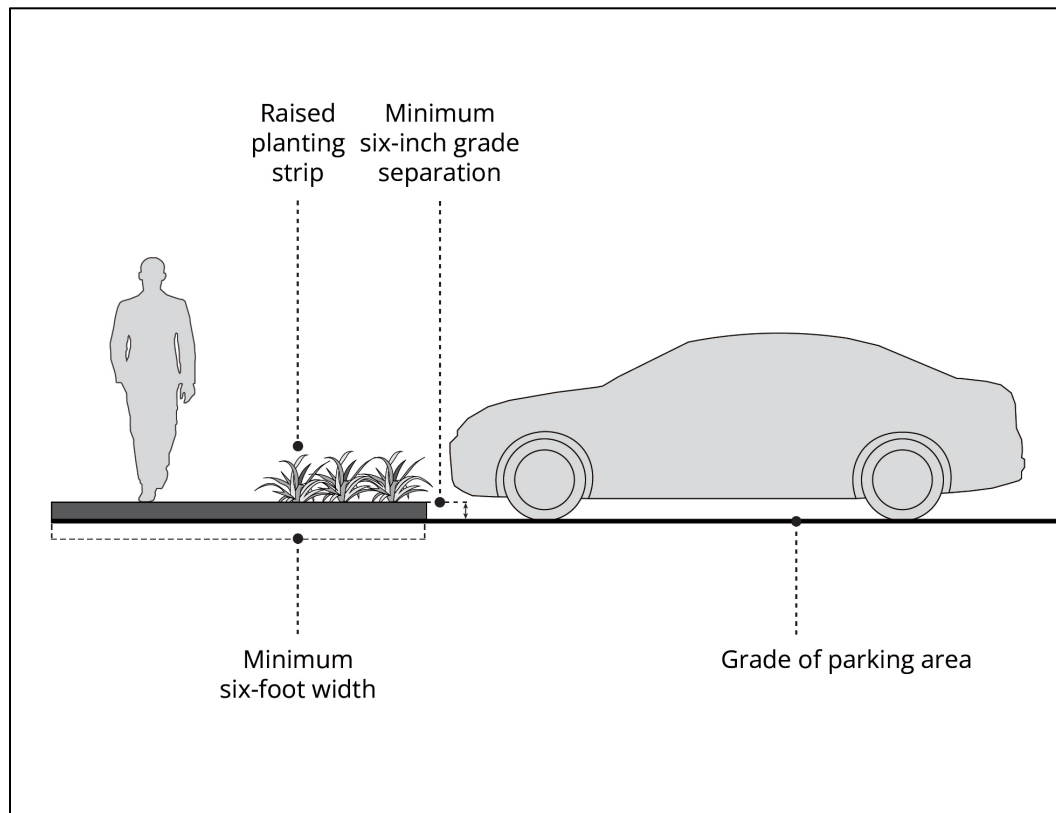


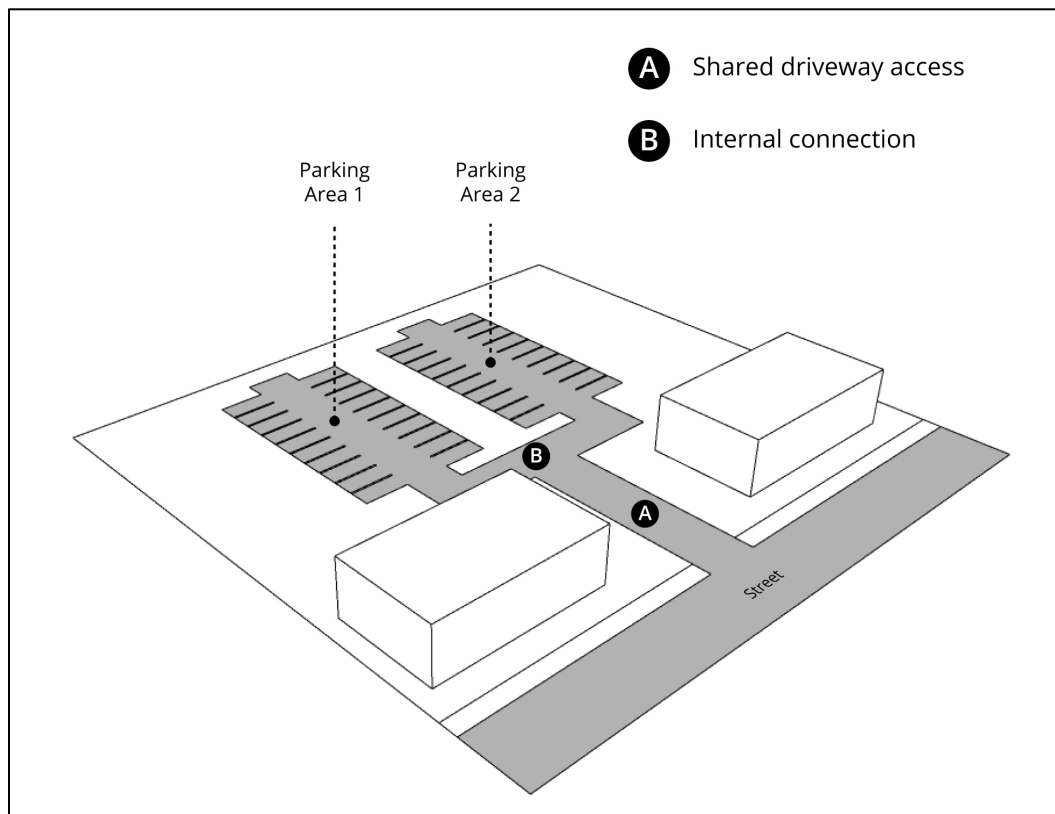
Figure A.1.2

## **A.2. Bicycle Access**

- 2.1 Bicycle parking shall be located within 50 feet of at least one primary building entrance.
- 2.2 Multi-family residential buildings shall provide one bicycle parking space per dwelling unit.
- 2.3 Residential Mixed-Use projects shall provide one bicycle parking space per dwelling unit and one bicycle parking space per 2,000 square feet of non-residential space.

## **A.3. Vehicular Access**

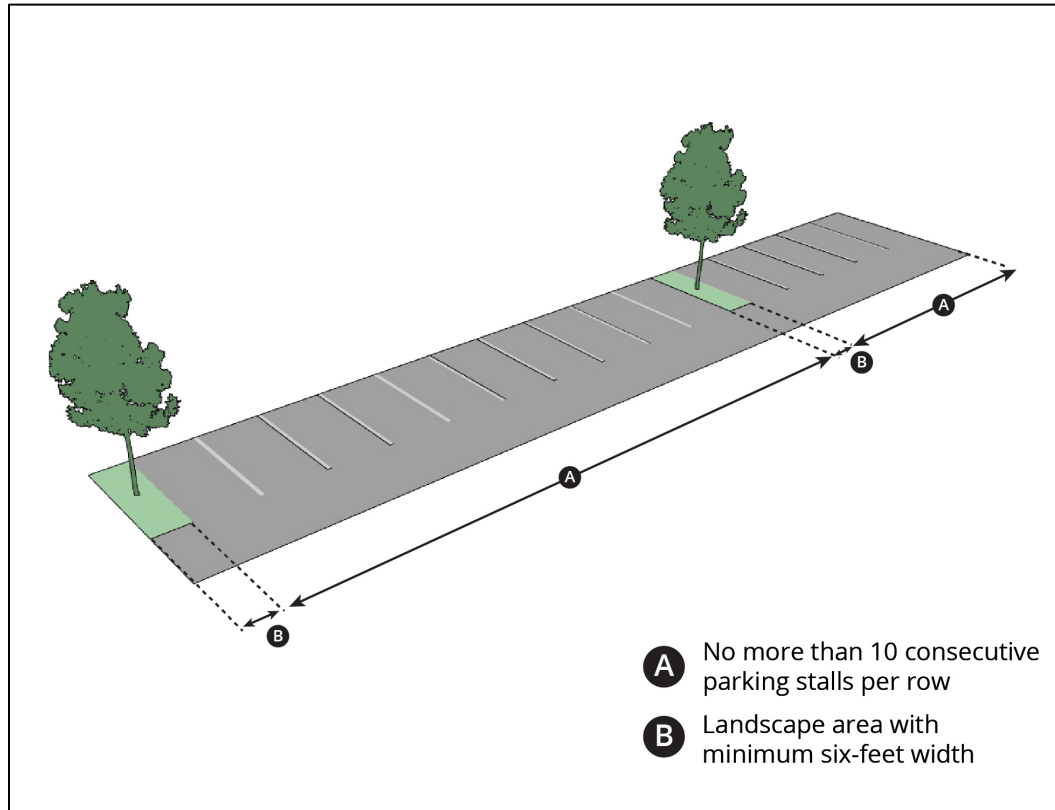
- 3.1 Off-street parking lots shall have vehicular circulation using an internal vehicular network that preclude the use of a public street for aisle-to-aisle internal circulation.



**Figure A.3.1**

#### **A.4. Parking Location and Design**

- 4.1 Surface parking lots and carports shall not be located between the primary building frontage and the street.
- 4.2 Uncovered parking rows with at least 15 consecutive parking spaces shall include a landscape area of six feet minimum width at intervals of no more than 10 consecutive parking stalls. One tree shall be provided in each landscape area.



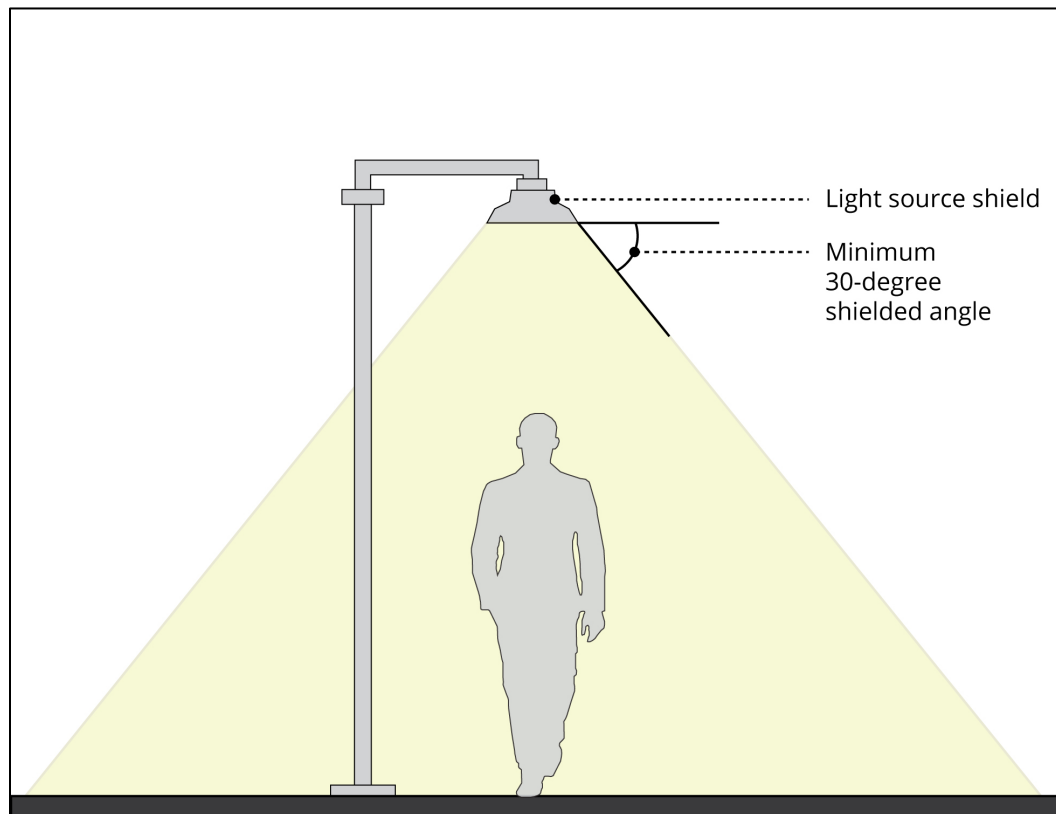
**Figure A.4.2**

#### **A.5. Parking Structure Access**

- 5.1 Any vehicular entry gate to a parking structure shall be located to allow a minimum of 18 feet between the gate and the back of the sidewalk to minimize conflicts between sidewalks and vehicle queuing.
- 5.2 A parking structure shall not occupy more than 50 percent of the building width of any street-facing façade, and it shall be recessed a minimum of five feet from the street-facing façade of the building.
- 5.3 For projects with five or more residential units and that have a vehicle access gate to the parking structure, a pedestrian gate shall also be provided.

## A.6. Utilities

- 6.1 Pedestrian-oriented lighting shall be provided along all pedestrian paths in community recreation spaces. Exterior lighting fixtures shall be a minimum of three feet and a maximum of 12 feet in height. Light fixtures shall be placed along the pedestrian path at a spacing of no more than 30 linear feet.
- 6.2 Exterior lighting shall be fully shielded and restrain light to a minimum 30 degrees below the horizontal plane of the light source. Lighting shall be arranged so that the light will not shine directly on lands of adjacent residential zoned properties. Uplighting is prohibited.

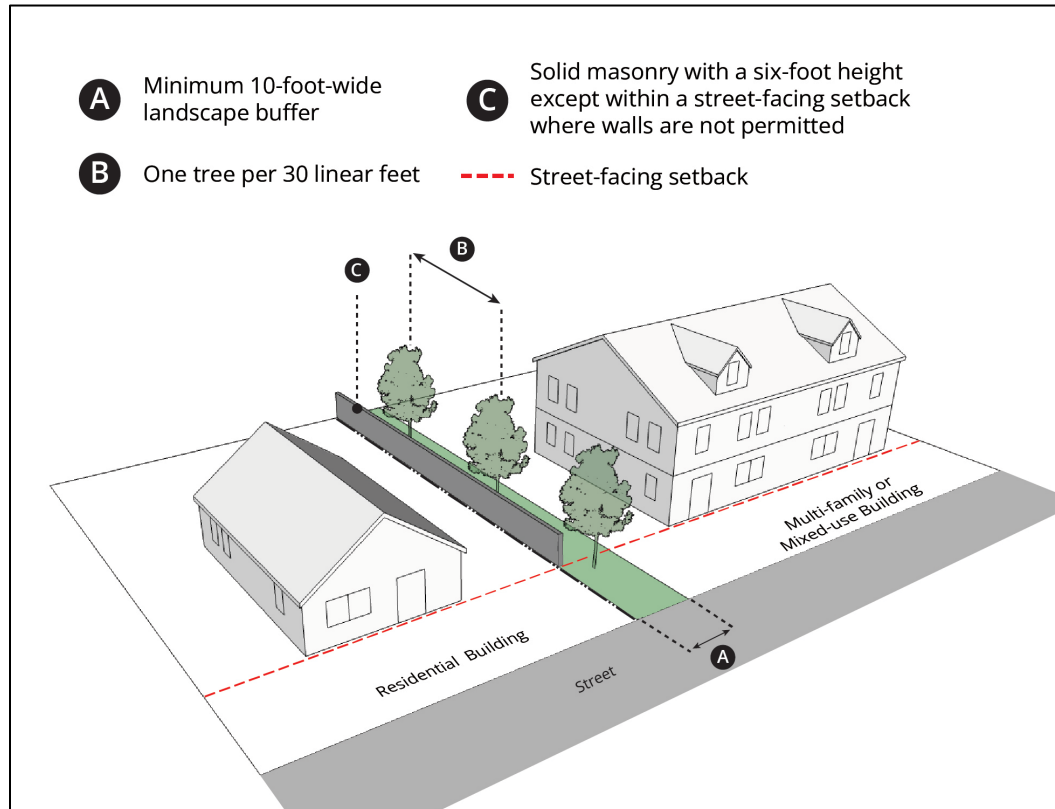


**Figure A.6.2**

- 6.3 Street level views of ground level utility cabinets, mechanical equipment, trash, and service areas shall be screened from sight with landscape planting, fencing, or a wall, as allowed by the Town Code. The screening shall be at least the same height as the item being screened and screening that is not landscape material shall be constructed with one or more of the materials used on the primary building.
- 6.4 Rooftop mechanical equipment shall be screened from view from the street. Solar equipment is exempt from this requirement.

## A.7. Landscaping and Screening

- 7.1 At least 50 percent of the front setback area shall be landscaped.
- 7.2 A minimum 10-foot-wide landscape buffer shall be provided along the full length of the shared property line between multi-family or Residential Mixed-Use development and abutting residential properties. The buffer shall include the following:
- a. A solid masonry wall with a six-foot height, except within a street-facing setback where walls are not permitted; and



**Figure A.7.2a**

- b. Trees planted at a rate of at least one tree per 30 linear feet along the shared property line. Tree species shall be selected from the Town of Los Gatos Master Street Tree List and shall be a minimum 15-gallon size.
- 7.3 Surface parking lots shall be screened from view of the street with landscaping or a wall with a minimum three-foot height to screen the parking lot when not already screened by a primary building. When located in a street-facing setback, screening may not exceed a height of three feet.

## **A.8. Fencing**

- 8.1 Fences, walls, and gates within required setbacks along all street frontages are prohibited unless used to screen on-site parking spaces from view from the street.
- 8.2 Chain link fencing is prohibited.
- 8.3 Perimeter barrier gates for vehicles and pedestrian entry gates shall have a maximum height of six feet.
- 8.4 Solid vehicular and pedestrian entry gates are prohibited. Entry gates shall be a minimum 50 percent open view.

## **A.9. Retaining Walls**

- 9.1 Retaining walls shall not exceed five feet in height. Where an additional retained portion is necessary, multiple-terraced walls shall be used. Terraced walls shall set back at least three feet from the lower segment.
- 9.2 Retaining walls shall not run in a straight continuous direction for more than 50 feet without including the following:
  - a. A break, offset, or landscape pocket in the wall plane of at least three feet in length and two feet in depth; and
  - b. Landscaping at a minimum height of three feet at the time of installation along a minimum of 60 percent of the total length of the retaining wall.

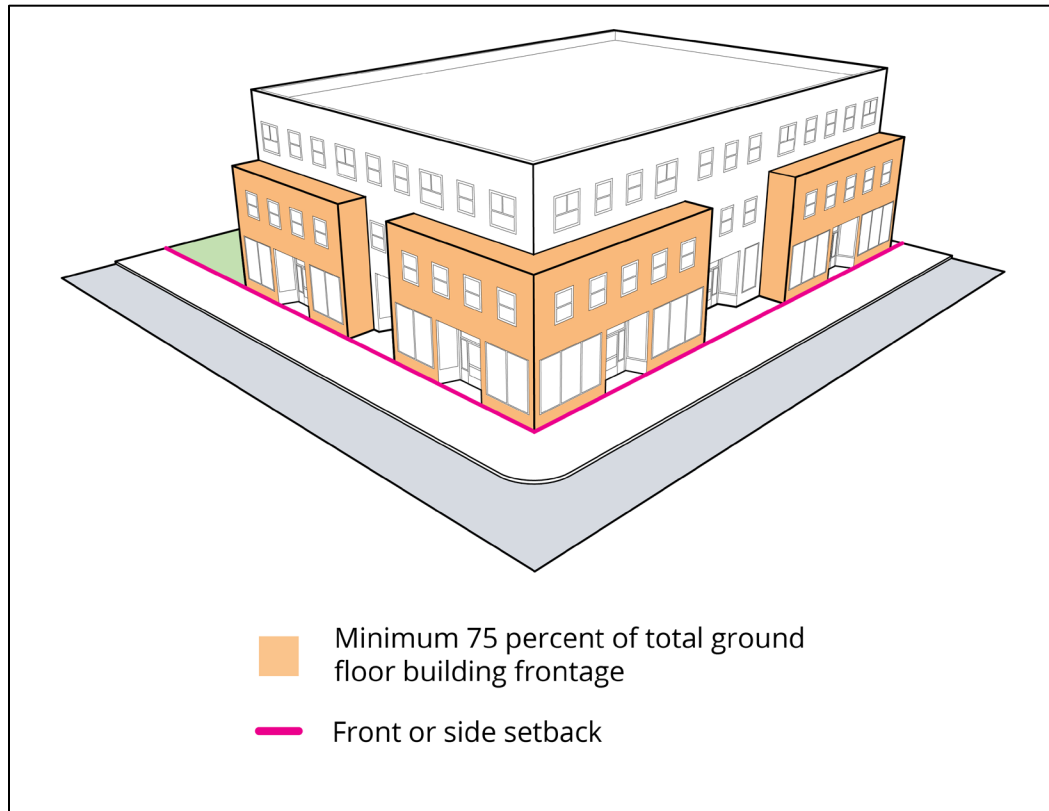
## **A.10. Landscaped, Private, and Community Recreation Spaces**

- 10.1 The landscaped, private, and community recreation spaces listed below are required for all qualifying projects. Community recreation spaces and private recreation spaces are calculated independent of each other. Landscaped areas within community recreation spaces can contribute to required minimums for both landscaped area and community recreation space.
  - a. Landscaped space: A minimum of 20 percent of the site area shall be landscaped.
  - b. Private recreation space: The minimum horizontal dimension is six feet in any direction and a minimum area of 60 square feet. The minimum vertical clearance required is eight feet. Private recreation space shall be directly accessible from the residential unit. Landscaped sections of private recreation space cannot count towards required landscaping requirements.
    - i. Each ground floor dwelling unit shall have a minimum of 120 square feet of usable private recreation space.

- ii. Each dwelling unit above the ground floor shall have a minimum of 60 square feet of usable private recreation space. Where multiple balconies are provided for a single unit, the 60-square-foot minimum can be an aggregate of all balconies, provide each balcony meets the requirements for minimum horizontal dimensions.
- c. Community recreation space: The minimum dimensions are 10 feet by six feet. A minimum of 60 percent of the community recreation space shall be open to the sky and free of permanent solid-roofed weather protection structures. Community recreation space shall provide shading for a minimum 15 percent of the community recreation space by either trees or structures, such as awnings, canopies, umbrellas, or a trellis. Tree shading shall be calculated by using the diameter of the tree crown at 15 years maturity. Shading from other built structures shall be calculated by using the surface area of the overhead feature.
  - i. Community recreation space shall be provided in Residential Mixed-Use developments at a minimum of 100 square feet per residential unit plus a minimum of two percent of the non-residential square footage.
  - ii. Community recreation space shall be provided in multi-family residential development projects at a minimum of 100 square feet per residential unit.
  - iii. A project with four or less residential units is exempt from community recreation space requirements.
  - iv. Landscaped roof space can satisfy both required landscaping requirements and community recreation space requirements. Landscaped roof space may not be used to satisfy more than 50 percent of the required landscaping for the site.

## A.11. Building Placement

- 11.1 To ensure buildings provide a continuous frontage along sidewalks, development in commercial zones shall place at least 75 percent of any ground floor street-facing façade on or within five feet of the setback line designated in the Town Code.



**Figure A.11.1**

- 11.2 A Residential Mixed-Use project with a ground-floor non-residential use shall provide site amenities on a minimum of 15 percent of the ground plane between the building and the front or street-side property line. The site amenities shall be comprised of any of the following elements:
- Landscape materials or raised planters;
  - Walls designed to accommodate pedestrian seating, no higher than 36 inches;
  - Site furnishings, including fountains, sculptures, and other public art; or
  - Tables and chairs associated with the ground floor use.



## B. BUILDING STANDARDS

### B.1. Massing and Scale

- 1.1 Multiple-story building façades that face a street shall incorporate breaks in the building mass by implementing a minimum of three of the following solutions along the combined façade area of all primary buildings facing the street:
- A minimum of 40 percent of the upper floor façade length shall step back from the plane of the ground-floor façade by at least five feet;

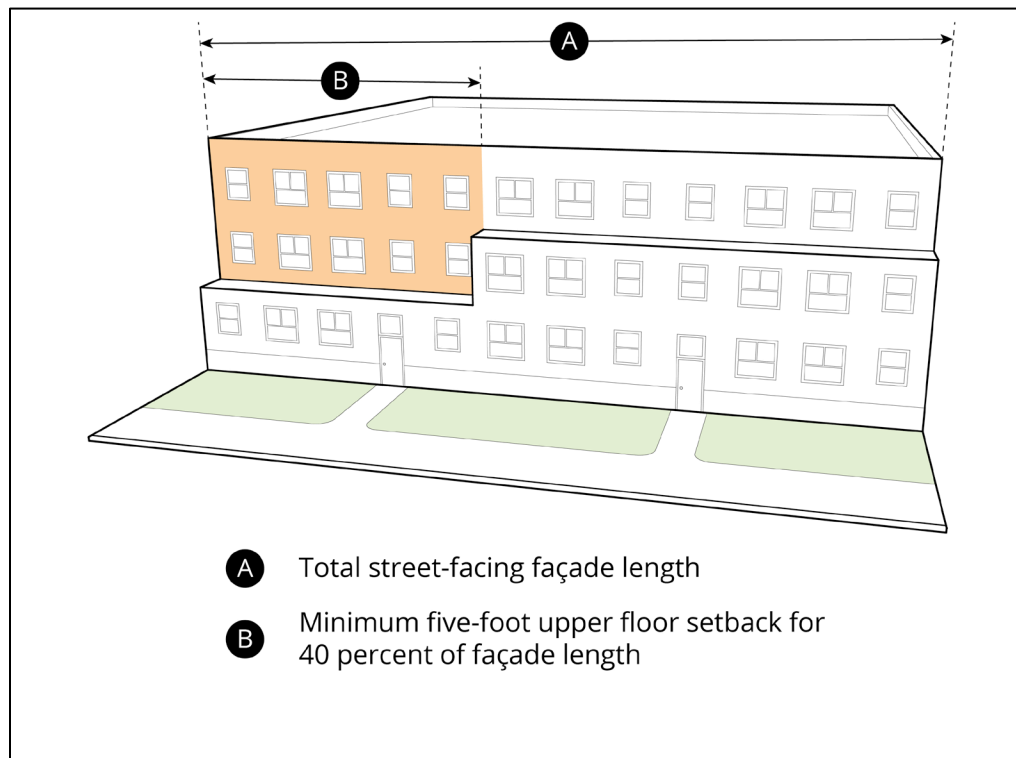
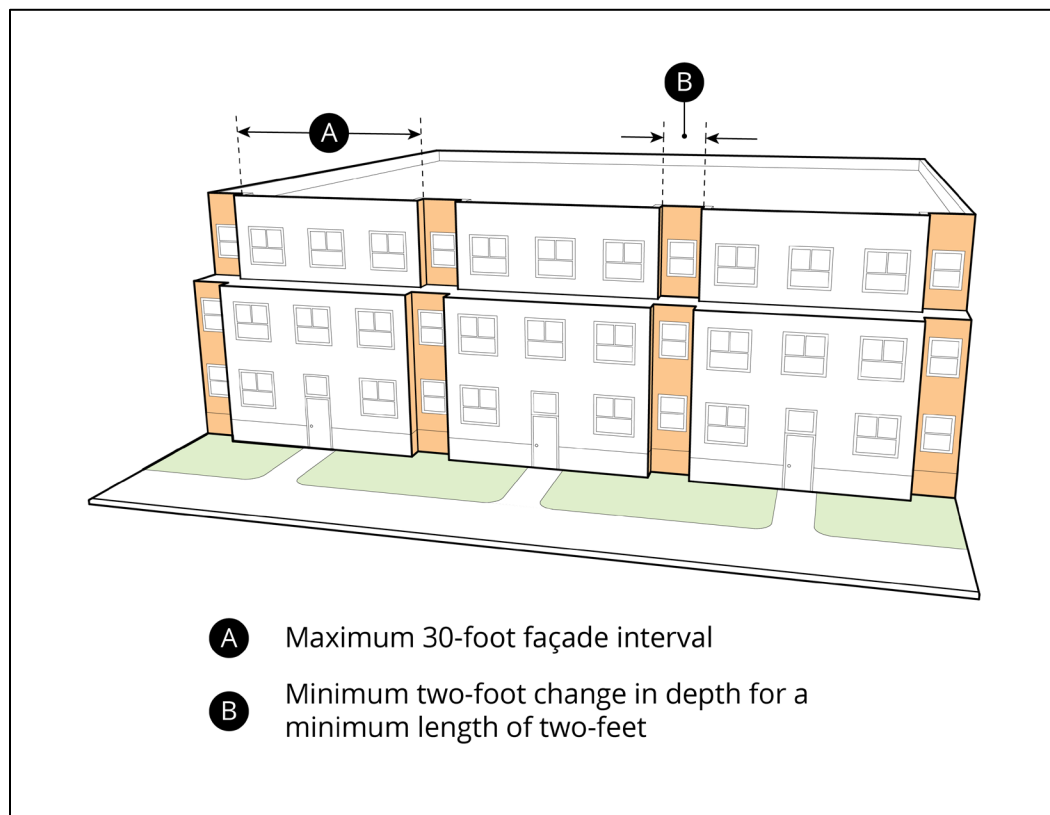


Figure B.1.1a

- b. Changes in the façade plane with a minimum change in depth of two feet for a minimum length along the façade of two feet at intervals of no more than 30 feet;



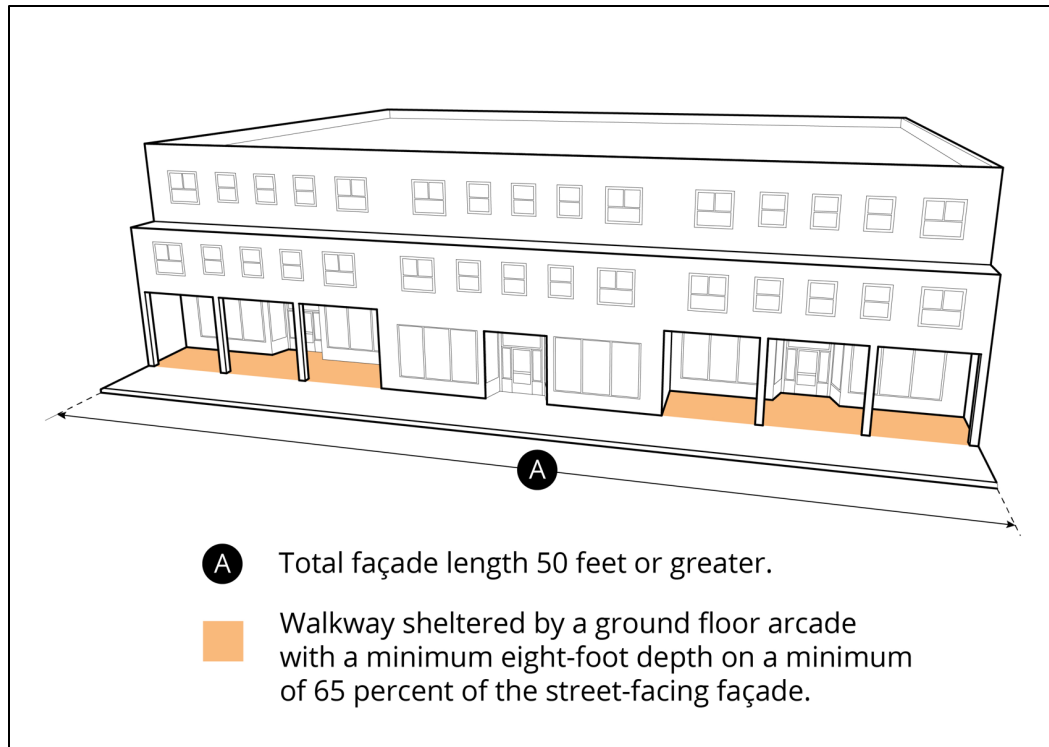
**Figure B.1.1b**

- c. Recessed façade plane to accommodate a building entry with a minimum ground plane area of 24 square feet. Where an awning or entry covering is provided, it can extend beyond the wall plane;

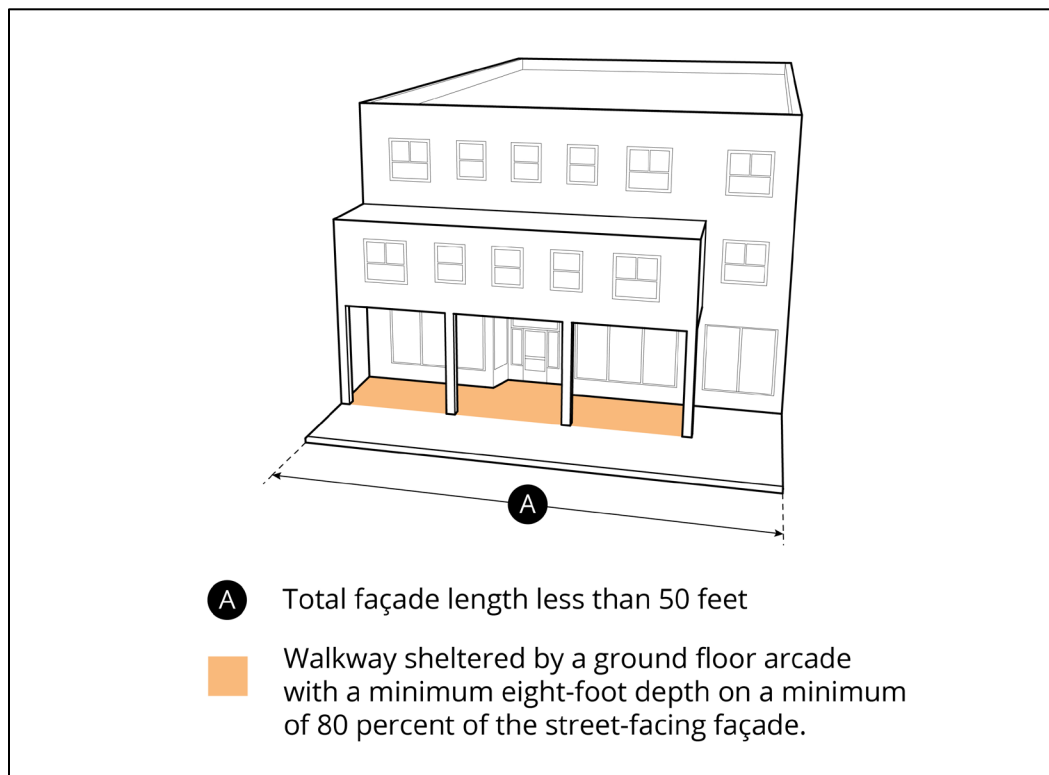


**Figure B.1.1c**

- d. An exterior arcade that provides a sheltered walkway within the building footprint with a minimum depth of eight feet. For a façade 50 feet or greater, the arcade must be a minimum length of 65 percent of the full building façade; for a facade less than 50 feet, the arcade must be a minimum of 80 percent of the full building façade.



**Figure B.1.1d (1)**



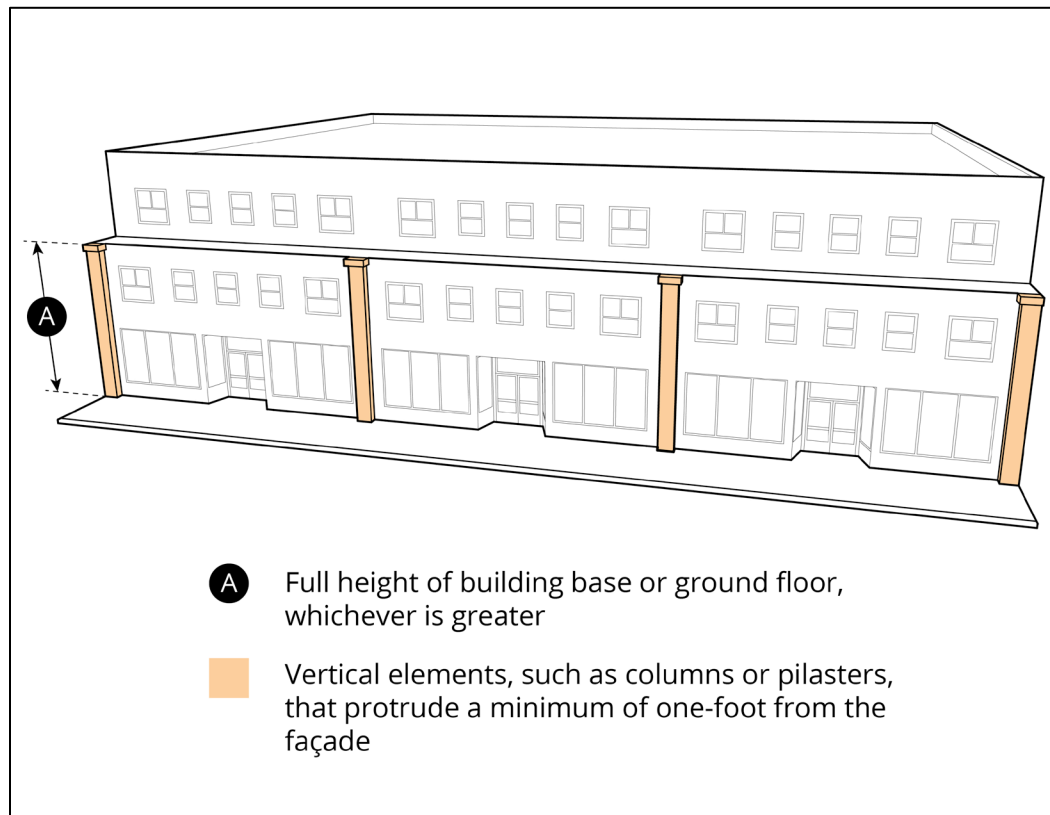
**Figure B.1.1d (2)**

- e. Ground floor open area abutting street-facing façade with a minimum area of 60 square feet; or



**Figure B.1.1e**

- f. Vertical elements, such as pilasters or columns, that protrude a minimum of one foot from the façade and extend the full height of the building base or ground floor, whichever is greater.



**Figure B.1.1f**

- 1.2 Upper floors above two stories shall be set back by a minimum of five feet from the ground-floor façade.
- 1.3 Townhomes or rowhouses shall have no more than six contiguous units in any single building.

## **B.2. Parking Structure Design**

- 2.1 The ground-floor façade of a parking structure facing a street or pedestrian walkway shall be fenestrated on a minimum of 40 percent of the façade.
- 2.2 Façade openings on upper levels of a parking structure shall be screened at a minimum 10 percent and up to 30 percent of the opening to prevent full transparency into the structure.
- 2.3 Parking structures facing a street and greater than 40 feet in length shall include landscaping between the building façade and the street, or façade articulation of at least 25 percent of the façade length. The façade articulation shall be implemented by one of the following solutions:
  - a. An offset of the façade plane with a depth of at least 18 inches for a minimum of eight feet in horizontal length; or
  - b. A different building material covering the entire façade articulation.

## **B.3. Roof Design**

- 3.1 At intervals of no more than 40 feet along the building façade, horizontal eaves shall be broken using at least one of the following strategies:
  - a. Gables;
  - b. Building projection with a depth of a minimum of two feet;
  - c. Change in façade or roof height of a minimum of two feet;
  - d. Change in roof pitch or form; or
  - e. Inclusion of dormers, parapets, and/or varying cornices.
- 3.2 Skylights shall have a flat profile rather than domed.

- 3.3 The total width of a single dormer or multiple dormers shall not exceed 50 percent of the total roof length at the street-facing façade. The dormer width shall be measured at dormer roof fascia, or widest part of the dormer.



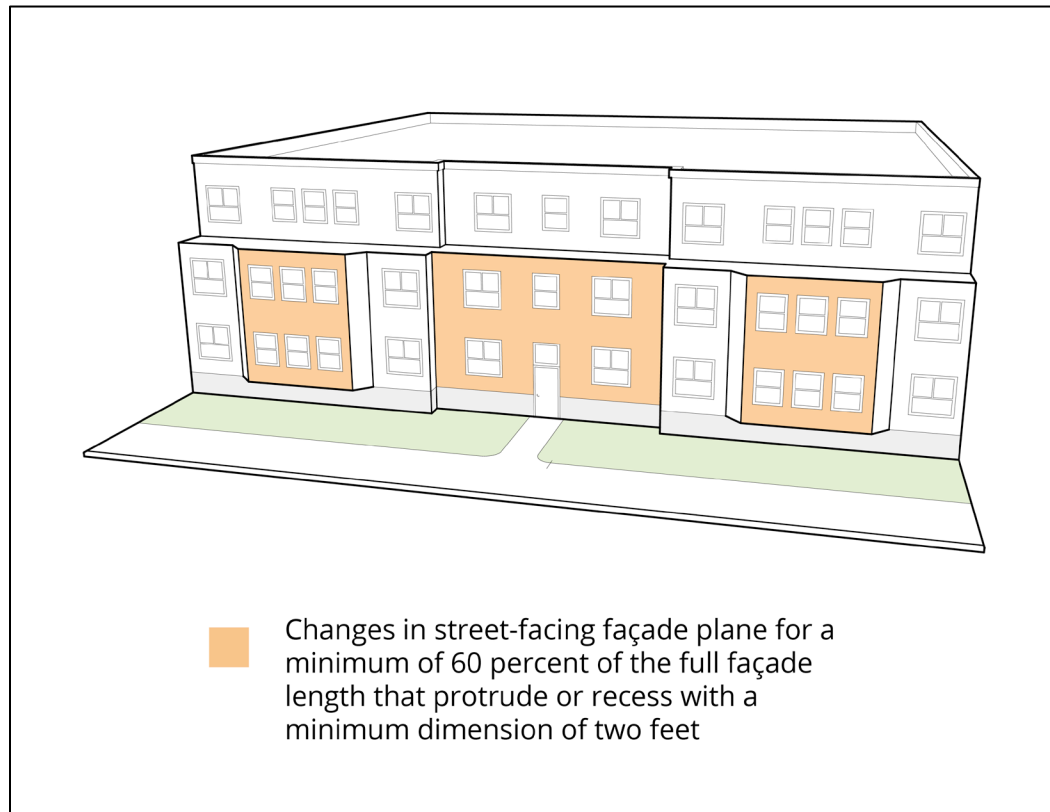
**Figure B.3.3**

- 3.4 Carport roof materials shall be the same as the primary building.



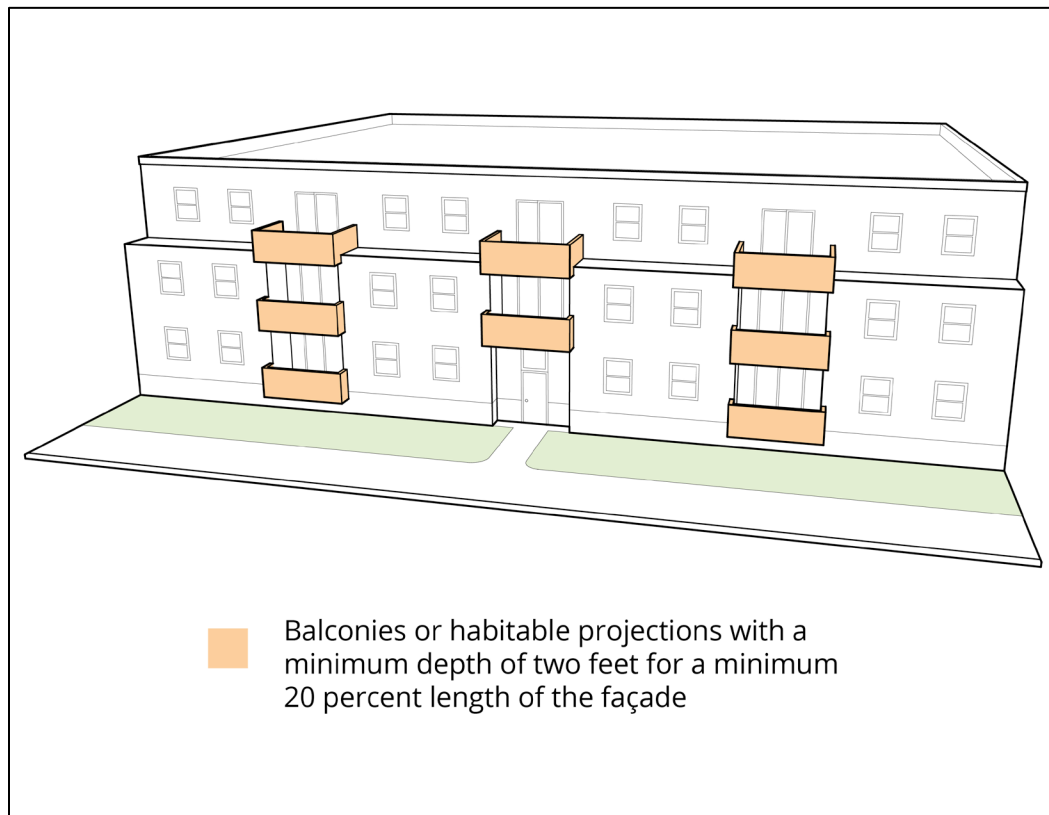
## **B.4. Façade Design and Articulation**

- 4.1 Buildings greater than two stories shall be designed to differentiate the base, middle, and top of the building on any street-facing façade. Each of these elements shall be distinguished from one another using at least two of the following solutions:
- a. Variation in building mass for a minimum of 60 percent of the length of the street-facing façade through changes in the façade plane that protrude or recess with a minimum dimension of two feet;



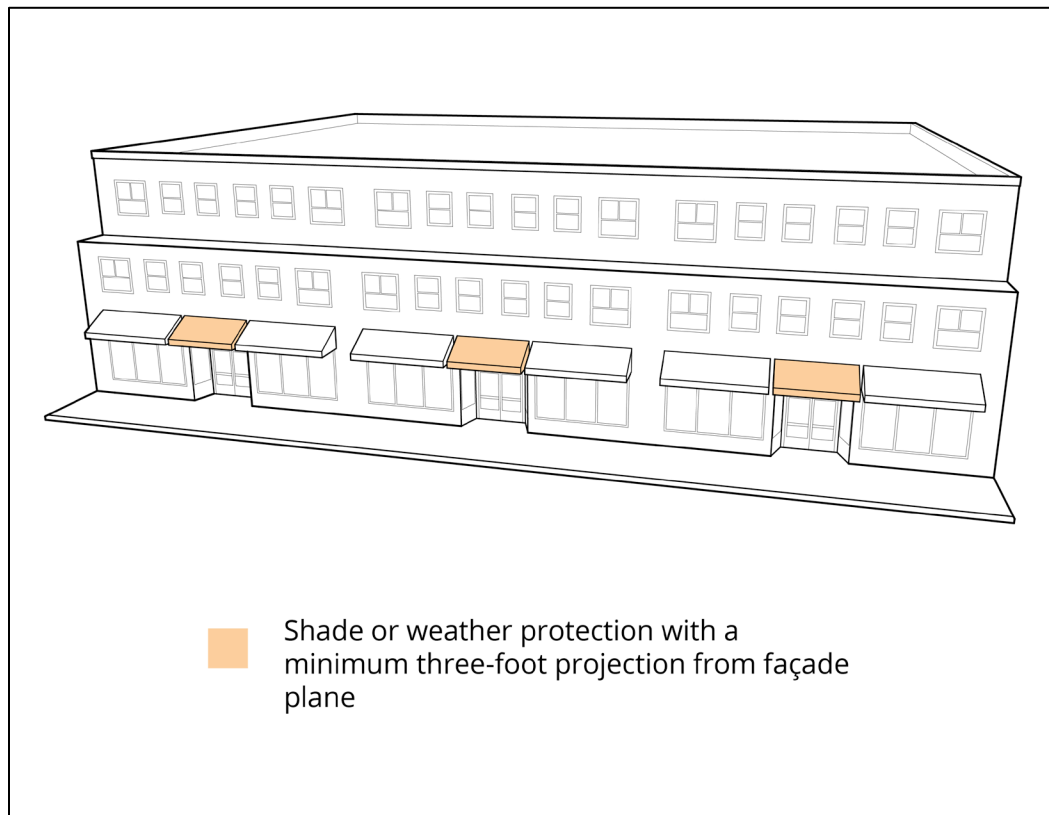
**Figure B.4.1a**

- b. Balconies or habitable projections with a minimum depth of two feet for a minimum of 20 percent length of the street-facing façade;



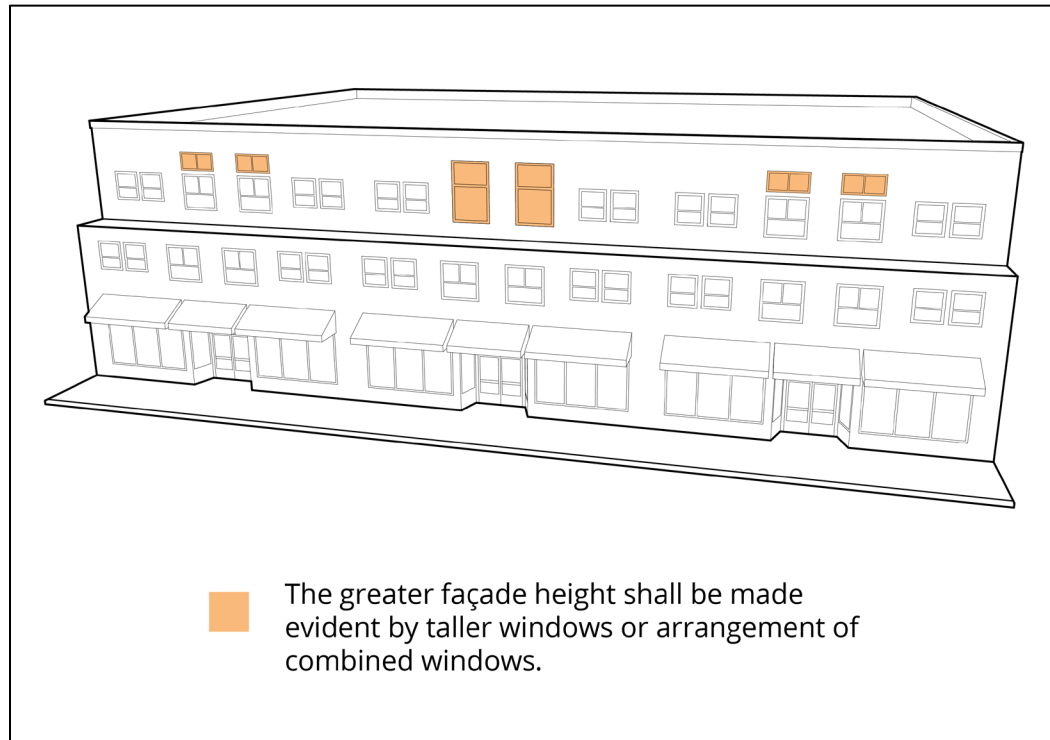
**Figure B.4.1b**

- c. Variation in façade articulation, using shade and weather protection components, projecting a minimum of three feet for a minimum of 20 percent length from the street-facing façade;



**Figure B.4.1c**

- d. The use of at least two different façade materials, each covering a minimum of 20 percent of the street-facing façade, or
- e. The upper floor shall implement a façade height that is a minimum of two feet greater than the façade height of the floor immediately below. The greater façade height shall be made evident by taller windows or arrangement of combined windows.

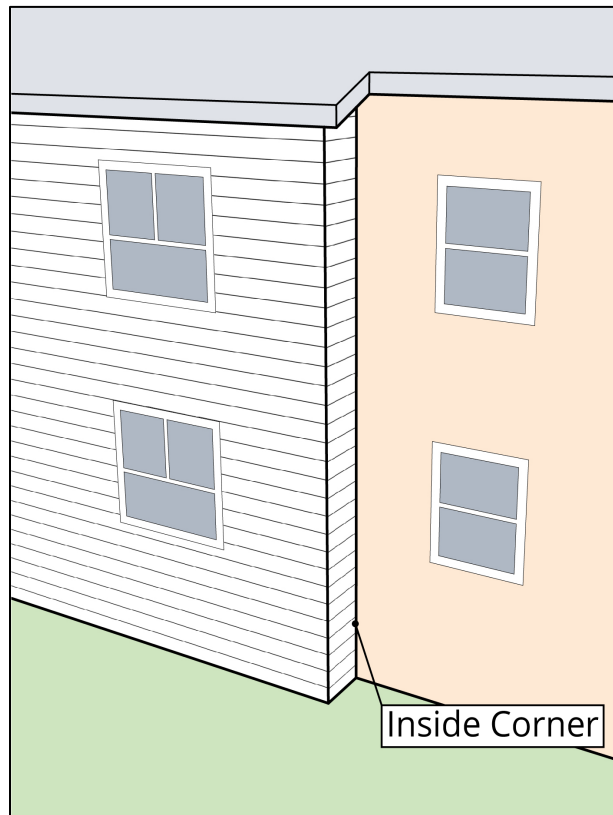


**Figure B.4.1e**

- 4.2 All façade materials, such as siding, window types, and architectural details, used on the street-facing façade shall be used on all other building façades.

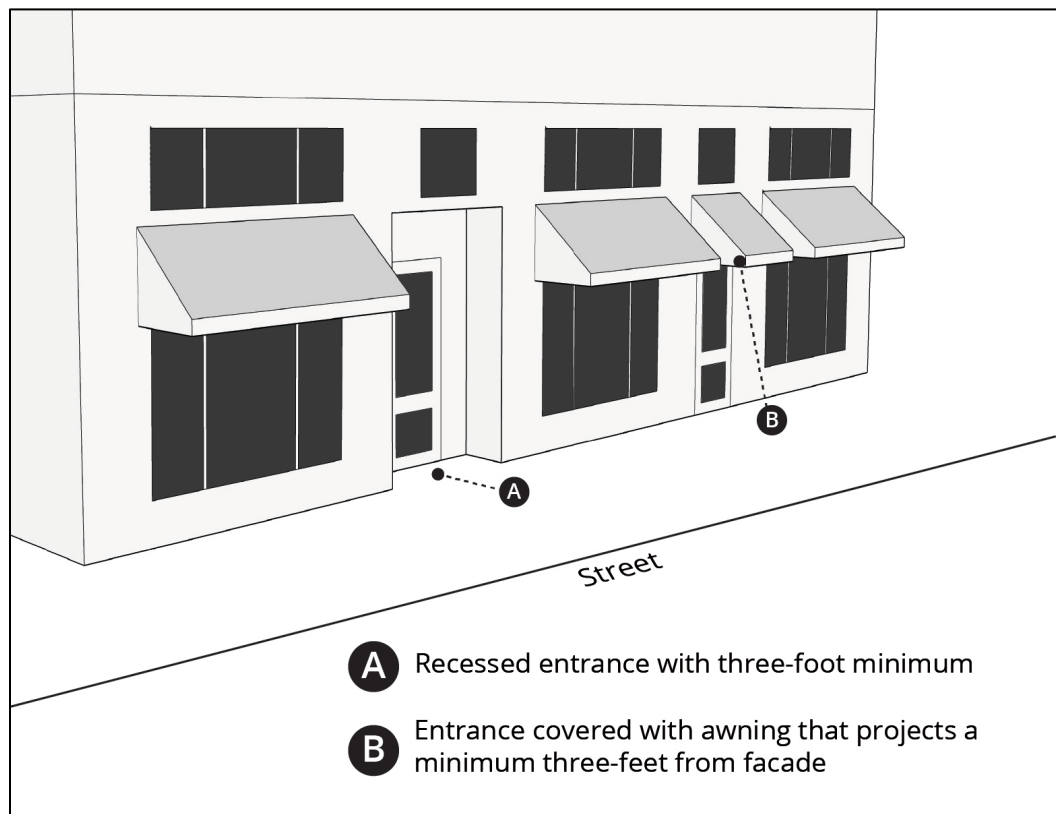
- 4.3 Variation in the street-facing façade planes shall be provided for buildings greater than one story by incorporating any combination of the following architectural solutions to achieve a minimum of 16 points:
- Architectural features, such as:
    - Arcade or gallery along the ground floor; 8 points
    - Awnings or canopies on all ground floor windows of commercial space; 6 points
    - Building cornice; 5 points
    - Façade sconce lighting at a minimum of one light fixture per 15 linear feet. 3 points
  - Bay or box windows projecting a minimum of 18 inches from the façade plane and comprising a minimum of 20 percent of the fenestration on the upper floors of the facade; 6 points
  - Balconies or Juliet balconies provided on a minimum of 40 percent of the fenestration on the upper floors of the facade; 5 points
  - Landscaped trellises or lattices extending across a minimum of 65 percent of any level of the facade; 5 points
  - Materials and color changes; 3 points
  - Eaves that overhang a minimum of two feet from the facade with supporting brackets; 3 points
  - Window boxes or plant shelves under a minimum of 60 percent of the fenestration on the upper floors of the facade; or 3 points
  - Decorative elements such as molding, brackets, or corbels. 3 points
- 4.4 Garage doors shall be recessed a minimum of 12 inches from the façade plane and along the street-facing façade shall not exceed 40 percent of the length of the building façade.

- 4.5 Changes in building materials shall occur at inside corners.



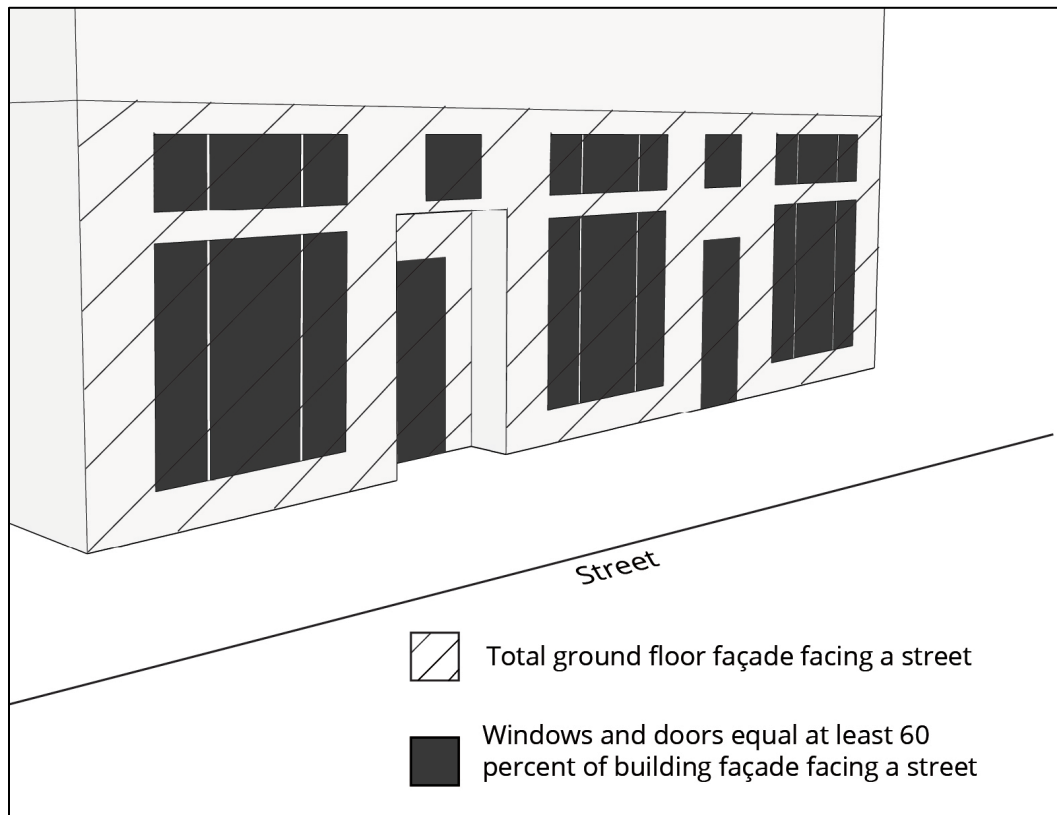
**Figure B.4.5**

- 4.6 A primary building entrance shall be provided facing a street or community recreation space. Additionally, all development shall meet the following requirements:
- a. Pedestrian entries to ground-floor and upper-floor non-residential uses shall meet at least one of the following standards:
    - i. The entrance shall be recessed in the façade plane at least three feet in depth; or
    - ii. The entrance shall be covered by an awning, portico, or other architectural element projecting from the façade a minimum of three feet.



**Figure B.4.6a**

- b. For ground-floor commercial uses, façades facing a street shall include windows, doors, or openings for at least 60 percent of the building façade that is between two and 10 feet above the level of the sidewalk.



**Figure B.4.6b**

- 4.7 Pedestrian entries to buildings shall meet minimum dimensions to ensure adequate access based on use and development intensity. Building entries inclusive of the doorway and the facade plane shall meet the following minimum dimensions:
  - a. Individual residential entries: five feet in width
  - b. Single entry to multiple residential unit building, including Residential Mixed-Use buildings: eight feet in width
  - c. Storefront entry: six feet in width



- 4.8 Mirrored windows are prohibited.
- 4.9 Awnings shall be subject to the following requirements:
  - a. A minimum vertical clearance of eight feet measured from the pedestrian pathway;
  - b. Shall not extend beyond individual storefront bays; and
  - c. Shall not be patterned or striped.
- 4.10 For buildings abutting a single-family zoning district or existing single-family use, no part of a rooftop or upper floor terrace or deck shall be closer than five feet from the facade plane of the lower floor, to prevent views into adjacent residential uses.
- 4.11 Balconies are allowed on facades facing the street and those facades facing existing non-residential uses on abutting parcels. Such balconies shall be without any projections beyond the building footprint.
- 4.12 Residential Mixed-Use buildings shall provide at least one of the following features along street-facing façades where the façade exceeds 50 feet in length:
  - a. A minimum five-foot offset from the façade plane for a length of at least 10 feet;
  - b. Multiple pilasters or columns, each with a minimum width of two feet; or
  - c. Common open space, such as a plaza, outdoor dining area, or other spaces.
- 4.13 Continuous blank façades on any floor level shall not exceed 25 percent of the entire façade length along any street.

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**TOWN OF LOS GATOS**  
**DRAFT OBJECTIVE DESIGN STANDARDS**  
**August 24~~November 15~~, 2022**

**PURPOSE AND APPLICABILITY**

The purpose of the Objective Design Standards is to ensure that new qualifying projects in Los Gatos provide high-quality architecture, integrate with surrounding development, and include well-designed amenities and outdoor areas to enhance community character. These standards are intended to guide property owners, applicants, developers, and design professionals by providing clear design direction that enhances the Town's unique character and ensures a high-quality living environment.

~~A qualifying project is a Housing Development Project as defined in Gov. California Government Code 65589 Section 65559.5 in zones where the use is principally permitted. identifies Qualifying Housing Development Projects shall comply with the Objective Design Standards, and to include multi:~~

- ~~• Multi-family housing, residential mixed-use projects with at least developments;~~
- ~~• Residential Mixed-Use Housing developments with a minimum of two-thirds of the square footage designated for residential use, or supportive;~~
- ~~• Supportive and transitional housing development.~~

~~Qualifying projects must also comply~~A Qualifying Housing Development Project shall be approved through a streamlined, ministerial review process when the project complies with these Objective Design Standards as well as complying with all existing objective development requirementsregulations in the Town, including but not limited- to the following:

- General Plan
- Town Code
- Guidelines and Standards for Land Use Near Streams
- Bicycle and Pedestrian Master Plan
- Parks and Public Works Standards
- Santa Clara County Fire Department Requirements

~~These standards are only to be used for review of qualifying projects where Town review, approval, and/or denial is limited to only objective standards. Many projects will proceed through the standard review process, in which case the objective standards included herein would not apply.~~

ATTACHMENT 2

## ORGANIZATION

The following Objective Design Standards are organized into two primary sections: Site Standards; and Building Design. The Site Standards section includes objective standards for site layout and building placement; vehicular access and parking; and outdoor areas and amenities. The Building Design section includes objective standards for building form and massing; façade articulation; materials; and roof design.

## KEY TERMS

*Community recreation space* in ~~mixed-use~~ Residential Mixed-Use developments means public gathering spaces, such as: plazas, outdoor dining areas, squares, pocket parks, or other community areas for the use of ~~the public.~~ all residents and the business patrons and tenants.

*Community recreation space* in multi-family developments means gathering spaces, such as: play areas, pool areas, patios, rooftop decks, or other community areas for the use of all residents.

*Façade articulation* means the division of a building façade into distinct sections; including the materials, patterns, textures, and colors that add visual interest to a building or façade.

*Fenestration* means the design, construction, and presence of any openings in a building, such as: windows, doors, vents, wall panels, skylights, curtain walls, and louvers.

~~Mixed-use means a development project where a variety of uses such as office, commercial, institutional, and residential are combined in a single building or on a single site in an integrated project.~~

~~Multi-family use means the use of a site for three or more dwelling units on the same site.~~

*Landscaping* means an area devoted to plantings, lawn, ground cover, gardens, trees, shrubs, and other plant materials; excluding driveways, parking, loading, or storage areas.

Multi-family use means the use of a site for three or more dwelling units on the same site.

Objective Design Standards means development regulations that are measurable, verifiable, and knowable to all parties prior to submittal of a qualifying project. A planning review process based on objective standards involves streamlined ministerial review with no personal or subjective judgement by a public official.

*Primary building* means a building within which the principal or main use on a lot or parcel is conducted. Where a permissible use involves more than one building designed or used for the primary purpose on the subject property, each such building on the parcel shall be construed as constituting a primary building.

*Private recreation space* at ~~the~~ ground level means a single outdoor enclosed patio or deck. accessible from a single dwelling unit.

*Private recreation space* above ~~the~~ ground level means an outdoor balcony, terrace, or rooftop deck, or similar accessible from a single dwelling unit.

Residential Mixed-Use means a development project where a variety of uses such as office, commercial, and institutional, are combined with residential use(s) in a single building or on a single site in an integrated project. Two thirds of the project square footage must be residential uses.

*Transitional and supportive housing* means a type of housing used to facilitate the movement of people experiencing homelessness into permanent housing and independent living.

## A. SITE STANDARDS

### A.1. Pedestrian Access

- 1.1 All on-site buildings, entries, facilities, amenities, and vehicular and bicycle parking areas shall be internally connected with a minimum four-foot-wide pedestrian pathways and pathway or pathway network that may include use of the public sidewalk. Pedestrian pathways~~The pedestrian pathway network~~ shall connect to the public sidewalk along each street.
- 1.2 Pedestrian pathways within internal parking areas shall be separated from vehicular circulation by a physical barrier, such as a grade separation or a raised planting strip, of at least six inches in height and at least six feet in width. A pedestrian pathway is exempt from this standard where it crosses a parking vehicular drive aisle.

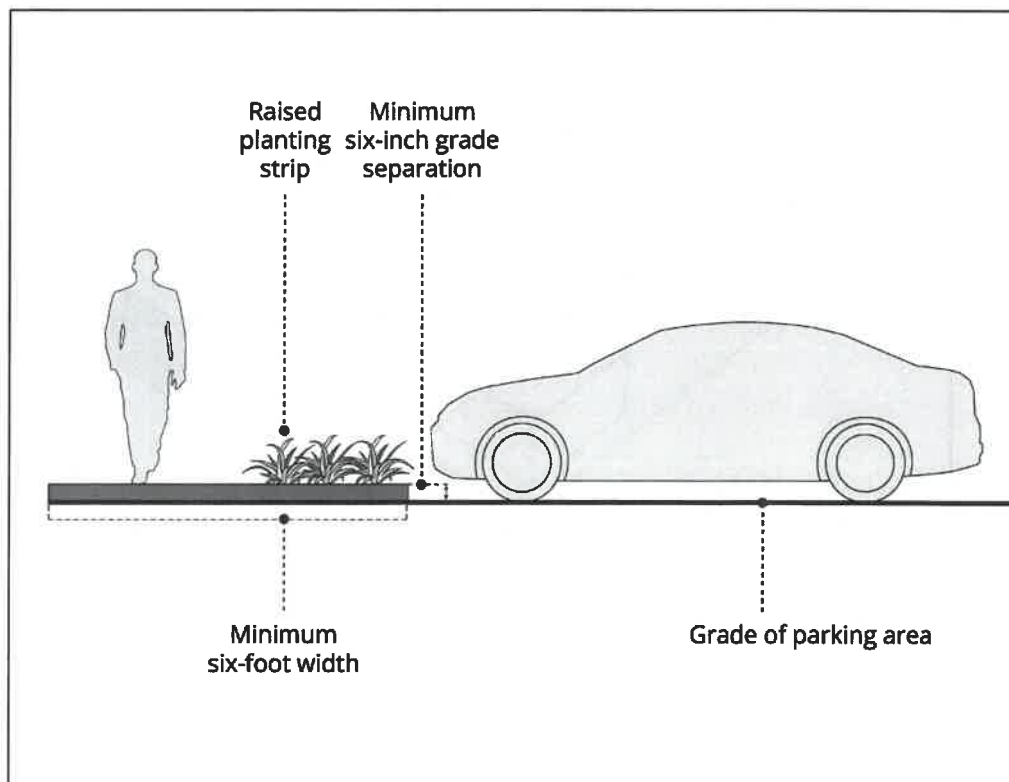


Figure A.1.2

## A.2. Bicycle Access

- 2.1 Bicycle parking shall be located within 50 feet of at least one primary building entrance.
- 2.2 Multi-family residential buildings shall provide one bicycle parking space per dwelling unit.
- 2.3 ~~Residential~~ Mixed-use projects shall provide one bicycle parking space per dwelling unit and one bicycle parking space per 2,000 square feet of ~~commercial/non-residential~~ space.

~~2.4 A minimum five-foot-wide walkway shall be provided connecting the bicycle parking area(s) and the street-facing sidewalk.~~

## A.3. Vehicular Access

- 3.1 Off-street parking lots shall have ~~vehicular circulation using an~~ internal vehicular ~~circulation network~~ that ~~precludes/preclude~~ the use of a ~~public~~ street for aisle-to-aisle ~~internal~~ circulation.

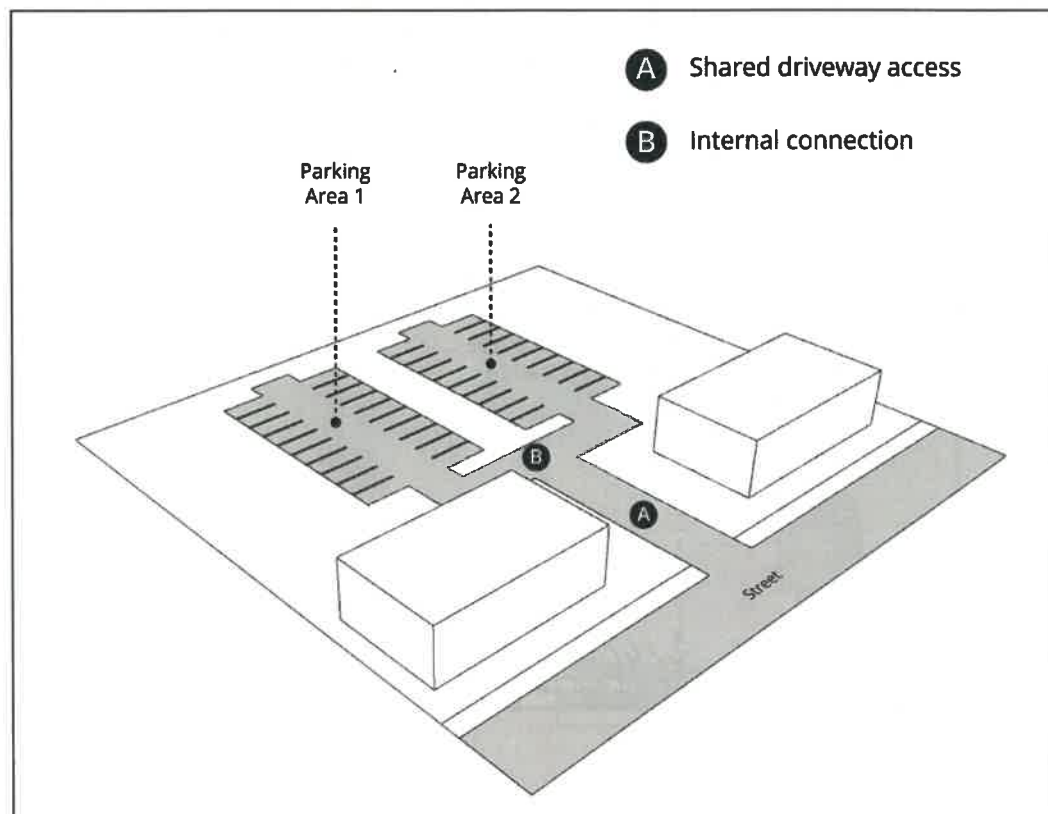


Figure A.3.1

#### A.4. Parking Location and Design

4.1 ~~Driveways and surface~~Surface parking lots ~~and carports~~ shall not be located between the primary building frontage and the street.

4.2 ~~Multiple parking areas located on a common property shall be internally connected and shall use shared driveways to access the street.~~

4.34.2 Uncovered parking rows with at least 15 consecutive parking spaces shall include a landscape area of six feet minimum width at intervals of no more than 10 consecutive parking stalls. One tree shall be provided in each landscape area.

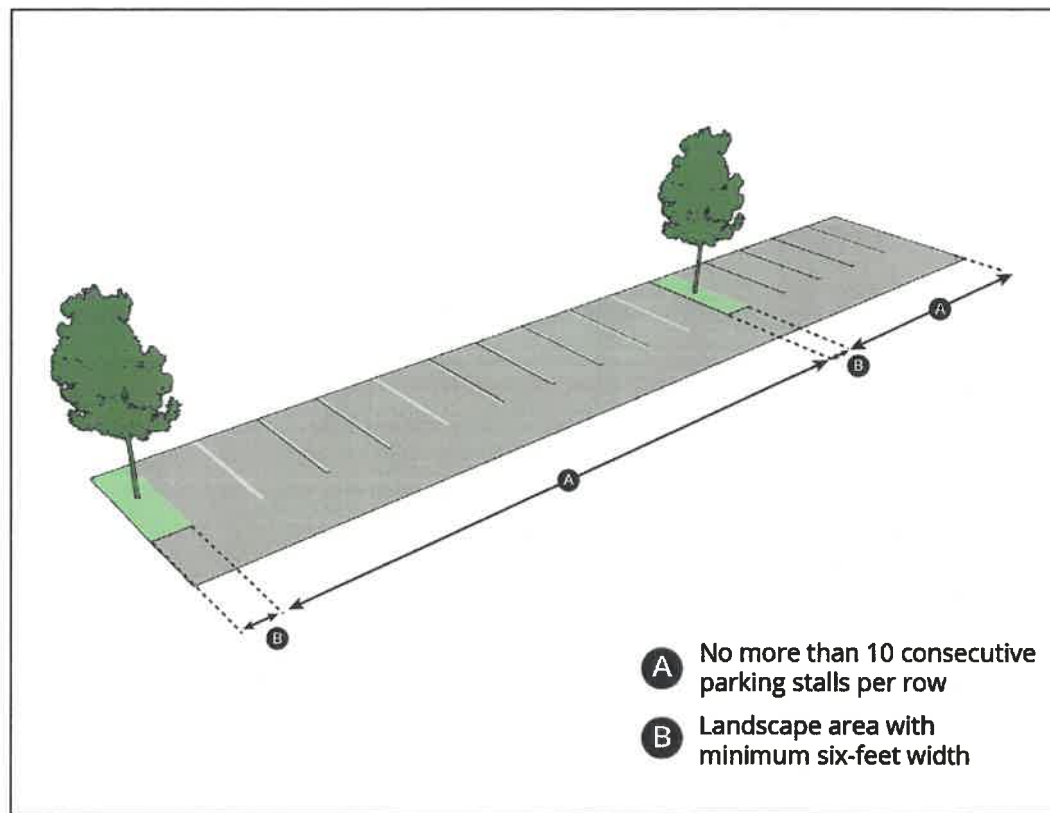


Figure A.4.32

4.4 ~~Carports shall not be located between a primary building and a street.~~

#### A.5. Parking Structure Access

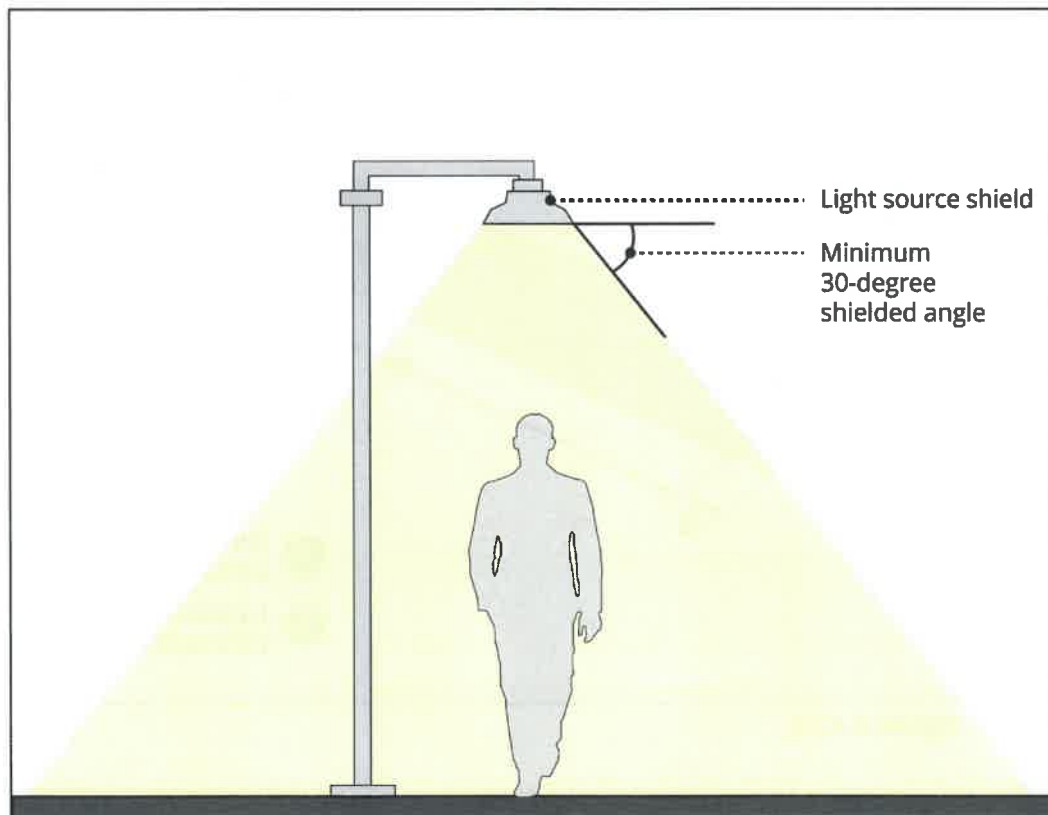
5.1 Any ~~automobile~~vehicular entry gate to a parking structure shall be located to allow a minimum of ~~25~~18 feet between the gate and the back of the sidewalk to minimize conflicts between sidewalks and vehicle queuing.

5.2 A parking structure shall not occupy more than 50 percent of the building width of any street-facing façade, and ~~it~~ shall be recessed a minimum ~~of~~ five feet from ~~the~~ street-facing ~~façades~~façade of the building.

5.3 For projects with five or more residential units and that have a vehicle access gate to the parking structure, a pedestrian gate shall also be provided.

#### **A.6. Utilities**

- 6.1 Pedestrian-oriented lighting shall be provided along all pedestrian paths in community recreation spaces. Exterior lighting fixtures shall be a minimum of three feet and a maximum of 12 feet in height. Light fixtures shall be placed along the pedestrian path at a spacing of no more than 30 linear feet.
- 6.2 Exterior lighting shall be fully shielded and restrain light to a minimum 30 degrees below the horizontal plane of the light source. Lighting shall be arranged so that the light will not shine directly on lands of adjacent residential zoned properties. Uplighting is prohibited.



**Figure A.6.2**



6.3 Rooftop and Street level views of ground-mounted level utility cabinets, mechanical equipment, trash, and service areas shall be screened from view from the streetsight with landscape planting, fencing, or a wall, as allowed by the Town Code. The screening shall be at least the same height as the item being screened and screening that is not landscape material shall be constructed with one or more of the materials used on the primary building.

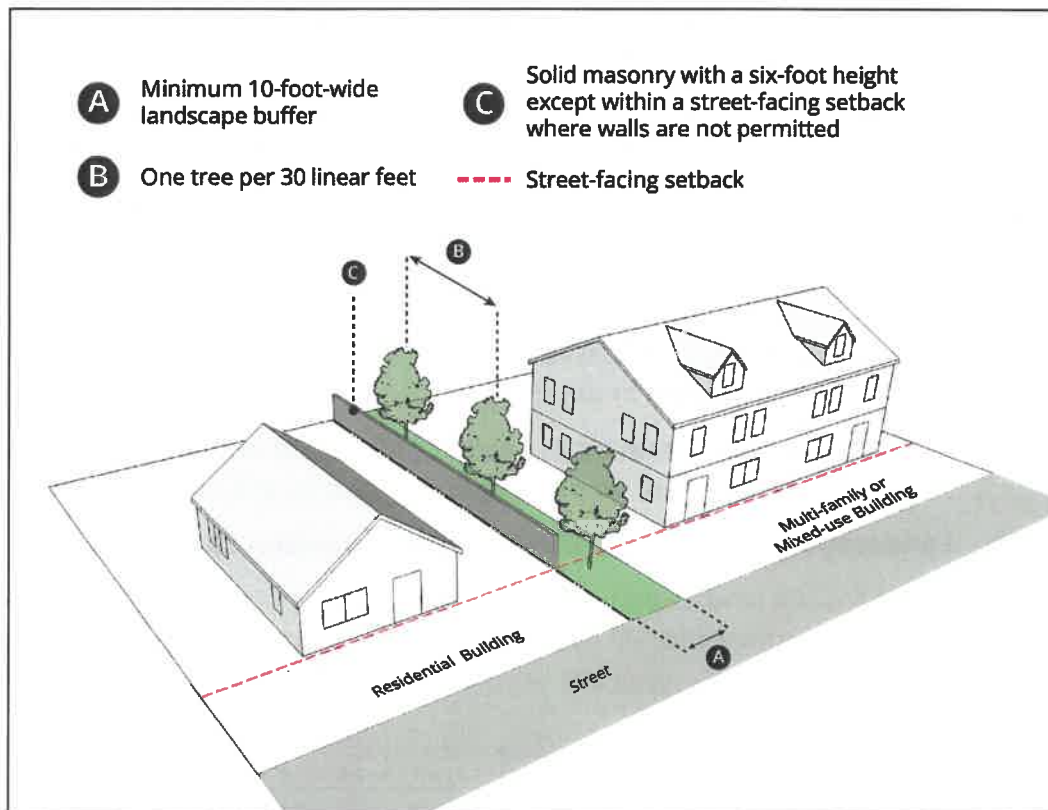
6.36.4 Rooftop mechanical equipment shall be screened from view from the street. Solar equipment is exempt from this requirement.

#### **A.7. Landscaping and Screening**

7.1 At least 50 percent of the front setback area shall be landscaped.

7.2 A minimum 10-foot-wide landscape buffer shall be provided along the full length of the shared property line between multi-family or mixed-use Residential Mixed-Use development and abutting residential properties. The buffer shall include the following:

- a. A solid masonry wall with a six-foot height, except within a street-facing setback where walls are not permitted; and



**Figure A.7.2a**

- b. Trees planted at a rate of at least one tree per 30 linear feet along the shared property line. Tree species shall be selected from the Town of Los Gatos Master Street Tree List and shall be a minimum 15-gallon size.
- 7.3 Surface parking lots shall be screened from view of the street with landscaping or a wall with a minimum three-foot height to screen the parking lot, when not already screened by a primary building. When located in a street-facing setback, screening may not exceed a height of three feet.

#### **A.8. Fencing**

- 8.1 Fences, walls, hedges, and gates within required setbacks along all street frontages shall have a maximum height of three feet are prohibited unless used to screen on-site parking spaces from view from the street.
- 8.2 Chain link fencing is prohibited.
- 8.3 Vehicular entry Perimeter barrier gates for vehicles and pedestrian entry gates shall have a maximum height of six feet.
- 8.4 Solid vehicular and pedestrian entry gates are prohibited. Entry gates shall be a minimum 50 percent open view.

#### **A.9. Retaining Walls**

- 9.1 Retaining walls shall not exceed five feet in height. Where an additional retained portion is necessary, multiple-terraced walls shall be used. Terraced walls shall set back at least three feet from the lower segment.
- 9.2 Retaining walls shall not run in a straight continuous direction for more than 50 feet without including the following:
- a. A break, offset, or landscape pocket in the wall plane of at least three feet in length and two feet in depth; and
  - b. Landscaping at a minimum height of three feet at the time of installation along a minimum of 60 percent of the total length of the retaining wall.

#### **A.10. Landscaped, Private, and Community Recreation Spaces**

~~10.1~~ The following landscaped, private, and community recreation spaces listed below are required for all qualifying projects. Community recreation spaces and private recreation spaces are calculated independent of each other:

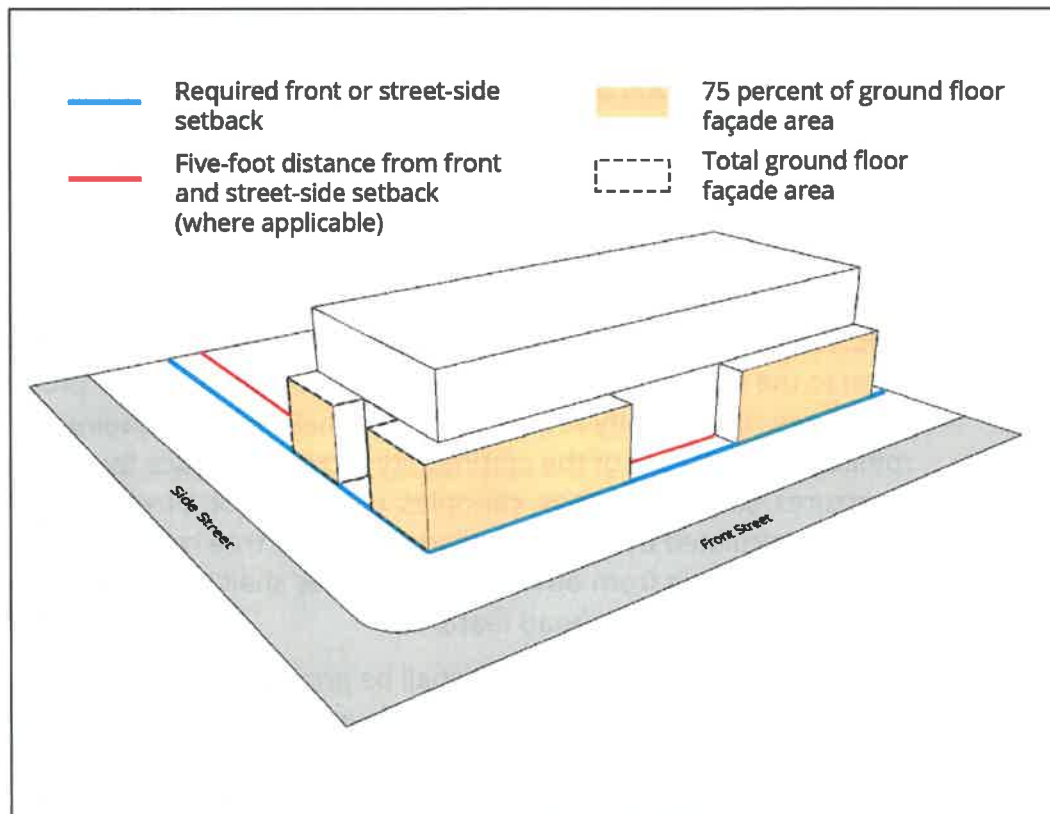
10.1 . Landscaped areas within community recreation spaces can contribute to required minimums for both landscaped area and community recreation space;

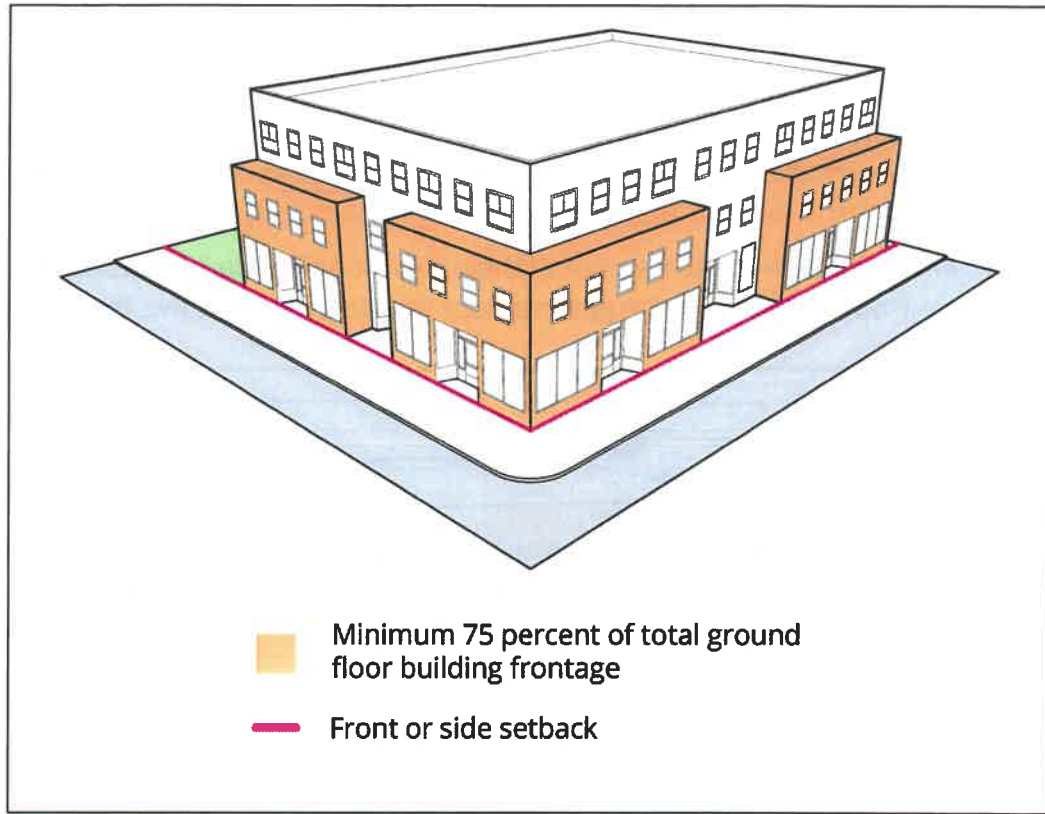
- a. Landscaped space: A minimum of 20 percent of the site area shall be landscaped.

- b. Private recreation space: The minimum horizontal ~~dimensions are 10 feet by six feet.~~dimension is six feet in any direction and a minimum area of 60 square feet. The minimum vertical clearance required is eight feet. Private recreation space shall be directly accessible from the residential unit. Landscaped sections of private recreation space cannot count towards required landscaping requirements.
  - i. Each ground floor dwelling unit shall have a minimum of ~~200~~120 square feet of usable private recreation space.
  - ii. Each dwelling unit above the ground floor shall have ~~120~~a minimum of 60 square feet of usable private recreation space. Where multiple balconies are provided for a single unit, the 60-square-foot minimum can be an aggregate of all balconies, provide each balcony meets the requirements for minimum horizontal dimensions.
- c. Community recreation space: The minimum dimensions are 10 feet by six feet. A minimum of 60 percent of the community recreation space shall be open to the sky and free of permanent solid-roofed weather protection structures. Community recreation space shall provide shading for a minimum 15 percent of the community recreation space by either trees or structures, such as awnings, canopies, umbrellas, or a trellis. Tree shading shall be calculated by using the diameter of the tree crown at 15 years maturity. Shading from other built structures shall be calculated by using the surface area of the overhead feature.
  - i. Community recreation space shall be provided in ~~mixed-use~~Residential Mixed-Use developments at a minimum of ~~200~~100 square feet per residential unit plus a minimum of two percent of the ~~commercial~~non-residential square footage.
  - ii. Community recreation space shall be provided in multi-family residential development projects at a minimum of ~~200~~100 square feet per residential unit.
  - iii. A project with four or less residential units is exempt from community recreation space requirements.
  - iv. Landscaped roof space can satisfy both required landscaping requirements and community recreation space requirements. Landscaped roof space may not be used to satisfy more than 50 percent of the required landscaping for the site.

## A.11. Building Placement

- 11.1 To ~~create~~ensure buildings provide a continuous ~~streetscape appearance~~frontage along sidewalks, development in ~~a Community Place Growth~~commercial zones shall place at least 75 percent of ~~the any~~ ground floor ~~of a building~~street-facing façade on or within five feet of the ~~front and street-side~~ setback ~~(where applicable)~~ requirement of line designated in the Town Code.





**Figure A.11.1**

- 11.2 A ~~mixed-use residential~~ Residential Mixed-Use project with a ground-floor ~~commercial-non-residential~~ use shall provide site amenities on a minimum of 15 ~~percent and maximum of 30~~ percent of the ground plane between the building and the front or street-side property line. The site amenities shall be comprised of any of the following elements:
- a. Landscape materials or raised planters;
  - b. Walls designed to accommodate pedestrian seating, no higher than 36 inches;
  - c. Site furnishings, including fountains, sculptures, and other public art; or
  - d. Tables and chairs associated with the ground floor use.

## B. BUILDING DESIGN STANDARDS

### B.1. Massing and Scale

- 1.1 Multiple-story building façades that face a street shall incorporate breaks in the building mass by implementing a minimum of three of the following solutions along the ~~façades~~ combined façade area of all primary buildings facing the street:
- A minimum of 40 percent of the upper floor façade length shall step back from the plane of the ground-floor façade by at least five feet;

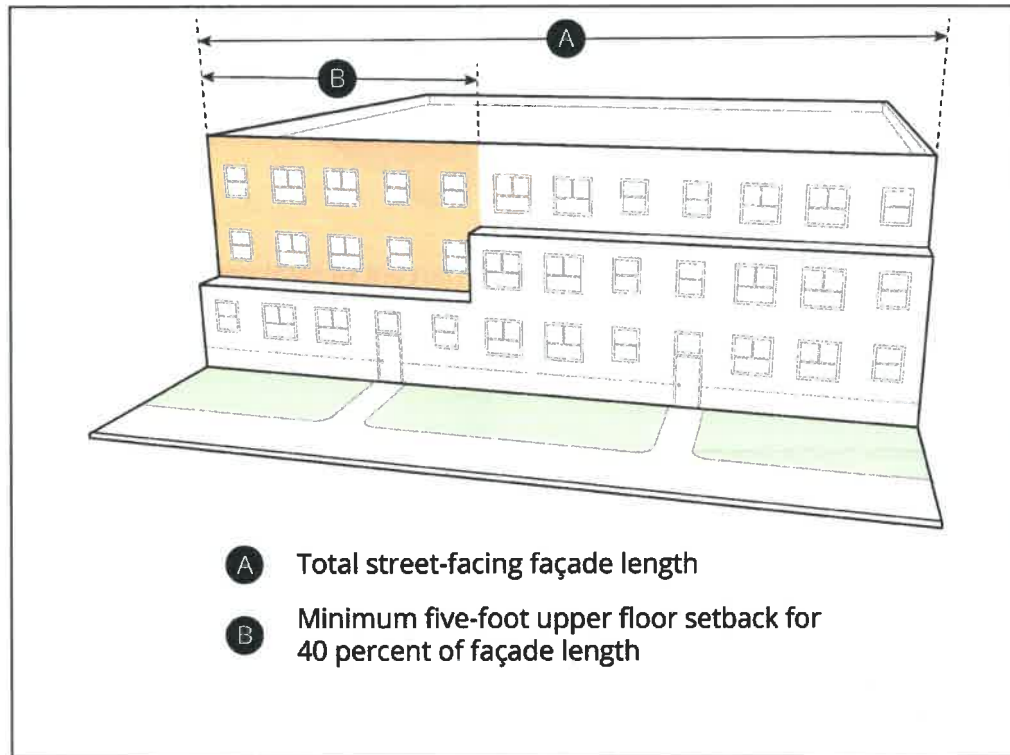
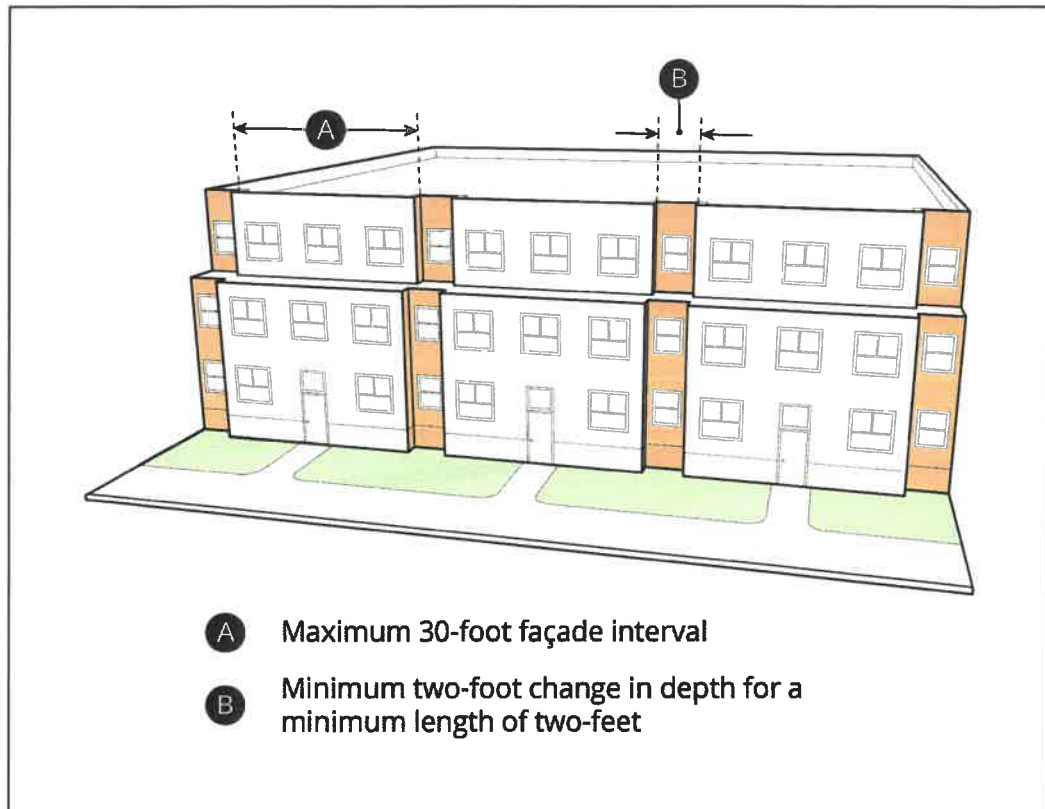


Figure B.1.1a

- Changes in the façade plane with a minimum change in depth of two feet for a minimum length along the façade of two feet at intervals of no more than 30 feet;





**Figure B.1.1b**

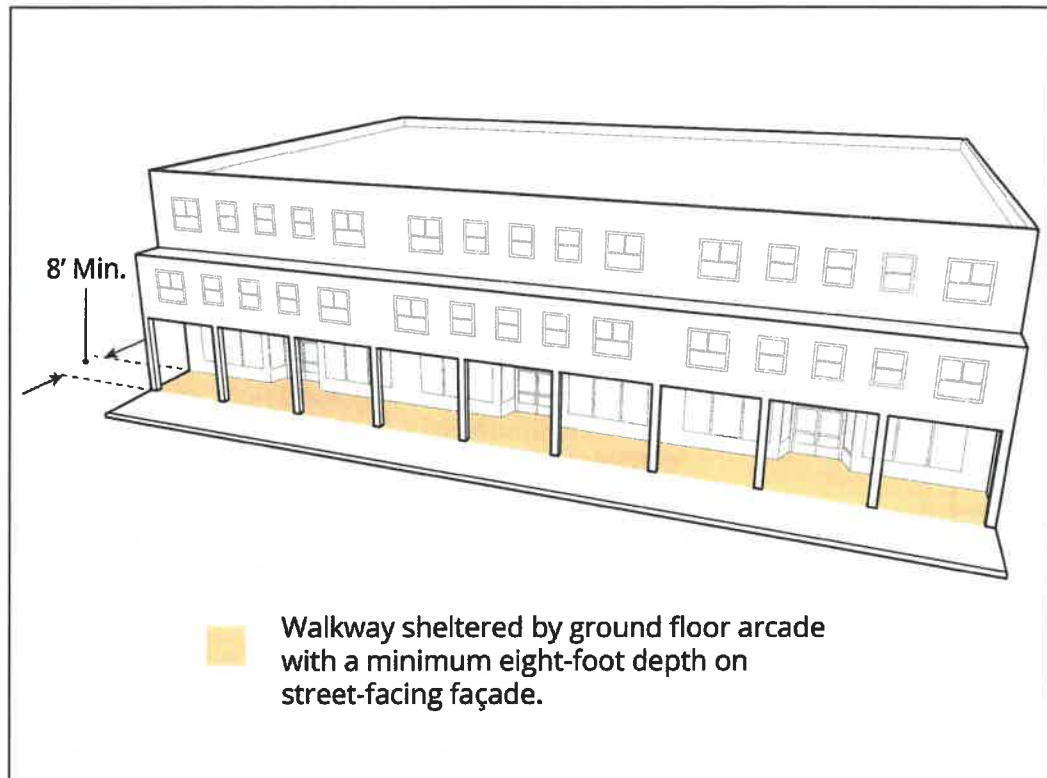
- c. Recessed façade plane to accommodate a building entry for the full height of the facade with a minimum ground plane area of 24 square feet. Where an awning or entry covering is provided, it can extend beyond the wall plane;

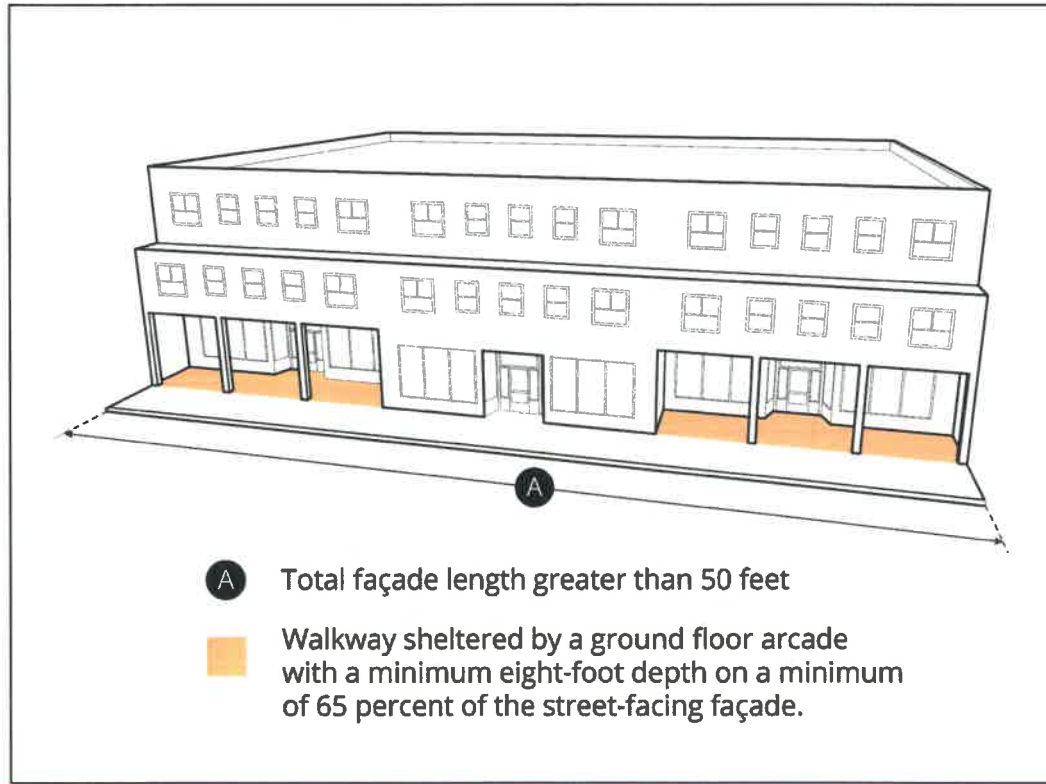


**Figure B.1.1c**

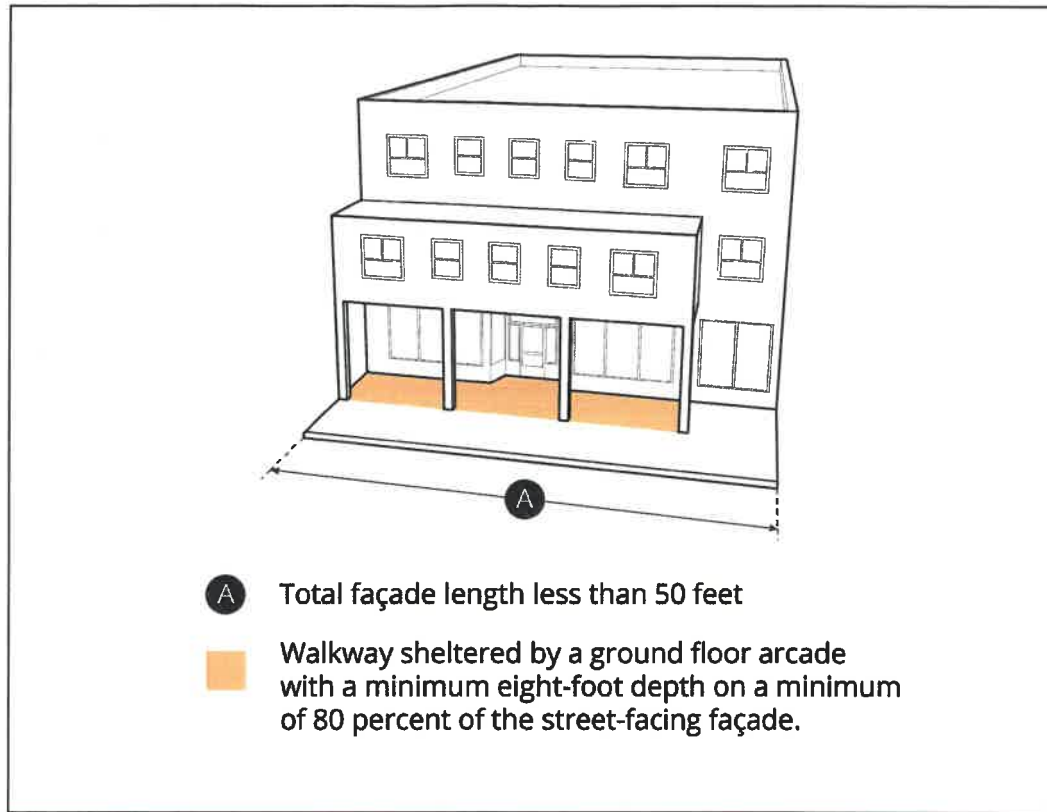


- d. An exterior arcade that provides a sheltered walkway within the building footprint with a minimum depth of eight feet, extending the full length of the façade; For a façade 50 feet or greater, the arcade must be a minimum length of 65 percent of the full building façade; for a façade less than 50 feet, the arcade must be a minimum of 80 percent of the full building façade.





**Figure B.1.1d (1)**



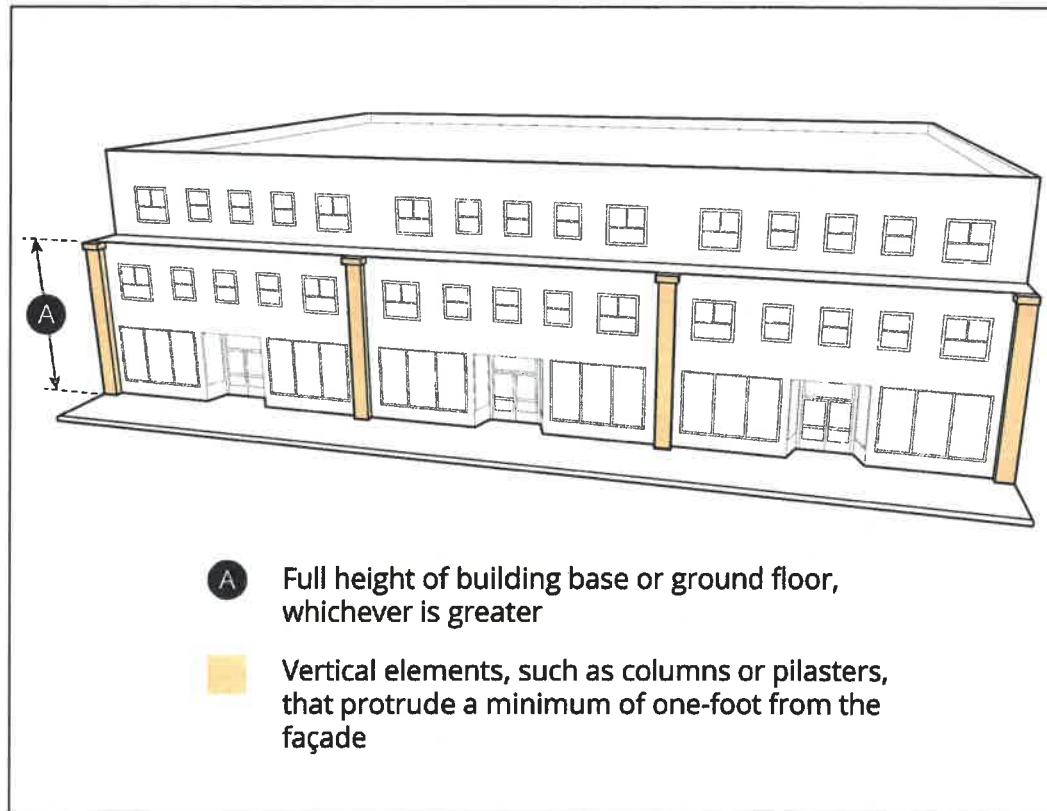
**Figure B.1.1d (2)**

- e. Ground floor ~~courtyards within the building footprint~~ open area abutting street-facing façade with a minimum area of 60 square feet; or



**Figure B.1.1e**

- f. Vertical elements, such as pilasters or columns, that protrude a minimum of one foot from the façade and extend the full height of the building base or ground floor, whichever is greater.



**Figure B.1.1f**

- 1.2 Upper floors above two stories shall be set back by a minimum of five feet from the ground-floor façade.
- 1.3 Townhomes or rowhouses shall have no more than six contiguous units in any single building.

## **B.2. Parking Structure Design**

- 2.1 The ground-floor façade of a parking structure facing a street or pedestrian walkway shall be fenestrated on a minimum of 40 percent of the façade.
- 2.2 Façade openings on upper levels of a parking structure shall be screened at a minimum 10 percent and up to 30 percent of the opening to prevent full transparency into the structure.
- 2.3 Parking structures facing a street and greater than 40 feet in length shall include landscaping between the building façade and the street, or façade articulation of at least 25 percent of the façade length. The façade articulation shall be implemented by one of the following solutions:
  - a. An offset of the façade plane with a depth of at least 18 inches for a minimum of eight feet in horizontal length; or
  - b. A different building material covering the entire façade articulation.

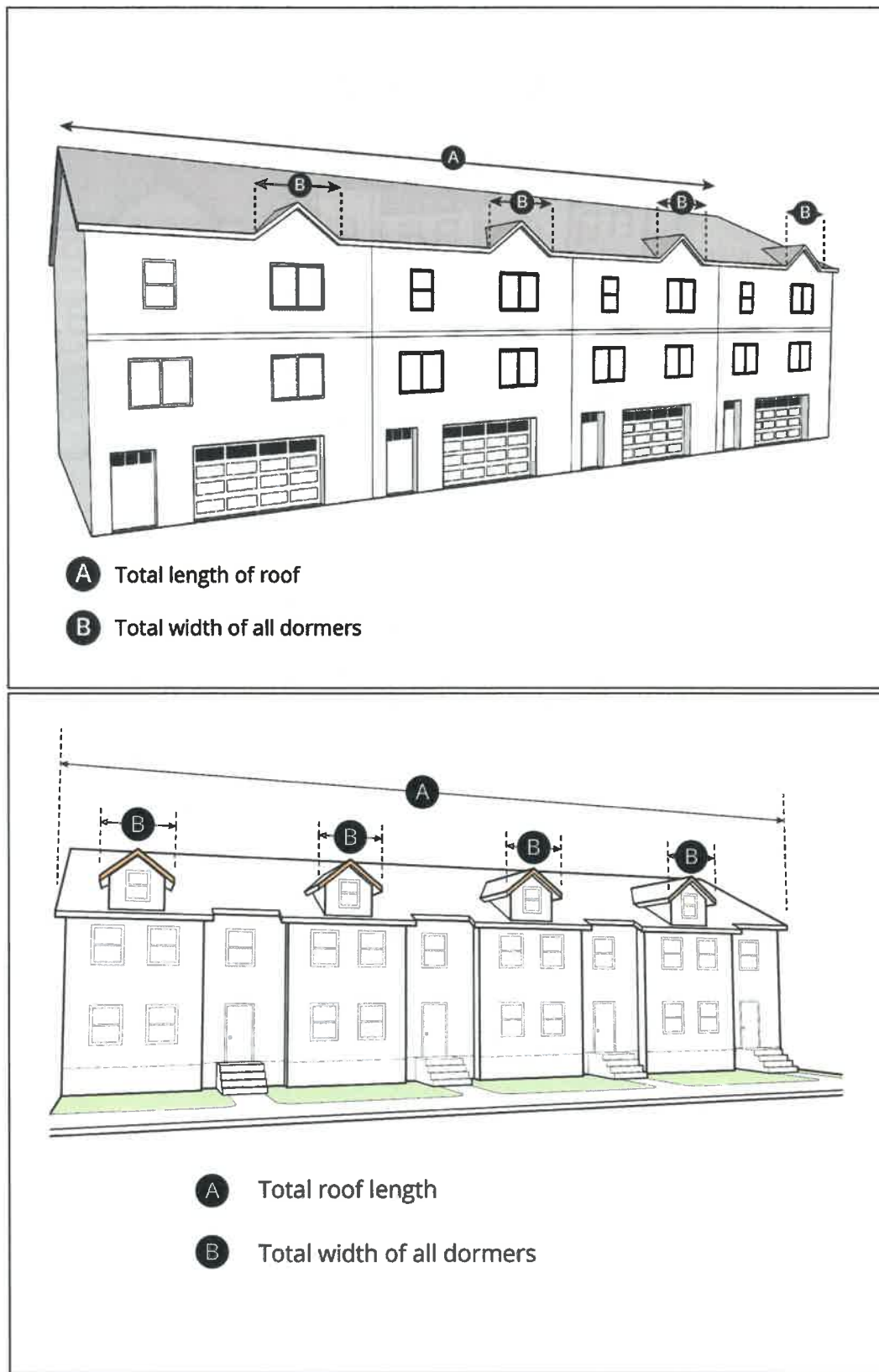
## **B.3. Roof Design**

- 3.1 At intervals of no more than 40 feet along the building façade, horizontal eaves shall be broken using at least one of the following strategies:
  - a. Gables;
  - b. Building projection with a depth of a minimum of two feet;
  - c. Change in façade or roof height of a minimum of two feet;
  - d. Change in roof pitch or form; or
  - e. Inclusion of dormers, parapets, and/or varying cornices.



**Figure B.3.1**

- 3.2 Skylights shall have a flat profile rather than domed.
- 3.3 The total width of a single dormer or multiple dormers shall not exceed 50 percent of the ~~length of the roof.~~ total roof length at the street-facing façade. The dormer width shall be measured at dormer roof fascia, or widest part of the dormer.



**Figure B.3.3**



3.4 Carport roof materials shall be the same as the primary building.

**B.4. Façade Design and Articulation**

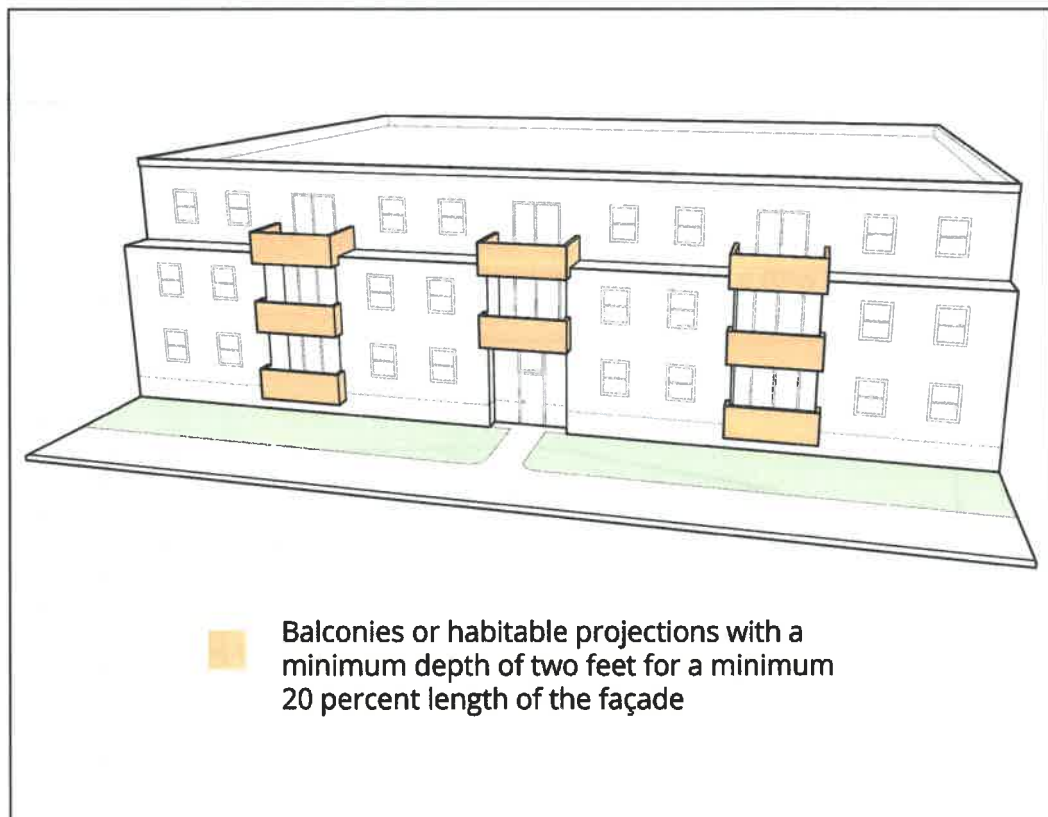
4.1 Buildings greater than two stories shall be designed to differentiate the base, middle, and top of the building on any street-facing façade. Each of these elements shall be distinguished from one another using at least two of the following solutions:

- a. Variation in building mass for a minimum of 60 percent of the length of the street-facing façade through changes in the façade plane that protrude or recess with a minimum dimension of two feet;



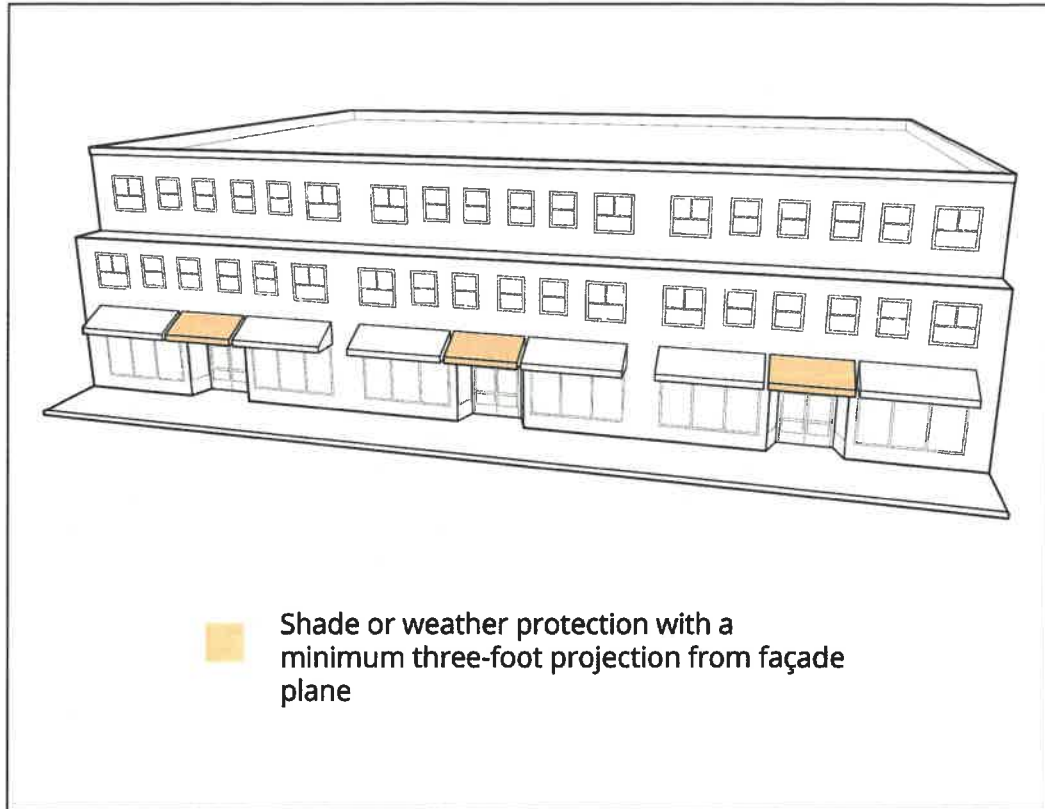
**Figure B.4.1a**

- b. Balconies or habitable projections with a minimum depth of two feet for a minimum of 20 percent length of the street-facing façade;



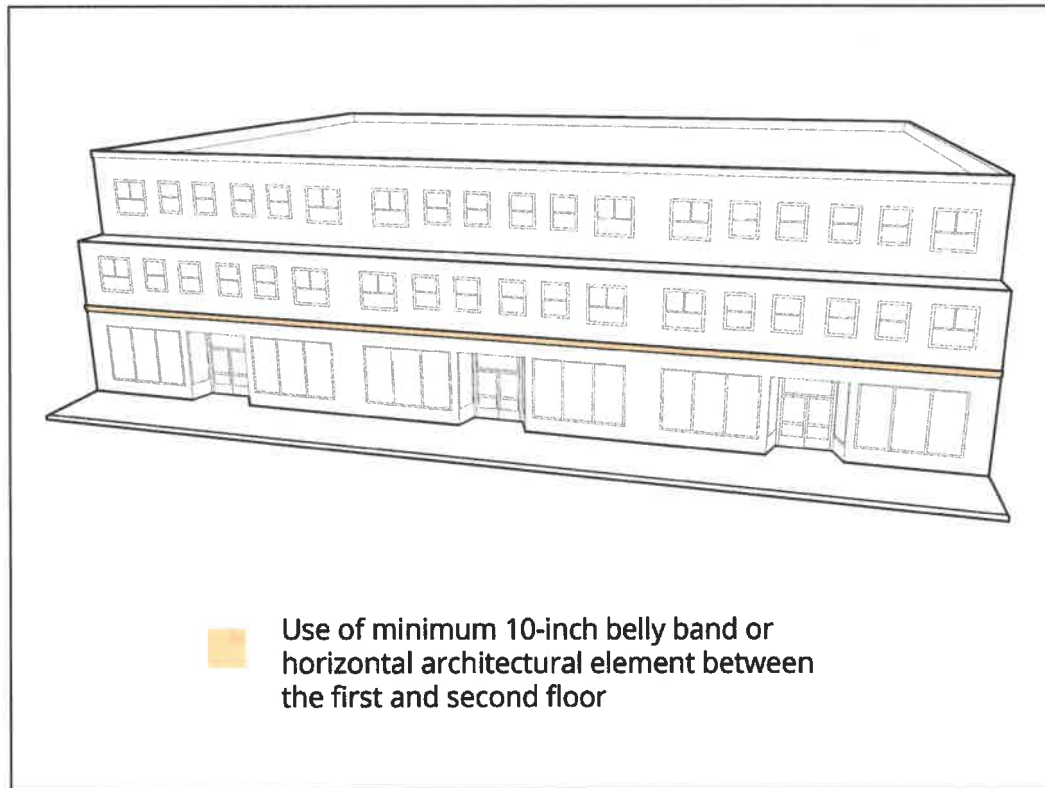
**Figure B.4.1b**

- c. Variation in façade articulation, using shade and weather protection components, projecting a minimum of three feet for a minimum of 20 percent length from the street-facing façade;



**Figure B.4.1c**

~~d. Use of a belly band or horizontal architectural element with a minimum height of 10 inches between the first and second floor;~~



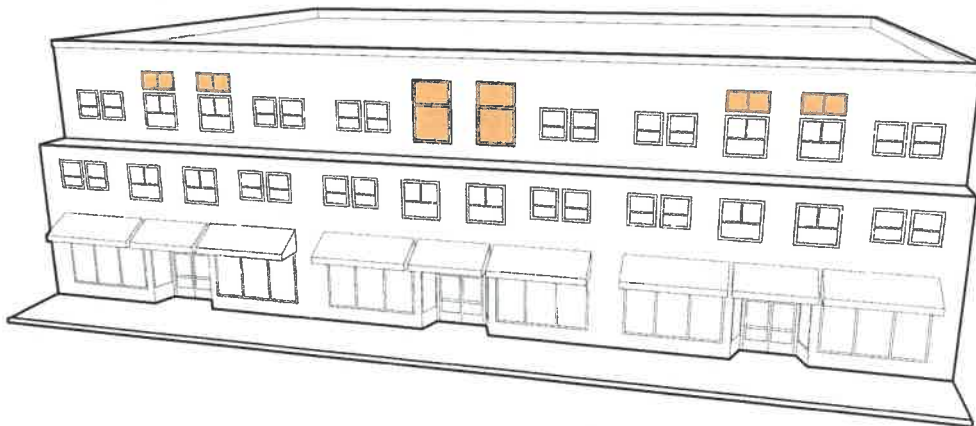
**Figure B.4.1d**

**e.d.** The use of at least two different façade materials, each covering a minimum of 20 percent of the street-facing façade, or

f.e. The upper floor shall ~~utilize~~implement a ~~higher floor-to-ceiling~~façade height that is a minimum of two feet greater than the ~~floor-to-ceiling~~façade height of the floor immediately below. The greater façade height shall be made evident by taller windows or arrangement of combined windows.



■ Floor-to-ceiling height a minimum of two-feet higher than floor immediately below

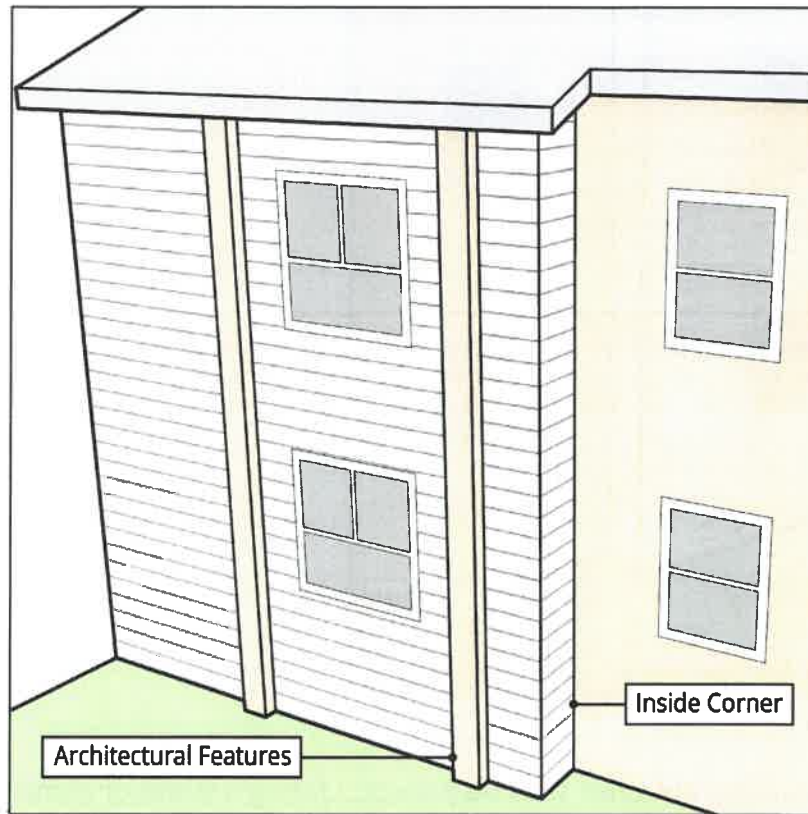


■ The greater façade height shall be made evident by taller windows or arrangement of combined windows.

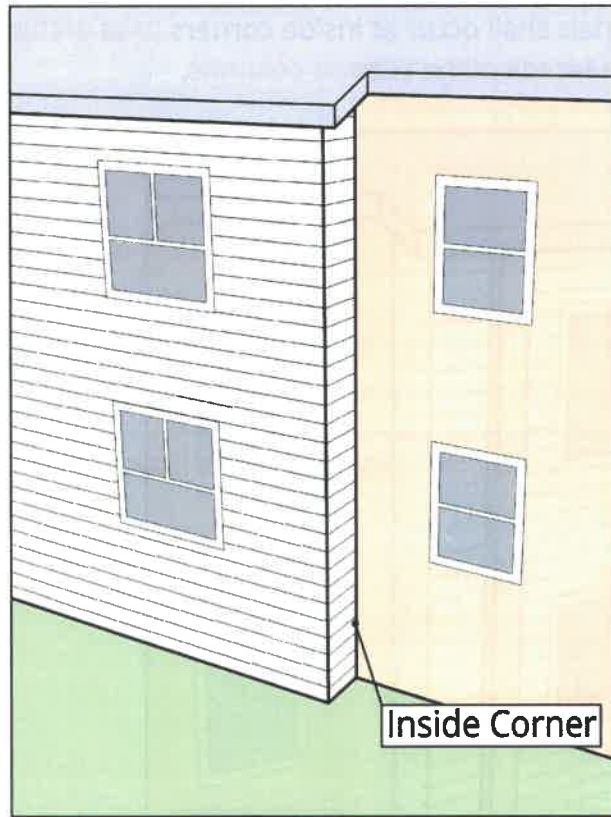
**Figure B.4.1f1e**

- 4.2 All façade materials, such as siding, window types, and architectural details, used on the street-facing façade shall be used on all other building façades.
- 4.3 Variation in the street-facing façade planes shall be provided for buildings greater than one story by incorporating any combination of the following architectural solutions to achieve a minimum of 16 points:
- Architectural features, such as:
    - Arcade or gallery along the ground floor; 8 points
    - Awnings or canopies on all ground floor windows of commercial space; 6 points
    - Building cornice; 5 points
    - ~~○ Belly band, or horizontal architectural element, between the first and second floor; or~~ 5 points
    - Façade sconce lighting at a minimum of one light fixture per 15 linear feet. 3 points
  - ~~Bay windows;~~ Bay or box windows projecting a minimum of 18 inches from the façade plane and comprising a minimum of 20 percent of the fenestration on the upper floors of the facade; 6 points
  - Balconies or Juliet balconies provided on a minimum of 40 percent of the fenestration on the upper floors of the facade; 5 points
  - Landscaped trellises or lattices extending across a minimum of 65 percent of any level of the facade; 5 points
  - Materials and color changes; 3 points
  - ~~▪ Chimneys;~~ 3 points
  - Eaves that overhang a minimum of two feet from the facade with supporting brackets; 3 points
  - Window boxes or plant shelves under a minimum of 60 percent of the fenestration on the upper floors of the facade; or 3 points
  - Decorative elements such as molding, brackets, or corbels. 3 points
- 4.4 Garage doors shall be recessed a minimum of 12 inches from the façade plane and along the street-facing façade shall not exceed 40 percent of the length of the building façade.

- 4.5 Changes in building materials shall occur at inside corners ~~or at architectural features that break up the façade plane such as columns.~~



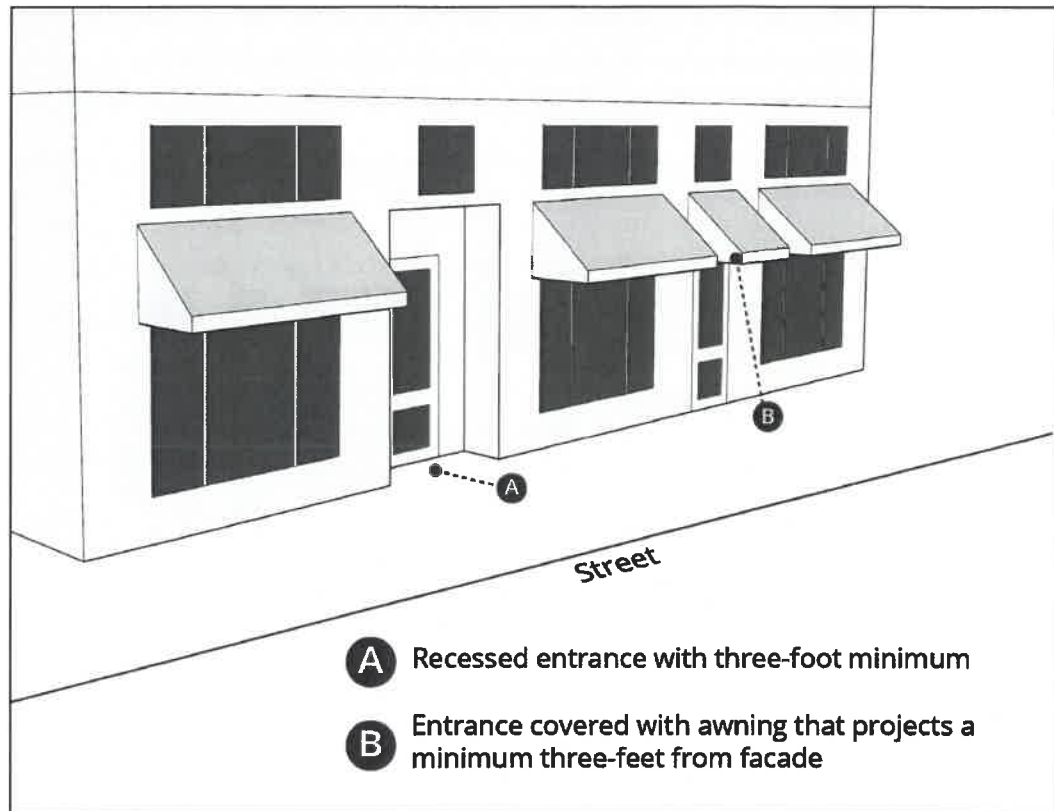




**Figure B.4.5**

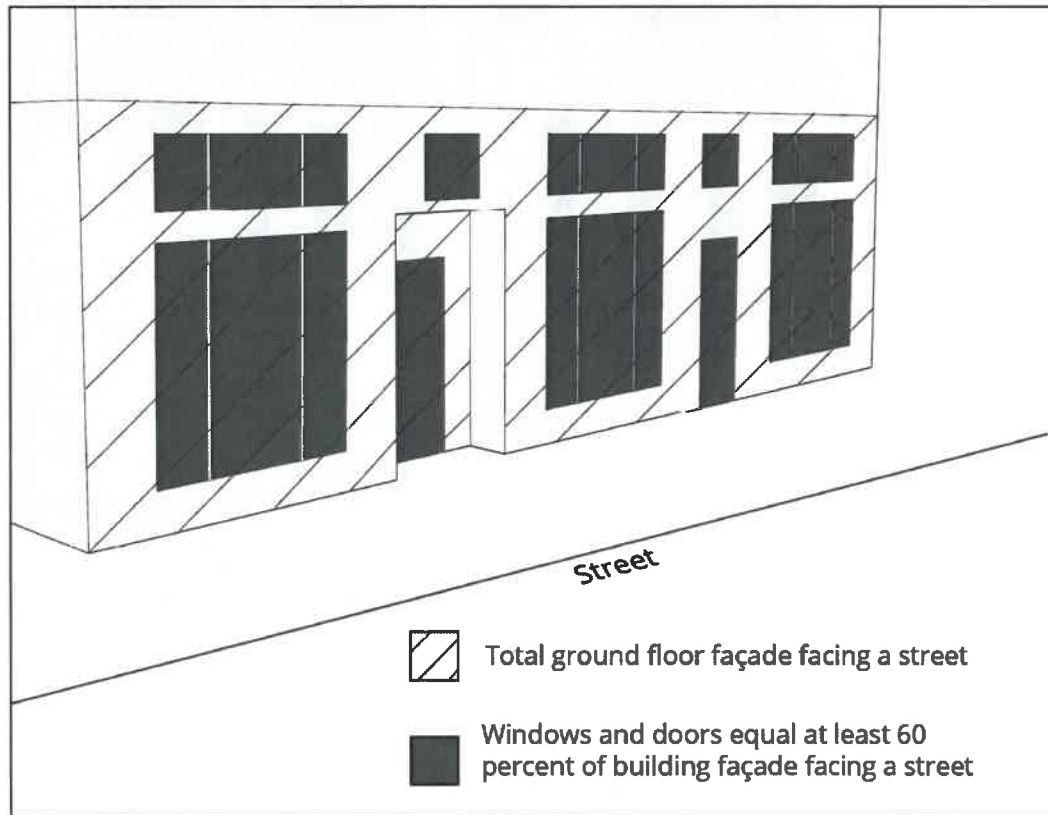
- 4.6 A primary building entrance shall be provided facing a street or community recreation space. Additionally, all development shall meet the following requirements:
- a. Pedestrian entries to ground-floor and upper-floor ~~commercial~~non-residential uses shall meet at least one of the following standards:
    - i. The entrance shall be recessed in the façade plane at least three feet in depth; or
    - ii. The entrance shall be covered by an awning, portico, or other architectural element projecting from the façade a minimum of three feet.





**Figure B.4.6a**

- b. For ground-floor commercial uses, façades facing a street shall include windows, doors, or openings for at least 60 percent of the building façade that is between two and 10 feet above the level of the sidewalk.



**Figure B.4.6b**

- 4.7 Pedestrian entries to buildings shall meet minimum dimensions to ensure adequate access based on use and development intensity. Building entries inclusive of the doorway and the facade plane shall meet the following minimum dimensions:
  - a. Individual residential entries: five feet in width
  - b. Single entry to multiple residential unit building, including ~~mixed-use~~Residential Mixed-Use buildings: eight feet in width
  - c. Storefront entry: six feet in width

- 4.8 Mirrored windows are prohibited.
- 4.9 Awnings shall be subject to the following requirements:
- a. A minimum vertical clearance of eight feet measured from the pedestrian pathway;
  - b. Shall not extend beyond individual storefront bays; and
  - c. Shall not be patterned or striped.
- 4.10 For buildings abutting a single-family zoning district, ~~rooftop and upper floor terraces and decks are prohibited~~ or existing single-family use, no part of a rooftop or upper floor terrace or deck shall be closer than five feet from the facade plane of the lower floor, to prevent views into adjacent residential uses.
- 4.11 Balconies are allowed on facades facing the street and those facades facing existing non-residential uses on abutting parcels. ~~Balconies facing existing residential uses on abutting parcels are allowed when the design is proven to prevent views to the residential use.~~ Such balconies shall be without any projections beyond the building footprint.
- 4.12 Residential ~~Mixed-use~~ Use buildings shall provide at least one of the following features along street-facing façades where the façade exceeds 50 feet in length:
- a. A minimum five-foot offset from the façade plane for a length of at least 10 feet;
  - b. Multiple pilasters or columns, each with a minimum width of two feet; or
  - c. Common open space, such as a plaza, outdoor dining area, or other spaces.
- 4.13 Continuous blank façades on any floor level shall not exceed 25 percent of the entire façade length along any street.

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## **Appendix A - Evaluation of Existing Developments**

The following developments in the Town of Los Gatos were analyzed to see if they would meet the three following standards that offer multiple design solutions (B.1.1, B.4.1, and B.4.3). These projects were designed and built without requirements to adhere to specific objective design standards. While some of the projects would not comply with all of the standards below, incorporating additional design solutions would be easily accomplished during the design phase.

### **B. BUILDING STANDARDS**

#### **B.1. Massing and Scale**

- 1.1 Multiple-story building façades that face a street shall incorporate breaks in the building mass by implementing a minimum of three of the following solutions along the combined façade area of all primary buildings facing the street:
- a. A minimum of 40 percent of the upper floor façade length shall step back from the plane of the ground-floor façade by at least five feet;
  - b. Changes in the façade plane with a minimum change in depth of two feet for a minimum length along the façade of two feet at intervals of no more than 30 feet;
  - c. Recessed façade plane to accommodate a building entry with a minimum ground plane area of 24 square feet. Where an awning or entry covering is provided, it can extend beyond the wall plane;
  - d. An exterior arcade that provides a sheltered walkway within the building footprint with a minimum depth of eight feet. For a façade 50 feet or greater, the arcade must be a minimum length of 65 percent of the full building façade; for a facade less than 50 feet, the arcade must be a minimum of 80 percent of the full building façade.
  - e. Ground floor open area abutting street-facing façade with a minimum area of 60 square feet; or
  - f. Vertical elements, such as pilasters or columns, that protrude a minimum of one foot from the façade and extend the full height of the building base or ground floor, whichever is greater.

#### **B.4. Façade Design and Articulation**

- 4.1 Buildings greater than two stories shall be designed to differentiate the base, middle, and top of the building on any street-facing façade. Each of these elements shall be distinguished from one another using at least two of the following solutions:
- g. Variation in building mass for a minimum of 60 percent of the length of the street-facing façade through changes in the façade plane that protrude or recess with a minimum dimension of two feet;
  - h. Balconies or habitable projections with a minimum depth of two feet for a minimum of 20 percent length of the street-facing façade;
  - i. Variation in façade articulation, using shade and weather protection components, projecting a minimum of three feet for a minimum of 20 percent length from the street-facing façade;
  - j. The use of at least two different façade materials, each covering a minimum of 20 percent of the street-facing façade, or
  - k. The upper floor shall implement a façade height that is a minimum of two feet greater than the façade height of the floor immediately below. The greater façade height shall be made evident by taller windows or arrangement of combined windows.

4.3 Variation in the street-facing façade planes shall be provided for buildings greater than one story by incorporating any combination of the following architectural solutions to achieve a minimum of 16 points:

- Architectural features, such as:
  - Arcade or gallery along the ground floor; 8 points
  - Awnings or canopies on all ground floor windows of commercial space; 6 points
  - Building cornice; 5 points
  - Façade sconce lighting at a minimum of one light fixture per 15 linear feet. 3 points
- Bay or box windows projecting a minimum of 18 inches from the façade plane and comprising a minimum of 20 percent of the fenestration on the upper floors of the facade; 6 points
- Balconies or Juliet balconies provided on a minimum of 40 percent of the fenestration on the upper floors of the facade; 5 points
- Landscaped trellises or lattices extending across a minimum of 65 percent of any level of the facade; 5 points
- Materials and color changes; 3 points
- Eaves that overhang a minimum of two feet from the facade with supporting brackets; 3 points
- Window boxes or plant shelves under a minimum of 60 percent of the fenestration on the upper floors of the facade; or 3 points
- Decorative elements such as molding, brackets, or corbels. 3 points

## **University Avenue at Los Gatos-Saratoga Road**



### **B.1.1 - (Minimum 3)**

- b. Changes in the façade plane with a minimum change in depth of two feet for a minimum length along the façade of two feet at intervals of no more than 30 feet.
- c. Recessed façade plane to accommodate a building entry with a minimum ground plane area of 24 square feet.
- e. Ground floor open area abutting street-facing façade with a minimum area of 60 square feet.

### **B.4.1 – Not applicable, only two stories.**

### **B.4.3 – (16 points minimum)**

Arcade (8 points)

Building cornice (5 points)

Sconce lighting (3 points)

Balconies (5 points)

Decorative elements (3 points)

**TOTAL = 24 points**



## **Aventino – Winchester Boulevard**



### **B1.1 - (Minimum 3)**

- b. Changes in the façade plane with a minimum change in depth of two feet for a minimum length along the façade of two feet at intervals of no more than 30 feet.
- c. Recessed façade plane to accommodate a building entry with a minimum ground plane area of 24 square feet.

### **B4.1 – (Minimum 2)**

- a. Variation in building mass for a minimum of 60 percent of the length of the street-facing façade through changes in the façade plane that protrude or recess with a minimum dimension of two feet;
- b. Balconies or habitable projections with a minimum depth of two feet for a minimum of 20 percent length of the street-facing façade;

### **B4.3 – (16 points minimum)**

Material and color changes (3 points)

Balconies or Juliet balconies (5 points)

Eaves that overhang a minimum of two feet from the façade with supporting brackets (3 points)

Window boxes or plant shelves (3 points)

Decorative elements such as molding, ornamentation, or corbels (3 points):

**TOTAL = 17 points**

## **North 40 - Market Hall**



### **B1.1 – (minimum 3)**

- b. Changes in the façade plane with a minimum change in depth of two feet for a minimum length along the façade of two feet at intervals of no more than 30 feet;
- e. Ground floor open area abutting street-facing façade with a minimum area of 60 square feet; or

**B4.1 – (Minimum 2)**

- a. Variation in building mass for a minimum of 60 percent of the length of the street-facing façade through changes in the façade plane that protrude or recess with a minimum dimension of two feet;
- c. Variation in façade articulation, using shade and weather protection components, projecting a minimum of three feet for a minimum of 20 percent length from the street-facing-façade;
- d. The use of at least two different façade materials, each covering a minimum of 20 percent of the street-facing façade;

**B4.3 – (16 points minimum)**

Awnings or canopies (6 points)

Material and color changes (3 points)

Eaves that overhang a minimum of two feet from the façade with supporting brackets (3 points)

Decorate elements such as molding, brackets, or corbels (3 points)

**TOTAL = 15 points**

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## **DRAFT RESOLUTION**

### **RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOS GATOS ADOPTING OBJECTIVE STANDARDS FOR THE REVIEW OF QUALIFYING MULTI-FAMILY AND RESIDENTIAL MIXED-USE DEVELOPMENTS**

**WHEREAS**, the State of California (State) adopted Senate Bills (SB) SB 167, SB 35, and SB 330, limiting local jurisdiction reviews on certain housing projects to standards that are objective, involving 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;

**WHEREAS**, in response to SB 167, SB 35, and SB 330, the Town Council of the Town of Los Gatos (Town) adopted Resolution 2019-053 authorizing application for, and receipt of, SB 2 Planning Grants Program Funds, including execution of an agreement with the California Department of Housing and Community Development by the Town Manager for the preparation of objective standards;

**WHEREAS**, the purpose of adopting objective standards is to comply with recent State 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;

**WHEREAS**, this matter was regularly noticed in conformance with State and Town law and came before the Planning Commission for public hearings on June 22, 2022, August 24, 2022, and September 14, 2022;

ATTACHMENT 4

**WHEREAS**, on June 22, 2022, August 24, 2022, and September 14, 2022, the Planning Commission held a public hearing to consider the Draft Objective Standards. The Planning Commission received and considered public comments on the Draft Objective Standards, reviewed the document, and provided input to staff on recommended modifications.

**WHEREAS**, on September 14, 2022, the Planning Commission recommended that the Town Council adopt the Draft Objective Standards with specific recommended modifications; and

**WHEREAS**, this matter was regularly noticed in conformance with State and Town law and came before the Town Council for public hearing on November 15, 2022.

**NOW, THEREFORE, THE TOWN COUNCIL FINDS AND RESOLVES:**

1. The Objective Standards are consistent with the Town's General Plan.
2. The Objective Standards are exempt from CEQA in that it can be seen with certainty that they will not impact the physical environment. (CEQA Guidelines Section 15061(b)(3).)
3. The Objective Standards attached hereto as Exhibit 1 are adopted.

**PASSED AND ADOPTED** at a regular meeting of the Town Council of the Town of Los Gatos, California, held on the 15<sup>th</sup> day of November, 2022, by the following vote:

COUNCIL MEMBERS:

AYES:

NAYS:

ABSENT:

ABSTAIN:

SIGNED:

MAYOR OF THE TOWN OF LOS GATOS  
LOS GATOS, CALIFORNIA

DATE: \_\_\_\_\_

ATTEST:

TOWN CLERK OF THE TOWN OF LOS GATOS  
LOS GATOS, CALIFORNIA

DATE: \_\_\_\_\_

## **EXHIBIT 1 – OBJECTIVE STANDARDS**

### **PURPOSE AND APPLICABILITY**

The purpose of the Objective Design Standards is to ensure that new qualifying projects in Los Gatos provide high-quality architecture, integrate with surrounding development, and include well-designed amenities and outdoor areas to enhance community character. These standards are intended to guide property owners, applicants, developers, and design professionals by providing clear design direction that enhances the Town's unique character and ensures a high-quality living environment.

California Government Code Section 65559.5 identifies Qualifying Housing Development Projects to include:

- Multi-family housing developments;
- Residential Mixed-Use Housing developments with a minimum of two-thirds of the square footage designated for residential use;
- Supportive and transitional housing development.

A Qualifying Housing Development Project shall be approved through a streamlined, ministerial review process when the project complies with these Objective Design Standards as well as complying with all existing objective development regulations in the Town, including but not limited to the following:

- General Plan
- Town Code
- Guidelines and Standards for Land Use Near Streams
- Bicycle and Pedestrian Master Plan
- Parks and Public Works Standards
- Santa Clara County Fire Department Requirements

These standards are only to be used for review of qualifying projects where Town review, approval, and/or denial is limited to only objective standards. Many projects will proceed through the standard review process, in which case the objective standards included herein would not apply.

### **ORGANIZATION**

The Objective Design Standards are organized into two primary sections: Site Standards; and Building Standards. The Site Standards section includes objective standards for site layout and building placement; vehicular access and parking; and outdoor areas and amenities. The Building Standards section includes objective standards for building form and massing; façade articulation; materials; and roof design.



## KEY TERMS

*Community recreation space* in Residential Mixed-Use developments means public gathering spaces, such as: plazas, outdoor dining areas, squares, pocket parks, or other community areas for the use of all residents and the business patrons and tenants.

*Community recreation space* in multi-family developments means gathering spaces, such as: play areas, pool areas, patios, rooftop decks, or other community areas for the use of all residents.

*Façade articulation* means the division of a building façade into distinct sections; including the materials, patterns, textures, and colors that add visual interest to a building or façade.

*Fenestration* means the design, construction, and presence of any openings in a building, such as: windows, doors, vents, wall panels, skylights, curtain walls, and louvers.

*Landscaping* means an area devoted to plantings, lawn, ground cover, gardens, trees, shrubs, and other plant materials; excluding driveways, parking, loading, or storage areas.

*Multi-family use* means the use of a site for three or more dwelling units on the same site.

*Objective Design Standards* means development regulations that are measurable, verifiable, and knowable to all parties prior to submittal of a qualifying project. A planning review process based on objective standards involves streamlined ministerial review with no personal or subjective judgement by a public official.

*Primary building* means a building within which the principal or main use on a lot or parcel is conducted. Where a permissible use involves more than one building designed or used for the primary purpose on the subject property, each such building on the parcel shall be construed as constituting a primary building.

*Private recreation space* at ground level means an outdoor enclosed patio or deck accessible from a single dwelling unit.

*Private recreation space* above ground level means an outdoor balcony, terrace, or rooftop deck, accessible from a single dwelling unit.

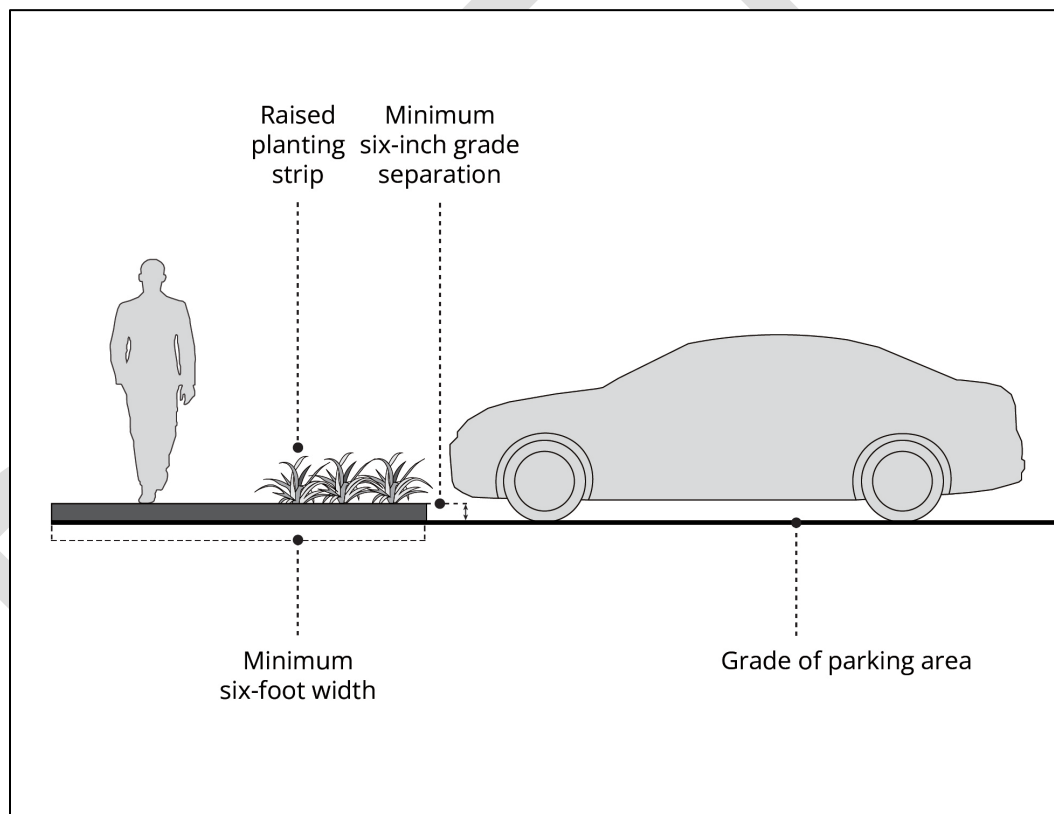
*Residential Mixed-Use* means a development project where a variety of uses such as office, commercial, and institutional, are combined with residential use(s) in a single building or on a single site in an integrated project. Two thirds of the project square footage must be residential uses.

*Transitional and supportive housing* means a type of housing used to facilitate the movement of people experiencing homelessness into permanent housing and independent living.

## A. SITE STANDARDS

### A.1. Pedestrian Access

- 1.1 All on-site buildings, entries, facilities, amenities, and vehicular and bicycle parking areas shall be internally connected with a minimum four-foot-wide pedestrian pathway or pathway network that may include use of the public sidewalk. The pedestrian pathway network shall connect to the public sidewalk along each street.
- 1.2 Pedestrian pathways within internal parking areas shall be separated from vehicular circulation by a physical barrier, such as a grade separation or a raised planting strip, of at least six inches in height and at least six feet in width. A pedestrian pathway is exempt from this standard where it crosses a parking vehicular drive aisle.



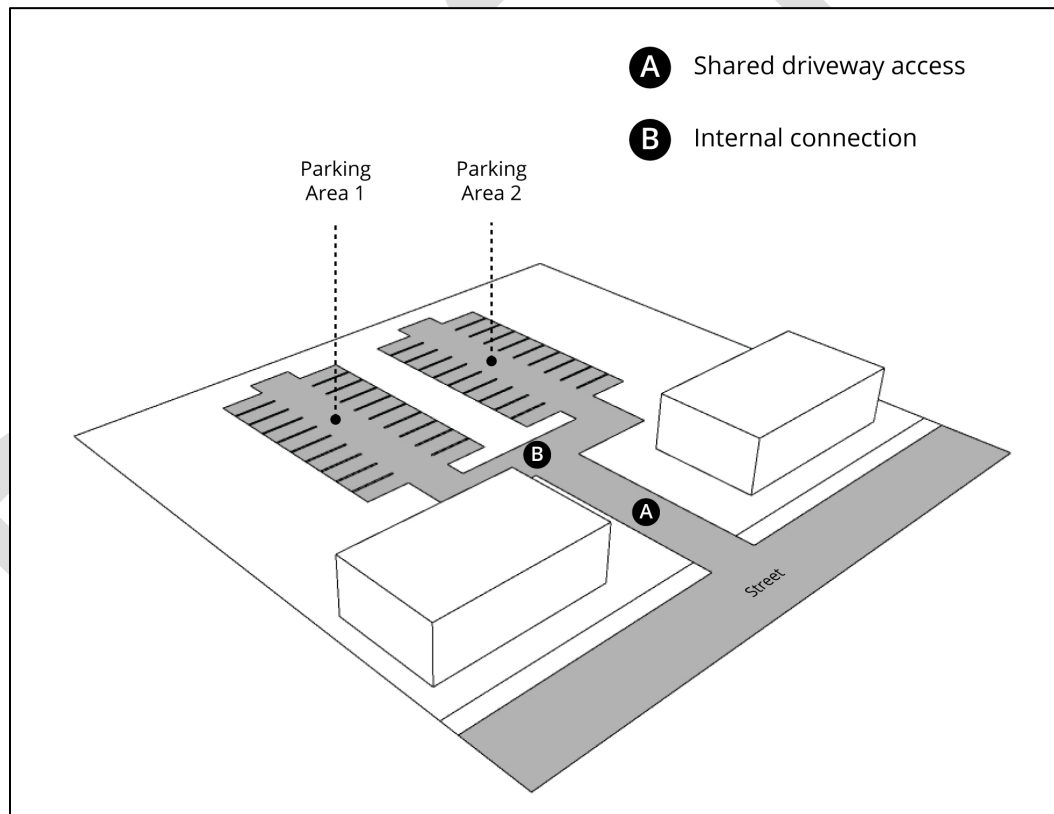
**Figure A.1.2**

## **A.2. Bicycle Access**

- 2.1 Bicycle parking shall be located within 50 feet of at least one primary building entrance.
- 2.2 Multi-family residential buildings shall provide one bicycle parking space per dwelling unit.
- 2.3 Residential Mixed-Use projects shall provide one bicycle parking space per dwelling unit and one bicycle parking space per 2,000 square feet of non-residential space.

## **A.3. Vehicular Access**

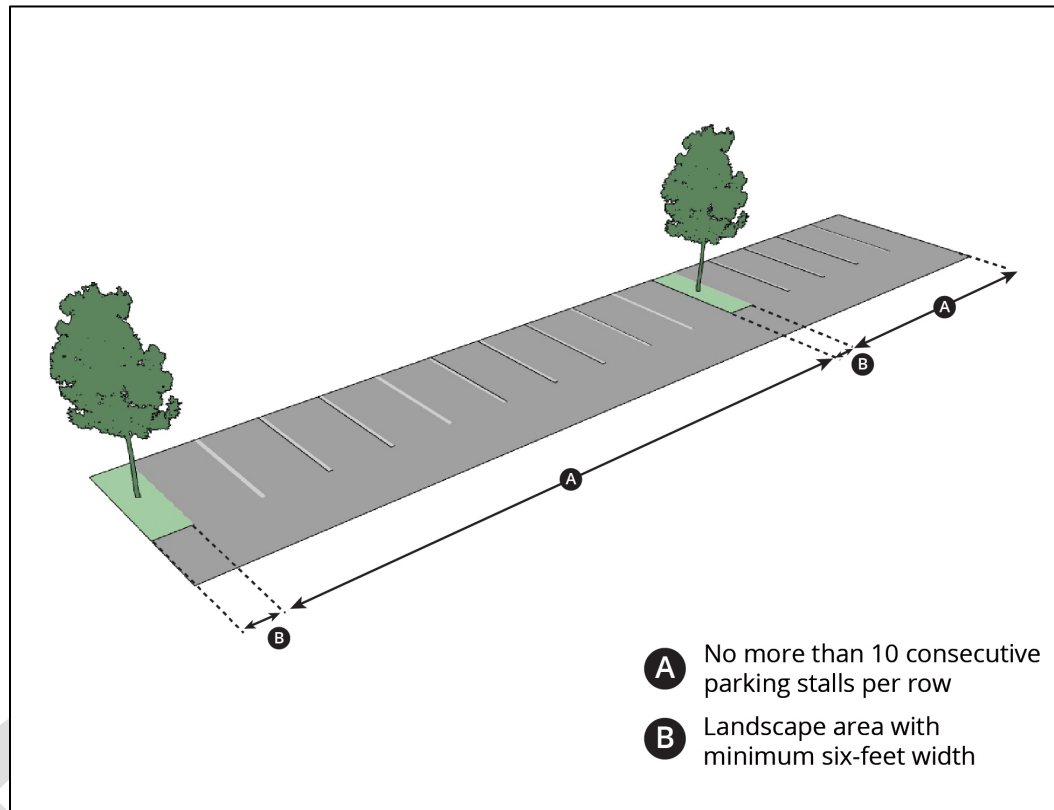
- 3.1 Off-street parking lots shall have vehicular circulation using an internal vehicular network that preclude the use of a public street for aisle-to-aisle internal circulation.



**Figure A.3.1**

#### **A.4. Parking Location and Design**

- 4.1 Surface parking lots and carports shall not be located between the primary building frontage and the street.
- 4.2 Uncovered parking rows with at least 15 consecutive parking spaces shall include a landscape area of six feet minimum width at intervals of no more than 10 consecutive parking stalls. One tree shall be provided in each landscape area.



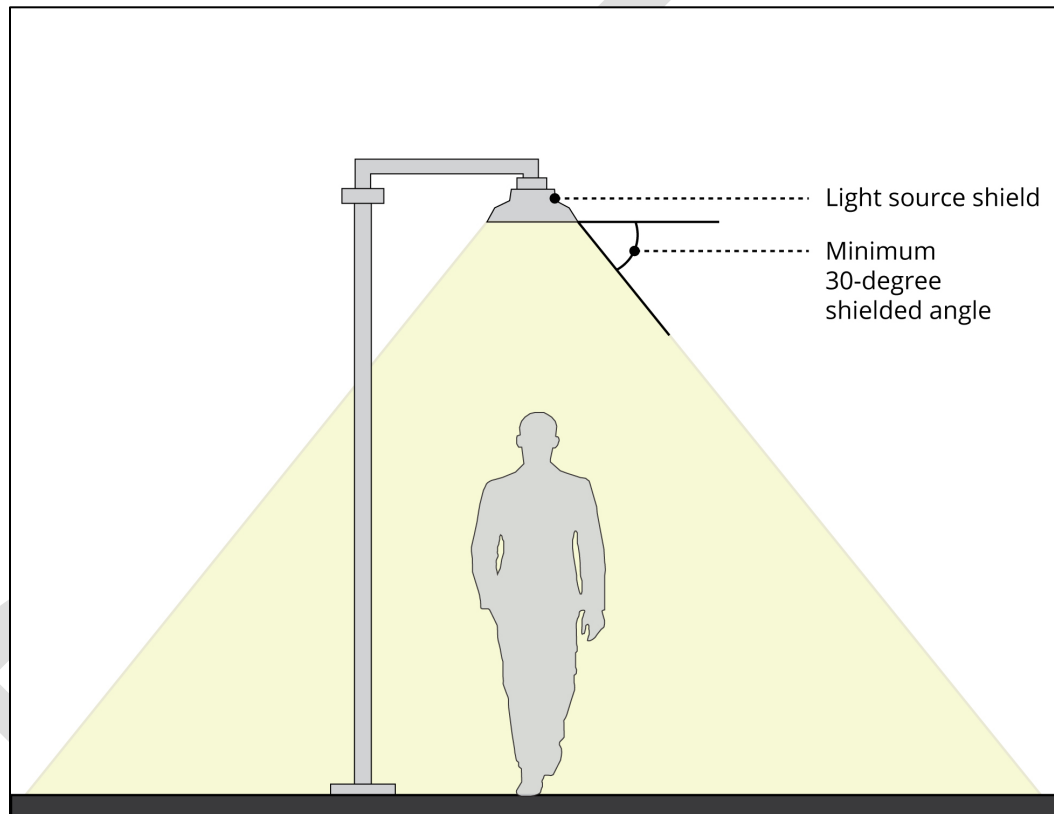
**Figure A.4.2**

#### **A.5. Parking Structure Access**

- 5.1 Any vehicular entry gate to a parking structure shall be located to allow a minimum of 18 feet between the gate and the back of the sidewalk to minimize conflicts between sidewalks and vehicle queuing.
- 5.2 A parking structure shall not occupy more than 50 percent of the building width of any street-facing façade, and it shall be recessed a minimum of five feet from the street-facing façade of the building.
- 5.3 For projects with five or more residential units and that have a vehicle access gate to the parking structure, a pedestrian gate shall also be provided.

## A.6. Utilities

- 6.1 Pedestrian-oriented lighting shall be provided along all pedestrian paths in community recreation spaces. Exterior lighting fixtures shall be a minimum of three feet and a maximum of 12 feet in height. Light fixtures shall be placed along the pedestrian path at a spacing of no more than 30 linear feet.
- 6.2 Exterior lighting shall be fully shielded and restrain light to a minimum 30 degrees below the horizontal plane of the light source. Lighting shall be arranged so that the light will not shine directly on lands of adjacent residential zoned properties. Uplighting is prohibited.

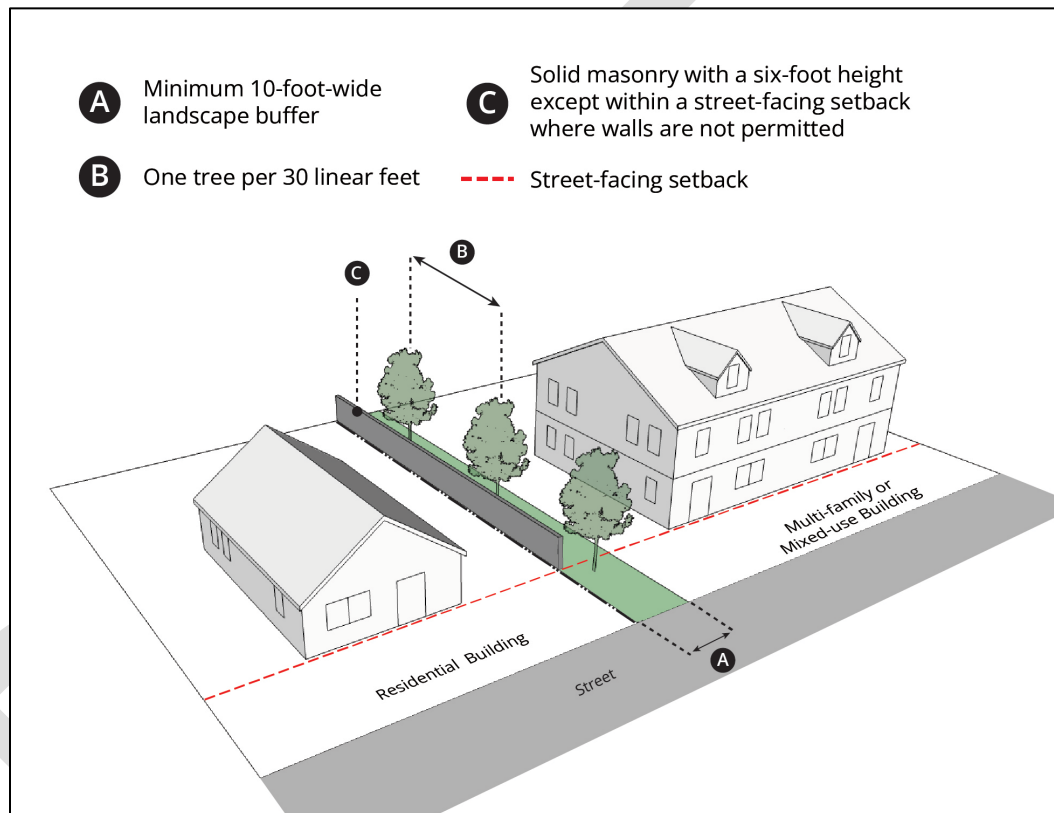


**Figure A.6.2**

- 6.3 Street level views of ground level utility cabinets, mechanical equipment, trash, and service areas shall be screened from sight with landscape planting, fencing, or a wall, as allowed by the Town Code. The screening shall be at least the same height as the item being screened and screening that is not landscape material shall be constructed with one or more of the materials used on the primary building.
- 6.4 Rooftop mechanical equipment shall be screened from view from the street. Solar equipment is exempt from this requirement.

## A.7. Landscaping and Screening

- 7.1 At least 50 percent of the front setback area shall be landscaped.
- 7.2 A minimum 10-foot-wide landscape buffer shall be provided along the full length of the shared property line between multi-family or Residential Mixed-Use development and abutting residential properties. The buffer shall include the following:
- A solid masonry wall with a six-foot height, except within a street-facing setback where walls are not permitted; and



**Figure A.7.2a**

- Trees planted at a rate of at least one tree per 30 linear feet along the shared property line. Tree species shall be selected from the Town of Los Gatos Master Street Tree List and shall be a minimum 15-gallon size.
- 7.3 Surface parking lots shall be screened from view of the street with landscaping or a wall with a minimum three-foot height to screen the parking lot when not already screened by a primary building. When located in a street-facing setback, screening may not exceed a height of three feet.

#### **A.8. Fencing**

- 8.1 Fences, walls, and gates within required setbacks along all street frontages are prohibited unless used to screen on-site parking spaces from view from the street.
- 8.2 Chain link fencing is prohibited.
- 8.3 Perimeter barrier gates for vehicles and pedestrian entry gates shall have a maximum height of six feet.
- 8.4 Solid vehicular and pedestrian entry gates are prohibited. Entry gates shall be a minimum 50 percent open view.

#### **A.9. Retaining Walls**

- 9.1 Retaining walls shall not exceed five feet in height. Where an additional retained portion is necessary, multiple-terraced walls shall be used. Terraced walls shall set back at least three feet from the lower segment.
- 9.2 Retaining walls shall not run in a straight continuous direction for more than 50 feet without including the following:
  - a. A break, offset, or landscape pocket in the wall plane of at least three feet in length and two feet in depth; and
  - b. Landscaping at a minimum height of three feet at the time of installation along a minimum of 60 percent of the total length of the retaining wall.

#### **A.10. Landscaped, Private, and Community Recreation Spaces**

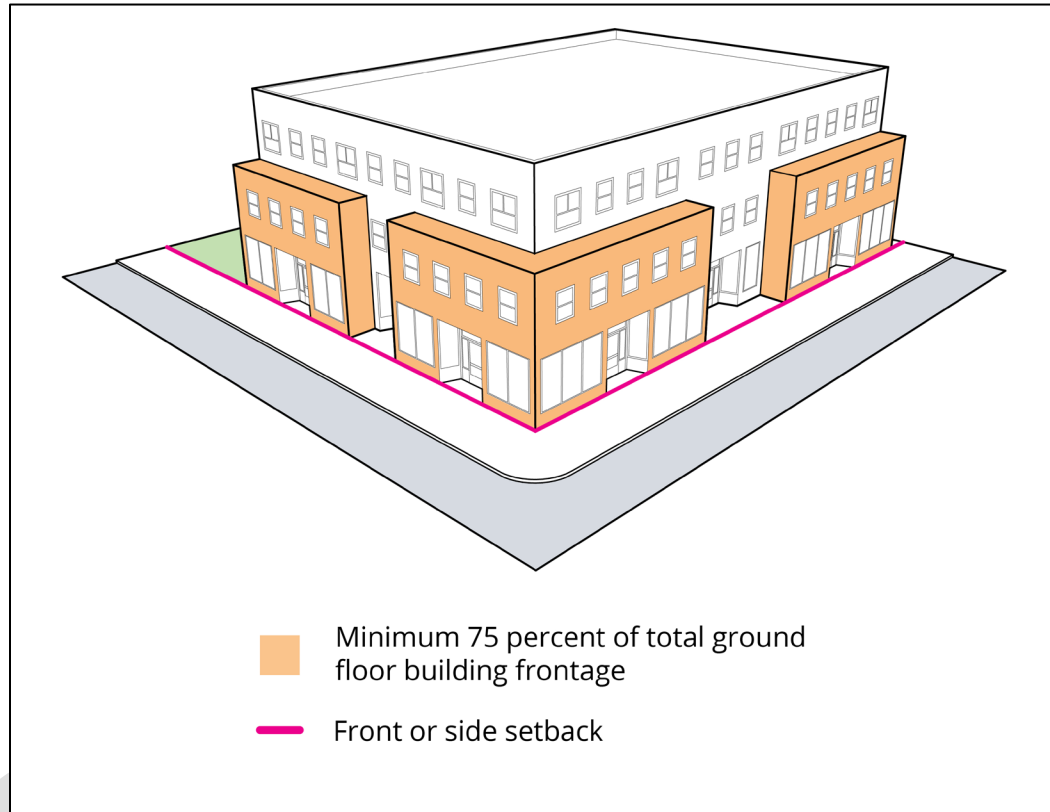
- 10.1 The landscaped, private, and community recreation spaces listed below are required for all qualifying projects. Community recreation spaces and private recreation spaces are calculated independent of each other. Landscaped areas within community recreation spaces can contribute to required minimums for both landscaped area and community recreation space.
  - a. Landscaped space: A minimum of 20 percent of the site area shall be landscaped.
  - b. Private recreation space: The minimum horizontal dimension is six feet in any direction and a minimum area of 60 square feet. The minimum vertical clearance required is eight feet. Private recreation space shall be directly accessible from the residential unit. Landscaped sections of private recreation space cannot count towards required landscaping requirements.
    - i. Each ground floor dwelling unit shall have a minimum of 120 square feet of usable private recreation space.

- ii. Each dwelling unit above the ground floor shall have a minimum of 60 square feet of usable private recreation space. Where multiple balconies are provided for a single unit, the 60-square-foot minimum can be an aggregate of all balconies, provide each balcony meets the requirements for minimum horizontal dimensions.
- c. Community recreation space: The minimum dimensions are 10 feet by six feet. A minimum of 60 percent of the community recreation space shall be open to the sky and free of permanent solid-roofed weather protection structures. Community recreation space shall provide shading for a minimum 15 percent of the community recreation space by either trees or structures, such as awnings, canopies, umbrellas, or a trellis. Tree shading shall be calculated by using the diameter of the tree crown at 15 years maturity. Shading from other built structures shall be calculated by using the surface area of the overhead feature.
  - i. Community recreation space shall be provided in Residential Mixed-Use developments at a minimum of 100 square feet per residential unit plus a minimum of two percent of the non-residential square footage.
  - ii. Community recreation space shall be provided in multi-family residential development projects at a minimum of 100 square feet per residential unit.
  - iii. A project with four or less residential units is exempt from community recreation space requirements.
  - iv. Landscaped roof space can satisfy both required landscaping requirements and community recreation space requirements. Landscaped roof space may not be used to satisfy more than 50 percent of the required landscaping for the site.



## A.11. Building Placement

- 11.1 To ensure buildings provide a continuous frontage along sidewalks, development in commercial zones shall place at least 75 percent of any ground floor street-facing façade on or within five feet of the setback line designated in the Town Code.



**Figure A.11.1**

- 11.2 A Residential Mixed-Use project with a ground-floor non-residential use shall provide site amenities on a minimum of 15 percent of the ground plane between the building and the front or street-side property line. The site amenities shall be comprised of any of the following elements:
- a. Landscape materials or raised planters;
  - b. Walls designed to accommodate pedestrian seating, no higher than 36 inches;
  - c. Site furnishings, including fountains, sculptures, and other public art; or
  - d. Tables and chairs associated with the ground floor use.

## B. BUILDING STANDARDS

### B.1. Massing and Scale

- 1.1 Multiple-story building façades that face a street shall incorporate breaks in the building mass by implementing a minimum of three of the following solutions along the combined façade area of all primary buildings facing the street:
- A minimum of 40 percent of the upper floor façade length shall step back from the plane of the ground-floor façade by at least five feet;

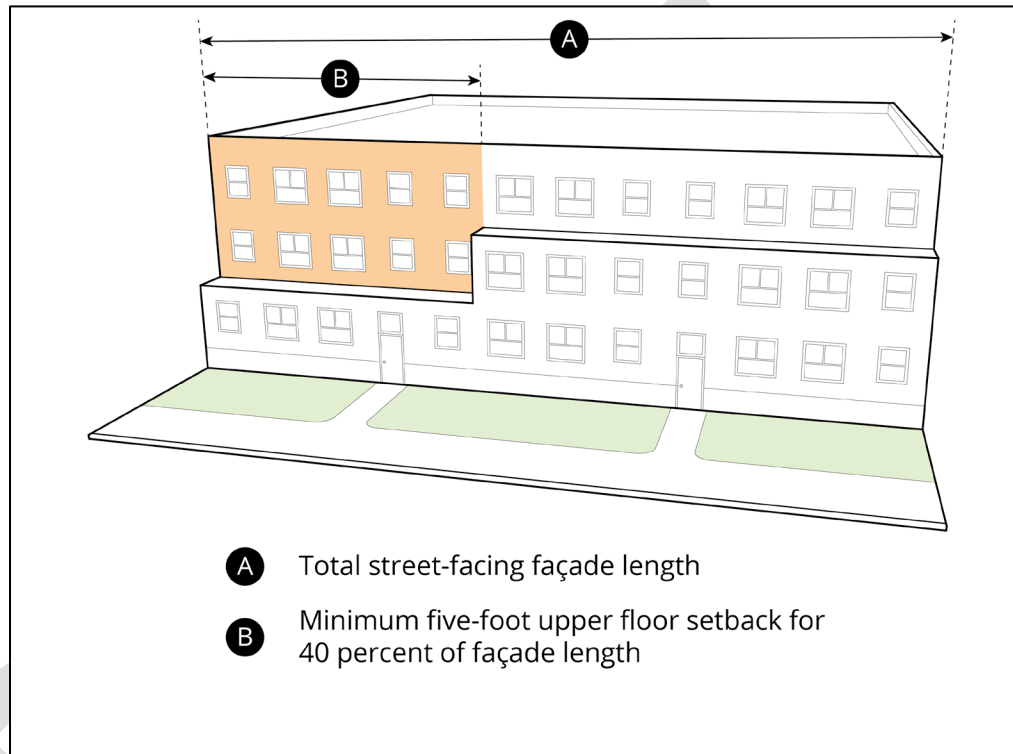
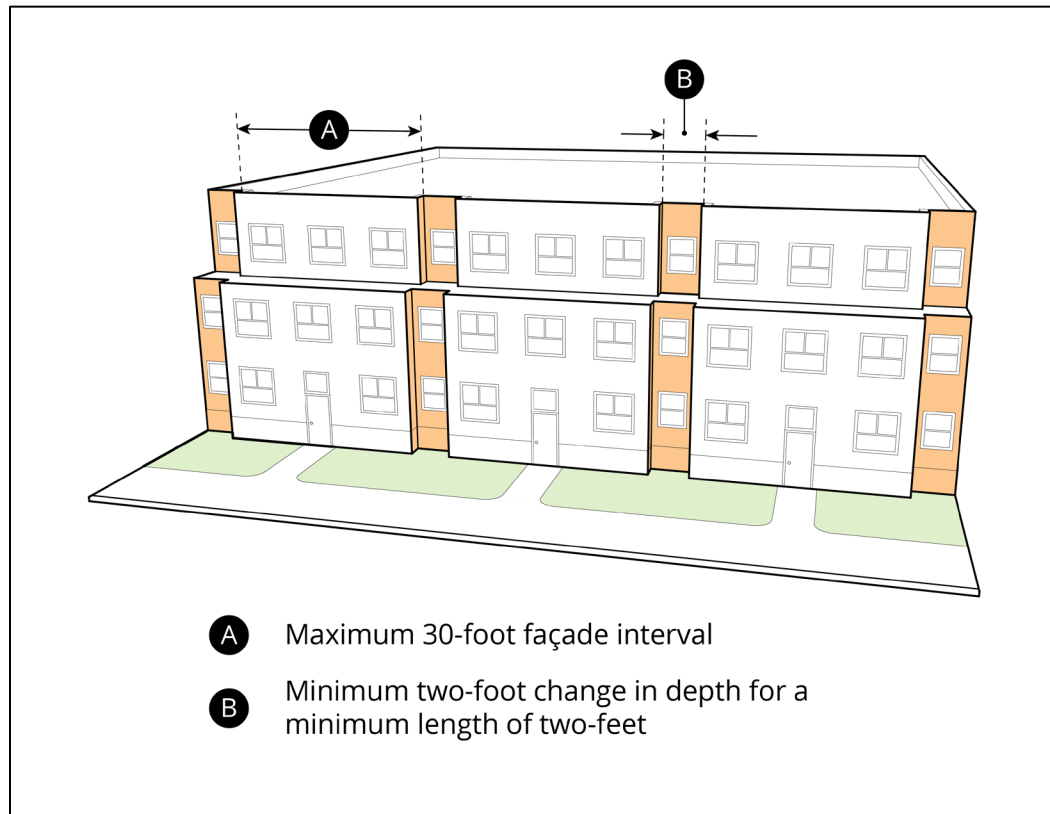


Figure B.1.1a

- b. Changes in the façade plane with a minimum change in depth of two feet for a minimum length along the façade of two feet at intervals of no more than 30 feet;



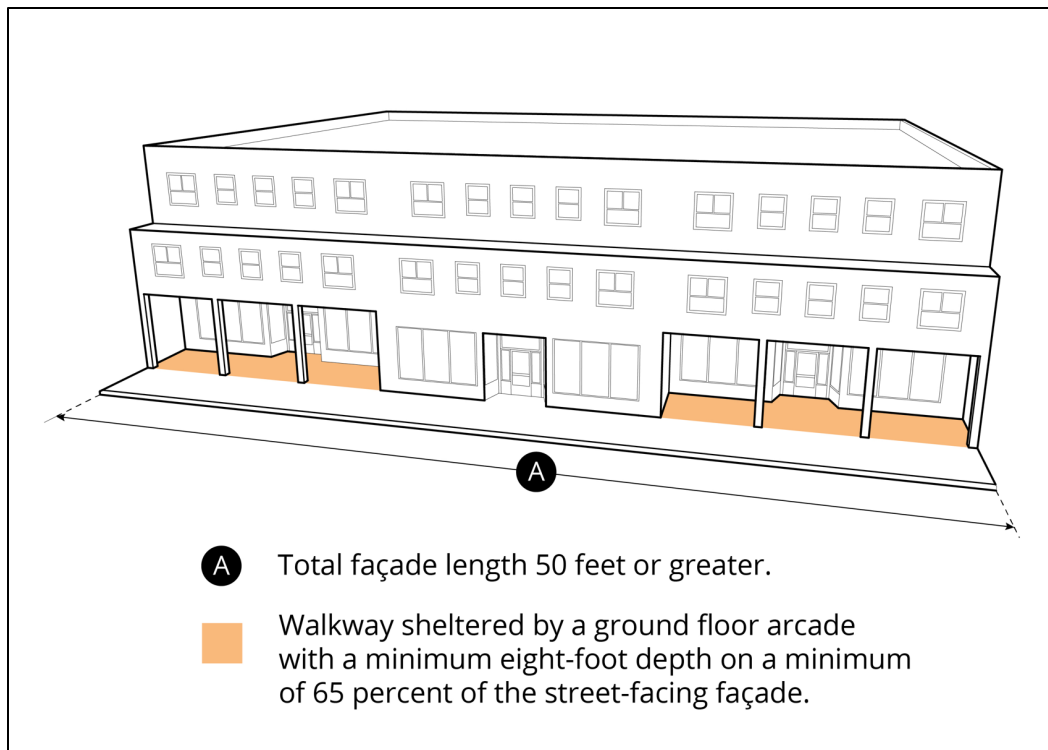
**Figure B.1.1b**

- c. Recessed façade plane to accommodate a building entry with a minimum ground plane area of 24 square feet. Where an awning or entry covering is provided, it can extend beyond the wall plane;

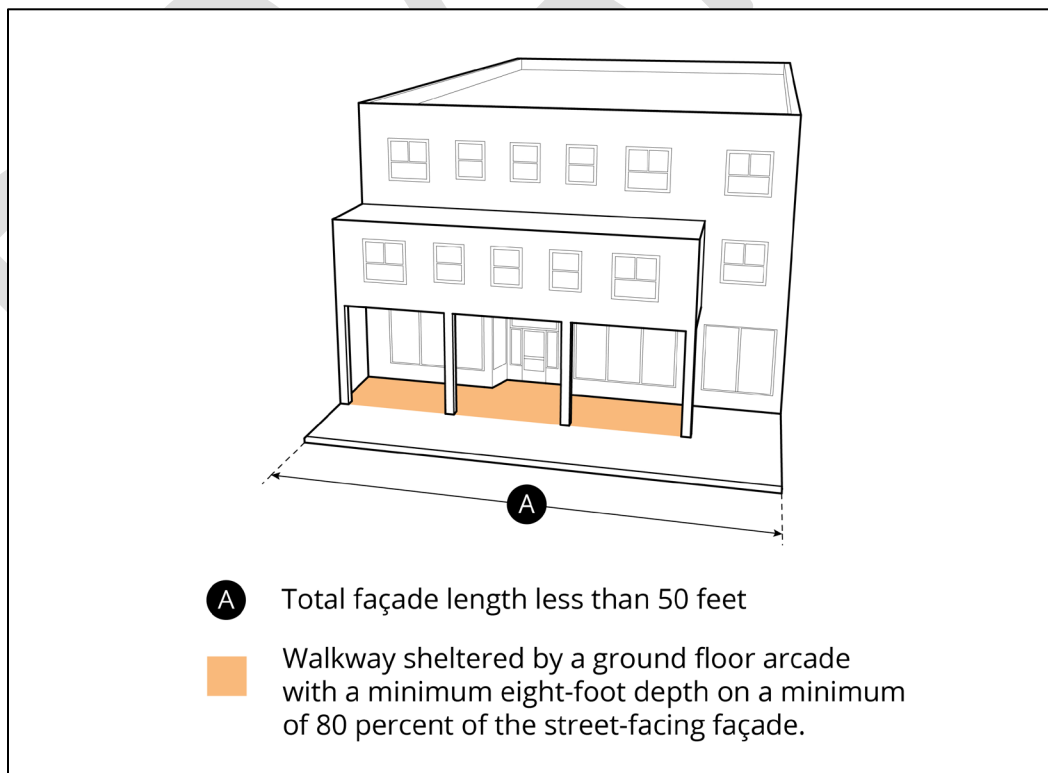


**Figure B.1.1c**

- d. An exterior arcade that provides a sheltered walkway within the building footprint with a minimum depth of eight feet. For a façade 50 feet or greater, the arcade must be a minimum length of 65 percent of the full building façade; for a facade less than 50 feet, the arcade must be a minimum of 80 percent of the full building façade.



**Figure B.1.1d (1)**



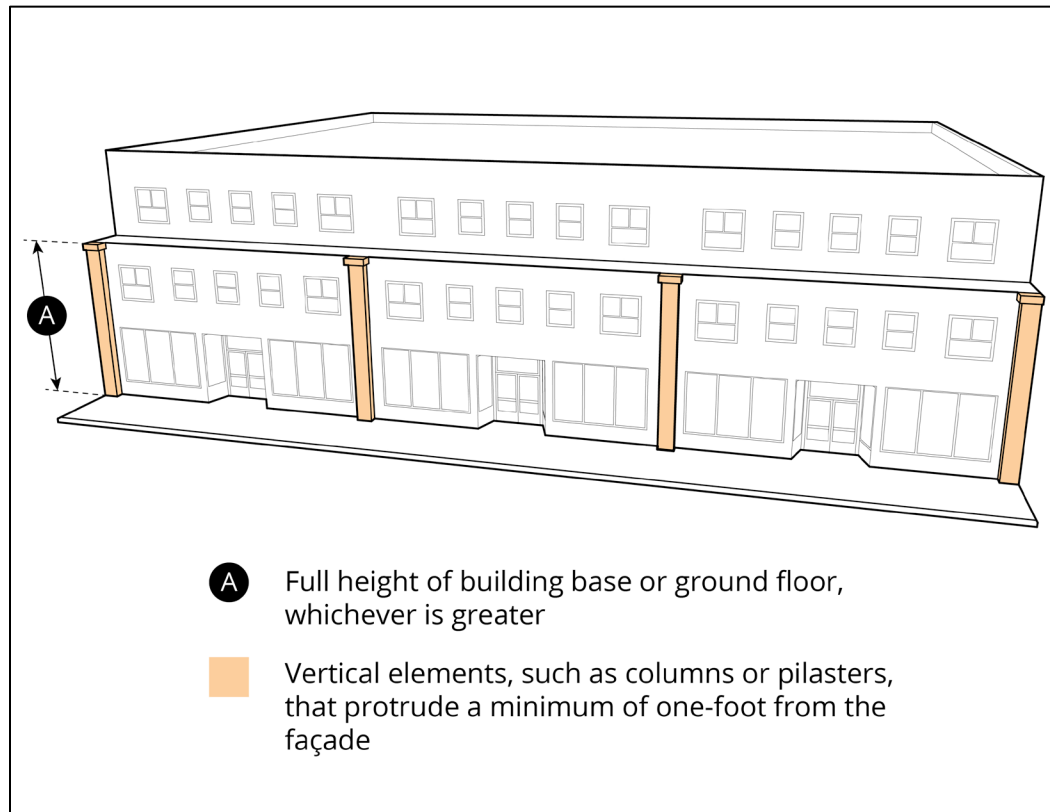
**Figure B.1.1d (2)**

- e. Ground floor open area abutting street-facing façade with a minimum area of 60 square feet; or



**Figure B.1.1e**

- f. Vertical elements, such as pilasters or columns, that protrude a minimum of one foot from the façade and extend the full height of the building base or ground floor, whichever is greater.



**Figure B.1.1f**

- 1.2 Upper floors above two stories shall be set back by a minimum of five feet from the ground-floor façade.
- 1.3 Townhomes or rowhouses shall have no more than six contiguous units in any single building.

## **B.2. Parking Structure Design**

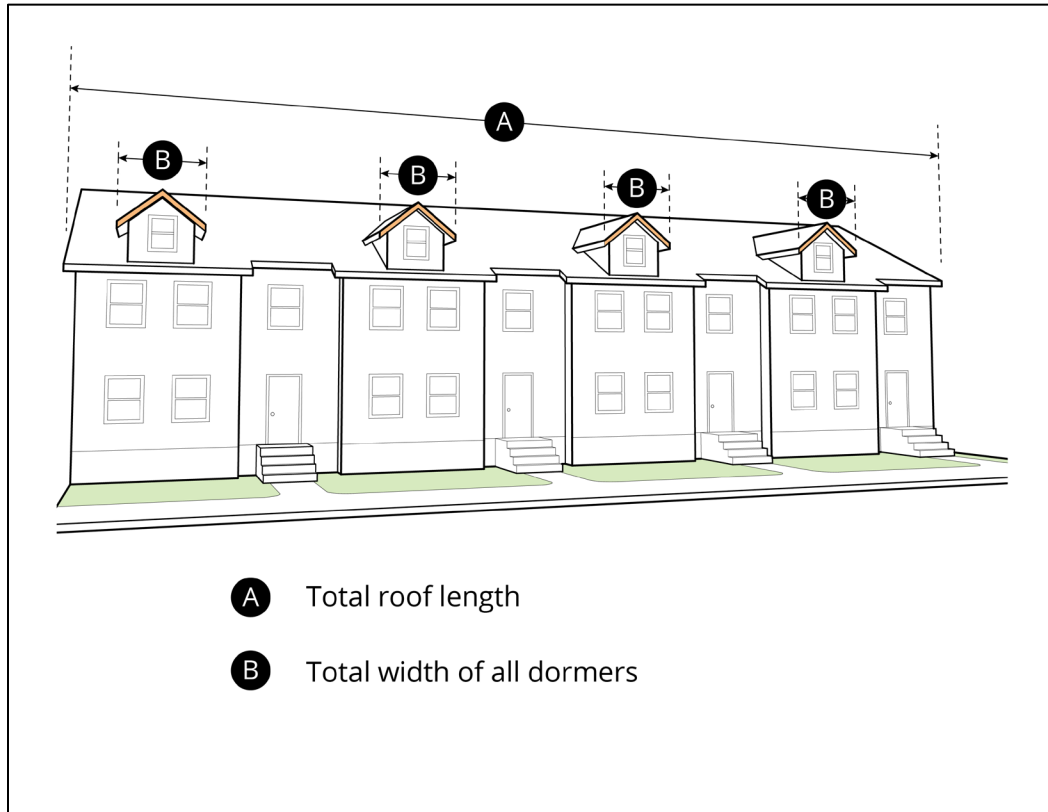
- 2.1 The ground-floor façade of a parking structure facing a street or pedestrian walkway shall be fenestrated on a minimum of 40 percent of the façade.
- 2.2 Façade openings on upper levels of a parking structure shall be screened at a minimum 10 percent and up to 30 percent of the opening to prevent full transparency into the structure.
- 2.3 Parking structures facing a street and greater than 40 feet in length shall include landscaping between the building façade and the street, or façade articulation of at least 25 percent of the façade length. The façade articulation shall be implemented by one of the following solutions:
  - a. An offset of the façade plane with a depth of at least 18 inches for a minimum of eight feet in horizontal length; or
  - b. A different building material covering the entire façade articulation.

## **B.3. Roof Design**

- 3.1 At intervals of no more than 40 feet along the building façade, horizontal eaves shall be broken using at least one of the following strategies:
  - a. Gables;
  - b. Building projection with a depth of a minimum of two feet;
  - c. Change in façade or roof height of a minimum of two feet;
  - d. Change in roof pitch or form; or
  - e. Inclusion of dormers, parapets, and/or varying cornices.
- 3.2 Skylights shall have a flat profile rather than domed.



- 3.3 The total width of a single dormer or multiple dormers shall not exceed 50 percent of the total roof length at the street-facing façade. The dormer width shall be measured at dormer roof fascia, or widest part of the dormer.

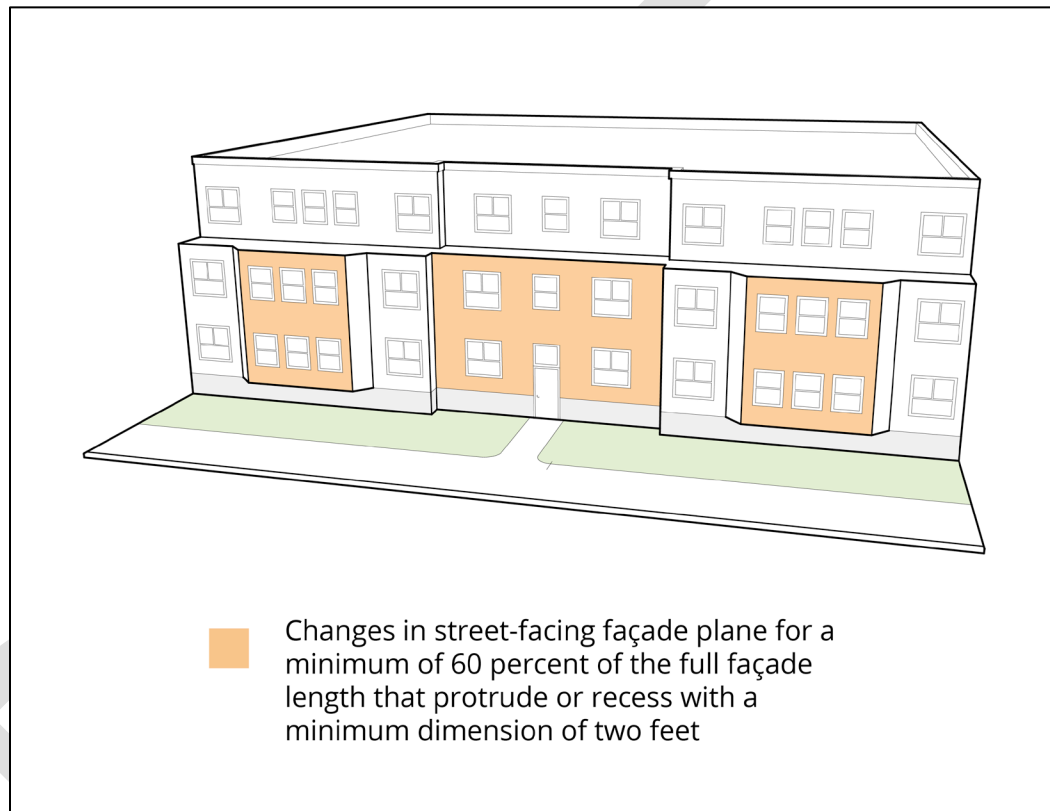


**Figure B.3.3**

- 3.4 Carport roof materials shall be the same as the primary building.

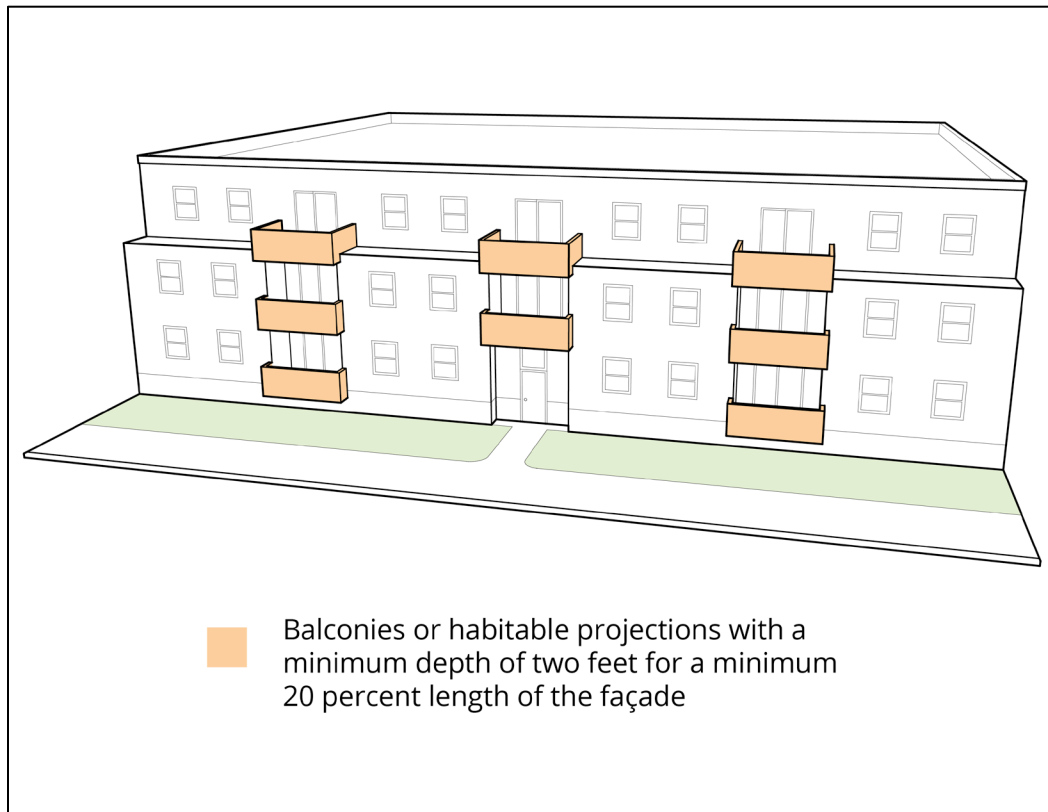
## **B.4. Façade Design and Articulation**

- 4.1 Buildings greater than two stories shall be designed to differentiate the base, middle, and top of the building on any street-facing façade. Each of these elements shall be distinguished from one another using at least two of the following solutions:
- a. Variation in building mass for a minimum of 60 percent of the length of the street-facing façade through changes in the façade plane that protrude or recess with a minimum dimension of two feet;



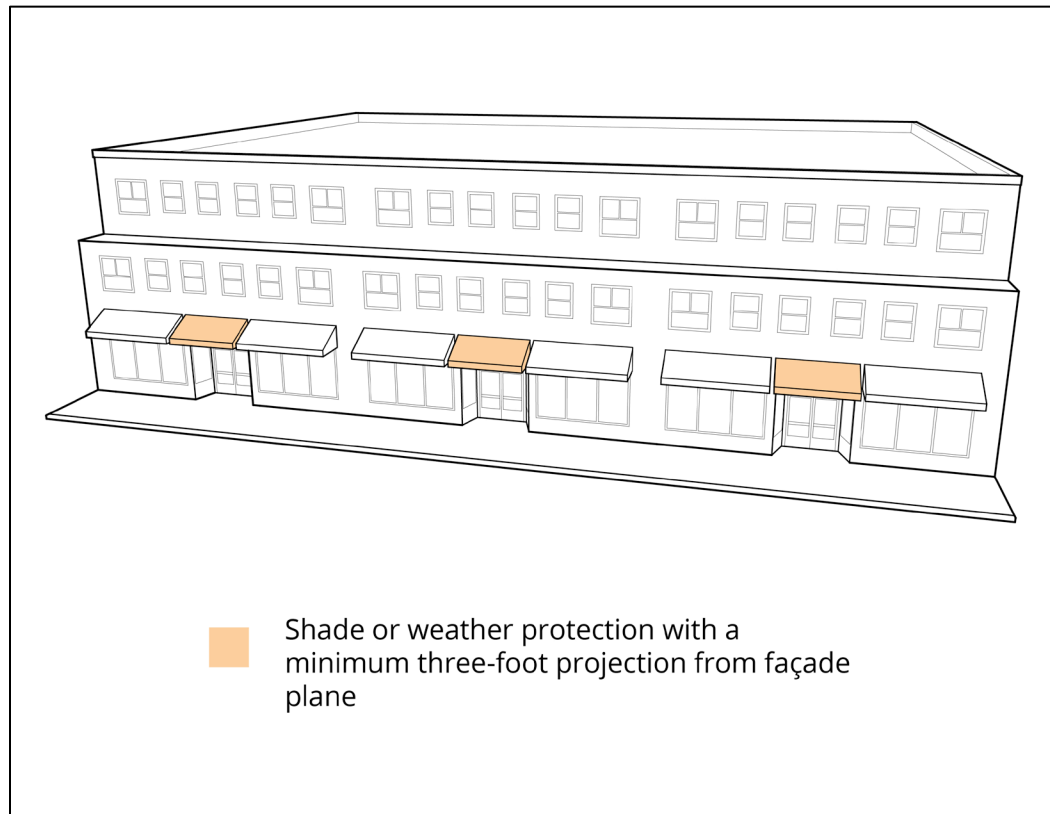
**Figure B.4.1a**

- b. Balconies or habitable projections with a minimum depth of two feet for a minimum of 20 percent length of the street-facing façade;



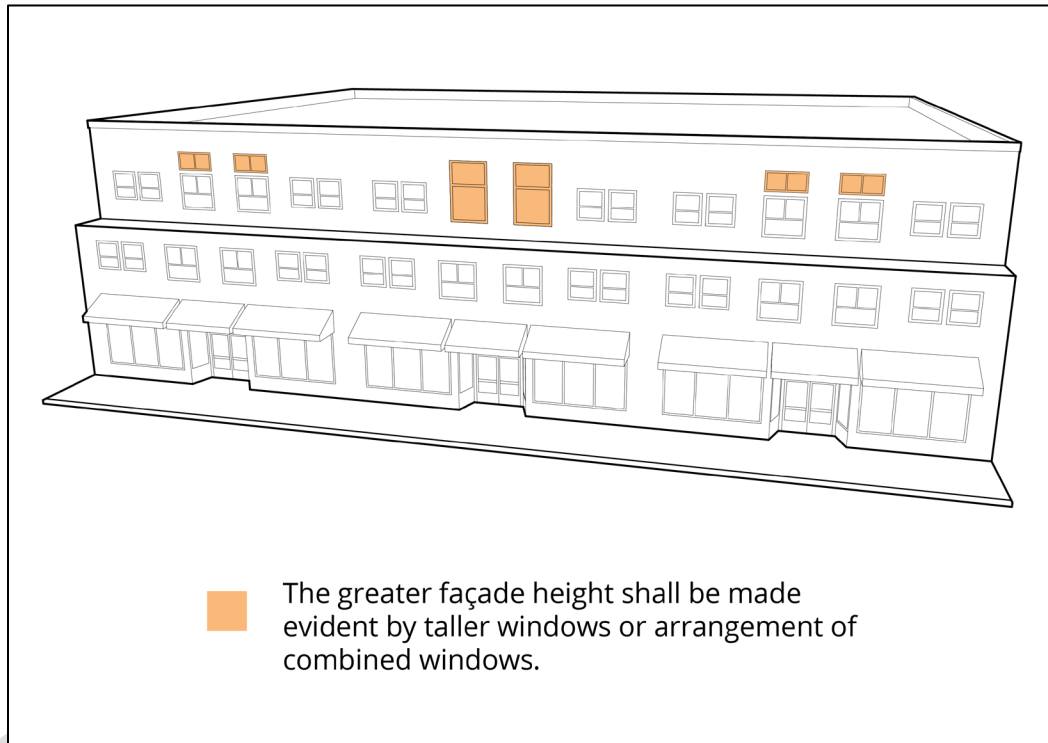
**Figure B.4.1b**

- c. Variation in façade articulation, using shade and weather protection components, projecting a minimum of three feet for a minimum of 20 percent length from the street-facing façade;



**Figure B.4.1c**

- d. The use of at least two different façade materials, each covering a minimum of 20 percent of the street-facing façade, or
- e. The upper floor shall implement a façade height that is a minimum of two feet greater than the façade height of the floor immediately below. The greater façade height shall be made evident by taller windows or arrangement of combined windows.

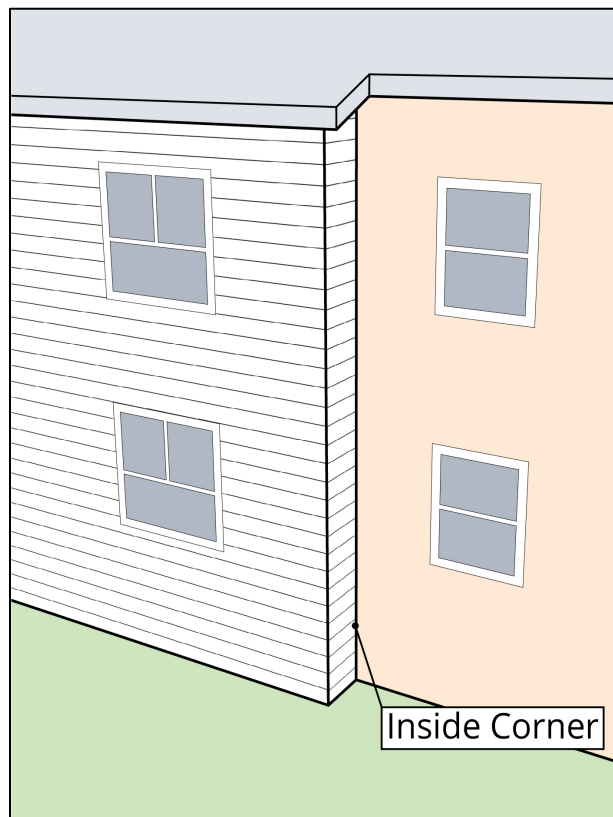


**Figure B.4.1e**

- 4.2 All façade materials, such as siding, window types, and architectural details, used on the street-facing façade shall be used on all other building façades.

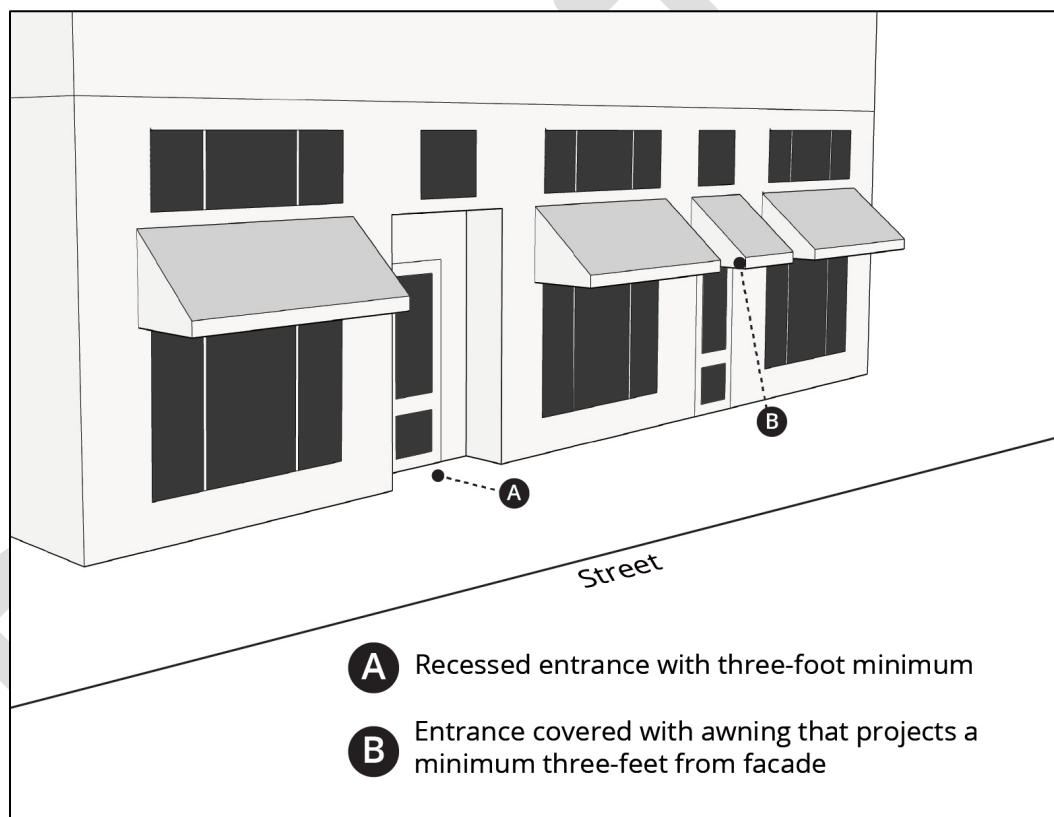
- 4.3 Variation in the street-facing façade planes shall be provided for buildings greater than one story by incorporating any combination of the following architectural solutions to achieve a minimum of 16 points:
- Architectural features, such as:
    - Arcade or gallery along the ground floor; 8 points
    - Awnings or canopies on all ground floor windows of commercial space; 6 points
    - Building cornice; 5 points
    - Façade sconce lighting at a minimum of one light fixture per 15 linear feet. 3 points
  - Bay or box windows projecting a minimum of 18 inches from the façade plane and comprising a minimum of 20 percent of the fenestration on the upper floors of the facade; 6 points
  - Balconies or Juliet balconies provided on a minimum of 40 percent of the fenestration on the upper floors of the facade; 5 points
  - Landscaped trellises or lattices extending across a minimum of 65 percent of any level of the facade; 5 points
  - Materials and color changes; 3 points
  - Eaves that overhang a minimum of two feet from the facade with supporting brackets; 3 points
  - Window boxes or plant shelves under a minimum of 60 percent of the fenestration on the upper floors of the facade; or 3 points
  - Decorative elements such as molding, brackets, or corbels. 3 points
- 4.4 Garage doors shall be recessed a minimum of 12 inches from the façade plane and along the street-facing façade shall not exceed 40 percent of the length of the building façade.

4.5 Changes in building materials shall occur at inside corners.



**Figure B.4.5**

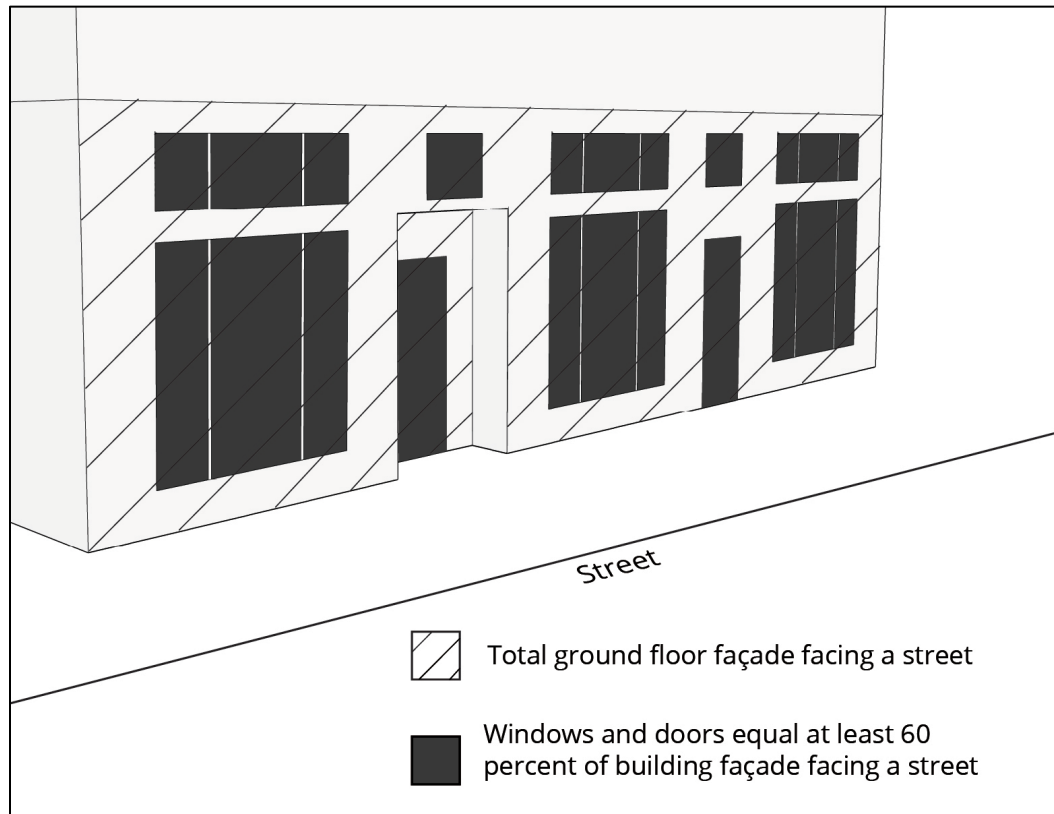
- 4.6 A primary building entrance shall be provided facing a street or community recreation space. Additionally, all development shall meet the following requirements:
- a. Pedestrian entries to ground-floor and upper-floor non-residential uses shall meet at least one of the following standards:
    - i. The entrance shall be recessed in the façade plane at least three feet in depth; or
    - ii. The entrance shall be covered by an awning, portico, or other architectural element projecting from the façade a minimum of three feet.



**Figure B.4.6a**



- b. For ground-floor commercial uses, façades facing a street shall include windows, doors, or openings for at least 60 percent of the building façade that is between two and 10 feet above the level of the sidewalk.



**Figure B.4.6b**

- 4.7 Pedestrian entries to buildings shall meet minimum dimensions to ensure adequate access based on use and development intensity. Building entries inclusive of the doorway and the facade plane shall meet the following minimum dimensions:
  - a. Individual residential entries: five feet in width
  - b. Single entry to multiple residential unit building, including Residential Mixed-Use buildings: eight feet in width
  - c. Storefront entry: six feet in width

- 4.8 Mirrored windows are prohibited.
- 4.9 Awnings shall be subject to the following requirements:
- a. A minimum vertical clearance of eight feet measured from the pedestrian pathway;
  - b. Shall not extend beyond individual storefront bays; and
  - c. Shall not be patterned or striped.
- 4.10 For buildings abutting a single-family zoning district or existing single-family use, no part of a rooftop or upper floor terrace or deck shall be closer than five feet from the facade plane of the lower floor, to prevent views into adjacent residential uses.
- 4.11 Balconies are allowed on facades facing the street and those facades facing existing non-residential uses on abutting parcels. Such balconies shall be without any projections beyond the building footprint.
- 4.12 Residential Mixed-Use buildings shall provide at least one of the following features along street-facing façades where the façade exceeds 50 feet in length:
- a. A minimum five-foot offset from the façade plane for a length of at least 10 feet;
  - b. Multiple pilasters or columns, each with a minimum width of two feet; or
  - c. Common open space, such as a plaza, outdoor dining area, or other spaces.
- 4.13 Continuous blank façades on any floor level shall not exceed 25 percent of the entire façade length along any street.

## **Appendix A - Evaluation of Existing Developments**

The following developments in the Town of Los Gatos were analyzed to see if they would meet the three following standards that offer multiple design solutions (B.1.1, B.4.1, and B.4.3). These projects were designed and built without requirements to adhere to specific objective design standards. While some of the projects would not comply with all of the standards below, incorporating additional design solutions would be easily accomplished during the design phase.

### **C. BUILDING STANDARDS**

#### **C.1. Massing and Scale**

- 1.1 Multiple-story building façades that face a street shall incorporate breaks in the building mass by implementing a minimum of three of the following solutions along the combined façade area of all primary buildings facing the street:
  - a. A minimum of 40 percent of the upper floor façade length shall step back from the plane of the ground-floor façade by at least five feet;
  - b. Changes in the façade plane with a minimum change in depth of two feet for a minimum length along the façade of two feet at intervals of no more than 30 feet;
  - c. Recessed façade plane to accommodate a building entry with a minimum ground plane area of 24 square feet. Where an awning or entry covering is provided, it can extend beyond the wall plane;
  - d. An exterior arcade that provides a sheltered walkway within the building footprint with a minimum depth of eight feet. For a façade 50 feet or greater, the arcade must be a minimum length of 65 percent of the full building façade; for a facade less than 50 feet, the arcade must be a minimum of 80 percent of the full building façade.
  - e. Ground floor open area abutting street-facing façade with a minimum area of 60 square feet; or
  - f. Vertical elements, such as pilasters or columns, that protrude a minimum of one foot from the façade and extend the full height of the building base or ground floor, whichever is greater.

#### **B.4. Façade Design and Articulation**

- 4.1 Buildings greater than two stories shall be designed to differentiate the base, middle, and top of the building on any street-facing façade. Each of these elements shall be distinguished from one another using at least two of the following solutions:
- g. Variation in building mass for a minimum of 60 percent of the length of the street-facing façade through changes in the façade plane that protrude or recess with a minimum dimension of two feet;
  - h. Balconies or habitable projections with a minimum depth of two feet for a minimum of 20 percent length of the street-facing façade;
  - i. Variation in façade articulation, using shade and weather protection components, projecting a minimum of three feet for a minimum of 20 percent length from the street-facing façade;
  - j. The use of at least two different façade materials, each covering a minimum of 20 percent of the street-facing façade, or
  - k. The upper floor shall implement a façade height that is a minimum of two feet greater than the façade height of the floor immediately below. The greater façade height shall be made evident by taller windows or arrangement of combined windows.

4.3 Variation in the street-facing façade planes shall be provided for buildings greater than one story by incorporating any combination of the following architectural solutions to achieve a minimum of 16 points:

- Architectural features, such as:
  - Arcade or gallery along the ground floor; 8 points
  - Awnings or canopies on all ground floor windows of commercial space; 6 points
  - Building cornice; 5 points
  - Façade sconce lighting at a minimum of one light fixture per 15 linear feet. 3 points
- Bay or box windows projecting a minimum of 18 inches from the façade plane and comprising a minimum of 20 percent of the fenestration on the upper floors of the facade; 6 points
- Balconies or Juliet balconies provided on a minimum of 40 percent of the fenestration on the upper floors of the facade; 5 points
- Landscaped trellises or lattices extending across a minimum of 65 percent of any level of the facade; 5 points
- Materials and color changes; 3 points
- Eaves that overhang a minimum of two feet from the facade with supporting brackets; 3 points
- Window boxes or plant shelves under a minimum of 60 percent of the fenestration on the upper floors of the facade; or 3 points
- Decorative elements such as molding, brackets, or corbels. 3 points

## University Avenue at Los Gatos-Saratoga Road



### **B.1.1 - (Minimum 3)**

- b. Changes in the façade plane with a minimum change in depth of two feet for a minimum length along the façade of two feet at intervals of no more than 30 feet.
- c. Recessed façade plane to accommodate a building entry with a minimum ground plane area of 24 square feet.
- e. Ground floor open area abutting street-facing façade with a minimum area of 60 square feet.

### **B.4.1 – Not applicable, only two stories.**

### **B.4.3 – (16 points minimum)**

Arcade (8 points)

Building cornice (5 points)

Sconce lighting (3 points)

Balconies (5 points)

Decorative elements (3 points)

**TOTAL = 24 points**

## **Aventino – Winchester Boulevard**



### **B1.1 - (Minimum 3)**

- b. Changes in the façade plane with a minimum change in depth of two feet for a minimum length along the façade of two feet at intervals of no more than 30 feet.
- c. Recessed façade plane to accommodate a building entry with a minimum ground plane area of 24 square feet.

### **B4.1 – (Minimum 2)**

- a. Variation in building mass for a minimum of 60 percent of the length of the street-facing façade through changes in the façade plane that protrude or recess with a minimum dimension of two feet;
- b. Balconies or habitable projections with a minimum depth of two feet for a minimum of 20 percent length of the street-facing façade;

### **B4.3 – (16 points minimum)**

Material and color changes (3 points)

Balconies or Juliet balconies (5 points)

Eaves that overhang a minimum of two feet from the façade with supporting brackets (3 points)

Window boxes or plant shelves (3 points)

Decorative elements such as molding, ornamentation, or corbels (3 points):

**TOTAL = 17 points**



## North 40 - Market Hall



### **B1.1** – (minimum 3)

- b. Changes in the façade plane with a minimum change in depth of two feet for a minimum length along the façade of two feet at intervals of no more than 30 feet;
- e. Ground floor open area abutting street-facing façade with a minimum area of 60 square feet; or



**B4.1 – (Minimum 2)**

- a. Variation in building mass for a minimum of 60 percent of the length of the street-facing façade through changes in the façade plane that protrude or recess with a minimum dimension of two feet;
- c. Variation in façade articulation, using shade and weather protection components, projecting a minimum of three feet for a minimum of 20 percent length from the street-facing-façade;
- d. The use of at least two different façade materials, each covering a minimum of 20 percent of the street-facing façade;

**B4.3 – (16 points minimum)**

Awnings or canopies (6 points)

Material and color changes (3 points)

Eaves that overhang a minimum of two feet from the façade with supporting brackets (3 points)

Decorate elements such as molding, brackets, or corbels (3 points)

**TOTAL = 15 points**

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**TOWN OF LOS GATOS  
PLANNING COMMISSION  
REPORT**

MEETING DATE: 6/22/2022

ITEM NO: 3

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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

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Reviewed by: Planning Manager and Community Development Director

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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

## **RESOLUTION 2019-053**

### **RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOS GATOS AUTHORIZING APPLICATION FOR, AND RECEIPT OF, SB 2 PLANNING GRANTS PROGRAM FUNDS**

**WHEREAS**, the State of California, Department of Housing and Community Development (Department) has issued a Notice of Funding Availability (NOFA) dated March 28, 2019, for its Planning Grants Program (PGP); and

**WHEREAS**, the Town Council of the Town of Los Gatos desires to submit a project application for the PGP program to accelerate the production of housing and will submit a 2019 PGP grant application as described in the Planning Grants Program NOFA and SB 2 Planning Grants Program Guidelines released by the Department for the PGP Program; and

**WHEREAS**, the Department is authorized to provide up to \$123 million under the SB 2 Planning Grants Program from the Building Homes and Jobs Trust Fund for assistance to Counties (as described in Health and Safety Code section 50470 et seq. (Chapter 364, Statutes of 2017 (SB 2)) related to the PGP Program.

**NOW, THEREFORE, THE TOWN COUNCIL OF THE TOWN OF LOS GATOS RESOLVES AS FOLLOWS:**

**SECTION 1.** The Town Council hereby authorizes and directs the Town Manager to apply for and submit to the Department the 2019 Planning Grants Program application in the amount of \$160,000.

**SECTION 2.** In connection with the PGP grant, if the application is approved by the Department, the Town Manager is authorized to enter into, execute, and deliver a State of California Agreement (Standard Agreement) for the amount of \$ 160,000, and any and all other documents required or deemed necessary or appropriate to evidence and secure the PGP grant, the Town of Los Gatos's obligations related thereto, and all amendments thereto (collectively, the "PGP Grant Documents").

**SECTION 3.** The Town of Los Gatos shall be subject to the terms and conditions as specified in the Standard Agreement, the SB 2 Planning Grants Program Guidelines, and any applicable PGP guidelines published by the Department. Funds are to be used for allowable

expenditures as specifically identified in the Standard Agreement. The application in full is incorporated as part of the Standard Agreement. Any and all activities funded, information provided, and timelines represented in the application will be enforceable through the executed Standard Agreement. The Town Council hereby agrees to use the funds for eligible uses in the manner presented in the application as approved by the Department and in accordance with the Planning Grants NOFA, the Planning Grants Program Guidelines, and 2019 Planning Grants Program Application.

**SECTION 4.** The Town Manager is authorized to execute the Town of Los Gatos Planning Grants Program application, the PGP Grant Documents, and any amendments thereto, on behalf of the Town of Los Gatos, as required by the Department for receipt of the PGP Grant.

**PASSED AND ADOPTED** at a regular meeting of the Town Council of the Town of Los Gatos, California, held on the 5<sup>th</sup> day of November 2019 by the following vote:

COUNCIL MEMBERS:

AYES: Marcia Jensen, Rob Rennie, Marico Savoc, Barbara Spector, Mayor Steven Leonardis

NAYS: None

ABSENT: None

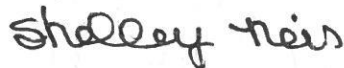
ABSTAIN: None

SIGNED: 

MAYOR OF THE TOWN OF LOS GATOS  
LOS GATOS, CALIFORNIA

DATE: 11/8/19

ATTEST:



TOWN CLERK OF THE TOWN OF LOS GATOS  
LOS GATOS, CALIFORNIA

DATE: 11/8/2019



## February 22, 2022, Community Meeting Feedback

Below is a listing of the comments and questions received. Response(s) from the consultant and/or staff are provided below each comment in *italics*.

1. Questioned the “score card” measurement approach to allow developers to surpass some of the specific objective standard requirements yet still “pass”.

*The “score card” approach is just one option to implement objective standards and would only be used if the Town feels it is appropriate. The “score card” wouldn’t be drafted to allow developers to surpass important standards. It would be used in a way that gives the developer flexibility by offering several different approaches to achieve one of the Town’s underlining goals. Developers still need to meet the Town’s required threshold, but they would be given a variety of tools, each with different weighted values, to meet that threshold.*

2. Questioned how long the development of the Objective Standards document will take and asked when will the document be ready.

*We anticipate getting a drafted document to the community in spring of this year, collecting additional feedback from the community, and taking the document to the Planning Commission for review in early Summer. The Planning Commission would make a recommendation to the Town Council, and hopefully be completed by late summer or early fall of 2022.*

3. When this is adopted, will the Town have to go through and adopt revisions to existing Town documents? What happens after the Objective Standards document is adopted? Are there additional steps?

*This will be a standalone policy document. The Town’s strategy is to adopt objective standards and then develop a program for implementation.*

4. How would these standards work with the different range of housing projects, such as market rate and affordable housing? There should be a consistent look for all types of housing projects.

*These standards would apply to all multi-family and mixed-use projects: affordable and market rate. The Town would not have specific below-market rate design requirements; everything would be consistent.*

5. Questioned why objective standards aren't being developed for all housing types, as opposed to just multi-family and mixed-use projects. Many of the Town's design documents are just guidelines. How would the objective standards effect single-family development? This is an opportunity to apply objective standards to all projects so they can be processed faster.

*This current effort is to create a ministerial process for multi-family and mixed-use in compliance with State law and utilizing grant funds specifically for multi-family and mixed-use objective standards.*

6. Concern was also expressed regarding the exception process since current Town Code and policy documents have exception processes. Can we leave exception and exemptions in the guideline documents and require Planning Commission review for any exception or exemption?

*If the application requires any sort of exception or variance, they would not be eligible for the streamlined ministerial review and would be subject to a discretionary review process.*

7. Sometimes when standards are established, all development starts to look alike. Is there a possibility of having alternative standards? For example, height – to avoid flat roofs, is there the ability to have maximum roof height for flat roof and different maximum height for gabled roofs to promote a variation in roof massing?

*Yes, there are ways, but we need to be careful to make sure the zoning ordinance height requirements are still complied with. The Draft Objective Standards document includes a number of items that offer a list of different standards related to a single goal and requiring the developer to incorporate a minimum number of the standards, but not all.*

8. Why would the standards need to be consistent with the Zoning code? Couldn't we amend the Zoning code?

*Yes, the Zoning Code could be amended; however, this is intended to be a standalone policy document that works in concert with the Town Code.*

## May 12, 2022, Community Meeting Feedback

Below is a listing of the comments and questions received. Response(s) from the consultant and/or staff are provided below each comment in *italics*.

1. Questioned the quantity of housing required by the State.

*Today's presentation is about the development of objective standards for multi-family and mixed-use projects, not the Regional Housing Needs Allocation (RHNA) numbers, which is being reviewed by the Housing Element Advisory Board (HEAB) as a part of the Housing Element Update process.*

2. Questioned if these objectives standards are new and different than the Town's current objective standards for these types of housing.

*These Draft Objective Standards are new. The Town Code has existing objective standards. Town staff and the consultant compiled a list of all existing Town standards, whether objective or subjective, for review. The Planning Commission subcommittee discussed each standard to determine which subjective standards should be modified to be objective and included in this document. The existing objective standards from Town Code and other policy documents are still applicable. The Town is reviewing which existing subjective standards should become objective for the review of qualifying multi-family and mixed-use projects. The goal is to not duplicate existing objective standards as they are still applicable.*

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**TOWN OF LOS GATOS**  
**DRAFT OBJECTIVE STANDARDS**  
**June 22, 2022**

**PURPOSE**

The purpose of the Objective Design Standards is to ensure that new qualifying multi-family and mixed-use projects in Los Gatos provide high-quality architecture, integrate with surrounding development, and include well-designed amenities and open spaces to enhance community character. These standards are intended to guide property owners, applicants, developers, and design professionals by providing clear design direction that enhances the Town's unique character and ensures a high-quality living environment.

**ORGANIZATION AND APPLICABILITY**

The following Objective Design Standards are organized into two primary sections: Site Standards; and Building Design. 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.

Qualifying multi-family and mixed-use projects must also 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.

## A. SITE STANDARDS

### A.1. Pedestrian Access

- 1.1 All on-site buildings, entries, facilities, amenities, and parking areas shall be internally connected with pedestrian pathways and may include use of the public sidewalk. Pedestrian pathways shall connect to the public sidewalk along each street.
- 1.2 Pedestrian walkways within internal parking areas shall be separated from vehicular circulation by a physical barrier, such as a grade separation or a raised planting strip of at least six inches.

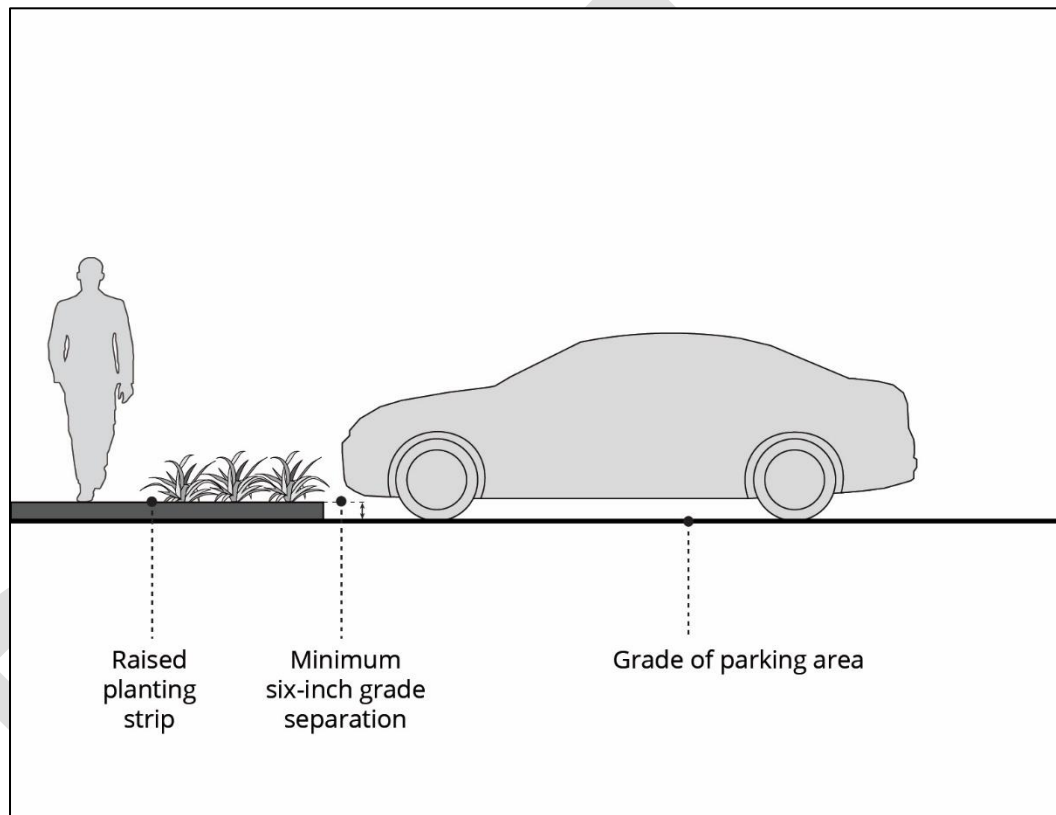
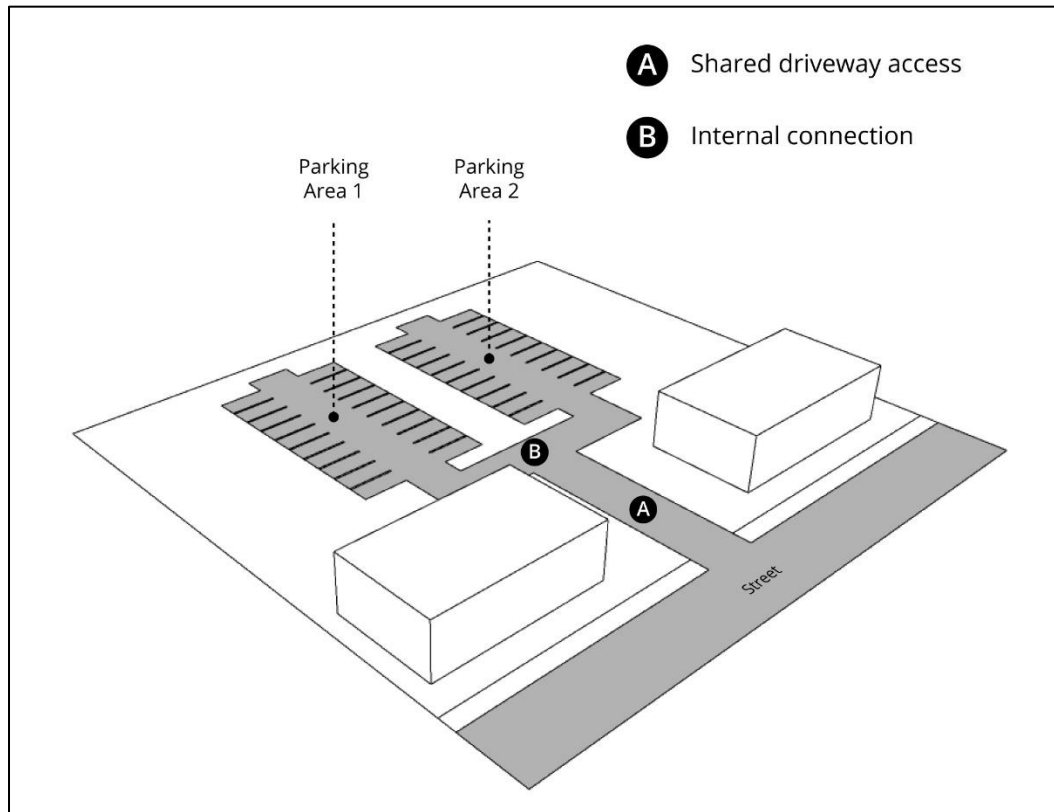


Figure A.1.2

## **A.2. Vehicular Access**

- 2.1 Off-street parking shall have internal vehicular circulation that precludes the use of a street for aisle-to-aisle circulation.

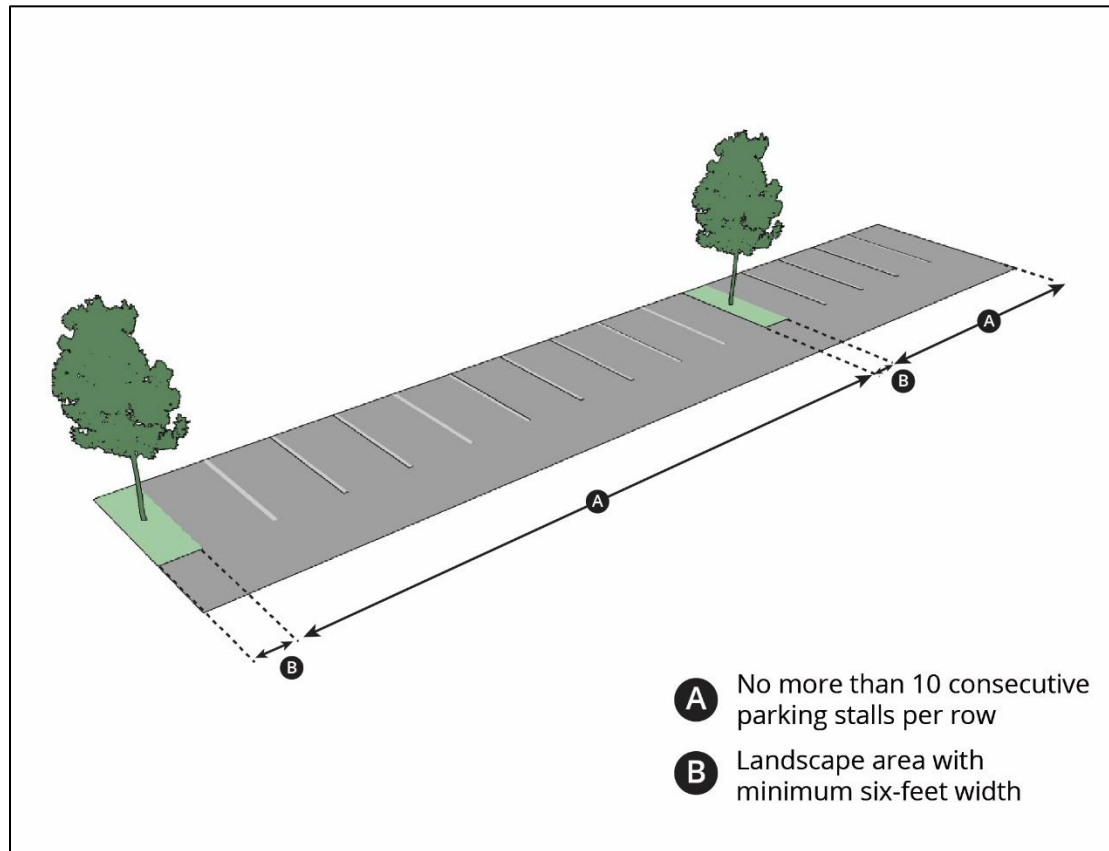


**Figure A.2.1**

## **A.3. Parking Location and Design**

- 3.1 Driveways and surface parking lots shall not be located between the building frontage and the street.
- 3.2 Multiple parking areas located on a common property shall be internally connected and shall use shared driveways to access the street.

- 3.3 Uncovered parking rows with at least 15 consecutive parking spaces shall include a landscape area of six feet minimum width at intervals of no more than 10 consecutive parking stalls. One tree shall be provided in each landscape area.

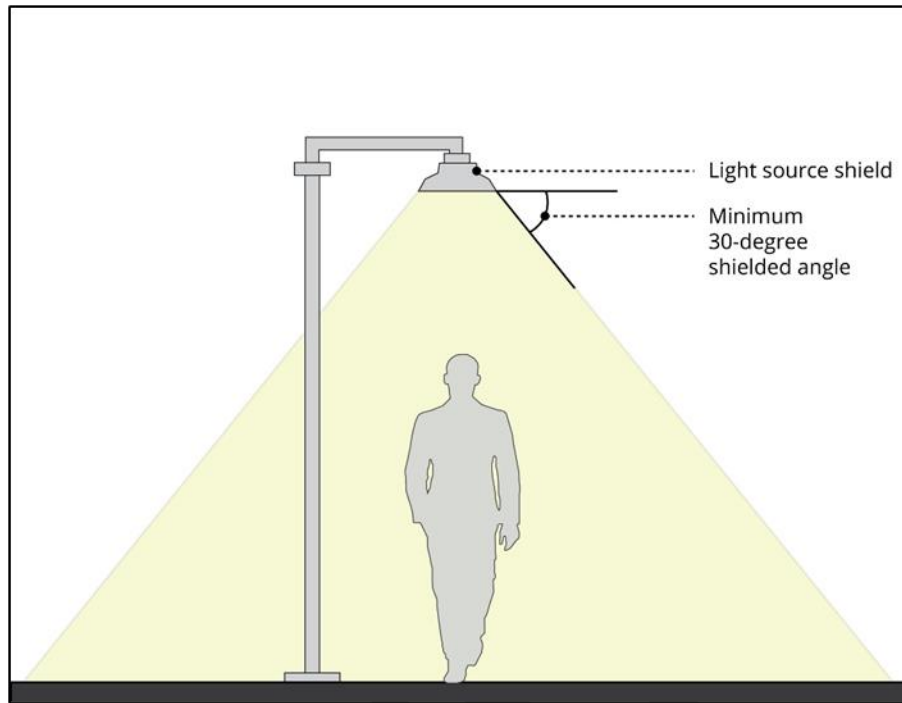


**Figure A.3.3**

- 3.4 Carports shall not be located between a building and a street.
- A.4. Parking Structure Access**
- 4.1 Any automobile entry gate to a parking structure shall be located to allow a minimum of 25 feet between the gate and the back of the sidewalk to minimize conflicts between sidewalks and vehicle queuing.
- 4.2 A parking structure shall not occupy more than 50 percent of the building width of any street-facing façade and shall be recessed a minimum five feet from street-facing façades of the building.
- A.5. Utilities**
- 5.1 Pedestrian-oriented lighting shall be provided along all pedestrian paths. Exterior lighting fixtures shall be a minimum of three feet and a maximum of 15 feet in height.



- 5.2 Exterior lighting shall be fully shielded and restrain light to a minimum 30 degrees below the horizontal plane of the light source. Uplighting is prohibited.



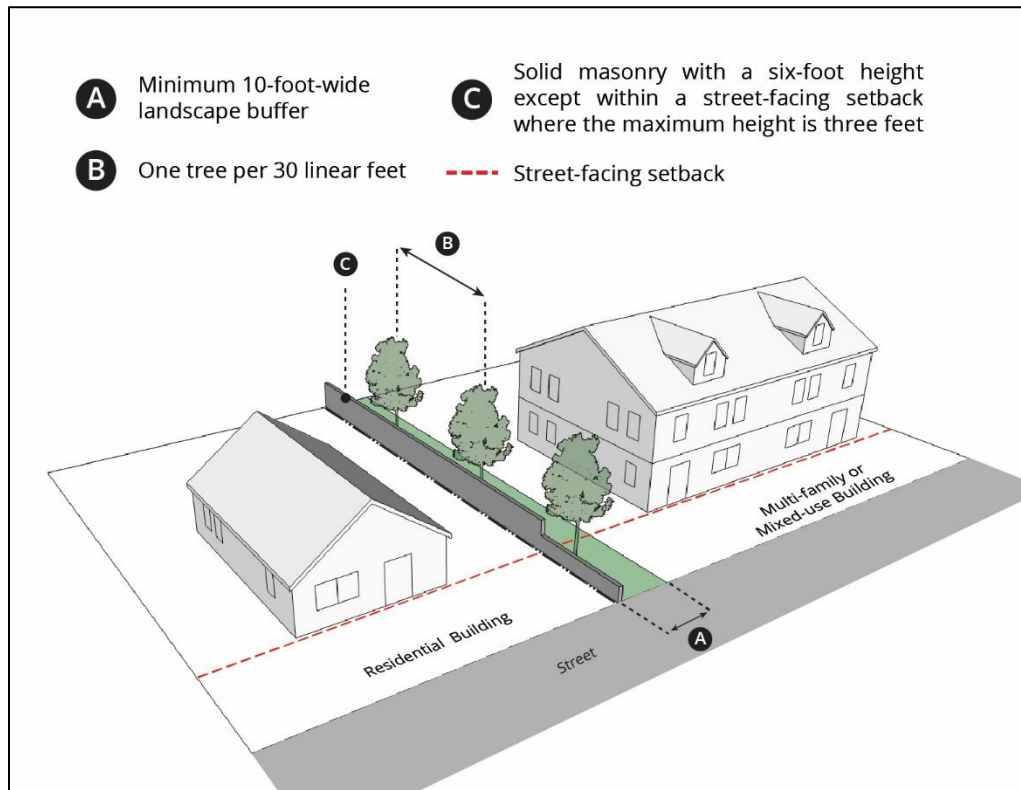
**Figure A.5.2**

- 5.3 Rooftop and ground-mounted utility cabinets, mechanical equipment, trash, and service areas shall be screened from view from the street with landscape planting, fencing, or a wall. The screening shall be at least the same height as the item being screened and shall be constructed with one or more of the materials used on the primary building. Solar equipment is exempt from this requirement.

#### **A.6. Landscaping and Screening**

- 6.1 At least 50 percent of the front setback area shall be landscaped.
- 6.2 A minimum 10-foot-wide landscape buffer shall be provided between multi-family or mixed-use development and abutting residential properties. The buffer shall include the following:

- a. A solid masonry wall with a six-foot height, except within a street-facing setback, where the maximum permitted height is three feet;



**Figure A.6.2a**

- b. Trees planted at a rate of at least one tree per 30 linear feet along the shared property line. Tree species shall be selected from the Town of Los Gatos Master Street Tree List and shall be a minimum 15-gallon size; and
- 6.3 Surface parking lots shall be screened from view of the street with landscaping or a wall with a minimum three-foot height to screen the parking lot.

#### **A.7. Fencing**

- 7.1 Fences, walls, hedges, and gates within required setbacks along all street frontages shall have a maximum height of three feet.
- 7.2 Chain link fencing is prohibited.
- 7.3 Vehicular entry gates and pedestrian entry gates shall have a maximum height of six feet.
- 7.4 Solid vehicular and pedestrian entry gates are prohibited. Entry gates shall be a minimum 50 percent open view.

### **A.8. Retaining Walls**

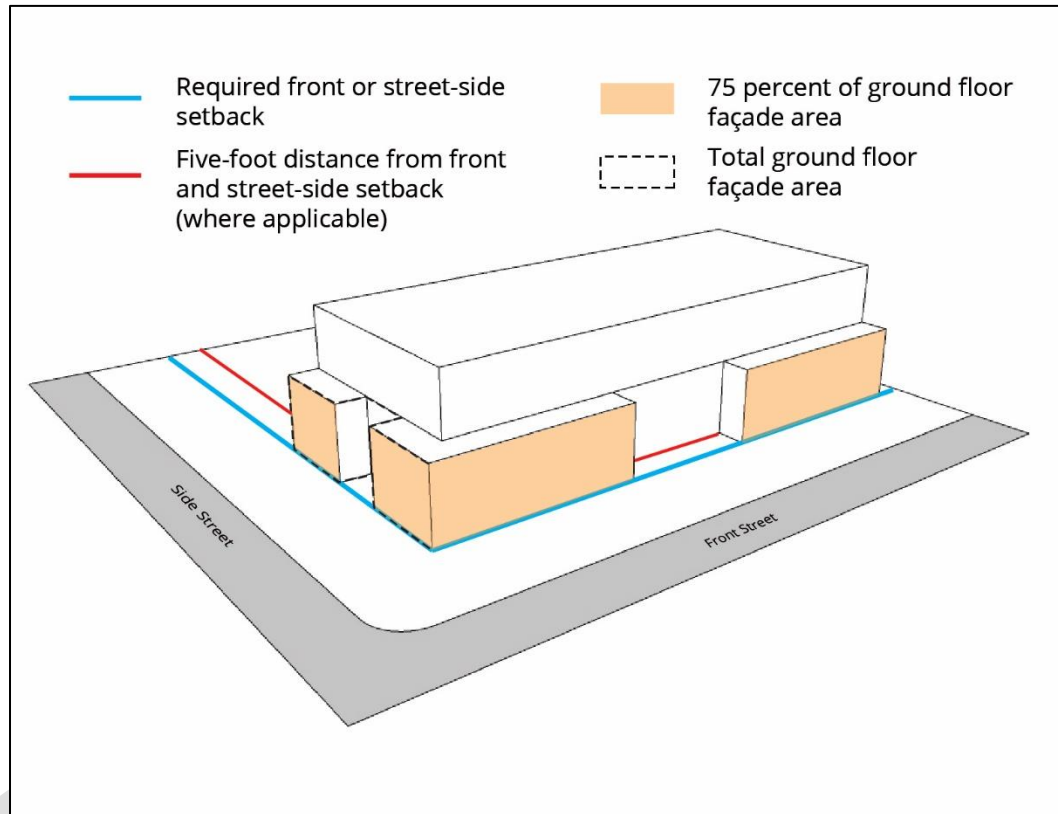
- 8.1 Retaining walls shall not exceed five feet in height. Where an additional retained portion is necessary, multiple-terraced walls shall be used. Terraced walls shall set back at least three feet from the lower segment.
- 8.2 Retaining walls shall not run in a straight continuous direction for more than 50 feet without including the following:
  - a. A break, offset, or landscape pocket in the wall plane of at least three feet in length and two feet in depth; and
  - b. Landscaping at a minimum height of three feet at the time of installation along a minimum of 60 percent of the total length of the retaining wall.

### **A.9. Open Space**

- 9.1 A minimum of 20 percent of the site area shall consist of landscaped open space. Landscaped open space may be in the form of trees, hedgerows, flowerbeds, or ground cover vegetation, such as grass.
- 9.2 Common open space shall be provided in mixed-use developments in the form of public gathering spaces, such as plazas, outdoor dining areas, squares, or pocket parks. The space required is a minimum of 100 square feet per residential unit plus a minimum of two percent of the commercial square footage.
- 9.3 Common open space shall be provided in multi-family residential development projects in the form of gathering spaces, such as play areas, pool areas, patios, rooftop decks, or other community areas for the use of residents. The minimum space required is 100 square feet per residential unit.
- 9.4 Common open spaces shall provide shading for a minimum 15 percent of each open space area by either trees or structures, such as awnings, canopies, umbrellas, or a trellis. Tree shading shall be calculated by using the diameter of the tree crown at 15 years maturity. Shading from other built structures shall be calculated by using the surface area of the overhead feature.

## A.10. Building Placement

- 10.1 To create a continuous streetscape appearance, development in a Community Place District shall place at least 75 percent of the ground floor of a building within five feet of the front and street-side setback (where applicable) requirement of the Town Code.



**Figure A.10.1**

- 10.2 A mixed-use residential project with a ground-floor commercial use shall provide site amenities on a minimum of 15 percent and maximum of 30 percent of the ground plane between the building and the front or street-side property line. The site amenities shall be comprised of any of the following elements:
- Landscape materials or raised planters;
  - Walls designed to accommodate pedestrian seating, no higher than 36 inches;
  - Site furnishings, including fountains, sculptures, and other public art; or
  - Tables and chairs associated with the ground floor use.

## B. BUILDING DESIGNS

### B.1. Massing and Scale

- 1.1 Multiple-story building façades that face a street shall incorporate breaks in the building mass by implementing a minimum of three of the following solutions along the façades facing the street:
- A minimum of 40 percent of the upper floor façade length shall step back from the plane of the ground-floor façade by at least six feet;

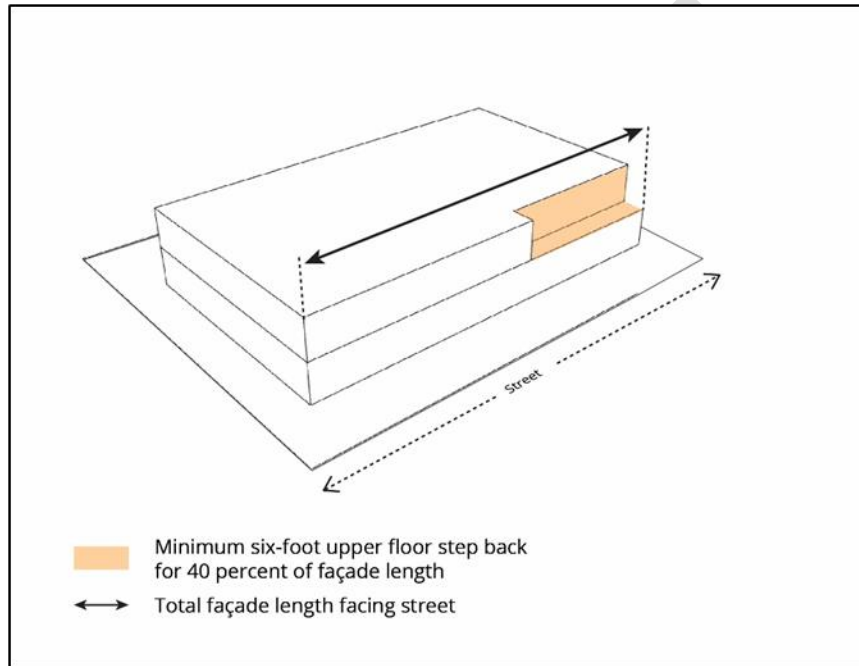
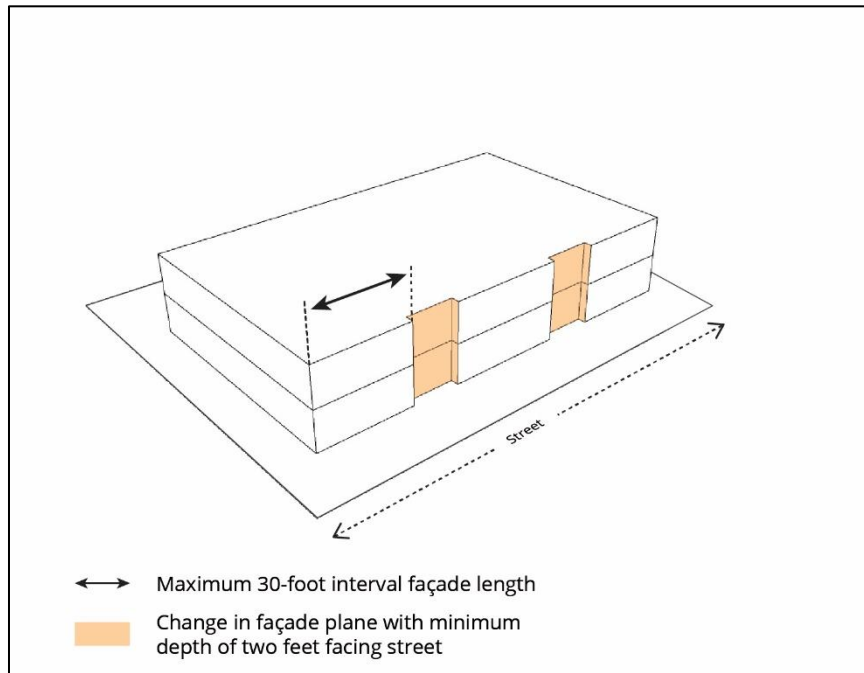


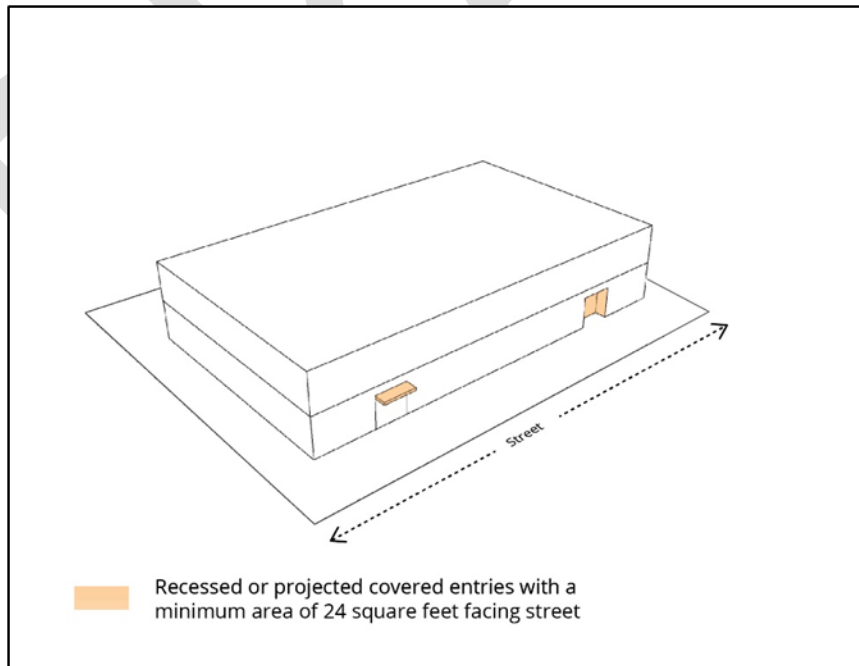
Figure B.1.1a

- b. Changes in the façade plane with a minimum change in depth of two feet for a minimum length along the façade of two feet at intervals of no more than 30 feet;



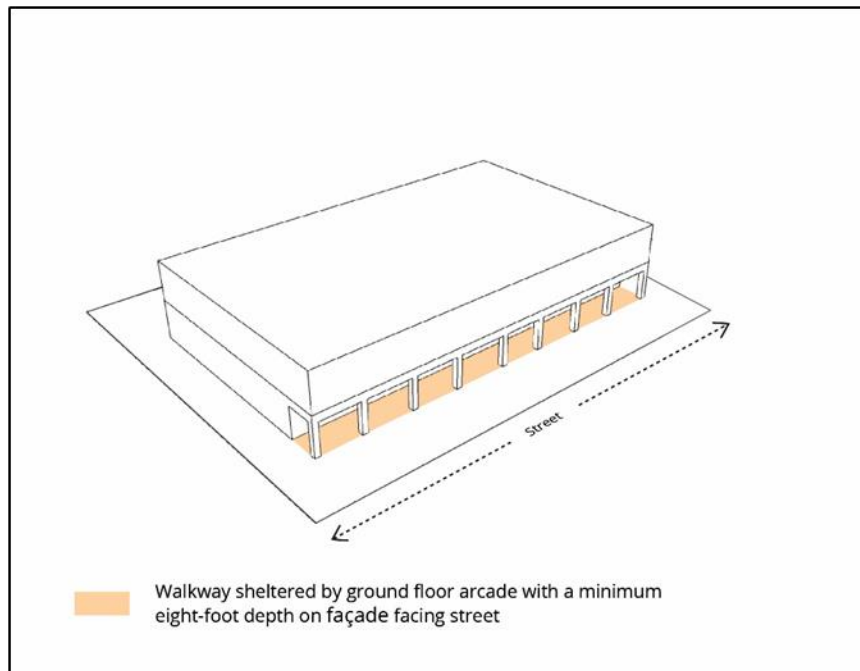
**Figure B.1.1b**

- c. Recessed or projected covered entries with a minimum area of 24 square feet;



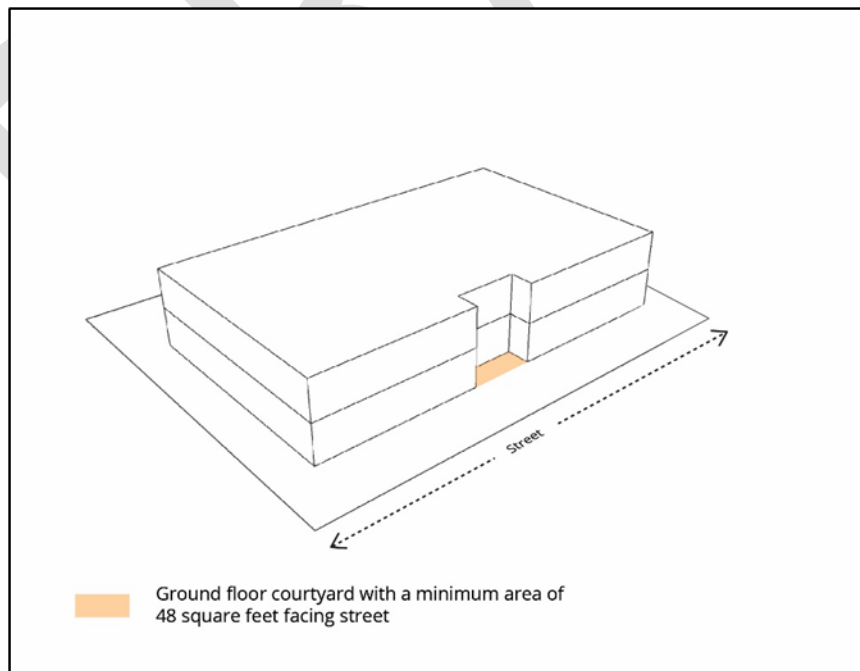
**Figure B.1.1c**

- d. An exterior arcade that provides a sheltered walkway within the building footprint with a minimum depth of eight feet, extending the full length of the façade;



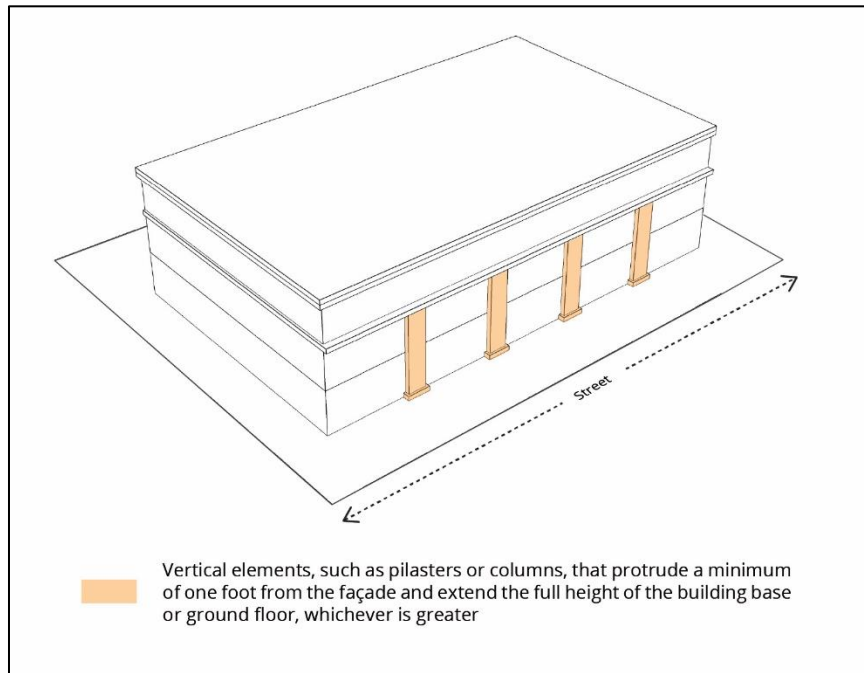
**Figure B.1.1d**

- e. Ground floor courtyards within the building footprint with a minimum area of 48 square feet; or



**Figure B.1.1e**

- f. Vertical elements, such as pilasters or columns, that protrude a minimum of one foot from the façade and extend the full height of the building base or ground floor, whichever is greater.



**Figure B.1.1f**

- 1.2 Upper floors above two stories shall be set back by a minimum of five feet from the ground-floor façade.
- 1.3 Townhomes or rowhouses shall have no more than six contiguous units in any single building.

**B.2. Parking Structure Design**

- 2.1 The ground-floor façade of a parking structure facing a street or pedestrian walkway shall be fenestrated on a minimum of 40 percent of the façade.
- 2.2 Façade openings on upper levels of a parking structure shall be screened up to 30 percent of the opening to prevent full transparency into the structure.
- 2.3 Parking structures facing a street and greater than 40 feet in length shall include landscaping between the building façade and the street, or articulation of at least 25 percent of the façade length. The façade articulation shall be implemented by one of the following solutions:
- a. An offset of the façade plane with a depth of at least 18 inches for a minimum of eight feet in horizontal length; or
  - b. A different building material covering the entire articulation change of 25 percent of the façade length.



### B.3. Roof Design

- 3.1 At intervals of no more than 40 feet along the building façade, horizontal eaves shall be broken using at least one of the following strategies:
- Gables;
  - Building projection with a depth of a minimum of two feet;
  - Change in façade or roof height of a minimum of four feet;
  - Change in roof pitch or form; or
  - Inclusion of dormers, parapets, and/or varying cornices.

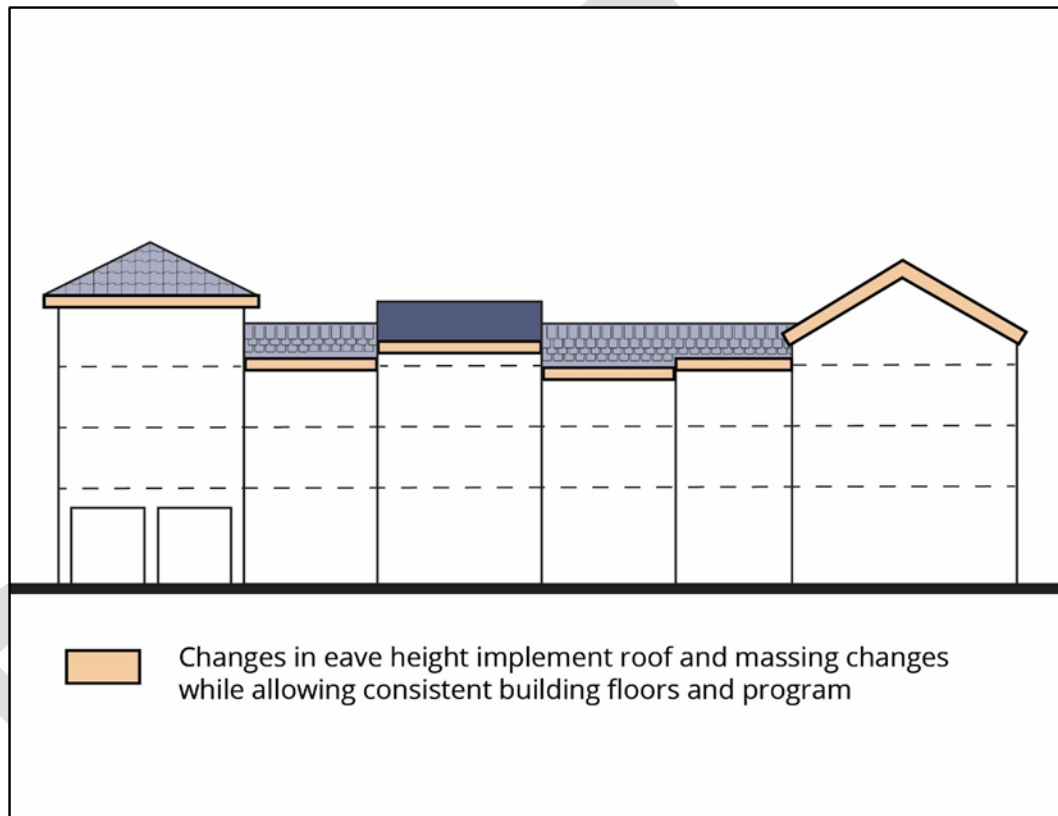


Figure B.3.1

- 3.2 Skylights shall have a flat profile rather than domed.

- 3.3 The total width of a single dormer or multiple dormers shall not exceed 50 percent of the length of the roof.



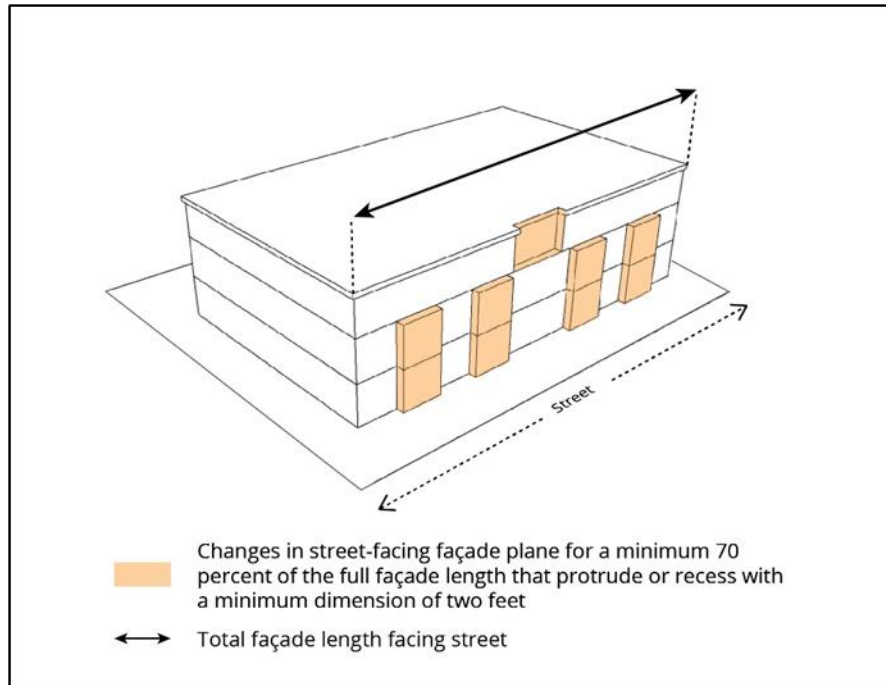
**Figure B.3.3**

- 3.4 Eave depths shall not exceed 24 inches from the façade plane.  
3.5 Carport roof materials shall be the same as the primary building.

#### **B.4. Façade Design and Articulation**

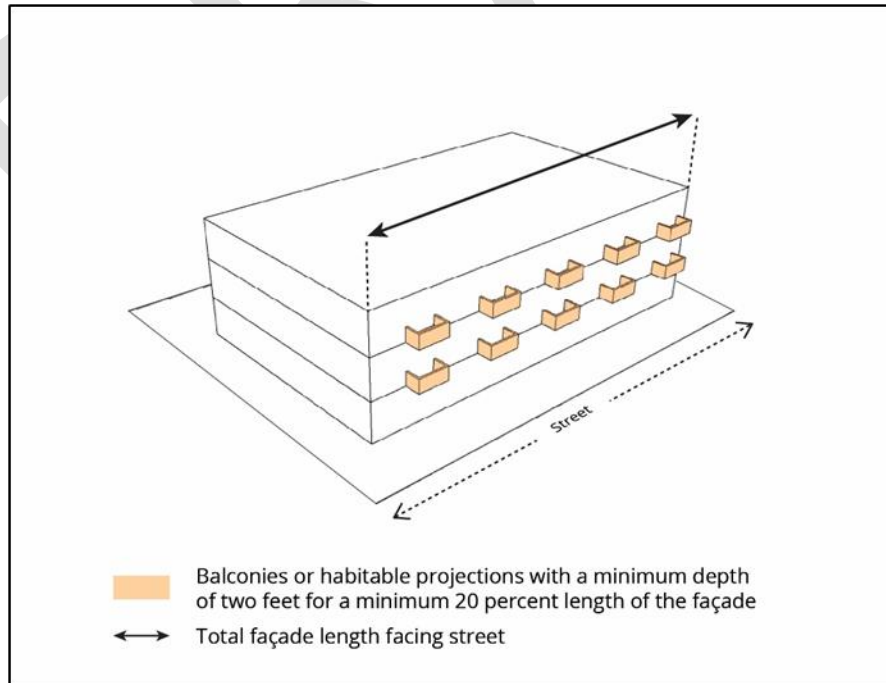
- 4.1 Buildings greater than two stories shall be designed to differentiate the base, middle, and top of the building on any street-facing façade. Each of these elements shall be distinguished from one another using at least two of the following solutions:

- a. Variation in building mass for a minimum of 70 percent of the length of the street-facing façade through changes in the façade plane that protrude or recess with a minimum dimension of two feet;



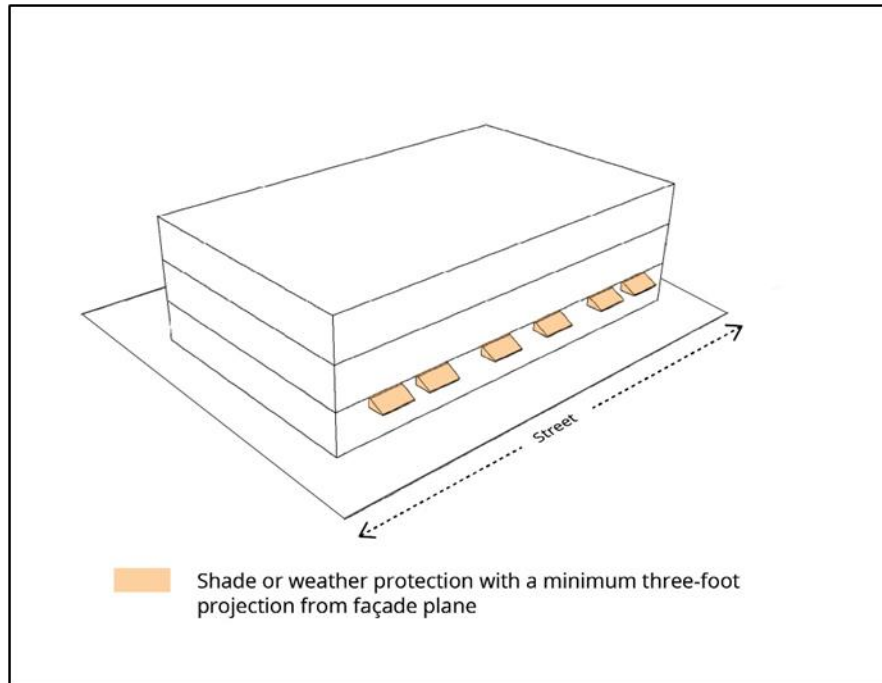
**Figure B.4.1a**

- b. Balconies or habitable projections with a minimum depth of two feet for a minimum of 20 percent length of the street-facing façade;



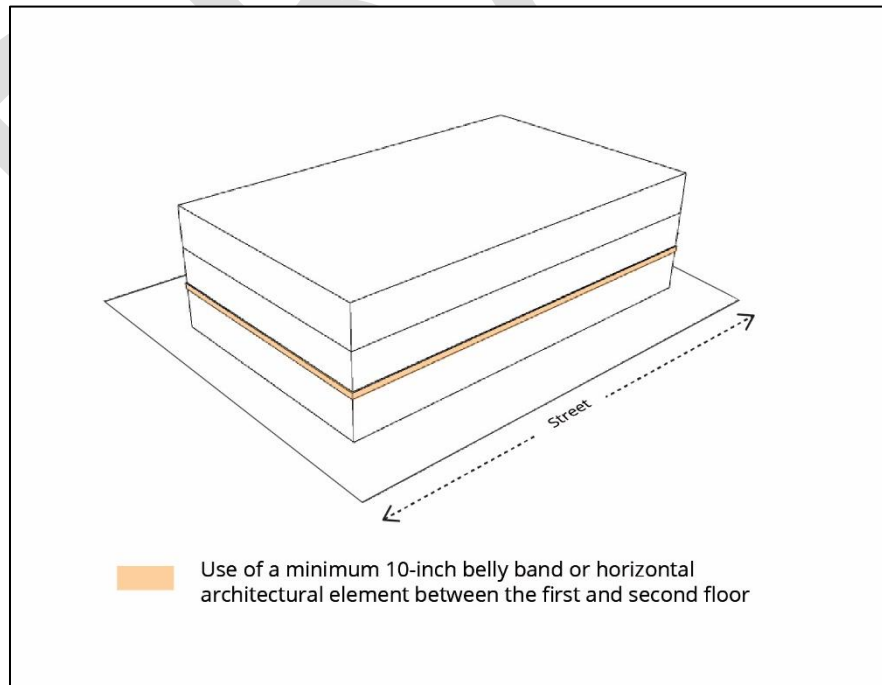
**Figure B.4.1b**

- c. Variation in façade articulation, using shade and weather protection components, projecting a minimum of three feet for a minimum of 20 percent length from the street-facing-façade;



**Figure B.4.1c**

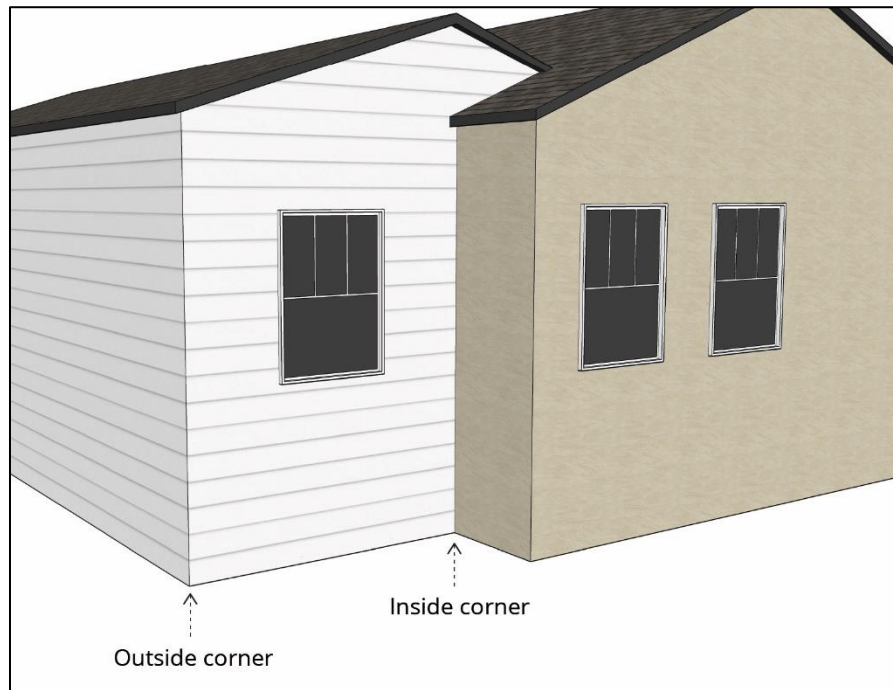
- d. Use of a belly band or horizontal architectural element with a minimum height of 10 inches between the first and second floor; or



**Figure B.4.1d**

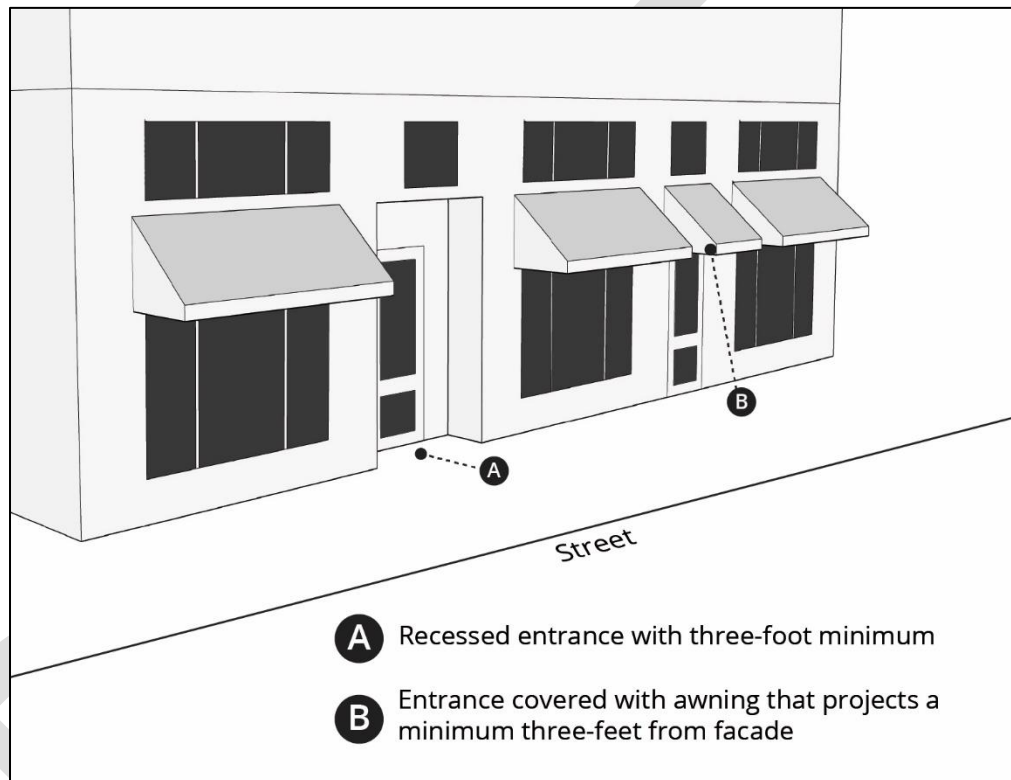
- e. The use of at least two different façade materials, each covering a minimum of 20 percent of the street-facing façade.
- 4.2 Buildings shall incorporate the same materials on all façades.
- 4.3 Variation in the street-facing façade planes shall be provided for buildings greater than one story by incorporating any combination of the following architectural solutions to achieve a minimum of 12 points:
- Architectural features, such as:
    - Arcade or gallery along the ground floor; *8 points*
    - Awnings or canopies; *6 points*
    - Building cornice; *5 points*
    - Belly band, or horizontal architectural element, between the first and second floor; or *5 points*
    - Façade sconce lighting. *3 points*
  - Bay windows; *6 points*
  - Façade plane of upper floors steps back a minimum of five feet from the ground floor façade; *6 points*
  - Material and color changes; *5 points*
  - Balconies or Juliet balconies; *5 points*
  - Landscaped trellises or lattices; *5 points*
  - Chimneys; *3 points*
  - Wide overhangs with projecting brackets; *3 points*
  - Window boxes or plant shelves; or *3 points*
  - Decorative elements such as molding, ornamentation, or corbels. *3 points*
- 4.4 Mixed-use buildings shall provide the following architectural elements along the ground floor:
- a. A minimum of 60 percent of the street-facing façade between two and 10 feet above the adjacent grade shall consist of transparent windows; and
  - b. A form of weather protection above storefront entries that extends from the façade a minimum of three feet.
- 4.5 Garage doors shall be recessed a minimum of 12 inches from the façade plane and along the street-facing façade shall not exceed 40 percent of the length of the building façade.

- 4.6 Changes in building materials shall occur at inside corners or at architectural features that break up the façade plane such as columns.



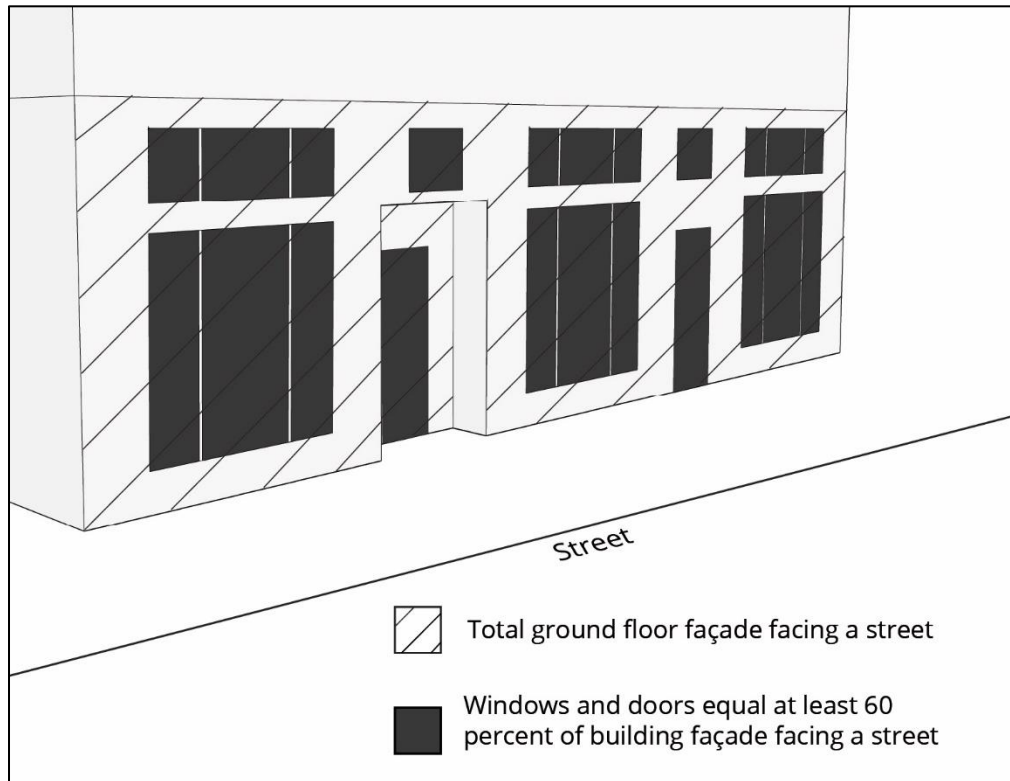
**Figure B.4.6**

- 4.7 Mixed-use development shall meet the following requirements:
- a. Pedestrian entries to ground-floor and upper-floor commercial uses shall meet at least one of the following standards:
    - i. The entrance shall be recessed in the façade plane at least three feet in depth; or
    - ii. The entrance shall be covered by an awning, portico, or other architectural element projecting from the façade a minimum of three feet.



**Figure B.4.7a**

- b. For ground-floor commercial uses, façades facing a street shall include windows, doors, or openings for at least 60 percent of the building façade that is between two and 10 feet above the level of the sidewalk.



**Figure B.4.7b**

- 4.8 Mirrored windows are prohibited.
- 4.9 A primary building entrance shall be provided facing a street or common open space. All building entrances shall be recessed from the façade plane or covered by a building projection of at least three feet in depth measured from the wall plane.
- 4.10 Awnings shall be subject to the following requirements:
- a. A minimum vertical clearance of eight feet measured from the pedestrian pathway;
  - b. Shall not extend beyond individual storefront bays; and
  - c. Shall not be patterned or striped.
- 4.11 For buildings abutting a single-family zoning district, rooftop and upper floor terraces and decks are prohibited.



- 4.12 For buildings abutting a single-family zoning district, balconies shall only be permitted on the street-facing building façade. Such balconies shall be without any projections beyond the building footprint.
- 4.13 Mixed-use buildings shall provide at least one of the following features along street-facing façades where the façade exceeds 50 feet in length:
- a. A minimum five-foot offset from the façade plane for a length of at least 10 feet;
  - b. Multiple pilasters or columns, each with a minimum width of two feet; or
  - c. Common open space, such as a plaza, outdoor dining area, or other spaces.
- 4.14 Continuous blank façades on any floor level shall not exceed 25 percent of the entire façade length along any street.

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From: William Walker <[REDACTED]>  
Sent: Tuesday, June 14, 2022 12:17 PM  
To: Planning <[Planning@losgatosca.gov](mailto:Planning@losgatosca.gov)>  
Subject: Objective Standards Draft Comments

EXTERNAL SENDER

Thank you for providing the draft for review by the citizens of Los Gatos.  
Here are my comments.

1) Parking

California is shutting down fossil fuel and nuclear power plants leading to inadequate capacity when the sun goes down and people need to charge their electric cars at home. In the future, car charging will need to happen during the day. To facilitate Daytime charging, parking lots should be roofed with solar arrays, with chargers in the parking lot under the arrays. We already see this happening, for example in the AMD parking lots on Union Avenue.

The draft doesn't mention solar panels over parking lots, it should. In fact, it should be a strong recommendation, instead of tree planting. Tall trees will shade solar panels.

2) Excessive regulation of Architectural styles

As I read the regulations pertaining to Architecture, I can't help but feel they will hamstring Architects, leading to bland architecture. Figure B.4.6 is an example of excessive regulation (IMHO, the suggested change of building materials is ugly as shown in the figure.) One has to ask, would the proposed regulations prevent another North 40, which has been almost universally panned as resembling a stack of shipping containers, or worse? Perhaps a better approach to architecture is to assemble a panel of architects to review and critique design proposals before they are built.

William Walker

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**TOWN OF LOS GATOS  
PLANNING COMMISSION  
REPORT**

MEETING DATE: 6/22/2022

ITEM NO: 3

ADDENDUM

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DATE: June 21, 2022  
TO: Planning Commission  
FROM: Joel Paulson, Community Development Director  
SUBJECT: Review and Recommendation of the Draft Objective Standards to the Town Council.

**DISCUSSION:**

The following information is provided in response to Planning Commissioner questions regarding examples of subcommittee recommendations that were not included in the Draft Objective Standards. Staff has prepared Exhibit 5 addressing the specific examples provided.

The Planning Commission objective standards subcommittee held five meetings between July and December 2021. The subcommittee reviewed more than 500 existing subjective guidelines collated from Town documents to provide recommendations to staff on which subjective guidelines should be rewritten as objective standards. The subjective guidelines identified and included in the subcommittee's recommendations are summarized in Exhibit 6 with references to the preliminary objective standards created in response to the subcommittee's recommendations. Some items identified by the subcommittee were not included in the Draft Objective Standards. The reasons for exclusions varied but included: duplication of existing Town Code requirements; creation of unreasonable barriers to development; difficulties in enforcement; and not being appropriate when applied to multi-family and mixed-use projects. In collaboration with the Town's consultant, these recommendations were used to help create the Draft Objective Standards included as Exhibit 3 to the June 22, 2022, Planning Commission Staff Report.

Please note that many subjective guidelines identified by the subcommittee look different when converted into a draft standard. In writing the Draft Objective Standards, it was often necessary to identify the concept that a subjective guideline was attempting to address in order to create a standard that addresses the same concept. For example, one of the issues identified by the subcommittee was to "provide a foot candle limit for parking lot lights." While it is possible to write a standard limiting the foot candle power of a parking lot light fixture, the standard may not completely address the overarching concept, which is to limit light spillage

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

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Reviewed by: Planning Manager and Community Development Director

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DISCUSSION (continued):

from exterior light fixtures onto neighboring properties. With this in mind, the draft objective standard developed from this subjective guideline is: Exterior lighting shall be fully shielded and restrain light to a minimum 30 degrees below the horizontal plane of the light source. Uplighting is prohibited. (A.5.2).

A Planning Commissioner also emailed links to the City of Palo Alto objective standards, which is included as Exhibit 7.

Staff looks forward to the discussion and will be available to answer any questions.

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

Received with this 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

Below are several examples of subjective guidelines that do not appear in the Draft Objective Standards followed by a response from staff in *italics*:

**November 3, 2021 Meeting:**

**ACCESS**

**a. Pedestrian Access**

7. Encourage the use of decorative bollards at all pedestrian crossings at street intersections to improve vehicle and pedestrian safety in the Downtown District.

16. Provide special textured and/or colored paving at pedestrian crossings of project entries.

***Response:*** *These types of improvements are typically in the right-of-way and subject to Town Engineering standards.*

**November 17, 2021 Meeting:**

**LANDSCAPING AND SCREENING**

**a. Street Trees and Streetscape Landscaping**

**Streetscape Landscaping**

11. Landscaping adjacent to street rights-of-way, driveway entrances, or trails should be avoided when it might restrict sight distance or interfere with already established native plants.

***Response:*** *This is included in A.7.1 and Town Code Section 29.40.0315(a)(3)*

**November 17, 2021 Meeting (continued):**

**LANDSCAPING AND SCREENING**

**c. Fencing and Retaining Walls**

**Fencing**

4. The use of fences and walls shall be minimized and located so that natural landforms appear to flow together and are not disconnected. The primary emphasis shall be on maintaining open views, protecting wildlife corridors, and maintaining the rural, open, and natural character of the hillsides.

***Response:*** *This is very specific to the hillside area, and it is doubtful these properties would be allow for mixed-use or multi-family development. Additionally, these fencing types may not suit the needs of mixed-use or multi-family development when located in the commercial areas.*

**November 23, 2021 Meeting:**

2. Building Height; 1. Buildings over two stories are discouraged in areas covered by these guidelines unless special circumstances warrant additional building height (Commercial Design Guidelines).

**BUILDING HEIGHT**

**General**

1. Buildings over two stories are discouraged in areas covered by these guidelines unless special circumstances warrant additional building height. [\*Commercial Design Guidelines\*](#)

***Response:*** *This is potentially overly restrictive. The Draft Objective Standards include strategies to mitigate the mass of buildings greater than two stories in B.1.1, B.1.2, B.4.1, B.4.3, and B.4.13.*



# ISSUES CONSIDERED BY THE OBJECTIVE STANDARDS SUBCOMMITTEE

These issues were identified by the Objective Standards Subcommittee. Where applicable, a corresponding Draft Objective Standard is identified.

Issue Number	Issue Identified in Subcommittee Meetings	Draft OS	Response
<b>Pedestrian Access</b>			
S.1.	Pursue pedestrian connections to adjacent development.	None	Impractical due to potential private property issues.
S.2.	Define a minimum sidewalk width.	None	In Town Code and Engineering stadards.
S.3.	Determine if new development can be required to provide pedestrian connections to the Los Gatos Trail unless another agency would prohibit these connections.	None	Impractical due to potential private property issues.
<b>Vehicular Access</b>			
S.4.	Consider requiring driveways to be located to the rear of the lot.	A.3.1	
<b>Parking Location and Design</b>			
S.5.	Limit the number of surface parking spaces along street frontages or in front of a building.	A.3.1	
S.6.	Require pedestrian circulation on parking lots exceeding a certain size.	A.1.1, A.1.2	Created requirment and standards for circulation without tying them to a certain size parking lot.
S.7.	Consider increasing the parking lot landscaping requirement from 5%.	None	Five percent is included in Town Code Section 29.10.155(g)(6). Stricter requirements may not be consistent with State law.
S.8.	Provide pedestrian access from the parking lot to the building entrance.	A.1.1	
S.9.	Require off street maneuvering areas to eliminate aisle-to-aisle circulation via the street	A.2.1, A.3.2	
<b>Parking Structure Design</b>			
S.10.	Provide objective criteria to require an "active" ground floor. Perhaps a minimum fenestration requirement.	A.4.2, A.9, A.10.2, B.1.1.d, B.1.1.e, B.2.1, B.4.4.a, B.4.7.b, B.4.13	
S.11.	Limit blank facades facing a public street. Perhaps no more than 50% maximum or step back the façade a certain distance.	A.4.2, B.1, B.2, B.4	
S.12.	Provide architectural articulation of garages facing streets.	B.2.1, B.2.3, B.4.5	
S.13.	Provide parking structure setbacks.	A.4.2	
S.14.	Provide gate setback distance for parking garages.	A.4.1	
S.15.	Consider providing a minimum setback for parking structures.	A.4.2	
<b>Utilities</b>			
S.16.	Require all pedestrian walkways to have lighting for safety.	A.5.1	
S.17.	Consider providing different standards for interior lights not facing neighboring properties.	None	The Town Code requires all exterior light fixtures to be downward directed and shielded. Not pursued to maintain consistency with A.5.2 and Town Code.
S.18.	Provide a foot candle limit for parking lot lights.	A.5.2	
S.19.	Provide a minimum screening standard (lattice or plants) for utilities. Make a distinction between ground and roof equipment.	A.5.3	
S.20.	Screen trash and service collection from the street.	A.5.3	
<b>Landscaping and Screening</b>			
S.21.	Provide and define pedestrian amenities with objective criteria.	A.9	
S.22.	Street trees should come from the Town's list.	A.6.2.b	
S.23.	There should be a minimum open space requirement similar to the North 40 Specific Plan Requirement. Provide a minimum percentage.	A.6.1, A.9	
S.24.	The inner edge of front setbacks (i.e., away from the street edge) should be treated as a positive edge with one or more of the following: § Low wall § Hedge § Trellis structure § Buildings	A.10	
S.25.	Provide a standard for front setback edge treatments at least three feet in height to screen the front of automobile grilles in the parking lot from street view.	A.6.3	
S.26.	Require shrubs used to promote privacy to be fifteen gallon in size and six feet minimum height at planting.	A.6.2.b	
S.27.	Provide greater landscape buffering adjacent to residential parcels.	A.6.2.b	
S.28.	Provide landscaping between commercial structures and neighboring residents to screen, break up, and soften views of the structures.	A.6.2.b	
S.29.	Require roof screens to be constructed from the same materials as the building walls.	A.5.3	
S.30.	Visually screen all trash and outdoor storage areas from view.	A.5.3	

Issue Number	Issue Identified in Subcommittee Meetings	Draft OS	Response
S.31.	Make utility screening objective and note that the utilities shall not be able to be viewed from the right-of-way.	A.5.3	
S.32.	Provide standards on the type/size of landscape screening for surface parking lots.	A.6.3	
S.33.	Prohibit fences over three feet tall along public street frontages for mixed-use and multifamily development.	A.7.1	
S.34.	Prohibit solid fencing along streets.	A.7.1, A.7.4	Conflicts with need to screen parking lots.
S.35.	Prohibit chain link fences.	A.7.2	
S.36.	Require entryway gates and fencing to have an open design. Limit the size or appearance of monumental entry gates.	A.7.4	
S.37.	Require retaining walls that are visible from a public street to have a veneer of natural stone, stained concrete, or textured surface.	None	Too restrictive, may create a style conflict with chosen architectural style of building.
S.38.	Require terraced retaining walls to be separated by at least three feet and including landscaping.	A.8.1	
S.39.	Require a break, offset, or planting pocket to breakup retaining walls for every 50-foot continuous length of a retaining wall.	A.8.2	
S.40.	List prohibited solid wall materials that separate commercial uses from adjacent residential parcels.	None	Too restrictive, may create a style conflict with chosen architectural style of building.
S.41.	Require brick banding along with concrete for commercial street sidewalks.	None	This is an engineering standard (Villa Hermosa) and the focus of the the objective standards is on building design and building placement.
S.42.	Require a maximum amount of hardscape percentage.	A.6.1, A.9.1	
S.43.	Require new developments to include common open space areas in the form of public gathering spaces (i.e., plazas, squares, pocket parks) that are designed to stimulate pedestrian activity and complement the appearance and form of adjoining buildings.	A.9	
S.44.	Require shade trees in common outdoor spaces.	A.9.4	
S.45.	Determine if viewsheds into the surrounding hills can be made objective.	None	Very difficult to make objective and specific to development in the hillside area.
<b>Building Placement</b>			
S.46.	For Community Place Districts, relate buildings to the street and locate them on site to reinforce street frontages.	A.10.1	
S.47.	For Community Place Districts, require buildings to be placed close to, and oriented toward the street.	A.10.1	
S.48.	If possible, limit the height of buildings located on corners to one story in height and preserve views into the surrounding hills. Restrict unnecessary massing at street corners (i.e., domes and uninhabitable spaces).	None	Too restrictive, may create a style conflict with chosen architectural style of building.
S.49.	Require new homes to maximize privacy, protection of natural plant and wildlife habitats, and minimize ecological or visual impacts affecting open spaces, public spaces, or other properties.	A.6.2, B.1.2, B.4.11, B.4.12	
S.50.	Require improvements along outer gateways to the Town. Map gateways where these requirements would apply.	None	The locations of Town gateways have not been determined.
S.51.	Locate structures to minimize blocking sun access to living spaces, outdoor areas on adjacent homes, and solar panel sun access.	None	Very difficult to make objective and very restrictive to apply to every project in commercial zones.
S.52.	For Community Place Districts, if there is no conflict with Town Code, require front setbacks to be similar to those of structures on adjacent parcels, but not less than ten feet unless those of adjacent structures are less.	A.10.1	
S.53.	For Community Place Districts, require side setbacks to be provided to set the structures off from their neighbors unless the building is part of a continuous storefront within the same parcel. If no side setback is provided, the building design should blend with the adjacent buildings to create a continuous storefront.	A.10.1	
S.54.	For Community Place Districts, provide setbacks from street property lines to match those currently existing in the subdistrict.	A.10.1	
S.55.	For Community Place Districts, require new buildings to maintain a consistent setback from the public right-of-way in order to create a well-defined streetscape.	A.10.1	
S.56.	Require a minimum percentage of garages to be set back from the front façade.	B.4.5	
S.57.	Prohibit new setbacks on North Santa Cruz Avenue or West Main Street	None	Setbacks are established in the Town Code.
S.58.	Require larger setbacks for parcels fronting on Santa Cruz Avenue and Saratoga/Los Gatos Road North of Highway 9.	None	Setbacks are established in the Town Code.

Issue Number	Issue Identified in Subcommittee Meetings	Draft OS	Response
S.59.	Require accessory buildings and ADUs to be compatible with other buildings with forms, colors, and materials. Provide objective criteria for compatibility.	B.3.5	B.3.5 is written to address detached carport. ADUs are reviewed/approved under a separate process pursuant to State law.
<b>Building Height</b>			
S.60.	Set a limit on height exception for towers, spires, cupolas, and similar structures not used for human activity or storage.	Zoning Code Sec. 29.10.090	
<b>Massing and Scale</b>			
S.61.	Require garages to be subservient to entries and ground floor living spaces.	B.2.1, B.2.3, B.4.5	
S.62.	Require new outbuildings, such as garages, to be clearly subordinate to the main structure in massing, and utilize forms, materials, and details which are used on the main structure.	A.4.2, B.3.5, B.4.5	
S.63.	Require buildings to be designed at a pedestrian scale.	B.1.1, B.2.1, B.4.1, B.4.3, B.4.4, B.4.7, B.4.8, B.4.9, B.4.10, B.4.13, B.4.14	
S.64.	Require the scale and massing of new developments to provide transitions in building height and massing to the physical and visual character of adjoining neighborhoods. Projects backing up to residential neighborhoods should be sensitive to their potential impacts on the residents.	A.6.2, B.1.1, B.1.2, B.3.1, B.4.3, B.4.11, B.4.12	
S.65.	Step buildings down as they get close to neighbors that are smaller/single-story.	B.4.3	Town Code requires increased setbacks for nonresidential properties adjacent or across from residential. 29.60.225(5); 29.60.335(4); 29.60.435(5); 29.70.125(5); 29.70.235(3)
S.66.	Require medium density, high density, and mixed-use parcels in the Los Gatos Boulevard District adjacent to Single-Family parcels to include increased site setbacks and multi-story step backs to minimize the impact and increase compatibility with smaller adjacent structures.	B.4.3	Town Code requires increased setbacks for nonresidential properties adjacent or across from residential. 29.60.225(5); 29.60.335(4); 29.60.435(5); 29.70.125(5); 29.70.235(3)
S.67.	For projects located on corner parcels of streets leading into residential neighborhoods, special attention should be given to the following: § Breaking building forms into modules that are similar to those in residential neighborhoods. § Providing landscaping and landscape elements that would be consistent with those used in residential areas. § Screening any parking areas with low walls and landscaping.	A.6.2, A.6.3, B.1.2	
S.68.	Require buildings taller than two stories to have floors above the second floor set back from the walls below.	B.1.1, B.1.2	
S.69.	Provide size transitions between larger and smaller buildings.	None	There was concern that applying this would inhibit best use of a property based on a neighboring building that could eventually be redeveloped itself.
S.70.	Require new structures, remodels, landscapes, and hardscapes to be designed to be architecturally consistent and similar in mass and scale with adjacent development to minimize compatibility issues.	None	Difficult to make objective.
S.71.	Avoid structures with height and bulk at front and side setback lines which are significantly greater than those of the adjacent homes.	B.1.1, B.1.2	
S.72.	Take care in the placement of second floor masses. Unless the architectural style traditionally has the second-floor front wall at or near the first-floor wall, set the second floor back from the front façade a minimum of 5 feet.	B.1.1, B.1.2, B.4.3	

Issue Number	Issue Identified in Subcommittee Meetings	Draft OS	Response
S.73.	<p>The design of two-story homes constructed adjacent to one story houses should include techniques to minimize their visual impact and provide transitions in scale. Some techniques include:</p> <ul style="list-style-type: none"> <li>§ Step down to one story elements near the side setbacks</li> <li>§ Provide substantial side setbacks for the entire house</li> <li>§ Provide substantial second floor side setbacks</li> <li>§ Use hip roofs at the sides rather than gables</li> </ul>	A.6.2	Town Code requires increased setbacks for nonresidential properties adjacent or across from residential. 29.60.225(5); 29.60.335(4); 29.60.435(5); 29.70.125(5); 29.70.235(3)
S.74.	Try to protect views of hills.	None	Very difficult to make objective especially without a Town view protection ordinance.
S.75.	Eliminate box-like forms with large, unvaried roofs by using a variety of building forms and roof shapes with cluster units, variations in height, setback, and roof shape.	B.1.3, B.3.1, B.4.1, B.4.3	
S.76.	Construct a maximum of 6 attached units in a row.	B.1.3	
S.77.	Elevations shall be mixed within a development to avoid repetition of identical facades and rooflines.	B.3.1	
<b>Roof Design</b>			
S.78.	Require varied building and parapet heights except in locations where flat parapets are common.	B.3.1	
S.79.	Limit the depth of eaves to relate roof overhangs to the architectural style of the surrounding neighborhood.	B.3.4	
S.80.	Avoid the use of dome buildings.	None	Too restrictive, may create a style conflict with chosen architectural style of building.
S.81.	Require flat profile skylights.	B.3.2	
S.82.	Require roof forms to include materials, elevations, and finishes that are consistent with the architectural style and design of the structure.		The subjective nature of architectural styles prevents this from being made objective.
S.83.	Encourage horizontal eaves longer than 40 to 50 feet in length to be broken up by gables, building projections, or other forms of articulation.	B.3.1, B.3.3	
S.84.	Require skylight glazing material that reduces glare at night, especially for bird safety. Large skylights with dome-style glazing should be prohibited.	B.3.2	Difficult to make first sentence objective.
S.85.	Try to incorporate a Light Reflective Value (LRV) similar to those in Hillside Design Guidelines for roof tones that blend with the environment.	None	Impractical and too limiting. Eliminates architectural styles.
<b>Façade Design and Articulation</b>			
S.86.	Minimize privacy intrusions on adjacent residences.	A.6.2, B.1.2, B.4.11, B.4.12	
S.87.	Minimize contrast between manmade buildings and the environment. Try to incorporate a Light Reflective Value (LRV) similar to those in Hillside Design Guidelines.	None	Impractical and too limiting. Eliminates architectural styles.
S.88.	Encourage buildings and sites within all Community Place Districts to integrate design features that create a pedestrian and neighborhood-friendly environment, including siting buildings close to the sidewalks, providing space for small plazas, and including public art.	A.10.1	
S.89.	Promote community design which is human-scaled, comfortable, safe, and conducive to pedestrian use. Strategies for standards include height of floor plates and width of building face.	B.1.1, B.2.1, B.4.1, B.4.3, B.4.4, B.4.7, B.4.8, B.4.9, B.4.10, B.4.13, B.4.14	
S.90.	Provide pedestrian arcades and/or other one-story architectural elements to reduce the visual height of tall walls.	B.1.1	
S.91.	Promote well defined architectural styles through the use of building massing, setbacks, façade articulation, fenestration, varied parapets, and other human-scaled architectural features.	B.4.1	
S.92.	Require multi-story buildings to incorporate step backs on upper floors to create a more human-scale and comfortable pedestrian environment.	B.1.1, B.1.2, B.4.3	
S.93.	<p>Encourage all new and remodeled structures use at a minimum one of the following architectural design elements to enhance the uniqueness of the structure:</p> <ul style="list-style-type: none"> <li>§ Molding</li> <li>§ Ornamentation</li> <li>§ Corbels</li> <li>§ Cornices</li> <li>§ Colonnades</li> </ul>	B.4.3	

Issue Number	Issue Identified in Subcommittee Meetings	Draft OS	Response
S.94.	Break up the façade of horizontal buildings into smaller components by utilizing vertical adjacent building masses. Add a maximum amount of linear frontage for each required massing component.	B.4.1	
S.95.	Exterior wall planes should be varied in depth and/or direction. Desirable massing includes: variation in the wall plane; variation in wall height; roofs containing different forms and located at different levels.	B.4.1	
S.96.	Eliminate box-like forms with large, unvaried roofs by using a variety of building forms and roof shapes with clusters of units, variations in height, setback, and roof shape. Make the building visually and architecturally pleasing by varying the height, color, setback, materials, texture, landscaping, trim, roof shapes, and ridge orientation for all elevations.	B.4.1	
S.97.	Design with architectural integrity on all sides of the structure.	B.4.2	
S.98.	Maintain a strong street presence and design with consistency on all sides of the structure.	B.4.2	
S.99.	Provide visual relief for two story walls. Some techniques include: <ul style="list-style-type: none"> <li>§ Belly bands</li> <li>§ Pop outs and bay windows</li> <li>§ Material and color changes</li> <li>§ Chimneys</li> <li>§ Wide overhangs with projecting brackets</li> <li>§ Juliet balconies</li> <li>§ Window boxes and pot shelves</li> <li>§ Landscaped trellises and lattices</li> </ul>	B.4.3	
S.100.	Maintain continuity of design, materials, color, form and architectural detail for all elevations of a building that are visible from public areas or adjacent residences.	B.4.2	
S.101.	Orient buildings to avoid blank walls and service areas which are visible.	B.4.1	
S.102.	Treat commercial street-facing facades which exceed fifty feet in length as though they were constructed on individual parcels no wider than fifty feet.	B.4.13	
S.103.	Provide horizontal wall plane changes along street frontages and areas easily viewed from adjacent properties. Wall plane changes should have some portions that are at least two feet to provide building articulation.	B.4.1	
S.104.	The size and height of all detail elements shall be sympathetic to the major elements of adjacent structures.	None	Impractical and difficult to make objective.
S.105.	Avoid blank walls over ten feet long on primary frontages, and from the first fifty feet from Santa Cruz Avenue or Main Street. Break up larger blank walls with pilasters and landscaping.	B.4.14	
S.106.	Require some architectural elements of mixed-use buildings to include: <ul style="list-style-type: none"> <li>§ Shaped parapets or projecting cornices at street wall tops</li> <li>§ Large display windows framed by high quality materials.</li> <li>§ Projecting columns and pilasters</li> <li>§ Column/pilaster bases and bulkheads below display windows</li> <li>§ Projecting belt courses and other moldings</li> <li>§ Decorative details</li> </ul>	B.4.4	
S.107.	For mixed-use buildings, structures taller than one story should have design elements that emphasize the first floor. Elements might include: <ul style="list-style-type: none"> <li>§ Awnings</li> <li>§ Planters</li> <li>§ Projecting signs</li> <li>§ Divided light windows</li> <li>§ Small scale materials (e.g., brick, board, and batten wood)</li> </ul>	B.4.4	
S.108.	Require the design, form, roof pitch, materials, and color of new accessory dwelling units to be compatible with the primary dwelling. Entrances serving the accessory dwelling unit shall not be constructed on any elevation facing a public street.	None	ADUs are reviewed/approved under a separate process pursuant to State law.

Issue Number	Issue Identified in Subcommittee Meetings	Draft OS	Response
S.109.	Consider limiting second-story balconies in single-family scaled development (detached condos)	A.3.11	
S.110.	Be specific about the minimum/maximum balcony allowed per product type.	None	Impractical and not responsive to varying lot sizes
S.111.	Gable dormers, single or an aggregate of multiple dormers, should rarely exceed 50 percent of the width of the roof. Shed dorms can be wider.	B.3.3	
S.112.	<p>Relate awning placement to the major architectural elements of the façade.</p> <p>§ Add a maximum height</p> <p>§ Add maximum percentage of fabric awning</p> <p>§ Avoid covering transom windows or architectural elements such as bel courses, decorative trim, and similar features</p> <p>§ Use separate awnings over individual storefront bays defined by the columns or pilasters rather than placing a continuous awning across the building frontage</p> <p>§ Patterned and striped awnings are discouraged.</p> <p>§ Operable awnings are encouraged when appropriate for the style of the building</p>	B.4.7, B.4.10	
S.113.	Create a list of prohibited building materials. Consider using maximum LRV. No copper.	None	Too restrictive, may create a style conflict with chosen architectural style of building.
S.114.	Make materials and color changes at inside corners rather than outside corners to avoid a pasted-on look.	B.4.6	
S.115.	Match wall materials to that of the building.	None	Too restrictive, may create a style conflict with chosen architectural style of building.
S.116.	Ensure that all buildings have well designed and visible entries. Distinctive projecting or recessed entries shall be provided for each living unit.	B.4.9	
S.117.	Orient unit entries to streets and common open spaces rather than parking courtyards.	B.4.9	
S.118.	Create a minimum fenestration percentage for ground-floor commercial in mixed-use development.	B.4.7.b	
S.119.	Apply a window style consistency if possible.	None	Too restrictive, may create a style conflict with chosen architectural style of building.
S.120.	Maintain a high degree of fenestration and transparency on the ground floor of commercial buildings.	B.4.4, B.4.7.b, B.4.8	
S.121.	Encourage window box planters below display windows.	B.4.3	
S.122.	Prohibit mirror-like window tinting.	B.4.8	
S.123.	Establish a maximum percentage of garage facing along a street, or garage door articulation.	B.2.1, B.2.3, B.4.5	
S.124.	Carport roof materials need to be the same as the building and needs to be behind the building.	B.2.1, B.2.3, B.4.5	
S.125.	Recess garages from unit fronts along streets. Recesses from the building face of 18 feet or more are desirable to minimize the prominence of the garages and to allow guest parking on driveway aprons.	B.2.1, B.2.3, B.4.5	
S.126.	Front-facing garages should be recessed a minimum of 12 inches from the front façade of the living space.	B.2.1, B.2.3, B.4.5	
S.127.	Avoid designs that allow the garage to dominate the street façade. Garage doors should feature windows, recesses, and moldings to help blend the garages with the character of the unit.	B.2.1, B.2.3, B.4.5	

**From:** Jeffrey Barnett <[REDACTED]>  
**Sent:** Monday, June 20, 2022 11:33 AM  
**To:** Sean Mullin <SMullin@losgatosca.gov>; Ryan Safty <RSafty@losgatosca.gov>  
**Subject:** Planning Commission Meeting June 22, 2022; Item 3. Objective Standards

EXTERNAL SENDER

Dear Sean and Ryan,

The City of Palo Alto adopted its objective standards on June 1st.. Here is a link to an article about the project::

<https://www.paloaltoonline.com/news/2022/06/02/new-design-rules-for-palo-alto-housing-projects-govern-everything-from-window-sizes-to-architecture-styles>

Here is the link to the City Council's agenda packet for the June first meeting where the standards were considered. The Staff Report starts at page 32, and the draft ordinances start at page 51 and extend to Page 211..

<https://www.cityofpaloalto.org/files/assets/public/agendas-minutes-reports/agendas-minutes/city-council-agendas-minutes/2022/20220601/20220601pccsm.pdf>

The draft minutes of the City Council's June 1st meeting show that the Council approved the objective standards without change.

I kindly request that you distribute this email to the members of the Planning Commission for consideration prior to our Wednesday meeting.

Thank you in advance.

Jeffrey

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**TOWN OF LOS GATOS  
PLANNING COMMISSION  
REPORT**

MEETING DATE: 6/22/2022

ITEM NO: 3

DESK ITEM

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DATE: June 22, 2022  
TO: Planning Commission  
FROM: Joel Paulson, Community Development Director  
SUBJECT: Review and Recommendation of the Draft Objective Standards to the Town Council.

**DISCUSSION:**

Exhibit 8 includes suggestions from a Planning Commissioner for additions and modifications to the Draft Objective Standards based on the Palo Alto Objective Standards, which were included as Exhibit 7 to the June 22, 2022, Addendum Report.

**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

**Received with this Desk Item Report:**

8. Suggested additions and modifications provided by a Planning Commissioner

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

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Reviewed by: Planning Manager and Community Development Director

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## **JAB Proposed Considerations Regarding Town of Los Gatos based on City of Palo Alto Objective Standards**

### **1. Page 52 – Possible Introduction:**

Housing development Development projects Projects are required to comply with objective standards in order to take advantage of streamlined review pursuant to Section 18.77.073; . However, applicants may choose to forgo one or more objective standards, in which case the housing development project no longer meets the definition of a Housing Development Project and will be evaluated to the spirit of the relevant intent statements based on Context-Based Design Criteria for the zoning district.

### **2. Page 55 – Hierarchy in Site Circulation and Access**

#### **18.24.030 Site Access**

##### **(a) Contextual Design Criteria Intent Statement**

To provide facilities and accommodations for pedestrians, vehicles, cyclists, and transit users to safely and efficiently access and circulate both within individual sites and in the site's surrounding context. Site access should include the following elements:

(1) Site circulation and access that presents a clear hierarchy and connectivity pattern both within a project and to adjacent sidewalks and transit stops. This hierarchy should prioritize pedestrians, bikes, vehicles, and utility/loading access in the order listed. This hierarchy may provide separate access for vehicles and other modes, or demonstrate how all modes are accommodated in shared access points.

(2) Connections to side streets, open spaces, mews, alleys, and paseos

(3) Vehicle, loading and service access that is integrated into building and landscape design and located to prevent conflicts with pedestrians and cyclists, while also provided convenient access to building entries.

(3)(4) Shared access agreements among property owners, where feasible, to reduce

### **3. Page 56 - Loading Docks**

#### **(4) Loading Docks and Service Areas.**

Loading and service areas shall be integrated into building and landscape design and located to minimize impact on the pedestrian experience as follows:

(A) Loading docks and service areas shall be located on facades other than the primary building frontage: on alleys, from parking areas, and/or at the rear or side of building if building includes these frontages. When only primary building frontage is available, loading docks and service areas shall be recessed a minimum five feet from the primary façade and shall be screened in accordance with Chapter 18.23.050.

(B) Loading dock and service areas located within setback areas shall be screened in accordance with Chapter 18.23.050 and separated from pedestrian access to the primary building entry to avoid impeding pedestrian movement and safety.

#### **4. Pages 56-57 – Corner Buildings Less Than 40 Feet**

##### **(b) Objective Design Standards**

##### **(1) Treatment of Corner Buildings (less than 40 feet)**

Corner buildings less than 40 feet in height and end units of townhouses or other attached housing products that face the street shall include the following features on their secondary building frontage:

(A) A height to width ratio greater than 1.2:1

(B) A minimum of 15 percent fenestration area.

#### **5. Pages 57-59 – Corner Buildings More Than 40 Feet**

##### **(2) Treatment of Corner Buildings (40 feet and higher)**

Corner buildings 40 feet or taller in height shall include at least one of the following special features:

(A) Street wall shall be located at the minimum front yard setback or build-to line for a minimum aggregated length of 40 feet in length on both facades meeting at the corner and shall include one or more of the following building features: (continued)

#### **6. Page 76 – Entry Dimensions**

##### **(A) Building Entries Within Façade Design**

(i) Primary building entries shall be scaled proportionally to the number of people served (amount of floor-area or number of units accessed). Building entries inclusive of doorway and facade plane shall meet the following minimum

dimensions:

- a. Individual residential entries: five feet in width
- b. Shared residential entry, such as mixed-use buildings: 8 feet in width
- c. Commercial building entry: 20 feet in width
- d. Storefront entry: six feet in width

(ii) Primary building entries (not inclusive of individual residential entries) shall include a façade modulation that includes at least one of the following:

- a. A recess or projection from the primary façade plane with a minimum depth of two feet.

## **7. Pages 78-81 – More detailed objective standards for entries**

### **8. Page 82 – Private Open Space**

#### **b) Objective Design Standards**

##### **(1) Private Open Space**

If Private Open Spaces is provided, it shall meet the following standards:

(A) Floor area shall include a clear space with a minimum dimension of a circle with a six-foot diameter.

(B) Minimum clear height dimension of 8'-6" feet

(C) Be accessed directly from a residential unit

(D) Balconies shall not be located within the daylight plane

(E) Notwithstanding subsection (a), ground floor patios shall meet the following minimum requirements:

(i) RM-20 and RM-30 districts: Minimum 100 square feet of area, the least dimension of which is eight feet for at least 75% of the area

(ii) RM-40 districts: Minimum 80 square feet of area, the least dimension of which is six feet for at least 75% of the area

(iii) Street facing private open space on the ground floor shall meet the finished floor height for ground floor residential standards in section 18.24.040(b)(4)

(2) If Common Open Space is provided, it shall meet the following standards:

(A) Minimum size of 200 square feet

(B) Area shall include a space with a minimum dimension of a circle with a 10-foot diameter.

(C) A minimum of 60% of the area shall be open to the sky and free of permanent weather protection or encroachments. Trellises and similar open-air features are permitted.

(D) Notwithstanding subsection (1), courtyards enclosed on four sides shall have a minimum dimension of 40 feet and have a minimum courtyard width to building height ratio of 1:1.25

## **9. Pages 120-122 - Streamlined Processing**

### **18.77.073 Streamlined Housing Development Project Review Process**

#### **(a) Applicability**

This section shall apply to applications for residential mixed-use and multifamily housing development projects, as defined in Government Code Section 65589.5(h)(2), that comply with all objective standards in this code and thereby qualify for streamlining under Government Code sections 65589.5 or 65905.5.

#### **(b) Preliminary Board Review**

Applicants are encouraged to seek preliminary review by the Architectural Review Board pursuant to Section 18.76.020(c) prior to submitting a formal application.

#### **(c) Public Study Session**

(1) Prior to preparing a written decision, the Director may, in his or her sole discretion, refer the application to the Architectural Review Board or to other advisory boards or committees for the purpose of determining whether minor adjustments to the application would result in closer adherence to the contextual design criteria and/or objective design standards contained in Chapter 18.24. An application should normally not be considered at more than one meeting of the Architectural Review Board.

(2) Notice of a public meeting to consider the application shall be given at least 7 days prior to the meeting by mailing to the applicant and all residents and owners of property

2.b

\*NOT YET ADOPTED\*

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within 600 feet of the project. Notice shall include the address of the property, a brief description of the proposed project, and the date and time of the hearing.

(d) Decision by the Director

(1) The Director shall prepare a written decision to approve the application, approve it with conditions, or deny it.

(2) Neither the Director, nor the City Council on appeal, shall approve an application unless it is found that:

(A) The application complies with all applicable and objective standards in the Comprehensive Plan, the Palo Alto Municipal Code, and other City plans or policies.

(B) Approving the application will not result in a specific, adverse, impact upon the public health or safety, which cannot feasibly be mitigated or avoided in a satisfactory manner. As used in this Section, a “specific, adverse impact” means a significant, quantifiable, direct, and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete.

(3) Notice of the proposed director’s decision shall be given by mail to owners and residents of property within 600 feet of the property, and by posting in a public place. The notice shall include the address of the property, a brief description of the proposed project, a brief description of the proposed director’s decision, the date the decision will be final if it is not appealed, and a description of how to file an appeal.

(4) The Director’s decision shall become final 10 days after the date notice is mailed unless an appeal is filed.

(e) Appeals

(1) Any party, including the applicant, may file an appeal of the Director’s decision in written form in a manner prescribed by the director.

(2) An appeal seeking disapproval of a project or a reduction in density shall be limited to the grounds that both of the following exist:

(A) The project would have a specific, adverse impact upon the public health or safety unless the project is disapproved or approved upon the condition that the project be developed at a lower density. And

(B) There is no feasible method to satisfactorily mitigate or avoid the adverse impact identified pursuant to subsection (d)(2)(B)(i), other than the disapproval of the housing development project or the approval of the project upon the condition that it be developed at a lower density.

(f) Decision by the City Council

At the Director's discretion, an appeal may be set for hearing before the City Council or may be placed on the Council's consent calendar, within 45 days. The city council may:

(1) Adopt the findings and decision of the director; or

(2) If the item is on the consent calendar, city council may remove the appeal from the consent calendar, which shall require three votes, and direct that the appeal be set for a new noticed hearing before the city council, following which the city council shall adopt findings and take action on the application.

(g) Final Decision by the Council

The decision of the council on the appeal is final.



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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
Town Manager:	Laurel Prevetti
Community Development Director:	Joel Paulson
Town Attorney:	Gabrielle Whelan
Transcribed by:	Vicki L. Blandin (619) 541-3405

1  
2 P R O C E E D I N G S:  
3

4 CHAIR HANSSEN: We will move on to the second  
5 public hearing, which is to review and make a  
6 recommendation on the Draft Objective Standards to the Town  
7 Council. We did receive a draft of the Draft Objective  
8 Standards as well as a Desk Item from Vice Chair Barnett  
9 with some comments that came along with the forwarding of  
10 the actual document that Palo Alto has published for  
11 itself.

12 I will turn it over to Staff and have you take it  
13 from there.

14 SEAN MULLIN: Thank you, Chair. Before you  
15 tonight is a review of the Draft Objective Standards for  
16 recommendation to the Town Council. The Town of Los Gatos  
17 has developed Objective Standards for the review of Multi-  
18 Family and Mixed-Use development applications in order to  
19 comply with recent State housing legislation, implement  
20 streamlined and ministerial review processes for qualifying  
21 housing projects, ensure that these qualifying projects  
22 align with the Town's expectations and visions to maintain  
23 and support the character of the Town, provide a set of  
24 clear criteria to guide development, and establish an  
25

1 objective framework for which qualifying projects may be  
2 evaluated.

3           In collaboration with our consultant, M-Group,  
4 the Draft Objective Standards were developed following a  
5 review of State legislation and existing Town documents,  
6 consideration of recommendations received during five  
7 Planning Commission Subcommittee meetings, and  
8 consideration of feedback received during two community  
9 engagement meetings.

10           An Addendum and Desk Item have been distributed,  
11 including input from Planning Commissioners and a summary  
12 of the issues considered by the Subcommittee.

13           Tom Ford, a principal at M-Group, will now  
14 provide more detail on the development of the Draft  
15 Objective Standards, as well as present the structure and  
16 the content of the draft document.

17           Staff, along with Tom and his team, is available  
18 to answer any questions and aid in tonight's discussion.

19           TOM FORD: Thank you, Sean. It's great to be here  
20 tonight to talk about this great document that I'm sure  
21 you'll have lots of comments on.

22           Sean already went over a little bit of this, but  
23 I have a very, very brief presentation to cover these four  
24  
25

1 items and then allow you folks to discuss what you see and  
2 give us some feedback.

3           First, I want to make sure everybody is on the  
4 same page about why we're doing this, and a lot of it is  
5 reacting to recent State legislation, particularly  
6 regarding housing and affordable housing. I want to go over  
7 a little bit of the process that we used to develop the  
8 document that you've had now for a few days to review.  
9 We'll discuss the development topics, how we organized the  
10 document, and then allow you to have time for discussion.

11           As the Staff Report noted, we started a while  
12 ago. We first started gathering background information and  
13 started having that series of meetings with the  
14 Subcommittee at the Planning Commission—three people, two  
15 of which I think are here with us tonight—and went through  
16 a lot of discussion really examining a lot of the  
17 subjective design guidelines and existing and present Town  
18 documents, and I'll get into that in just a moment.

19           Following those Subcommittee meetings we  
20 basically had sort of a to-do list, and so what we did was  
21 we boiled into different kinds of groups of development or  
22 design typologies, if you will, and took that to a  
23 community meeting. We didn't even have a draft document  
24 yet, we had "preliminary ideas," I think it was called, and  
25

1 it was just ideas that we had heard from the Subcommittee  
2 and how we might develop them for projects that were  
3 applicable.

4           Following that meeting we started to develop a  
5 draft, and right before your Spring into Green event we  
6 released it to the public, and at that event, at a booth  
7 that the Planning Staff had, people could start to see it.

8           About ten days after that event we had the second  
9 community meeting and continued to take comments, but now  
10 people were reacting to an actual draft document as opposed  
11 to the development concepts that we thought we would tinker  
12 with.

13  
14           Then we get into the second day of summer  
15 tonight, and here we are. As we predicted, in summer 2022  
16 we're before the Planning Commission, so we're going to  
17 start to let you guys give us some ideas, some reactions,  
18 and eventually we'll end up in front of the Town Council  
19 where we hope they will consider it for adoption.

20           Sean went through some of these five bullet  
21 points. A lot of this is coming from State housing  
22 legislation that I'm sure you've discussed in various  
23 contexts over the last couple or three years.

24           Our way of doing it at M-Group is we really try  
25 to dig down into the existing planning documents that a

1 community has already adopted and developed for itself,  
2 because those speak to really how the community thinks  
3 about itself and it's the documents that you folks in your  
4 review process rely on to give ideas to Applicants, such as  
5 the one earlier tonight to push that second floor back.

6           Then we need to provide object criteria to match  
7 some of that State legislation, and one of the most known  
8 is SB 35. There's a lot of legislation. There is new  
9 legislation right now pending that they're still  
10 discussing, anything from raising the maximum height of an  
11 ADU from the current limit, where is parking allowed, and  
12 parking around transit. There are a lot of new laws that  
13 are going to continue to come down, we think, and they're  
14 going to have a stipulation that the only thing that a  
15 community can use to regulate the development proposal will  
16 be Objective Standards.

17           However, on the other side of that, it provides a  
18 lot of certainty to the developers, because they then  
19 really know what are the rules, how do I achieve them, and  
20 here's my application. Then, of course, all of this is  
21 about the State's goal to increase multiple-family housing.

22           So what are Objective Standards? This is taken  
23 directly from SB 35. It's the definition the State uses,  
24 it's the definition we've seen in communities who are doing  
25

1 this, they rely on this, because what the Objective  
2 Standard has to remove any kind of personal judgment so  
3 that when the development proposal is in front of the Staff  
4 member at the counter and there's an Objective Standard,  
5 it's clear to tell if they meet the standard or not,  
6 because those two people with potentially different  
7 viewpoints have to agree on something, so everything has to  
8 be an objective judgment rather than a subjective response.  
9

10           What that sets up is the ability for Town Staff  
11 to do ministerial review of projects that come in and meet  
12 the requirements of an affordable project, or some other  
13 kind of project, that State law has said these are only  
14 subject to Objective Standards, so that ministerial review  
15 on the right column is going to be happening. What we're  
16 trying to do with the document is find ways to get all of  
17 the other stuff in the left column, discretionary review.

18           For instance, my impression of what happened on  
19 your first item tonight is at some previous meeting you  
20 folks as a body asked the Applicant to go away and push the  
21 second floor back. Well, what we've been trying to do is to  
22 see if there is a way to write an Objective Standard that  
23 does that. The difference is you had the benefit of looking  
24 at one design on one property. We have to write the  
25 standard that would apply across the entire R-2 or R-4

1 zone, or what have you, so we can't be as specific as a  
2 discretionary review would be, but we can still try to find  
3 ways with the appropriate metrics to put those kinds of  
4 rules in place.

5           So again, just discretionary on the left,  
6 ministerial on the right, and this is what happens. Design  
7 guidelines tend to be very subjective. I think the  
8 Subcommittee went through probably 400 different subjective  
9 design guidelines from various town documents; many of them  
10 were duplicated, but they tended to be subjective, and  
11 sometimes a subjective guideline is impossible to  
12 objectify, such as "eyes on the street." How would you do  
13 that? But maybe there's a way to measure how much windows  
14 there should be, and you have one of those before you  
15 tonight in one of the standards towards the end of the  
16 document.

18           Design guidelines tend to have recommendations,  
19 they're just not necessarily enforceable, and they don't  
20 necessarily have a measurable aspect to them. The Objective  
21 Standards, as I spoke about earlier, have a metric. There  
22 needs to be a way that it's clearly objective.

23           These are some of the Town documents that we  
24 reviewed, and it's really important that you know that  
25 these documents are still your Town documents, because



1 you're going to need them for discretionary review, so  
2 these documents aren't going anywhere; they were just the  
3 starting point for us to take subjective information,  
4 subjective guidelines in all of these various documents,  
5 not so much in the Town Code, but all of these documents,  
6 and start to bring it together. We sorted it into the  
7 likeminded groups: setbacks, building mass, roofs, things  
8 like that, and then started to have those discussions.

9  
10           There's one thing that's not really a document,  
11 and that's GPAC referrals. We started our project probably  
12 about six months after the GPAC finished going through  
13 looking at some drafts of the General Plan, and so what had  
14 happened is the Community Character Element had a lot of  
15 information in it that the GPAC decided to pull out, but  
16 then the GPAC chair and vice chair referred that  
17 information to us, and so even that got put into that big  
18 list of 400-odd things that we looked at for possibilities  
19 for how to objectify.

20           I have three sides here that will talk about the  
21 process we went through, because it kind of breaks into  
22 three different areas. There's the preliminary stage where  
23 we took those Town documents and we, the consultant team,  
24 got our hands around them and tried to understand what they  
25 were, worked with Staff to get that material ready to have

1 those Subcommittee discussions that stretched across a  
2 couple of months, and then that's what delivered the  
3 preliminary topics that we took to that first community  
4 meeting. The preliminary topics were made available on the  
5 Town website page specifically dedicated to this project.  
6 Then we had the community meeting on Zoom, took some  
7 comments, answered questions, and then went away and  
8 started drafting that document.

9  
10           The first draft, that very preliminary draft, was  
11 a combination of information we received from the  
12 Subcommittee and then supplemented by questions and  
13 comments that we heard from the community. Once we had that  
14 draft, it had started out as an admin draft, Staff picked  
15 through it and looked at it and had a lot of comments, and  
16 we cleaned it up and we got comfortable with publishing a  
17 public review draft, and that's the one that came out right  
18 around Spring into Green and in advance of community  
19 meeting #2.

20           Following community meeting #2 we took some  
21 comments and then revised that draft document together with  
22 Staff; we revised some of the graphics and got the draft  
23 together that's before you tonight, so that's here for your  
24 review. We'll hopefully have a great discussion with you  
25 about it tonight, or suggestions or ideas you have,

1 questions, and at some point get in it front of the Town  
2 Council for them to consider it for the option.

3           The way the document that you have before you  
4 tonight is lined up, there's a lot in the first section,  
5 Site Design, but then there's quite a bit in the second  
6 section too, Building Design, particularly in the fourth  
7 part, Façade Design and Articulation.

8           All of these different pieces, they've changed a  
9 little bit in the process of how we broke it out, how we've  
10 divided the document. Parking Structure Design in the  
11 Building Design part used to be just a subset of parking  
12 structure access, and when we talked about it all with  
13 Staff we started talking about let's talk about the access  
14 part in the Site Design and let's talk about the building,  
15 and the Subcommittee actually talked a lot about the  
16 facades of parking structures and such, and let's put the  
17 building part in the Building Design part, so that's one of  
18 the ways this changed as the process rolled along.

19           It's obviously your decision, but what I suggest  
20 is I can minimize this PowerPoint and I can pull up the  
21 document and scroll through it if you'd like to go to a  
22 specific place that you folks might want to have a  
23 conversation about, or you can do whatever you want to do.  
24  
25

1           Then I wanted to let you know, you're probably  
2 aware that the document has a lot of images in it like  
3 this. We specifically tried to draw them very plain,  
4 because we really just wanted to illustrate the text that's  
5 in the standard, so we're not trying to provide  
6 architectural design with these, we're just trying to say  
7 what it means when you say that you can't have more than a  
8 30-foot interval before you have this intervention of the  
9 façade plane moving two feet.

10  
11           We realized some of you, or some of us, or a  
12 member of the public, all of us might have difficulty  
13 understanding what that really looks like, so for almost  
14 every time you see an image like this in the document we've  
15 gone forward and tried to find a totally atmospheric image.  
16 We're not saying this is what Los Gatos needs, we're just  
17 trying to illustrate that concept, and like any photograph,  
18 there's always going to be something that's wrong. For  
19 instance, I think in your town it's not legal to build a  
20 fence this high out in the front setback, but what we were  
21 trying to illustrate was that modulating of the front  
22 façade and how that happens here and how it happens in the  
23 real world; here's a two-story townhouse version and here's  
24 a four-story stacked flat version.  
25

1           So again, just trying to show that real  
2 architects, particularly talented ones, can take an idea  
3 like this and move with it and create something with the  
4 help of these Objective Standards hopefully that the Town  
5 can be proud of when the building is done and up and  
6 occupied.

7           I have these for any issue that has a diagram in  
8 with the little yellow pieces, and we've credited all the  
9 architects where we found these photographs, and we've  
10 generally relied on pretty good Multi-Family designers and  
11 architects such as Pya Tok and David Baker. So again, I'm  
12 not saying this is an image you want to see in Los Gatos,  
13 I'm just saying how do you actually illustrate and how  
14 would an architect build that concept?

15           With that, I'll hand it back to the Chair and  
16 I'll let you see if you like my idea of me pulling up the  
17 standards to spin through. I'm available to do whatever  
18 you'd like.

19           CHAIR HANSSEN: Thank you for that, Mr. Ford. I  
20 think that there might be some big picture questions from  
21 the Commission.

22           Before I take questions, suggestions, or comments  
23 from the Commission I did want to let the Commission know  
24 that the three people that were on the Objective Standards  
25

1 Subcommittee were myself, Vice Chair Barnett, and former  
2 Commissioner Burch, and we did, as noted, make the five  
3 meetings where we went through all of the standards that  
4 basically had been pulled out by the consultants for us to  
5 look at, and what we tried to do is determine if it was  
6 possible to make them more objective; there were obviously  
7 some things that weren't possible and we pulled those out.

8  
9 Before I ask Commissioners for other questions  
10 though, I did not know what the ultimate format of the  
11 document would be, so what I wanted to ask was from a  
12 developer's perspective. We obviously already had some  
13 Objective Standards and still do have Objective Standards  
14 that are in the resident documents that you mentioned, and  
15 then we have this standalone document for Objective  
16 Standards, and so how is that going to be clear to  
17 developers? I know our Staff will always work with the  
18 developers, but you're going to use these documents side-  
19 by-side because we already have the Objective Standards in  
20 the General Plan, the zoning code, and so on. How does that  
21 process get rolling?

22 SEAN MULLIN: Thank you for that question. It's  
23 alluded to in the Introduction Statement on the front page,  
24 and this is a draft document, so we expect that  
25 introduction could change as we move through it, but

1 ultimately a qualifying project would need to meet these  
2 Objective Standards and other existing Objective Standards.  
3 If there were a case where one standard in this document,  
4 for instance, is stricter than a standard in the Town Code,  
5 then the standard in the draft document would rule.

6 CHAIR HANSSEN: That partly answers my question.  
7 I did read the introduction, but basically this is going to  
8 be something that's going to give us more tools but that's  
9 not going to change the process that we already have, which  
10 is we're going to be pulling out our Zoning Code, our  
11 General Plan, and other things in addition to this  
12 document, and this might make it easier for them to get a  
13 ministerial review because we have more parts of the  
14 Architecture and Site that would be objectified, is that  
15 correct?  
16

17 SEAN MULLIN: Correct.

18 CHAIR HANSSEN: Are there any other larger  
19 picture questions versus comments of specific standards in  
20 the document? Commissioner Janoff.

21 COMMISSIONER JANOFF: I just wanted to clarify  
22 that this is a set of Objective Standard that really is for  
23 qualifying Multi-Family and Mixed-Use projects? In other  
24 words, we wouldn't be applying these Objective Standards,  
25 for example, to the application that we heard in Item #2? I

1 just wanted to clarify that this is for a different nature  
2 of building altogether, is that correct?

3 SEAN MULLIN: That's correct. It's applicable to  
4 very specific product types.

5 COMMISSIONER JANOFF: Thank you. Then I just  
6 wanted to comment back to what Mr. Ford described as the  
7 process gleaned from the Town documents and why using the  
8 Town documents to pull forward to Objective Standards. It  
9 makes really good sense to me when you describe it as  
10 leaning on the information that the Town already uses, so  
11 it's familiar information and we're not going too far  
12 afield in terms of what might be used in the past, and it  
13 just really tightens up what the Town has already used. I  
14 appreciated that as a clarifying point. Thank you.

16 CHAIR HANSSEN: Very good. Commissioner Raspe,  
17 and then Vice Chair Barnett.

18 COMMISSIONER RASPE: Thank you, Chair. For Staff,  
19 I just want to confirm, so we have the Objective Standards,  
20 which leads to a ministerial administration of  
21 applications. It's my understanding that there also will  
22 still exist discretionary review if an Applicant so elects  
23 to go that route if they want to come outside of the  
24 Objective Standards, is that correct?

25 SEAN MULLIN: That's correct.



1 COMMISSIONER RASPE: And it may or may not be a  
2 related question, but you've used the language "qualifying  
3 Multi-Family and Mixed-Use projects" in the introduction  
4 and I think it appears throughout the Objective Standards.  
5 What does qualifying mean in that sense?

6 SEAN MULLIN: Thank you. Tom, you may be able to  
7 add more to this, but it has to do with the number of  
8 Residential units involved in a Multi-Family or Mixed-Use  
9 development. I believe the minimum is three, but it's been  
10 a day of looking at a lot of different things, so I think a  
11 minimum of three.  
12

13 TOM FORD: Right, and it's also like the levels  
14 of affordability that are offered in the project that's  
15 being put forth, and that will differ from town to town  
16 depending on where you are in your annual report to HCD  
17 about how you're doing with providing affordable housing,  
18 so different towns and cities will meet different  
19 standards, so when I see that language it just means  
20 anybody who is eligible with an affordable project to come  
21 forward and only be judged in a ministerial process by  
22 Objective Standards. These would be the Objective  
23 Standards.  
24

25 And Sean, just to put a fine point on what you  
said, I believe because of the Housing Crisis Act, or SB

1 330, it's actually any project that's two units and above.  
2 It can still go through a discretionary process, but it  
3 can't be denied if it meets all of the Objective Standards,  
4 so it would need to meet all of the Objective Standards  
5 also, but it doesn't have to go through a 60-day  
6 ministerial process.

7 COMMISSIONER RASPE: Thanks, that's very helpful.

8 CHAIR HANSSEN: Vice Chair Barnett.

9 VICE CHAIR BARNETT: Also for Staff, I believe in  
10 Subcommittee meetings there was some discussion about  
11 amending the Town Code, the Residential Design Guidelines,  
12 and Commercial Design Guidelines following adoption of the  
13 Objective Standards. Am I right in that regard?  
14

15 SEAN MULLIN: Thank you for that question. You're  
16 right, that was discussed. The intent at this point is that  
17 this would be a standalone policy document, and the intent  
18 at this point is not to amend any other documents unless  
19 it's just a reference that this document does exist.

20 CHAIR HANSSEN: Commissioner Clark, and then  
21 Commissioner Janoff again.

22 COMMISSIONER CLARK: I'm not exactly sure how to  
23 ask this, but I'm wondering what happens with something  
24 that is not mentioned in the Objective Standards if a  
25 project meets all of them. For example, one of the things

1 that made me think of this was Vice Chair Barnett's  
2 document talked about loading docs, which our Objective  
3 Standards hadn't talked about, and so how would that have  
4 been handled, say, if we don't incorporate it?

5 SEAN MULLIN: Thank you. To take that specific  
6 example, if a loading doc came up there is some guidance in  
7 the Town Code about, I think, locations of those types of  
8 things. I would mention that this is a living document and  
9 over time as these projects roll through the Town, if items  
10 that had not been identified in this document at this point  
11 come up, Staff will continue to make note of those, and as  
12 we do every so often with the Hillside Design Standards and  
13 Guidelines or Residential Design Guidelines, we could  
14 return to amend the document and correct anything that was  
15 unintended or omitted.  
16

17 COMMISSIONER CLARK: So one of our goals is also  
18 to try to think of everything that we can to have it in  
19 there ahead of time on those?

20 SEAN MULLIN: That's part of the goal tonight,  
21 and also to use your example again, if the majority of the  
22 Commission wants loading docs addressed, that can be part  
23 of the recommendation to the Town Council and Staff can  
24 work on that as we forward the document to the Town  
25 Council.

1 CHAIR HANSSEN: Commissioner Janoff.

2 COMMISSIONER JANOFF: A couple of comments.

3 One I wanted to loop back to Mr. Ford's  
4 illustrations of the different plain forms and actual  
5 lifestyle photographs. I think it's a really good idea to  
6 include that. We had some comments in our Addendum, I  
7 think, that indicated that these forms look pretty bleak,  
8 they don't have any imagination to them, and are we forcing  
9 developers to design all the beautiful features out of  
10 building space? I think part of that comment is driven by  
11 the simplicity of the diagrams, and so having  
12 illustrations, even if they aren't perfectly fitting Los  
13 Gatos' standards, is a really good idea. People need to see  
14 that visual, because it's sometimes challenging without  
15 that, so I would like to see that included.

17 Back to the question of what isn't in this  
18 document, and something that the Planning Commission hears  
19 a lot—I won't say every project, but many, many projects—is  
20 with respect of the protection of views. I know this is an  
21 extremely difficult topic to create an Objective Standard  
22 around, because the views are so subjective. My question is  
23 was that considered, and are there any jurisdictions that  
24 you know of, like Tahoe, Woodside, some of the more bucolic  
25 settings, in addition to Los Gatos, that do have an

1 Objective Standard regarding views or view protection,  
2 whether it's building height, which is something we  
3 probably wouldn't want in this document, because we don't  
4 want to further limit what the developers can do,  
5 especially from Mixed-Use and affordable housing, so we  
6 don't want to add government regulations there, but can you  
7 just comment on views and how possible or not possible it  
8 is to create a standard objective around that?

9  
10 SEAN MULLIN: I can briefly respond to that and  
11 then pass it on to Tom. I'm not aware of other cities  
12 or jurisdictions that have pursued views in the Objective  
13 Standards, but I surely haven't read as many of these  
14 documents as Tom has, so I would default to him.

15 One other thing to note, the intent of the images  
16 that Tom has provided today to run parallel with the  
17 diagrammatic illustrations was not to be put into the  
18 document necessarily, but to illustrate the purpose and how  
19 those sort of plain images can be realized in real life.  
20 That could be part of your recommendation moving forward,  
21 that images be sourced moving forward for inclusion in the  
22 document, but we would have to source royalty-free or hire  
23 someone to create those images.

24  
25 With that, Tom, I'm not sure if you have any  
response about the view piece.

1           TOM FORD: We did discuss it during at least two  
2 meetings of the Subcommittee. I think, first of all, you  
3 have to separate are you talking about a view from the  
4 property out, or are you talking about a view from  
5 different parts of Town onto the hillside and the slope?

6           Generally, one of the reasons we stayed away from  
7 it with the Subcommittee was because since you don't have a  
8 viewshed protection ordinance, or any kind of a view  
9 ordinance, it would be hard for us to start making  
10 regulations against a moving target, if you will.  
11

12           Because our office is doing a number of these  
13 Objective Standards throughout the Bay Area, I've also been  
14 tracking other communities. I know in Sausalito, as they  
15 were trying to develop their Objective Standards they  
16 wanted to have some sort of view protection ordinance, and  
17 it became just a really hard nightmare for them because the  
18 view changes from property to property, and as I said in my  
19 presentation, we're trying to make a standard that applies  
20 to all our four properties, or all Downtown Commercial  
21 properties, or whatever, so it's kind of hard. They did a  
22 lot of studying of different moving parts, and it's really  
23 difficult because it is so subjective, and so trying to  
24 establish an objective rule gets very, very difficult.  
25

1 COMMISSIONER JANOFF: Thank you. I appreciate  
2 those responses.

3 CHAIR HANSSEN: Following up on Commissioner  
4 Janoff's question, you did mention one jurisdiction that  
5 was going in this direction. Are there other jurisdictions  
6 in California that are also very scenic that have been  
7 successful in doing this? You didn't refer to a view  
8 ordinance, so do we know of other communities that have a  
9 view ordinance and have been successful with it?

10 TOM FORD: First let me correct myself. Sausalito  
11 started down the road, but they didn't finish. They  
12 finished their Objective Standards document without  
13 tackling that issue, but they tried. I can't name  
14 communities offhand but I know there are communities—I want  
15 to say Chico—where view protection ordinances exist. Again,  
16 I can't think of a jurisdiction right offhand, but starting  
17 with that ordinance, that's where I would start before  
18 trying to write Objective Standards for something that's  
19 moveable.  
20

21 CHAIR HANSSEN: For the rest of the Commission,  
22 we did discuss this during the Subcommittee and I do recall  
23 the guidance we were given of a view ordinance, so if we do  
24 want to go there in terms of our recommendation to Council,  
25

1 probably the thing to do is recommend that the Council look  
2 into trying to put together a view ordinance.

3           On the devil's advocate side of that, since I'm  
4 chairing the Housing Element Advisory Board, and the Town  
5 Council is getting ready to finalize the General Plan, we  
6 are relying very heavily on Mixed-Use in both the Housing  
7 Element and the General Plan for success in terms of  
8 meeting our RHNA allocation, and the only way that Mixed-  
9 Use can be successful is through additional height and  
10 sometimes additional FAR, and sometimes some other things  
11 on top of that, and those might directly impact views, so I  
12 would say if we're going to recommend that to Town Council  
13 we have to understand that it might be complicated by the  
14 fact that when we're building four stories, and maybe even  
15 five, that it would be hard to protect those views.

17           Let me see if there are other questions. Since  
18 Vice Chair Barnett had submitted his comments I did want to  
19 at least bring up that we were forwarded a copy of Palo  
20 Alto's Objective Standards, and also the Vice Chair had  
21 submitted some comments on top of that that he thought were  
22 important after reviewing that.

23           Since Palo Alto's standards are so much longer  
24 than ours, how should we think about that? I'm going to ask  
25 Staff that.



1           SEAN MULLIN: Thank you. I would attribute part  
2 of the length of Palo Alto's ordinance that they created  
3 around Objective Standards to it tries to capture two  
4 things, and you might recognize some of the language in  
5 there.

6           The first is they have their Objective Standards  
7 for these same types of qualifying projects. The second  
8 piece is they'll have an Objective Standard in what's  
9 called a context-based design criteria, which they're  
10 usually similar concepts. The Objective Standard is just  
11 that, it's objective and it can be applied to those  
12 projects that qualify.

13           The context-based design criteria are for  
14 projects that don't meet the Objective Standards or choose  
15 not to utilize that process, and they did a much more  
16 robust overhaul and drafting of a document and an overhaul  
17 of their city ordinance and incorporated it into a new  
18 chapter, and I think that having the two running parallel  
19 creates a much longer document.

20           A through line to what they've set up to the Town  
21 of Los Gatos is that we are developing an Objective  
22 Standards process as a standalone policy document that  
23 would not live within the Town Ordinance, and to  
24 Commissioner Raspe's question, to those projects that  
25

1 wouldn't meet those Objective Standards or choose not to,  
2 they would pursue the typical Architecture and Site process  
3 similar Palo Alto's context-based design criteria.

4           And to your question, Chair, if there are items,  
5 concepts, particular Objective Standards, or even the  
6 design criteria, if there are particular items in that  
7 document or in their ordinance that you would like to  
8 pursue, you can include those as recommendations, even if  
9 they're not objective at this point. We can attempt to make  
10 something objective, we can look at whether it would create  
11 a conflict within the document, and we can redraft  
12 language; it could be additive or it could revise existing  
13 language.  
14

15           I think some of the examples that Vice Chair  
16 Barnett provided tonight, we have a draft in our document,  
17 but maybe not the same way. We have gone about it a  
18 different way, but we have addressing something like  
19 pedestrian access, for instance. But you could certainly  
20 pull from Palo Alto or any other document, or any other  
21 concept in general, and include that in your recommendation  
22 as we move forward.

23           CHAIR HANSSEN: So with that in mind, Vice Chair  
24 Barnett, you did submit your recommendations and it sounds  
25

1 like Staff has gone through those. How would you like us to  
2 consider those in tonight's hearing?

3 Ms. Armer has her hand up.

4 JENNIFER ARMER: Sorry, Chair, but just wanted to  
5 remind you that we do have some members of the public, so  
6 once you are done with overarching questions, we might see  
7 if they've got comments to share.

8 CHAIR HANSSEN: I was planning to do that. That's  
9 one of the reasons I wanted to go over the overarching  
10 comments. The other reason is that if it's not in the  
11 document now, then this would be a time to bring those up  
12 versus going through the document and saying I wish it said  
13 this instead of this. If you think something is missing,  
14 it's probably good to bring those up now. That was the  
15 reason for my questioning, but after that I will go to  
16 public comments. My question was for Vice Chair Barnett.

18 VICE CHAIR BARNETT: The document from Palo Alto  
19 is rather daunting, and there's some sentiment that we  
20 shouldn't continue tonight's hearing for the purpose of  
21 further examination of that document. Community Development  
22 Director Paulson had an excellent suggestion, which is that  
23 we forward that as a recommendation for review by the Town  
24 Council and not try to make any decisions tonight in the  
25 short amount of time that's available.

1           CHAIR HANSSEN: That might be a way to do that.  
2 Relative to the finding of the Palo Alto document, I do  
3 imaging a scenario where any number of jurisdictions will  
4 come out with their document and we might wish ours looked  
5 like that, and so I do have that concern about trying to  
6 spend too much time tracking other documents, but since  
7 this one is in front of us I think it would be helpful if  
8 any Commissioners have specific things that they want our  
9 Staff to consider as we move forward, that we should try to  
10 get those on the table as soon as possible.  
11

12           Let's go to public comments. This would be a time  
13 for any members of the public to speak about the Draft  
14 Objective Standards that is on the agenda and that we are  
15 discussing currently.

16           JENNIFER ARMER: If anyone is interested in  
17 speaking on this item, please raise your hand. Lee  
18 Quintana. You should be able to unmute. You have three  
19 minutes.

20           LEE QUINTANA: Number one that I would like to  
21 speak to is the fact that at previous meetings on this it  
22 was stated that there would be one unified document that  
23 included all the objectives that applied to qualifying  
24 projects, and that seems to have gone by the wayside. I do  
25 think that if you don't do that it is going to be totally

1 confusing to the public; they're not going to understand  
2 what exactly is included for these standards.

3 I do believe, as has been suggested, that you  
4 need to define in the document what a qualifying project  
5 is.

6 As for photos, I think for the public to  
7 understand the concepts—and this document should not be  
8 just for the developers—that you need to include either a  
9 photograph or probably even better, a graphic figure of  
10 what you're trying to present.

11 I think from what's being said it sounds like  
12 this is going to go the Town Council fairly rapidly, and  
13 that doesn't seem like giving either the public or the  
14 Commission adequate opportunity to really digest what is  
15 being proposed and what could be proposed.

16 Myself, I have not had a chance to look at the  
17 Palo Alto example, but the one thing I really believe is  
18 that it has to be an integrated document that all the  
19 objectives that apply are listed. You may not have to  
20 actually quote them, but you would at least have to give  
21 the direction as to where they could be found specifically  
22 by section, document page, or whatever. Otherwise, the  
23 document is not user-friendly and it is not transparent to  
24 the public.  
25

1 I guess that is basically going to be my  
2 statement right now. I think we need to pay more attention  
3 to how the documents are understood and perceived by the  
4 public so that they can understand the process and what is  
5 actually being proposed.

6 My other comment is that this document, my  
7 understanding anyway, can cover Multi-Family projects that  
8 contain duplexes on up to large Multi-Family structures, so  
9 there are a whole bunch of different types of buildings  
10 that are being covered, and yet the objectives don't break  
11 that down as to what applies to what building type, so  
12 again, I think that it needs better clarification for that,  
13 both for understanding by the public and even by developers  
14 themselves. Thank you.

16 CHAIR HANSSEN: Thank you for your comments.  
17 They're always very helpful and we really appreciate you  
18 talking to us. Any questions for Ms. Quintana? Seeing none,  
19 I'd like to ask if there is anyone else that would like to  
20 speak on the Draft Objective Standards?

21 JENNIFER ARMER: If you'd like to speak on this  
22 item, please raise your hand. I don't see any other hands  
23 raised, Chair.

24 CHAIR HANSSEN: All right, then I will close  
25 public comment and go back to the Commission.

1 Ms. Quintana brought up a more specific version  
2 of what was on my mind when I asked the question earlier  
3 about how does this process work, and so I would like to  
4 say that I appreciated her comment. I don't know where the  
5 rest of the Commission is on this, but I do think there  
6 would be some merit to having a more comprehensive thing  
7 even if we're pulling things out of code or whatever, so  
8 that people would know what all the Objective Standards  
9 were. I think that's not a bad thing to consider, so I'll  
10 just put that out there from my point of view.  
11

12 Are there other things that the Commission would  
13 want to bring up in terms of the things that are missing,  
14 or structural issues, or other things? We could also go  
15 through the document itself, but I wanted to see if anyone  
16 had any specific concerns about the overall structure and  
17 the direction that this is going.

18 I think there were a couple of comments about  
19 having pictures, and I don't know what Staff wants us to  
20 do. Should we vote on if there are specific  
21 recommendations, or just if it seems like we have consensus  
22 from the Commission we can forward that on as a  
23 recommendation? How does Staff want us to do that?  
24

25 JENNIFER ARMER: Thank you, Chair. I can jump in.  
I would say that there are a couple of different ways that

1 you could proceed. If, as you're talking through, there are  
2 certain recommendations that you want to make individual  
3 motions about to see if there is consensus and support, you  
4 could do it that way; or you could keep track as the  
5 discussion goes on and have a list of additional changes,  
6 modifications, or additional material that you think should  
7 be provided to Town Council, and consolidate that in a  
8 single motion at the end of the discussion.

9  
10 CHAIR HANSSEN: All right. Commissioner Janoff,  
11 you had your hand up and you don't anymore, so your  
12 question is answered?

13 COMMISSIONER JANOFF: I was just going to say if  
14 we're going to walk through the document, then there are  
15 opportunities for recommendation, but I think Ms.  
16 Quintana's point about having a... It could be a drawing, it  
17 doesn't need to be a photograph, but something that better  
18 illustrates different types of design standards would be  
19 helpful.

20 CHAIR HANSSEN: All right, then I'm okay with  
21 going ahead and looking at the document if you want to put  
22 that on the screen.

23 TOM FORD: Do you literally want to scroll through  
24 the entire document, or does somebody want to raise a  
25



1 specific standard that they'd like to discuss and I can  
2 flip to it?

3 CHAIR HANSSEN: I'm presuming that everyone on  
4 the Commission has read the draft document, so I don't know  
5 that we need to go over things, but what we did with the  
6 General Plan, and what we've done with the Housing Element  
7 so far, is go by section and see if there are things; and  
8 we did this is the Subcommittee as well. I think we didn't  
9 talk about every last thing, but we went through sections  
10 and said are there things that caught our attention that we  
11 want to talk about? So I will ask Commissioner Janoff.

12  
13 COMMISSIONER JANOFF: Thank you. Mine are  
14 comments throughout that I'll just offer.

15 On 1.2 on this page we talk about a height, but  
16 we don't mention depth, and I'm wondering whether there  
17 might be an addition so it's a height of 6", and a depth of  
18 I don't know if it's 2', or what it might be?

19 TOM FORD: Okay.

20 CHAIR HANSSEN: It seems like a good suggestion.  
21 I don't have my whole document open in front of me, but is  
22 this everything under Pedestrian Access, or is that just  
23 the first page?  
24  
25

1 TOM FORD: Yes, that's it for Pedestrian Access.  
2 The next page will start into the second section, Vehicular  
3 Access.

4 CHAIR HANSSEN: Commissioner Janoff, did you have  
5 another comment?

6 COMMISSIONER JANOFF: I don't.

7 CHAIR HANSSEN: Vice Chair Barnett, did you have  
8 a question about the Pedestrian Access or Vehicular Access?  
9

10 VICE CHAIR BARNETT: Pedestrian Access. I wanted  
11 to point out in my suggestions of possible modifications  
12 based on the Palo Alto Objective Standards, Item 2, there's  
13 a hierarchy of access issues for prioritizing pedestrians,  
14 bikes, and vehicles in that order, and I wonder if we could  
15 consider that as a possible modification?

16 CHAIR HANSSEN: Just to make sure that it's clear  
17 what you're asking, the Palo Alto document, they were  
18 saying that you would prioritize certain modes of  
19 transportation over like, say, cars for example?

20 VICE CHAIR BARNETT: Yes, it talks specifically  
21 about pedestrians and bikes before it gets to vehicles.

22 CHAIR HANSSEN: What do other Commissioners think  
23 about that? Commissioner Clark.

24 COMMISSIONER CLARK: The hierarchy was one of the  
25 things I liked the most from the Palo Alto Objective

1 Standards. I think that is something I would want to exist  
2 in any project anyway, so if it's feasible I would support  
3 incorporating it, but I'd definitely be curious to hear  
4 Staff opinions and if that seems to restrictive or anything  
5 like that.

6 CHAIR HANSSEN: What is Staff's reaction to the  
7 suggestion?

8 SEAN MULLIN: Thank you. My initial reaction is  
9 this is one of those examples that come out of Palo Alto's  
10 contextual design criteria, and it may be difficult to  
11 objectify the hierarchy of priority between different modes  
12 of travel. We certainly will take your suggestion and look  
13 into it. This is one of the examples where it may be a  
14 little difficult, but we'll see if there's a way to do it  
15 that is objective.

16 In the end, going back to the definition of these  
17 Objective Standards, it can't allow anyone to really think  
18 about it, if you will, or make a decision on whether  
19 they've adequately addressed the hierarchy. It needs to be  
20 something like--this is out of left field--all Mixed-Use  
21 projects shall include a Class 1 bike lane on the street-  
22 facing façade. It would need to be at that level versus all  
23 Mixed-Use projects shall prioritize pedestrian to bike to  
24 cars in that order, because there's no way to quantify that  
25

1 as did the developer meet that standard or not? But it's  
2 something we can look into.

3 CHAIR HANSSEN: I think that's fine, and I think  
4 there are a couple of Commissioners that think that it  
5 would be good to go in that direction if we could, but we  
6 understand there might be some concerns about whether or  
7 not you can make it objective.

8 Any other comments on the Pedestrian Access  
9 section? Then I think we can go on.

10 TOM FORD: Vehicular Access.

11 CHAIR HANSSEN: So we just have the one standard  
12 for Vehicular Access?

13 TOM FORD: Yes.

14 CHAIR HANSSEN: This is going to bring up like  
15 what's left out. If I recall, we didn't have anything for  
16 bicycles in here, we only have pedestrian and vehicle, and  
17 then we're going right into parking, is that correct?

18 TOM FORD: Correct, we don't have any bicycle-  
19 specific standards.

20 CHAIR HANSSEN: So question for Staff. I've seen  
21 for LEED standards, for example, if you want to get LEED  
22 certification you have to have like bike lockers or things  
23 like that, bike parking in parking lots and parking garages  
24 and so on, or is there another place that we would have  
25

1 standards for how projects are supposed to accommodate  
2 bicyclists?

3 JOEL PAULSON: Thank you, Chair. Joel Paulson,  
4 Community Development Director. A couple of things.

5 For the bike, we have a Bicycle and Pedestrian  
6 Master Plan that Parks and Public Works deals with, which  
7 has different right-of-way improvements depending on the  
8 street and what kind of improvements they're looking for  
9 moving forward. Those bicycle storage components are  
10 required in other documents by other agencies as well as  
11 far as whether it's LEED or things that you need to do to  
12 show that you're providing X number of bike parking spaces  
13 per either square foot or per vehicular parking spot, and  
14 so there are actual specifics, and I can't recall off the  
15 top of my head, but there may actually be some of those in  
16 the Building Code as well, so those are the types of things  
17 that, again, from an objective versus aspirational  
18 criteria, those are kind of two different topics.

19  
20 We definitely can, as Sean mentioned on the  
21 previous item, look into options for creating those. I  
22 think the challenge is once you start—which is what we  
23 tried not to do—to capture every Objective Standard from  
24 the Zoning Code, every Objective Standard from every other  
25 document, and pull it into one document, then every time we

1 make a change in one we have to make a change in all of  
2 them. So that's definitely something that we can look at,  
3 but I think the important component is it sounds like  
4 there's an interest to make sure that we're either  
5 capturing here or it's captured somewhere else, kind of two  
6 topics on this relating to bikes; I think it's the bicycle  
7 infrastructure from a public right-of-way standpoint as  
8 well bike storage mechanisms.

9  
10 CHAIR HANSSEN: From my perspective, and then I'm  
11 happy to hear from other Commissioners as well, if it's of  
12 interest to the Commission and it's in the Palo Alto  
13 standard to prioritize the bikes and pedestrians over other  
14 forms of vehicles, one of the ways that you're not doing  
15 that is by not calling out things that are in our Objective  
16 Standards that pertain to bicyclists. That being said, I  
17 understand that there is stuff in other documents, but I  
18 feel like that might be a miss that we should try to put  
19 something in here, even if it's about bike parking,  
20 something like that, especially when we're talking about  
21 parking cars. Commissioner Janoff.

22 COMMISSIONER JANOFF: A couple of comments.

23  
24 I think that the introduction could more clearly  
25 describe that this is a standalone document, but there are  
other complementary documents that should be referred to

1 that also contain Objective Standards, and you could name  
2 the various documents that exist. I would list them; there  
3 are a dozen of so, or a half a dozen. That way, to anyone's  
4 concern that we're silent on it and that we don't address  
5 it because it's not in this document, we've said go look  
6 for it in the appropriate document elsewhere, and I would  
7 feel comfortable doing that rather than duplicating the  
8 items that are already Objective Standards in other  
9 documents for the reason just mentioned.

10  
11           Having said that, I haven't thoroughly read the  
12 Palo Alto guidelines. I was confused about the contextual  
13 guidelines and the Objective Standards, so I kind of got  
14 mixed up in that a little bit. I'm not clear what  
15 prioritizing pedestrian and bicycle over vehicles, or  
16 pedestrian over bike, etc., I'm not sure what that means,  
17 but I would say in this instance that something about  
18 accommodating bicycles, just putting some objective  
19 language in here just so we cover all the modes of  
20 transportation, so that at least it's complete. I don't see  
21 that that's going to be needed going through this document,  
22 but I think it makes sense here; it's sort of an obvious  
23 omission, even though, as you say, we've got it covered in  
24 other documents.

1 CHAIR HANSSEN: I kind of have a feeling our Vice  
2 Mayor, who is an avid bicyclist, will be bringing up  
3 something similar when the Town Council sees it.

4 As far as Vehicular Access, I think what we have  
5 is fine. It's intended to keep circulating in the parking  
6 garage from going out into the street, so that makes sense.  
7 Any other thoughts about Vehicular Access? Is there more  
8 Parking Location and Design on the next page?

9 TOM FORD: Yes.

10 CHAIR HANSSEN: It looks to me like most of the  
11 things as far as parking vehicles were there. Then I  
12 thought about bikes, so I already brought that point up.

13 TOM FORD: So move on?

14 CHAIR HANSSEN: Does anyone have any comments so  
15 far on the Parking Location and Design standards? Then  
16 there's Parking Structure Access. Commissioner Janoff.

17 COMMISSIONER JANOFF: When we get there, just a  
18 comment on Utilities.

19 CHAIR HANSSEN: Any other Commissioners that have  
20 comments on Parking Location and Design standards or  
21 Parking Structure Access?

22 Okay, Utilities. And then it goes on to the next  
23 page. So Commissioner Janoff.



1 COMMISSIONER JANOFF: When I read 5.1 I thought  
2 those are really huge light fixtures, so I think you're  
3 missing a word. "Light fixtures shall be *located* at a  
4 minimum of 3' and a maximum of 15'." I think that's what  
5 was intended, but correct me if I'm wrong.

6 CHAIR HANSSEN: Could Staff answer that question?

7 SEAN MULLIN: I'm sorry, I was just rereading it  
8 very carefully. Yes, I think the intent here is actually  
9 for pedestrian lighting along pedestrian paths, that the 3'  
10 is a minimum height and then a maximum height of 15'. This  
11 wasn't speaking to the distance between or the placement of  
12 the actual fixtures, so you could imagine path lighting  
13 that's incorporated into a bollard versus like the light  
14 fixture shown in the figure on the next page.

16 COMMISSIONER JANOFF: I understand what you're  
17 saying; I'm just reading this literally. It says, "The  
18 lighting fixture shall be a minimum of 3' and a maximum of  
19 15' in height." That describes the light fixture, not its  
20 location.

21 SEAN MULLIN: I understand the recommendation.  
22 I'm going to make sure to note that. Thank you.

23 CHAIR HANSSEN: I actually think there's some  
24 merit to thinking about adding or tweaking one of the  
25 standards, especially with all the dark skies advocates

1 that we've had during the General Plan hearings, because  
2 there's nothing in here that would prohibit someone from  
3 putting like, say, path lighting every foot, so the height  
4 is only one aspect of it.

5           We just landscaped our own yard and put some path  
6 lighting in, and we put it like 15' apart from each other,  
7 so I would recommend maybe adding onto 5.1 something like  
8 that just to make sure that they're not doing access  
9 lighting in height or in volume. I don't know if it's  
10 possible to make that objective.

11           He had some other ones in there about when the  
12 parking lot is so long you do a landscape strip or  
13 something. It seems to me you could make that objective.

14           SEAN MULLIN: We've noted that and we certainly  
15 could look into that.

16           JENNIFER ARMER: Yes, we can look into it. Of  
17 course the spacing will depend somewhat on the style and  
18 height of the lighting itself and the brightness of it, so  
19 we can look to see if there's something to be included.

20           CHAIR HANSSEN: Any other comments? So that's  
21 everything on Utilities through 5.3. I remember talking  
22 about the screening, so then the next thing is Landscape  
23 and Screening. Any comments on Landscape and Screening?  
24 Commissioner Raspe.  
25

1           COMMISSIONER RASPE: Thank you, Chair, just a  
2 couple of comments. Under A.6 and I think again at A.9 we  
3 talked about plantings, and I know we spent a lot of time  
4 in our General Plan discussion talking about using native  
5 plantings and all that, and I just wanted to confirm, we  
6 don't have to reinsert that language into this document, is  
7 that correct? Because the General Plan is a more  
8 restrictive document in that sense, and then those  
9 standards were carried into this document, is that right?

10           SEAN MULLIN: It would depend on how it's written  
11 in the General Plan. If the General Plan—and I'm sorry, but  
12 I don't have the language in front of me—says something  
13 similar to native planting is highly preferred by the Town  
14 versus native species shall be incorporated in all  
15 landscape plans, the first is a subjective criteria and  
16 couldn't be applied, and wouldn't be applied, under a  
17 project like this. The second statement would be objective  
18 and you'd have to meet that in addition to the Landscape  
19 and Screening requirements here.

20           So if there were a wish to be more restrictive or  
21 to create something objective that doesn't exist, or only  
22 exists in the subjective form in another document, that's  
23 the type of recommendation we would certainly entertain.  
24  
25

1           COMMISSIONER RASPE: Perfect. Then my thought—and  
2 I would welcome the thoughts of my fellow commissioners—  
3 would be wherever landscaping is discussed—and again, my  
4 notes indicates at least Sections A.6 and A.9—that there  
5 would be either a requirement or a preference for native  
6 and drought tolerant plantings where possible.

7           Then as long as we're in the same section,  
8 Section 6.2a, when we're talking about screening it calls  
9 for a solid masonry wall, and we're talking about in the  
10 buffer between a Multi-Family and a Single-Family  
11 Residential building, and I'm just curious why a masonry  
12 wall is called for. It seems to me maybe regular fencing in  
13 certain circumstances might work and might fit in better  
14 aesthetically in some neighborhoods than a solid masonry  
15 wall. I suspect a masonry wall probably has some sound  
16 attenuation benefit to it, but aside from that is there a  
17 reason to use masonry as opposed to allowing some other  
18 forms and materials?  
19

20           SEAN MULLIN: Thank you. This is an example of an  
21 Objective Standard that was created from language that  
22 already existed, and I can't remember the exact language—  
23 I'd have to look up the source, and we can certainly do  
24 that—but there is a current requirement for a masonry wall  
25

1 when you are interfacing between, I think it might be,  
2 Commercial and Residential.

3 JENNIFER ARMER: Correct.

4 SEAN MULLIN: So this is where that was born  
5 from, and the caveat here would be if we created an  
6 Objective Standard that was less restrictive than an  
7 existing Objective Standard, because that could be  
8 problematic and in conflict between the two documents.  
9 We're looking a little bit farther forward as we consider  
10 this. So we've tried to maintain it at at least the level  
11 that existed somewhere else, if not more restrictive,  
12 within this document.  
13

14 COMMISSIONER RASPE: That's a fair comment and  
15 thank you for explaining it. I'll withdraw my  
16 recommendation then with respect to the masonry wall and  
17 just preserve my comments with respect to the plantings.

18 TOM FORD: I want to go back to what Commissioner  
19 Raspe was saying about landscaping. We actually can't write  
20 sentences that say things like "where feasible," because  
21 that just opens up to opinions; that's not objective. But I  
22 think we can still investigate the whole idea of native and  
23 drought tolerant, and I think one of the ways into it might  
24 be the C.3 guidelines, which are already in effect Town-  
25 wide on certain kinds of projects. I think there are a lot

1 of ways to look at it, but I just wanted to make sure  
2 everybody knows that we can't use sentences that say things  
3 like, "if feasible" or, "as necessary" and things like  
4 that.

5 CHAIR HANSSEN: The Town Council was just going  
6 over the General Plan on Monday, and I don't have the  
7 General Plan in front of me, but I want to say that we  
8 actually had that the plantings have to be in a category or  
9 this, or this, or this, and if it is, then I would say that  
10 Commissioner Raspe's suggestion we ought to make this a bit  
11 more robust.  
12

13 Then as far as the comment about the masonry  
14 wall, if that came from an existing document where it's  
15 between Residential and Commercial, is there a way to make  
16 sure that it's clear, or is this going to apply if there  
17 are two Residential buildings that are next to each other  
18 that they're going to have to put a masonry wall?

19 JENNIFER ARMER: Because this is a sub-point  
20 underneath the previous policy that does specify that it's  
21 between Multi-Family or Mixed-Use development abutting a  
22 Residential property, any of these higher-intensity  
23 projects that abut a Residential property would have this  
24 requirement.  
25

1 CHAIR HANSSEN: So it is clear that we know what  
2 the context would be, because I had the same reaction,  
3 because especially in the Planning Commission we are always  
4 hearing about fences, or screening trees, but if we already  
5 have that in another standard, then we don't want to be  
6 inconsistent.

7 Commissioner Clark has her hand up.

8 COMMISSIONER CLARK: I have two comments under  
9 Landscaping and Screening. First, to jump off of what Ms.  
10 Armer was just saying, so in that case if it's between a  
11 Multi-Family Residential and then a like Single-Family,  
12 does that mean that theoretically a duplex next to a  
13 Single-Family home would need a masonry wall, or where does  
14 the line exist for that?

15 JENNIFER ARMER: Based on the earlier discussion  
16 I think one of the things that we would work on developing  
17 is a more specific definition of qualifying projects so  
18 that we could make sure that it is clear maybe that there  
19 will be some references to State regulations, but make it  
20 clear as to which projects are considered Multi-Family for  
21 this type of policy.

22 COMMISSIONER CLARK: Thank you. Yes, I'd like to  
23 make sure that we flag to not have a wall between a duplex  
24 or a four-plex in the Single-Family home, because our goal  
25

1 this whole time with missing middle has been to have it  
2 kind of blend in with the neighborhood, so that might be  
3 for a different conversation, but just to raise that. And  
4 then, Chair, may I ask another question?

5 CHAIR HANSSEN: Absolutely.

6 COMMISSIONER CLARK: My other question is on 6.1.  
7 It says that the area shall be landscaped and I was  
8 wondering if there is a definition of landscaped sitting  
9 anywhere? I felt like that could be up to interpretation.  
10

11 TOM FORD: It could be left up to interpretation,  
12 however, I don't know if it's defined in the code, if it's  
13 one of the definitions that's already given.

14 SEAN MULLIN: I was going to say that it's  
15 something that we did discuss and this is where we landed.  
16 We could certainly look at it a little bit more carefully  
17 and see if it needs to be a defined term.

18 COMMISSIONER CLARK: Yes, great.

19 CHAIR HANSSEN: I actually had the same reaction.  
20 I was like it could be a pile of gravel, a bunch of mulch,  
21 or it could be all hardscape. Maybe those are all in the  
22 desirable category, but to me I think that would be worth  
23 looking into if it's clear enough what it would be.  
24 Commissioner Raspe.  
25



1           COMMISSIONER RASPE: Thank you, Chair. One more  
2 comment with respect to landscaping, and that's in Section  
3 6.3. The language provides for a minimum height of 3' with  
4 landscaping between parking lots and street to serve as  
5 kind of an official buffer. I'm wondering if we wanted to  
6 create or insert a maximum height as well? There could be  
7 aesthetic and safety reasons to create maximum heights, but  
8 it occurs to me there also are security reasons. Creating  
9 hiding places or little dark corners in parking lots is  
10 certainly something we want to avoid, I think, so for  
11 security reasons, if no other, so you may want to insert a  
12 height limitation on the buffers around parking lots.

14           SEAN MULLIN: Thank you. I would just quickly  
15 respond that part of what you'll see is duplicated this  
16 document and the Town Code is some of the regulations for  
17 fencing, because those were just updated back in 2019. That  
18 included a maximum height in basically the setback areas  
19 that are adjacent to streets, so that's the street side or  
20 up front setback area and areas as you get closer to  
21 corners or driveways.

22           So now it's codified with a maximum height of 3'  
23 and that's where we started here, but that is something  
24 that we could clarify and duplicate so that we're calling  
25

1 out that you've got to be at least 3', but if you're in the  
2 setbacks abutting a street, then no higher than 3'.

3 COMMISSIONER RASPE: I think that would be  
4 helpful. Thanks so much.

5 CHAIR HANSSEN: That's a very good suggestion. I  
6 did want to make one more comment about the wall thing. I  
7 think that Commissioner Clark's comments were right on and  
8 I know we can do something about it, but the other thing  
9 that I thought of is since we're trying to promote  
10 affordable housing it might be onerous, especially if  
11 you're looking at a two-unit next to another two-unit, to  
12 have to build a wall, because it would be more expensive  
13 than planking and things like that, so I just want to make  
14 sure that we're really careful about under what  
15 circumstances a wall is required.

17 Anyone else have questions or comments on the  
18 Landscaping and Screening? So then we can go to Fencing.  
19 Staff, you did mention that most of this is taken directly  
20 out of our Fence Ordinance?

21 JENNIFER ARMER: Correct.

22 SEAN MULLIN: Correct. Thank you.

23 CHAIR HANSSEN: So there won't be any conflict  
24 between this and our Fence Ordinance?

25 JENNIFER ARMER: Correct.

1 TOM FORD: Should I move on?

2 CHAIR HANSSEN: I don't think anyone has any  
3 comments on Fencing. Retaining Walls?

4 JENNIFER ARMER: Chair, I would add also that  
5 this does come almost directly from the Hillside Design  
6 Standards and Guidelines for retaining walls.

7 SEAN MULLIN: That's correct.

8 CHAIR HANSSEN: Going back to Ms. Quintana's  
9 questions, I know we've already made this as a  
10 recommendation, but since we're taking this stuff out of  
11 other documents and putting it in here, it does beg the  
12 question of why we're not taking other things out of other  
13 documents and putting them in here that are clearly  
14 Objective Standards? I know you guys are going to look into  
15 that.  
16

17 Do any Commissioners have any questions about the  
18 Retaining Walls? Okay, then Open Space? Commissioner Clark.

19 COMMISSIONER CLARK: Thank you. I have a question  
20 about the relationship between 9.1 and 9.2. If a Mixed-Use  
21 development has to have at least 20% of the site area be  
22 landscaped open space, and then also has to have a minimum  
23 of 100 square feet per Residential unit of public gathering  
24 spaces, do you think that this becomes burdensome on them,  
25

1 or Staff? From your experiences, do you not see this as a  
2 problem?

3 JENNIFER ARMER: I can start, and I would say  
4 that as we look at this wording it might be that in some  
5 cases these two policies would actually overlap in terms of  
6 space that's required. For common open space, it could be  
7 some landscaped open space, and so it may not be additive,  
8 but it would overlap. Mr. Ford I don't know if you have any  
9 additional thoughts on those two.

10 TOM FORD: No. I think the primary thing we were  
11 trying to do was cover two different development  
12 typologies, one being a 100% Residential project and  
13 another that would have that Mixed-Use component, probably  
14 on the ground floor. We were trying to separate them so  
15 that it got handled first in 9.1 as just an overall  
16 standard, but then 9.2 augments it in terms of talking  
17 about when you have these two uses occupying the same site.  
18 And then we were also trying not to conflict with anything  
19 that the code already specifies in terms of open space  
20 requirements.

21 CHAIR HANSSEN: Staff, do we have anything in our  
22 code on minimum open space?

23 JENNIFER ARMER: We do. The code does have  
24 specifics for Multi-Family developments in terms of the  
25

1 amount of space for each unit, private open space as well  
2 as common open space, and so those would apply. This is  
3 looking more at the project as a whole, rather than  
4 individual spaces.

5 CHAIR HANSSEN: 9.1 is?

6 JENNIFER ARMER: Yes.

7 CHAIR HANSSEN: I want to tell you, I was really  
8 happy to see this, because one of the really nice things in  
9 the North Forty Specific Plan is the requirement for 30%  
10 open space, of which 20% has to be green open space, and  
11 I'm glad to see that we have something in here.  
12

13 Before I go onto any other questions, I wanted to  
14 ask the question though about 9.1. It says, "Landscaped  
15 open space may be..." Is that objective, or does it have to  
16 be one of those, or what could it be if it's one of those?

17 JENNIFER ARMER: The 20% of the site area is the  
18 objective part. Landscaping may be in these other forms,  
19 and gives examples of what it might be, but does, you're  
20 right, leave it open. We were talking earlier about the  
21 possibility of defining what landscaped means, and so it  
22 may be that that would actually increase objectivity of the  
23 second part of this, but it is still an Objective Standard  
24 because it is saying 20% of the site must be landscaped  
25 open space.

1 CHAIR HANSSEN: And now that we're in this  
2 drought crisis, having grass in here is not a good thing,  
3 so I think that if you're going there that we should work  
4 on this one a little bit. Commissioner Clark, did you have  
5 more comments than what you already asked about? I want to  
6 just make sure we covered everything.

7 COMMISSIONER CLARK: Yes, I want to quickly  
8 respond to Staff's response. I think something that I'd  
9 recommend is just making the potential for overlap between  
10 those two a little clearer, because when I saw them it felt  
11 like they had to exist separate, so that's something I'd  
12 recommend just exploring.

13 CHAIR HANSSEN: Good comment. Commissioner  
14 Janoff.

15 COMMISSIONER JANOFF: Thank you. Yes, I want to  
16 echo your concern about grass. Whatever is appropriate in  
17 this drought-tolerant foreseeable future, I think we need  
18 to be respectful of.

19 Also, 9.2, 9.3, and 9.4, I noted in the Palo Alto  
20 document some areas where they speak to the common area  
21 being open to sky, and in some areas it's 60% open to sky,  
22 so I would recommend looking for those objective criteria  
23 and speak to the open sky. Thank you.  
24  
25

1 CHAIR HANSSEN: So are you suggesting adding  
2 something? It talks about a minimum of shading. You're  
3 talking about some percentage of open sky?

4 COMMISSIONER JANOFF: If I just refer you back to  
5 the Palo Alto Objective Standards on open space, they do  
6 speak to an open sky concept in addition to coverings.

7 CHAIR HANSSEN: And you're recommending that  
8 Staff look into adding that here?

9 COMMISSIONER JANOFF: Yes.

10 CHAIR HANSSEN: All right. Vice Chair Barnett.

11 VICE CHAIR BARNETT: In the recommendations I  
12 made concerning the Palo Alto Objective Standards,  
13 Objective Standard #8 addresses private open space, and it  
14 appears that the draft that we have only refers to public  
15 or common open space, and I noted that Ms. Armer said that  
16 there is code language that addresses private open space. I  
17 haven't had a chance to look at that, but I thought that  
18 there were some good suggestions in there in terms of size  
19 and location.

20 SEAN MULLIN: And I would offer and remind that  
21 the code requirements for private open space would still  
22 apply in those circumstances. You're correct; this is  
23 speaking more towards public or common open space. The open  
24 space requirements for second-story units usually exist in  
25

1 the form of a balcony or a private balcony, which is not  
2 defined here, but we can look into including it or making  
3 sure that we have enough here. We still want to be a little  
4 bit careful with duplicating items that are in the Town  
5 Code per Director Paulson's caveat earlier.

6 CHAIR HANSSEN: I think just to make sure that  
7 anything that Palo Alto had might not be in our current  
8 code since we're not looking at it right now. I think it  
9 would be a useful thing to check on that.

10 SEAN MULLIN: Chair, you're speaking specifically  
11 to Objective Standard #8 in Vice Chair Barnett's  
12 attachment?

13 CHAIR HANSSEN: Yes. Then actually when you  
14 talked about the balconies it made me think of something.

15 When we had the Draft 2040 General Plan and  
16 Community Design Element, we did have—and I know Vice Chair  
17 Janoff and I had recommended taking it out—a requirement  
18 for when it was multi-story to have a balcony, and that  
19 could be included in the common open space, and you needed  
20 to offer it because they were stories above the ground.  
21 That was an Objective Standard that we had in the General  
22 Plan that we kind of referred out, and I don't remember  
23 what we decided about that or what happened to that.  
24  
25



1 JENNIFER ARMER: I believe that was part of the  
2 list of topics that were considered by the Subcommittee,  
3 because all of the things that we removed from the General  
4 Plan as too specific at that point, or inconsistent with  
5 code, were at least considered initially as part of this  
6 process.

7 SEAN MULLIN: That would have been part of the  
8 GPAC referrals.

9 CHAIR HANSSEN: I don't remember what we decided,  
10 but I'm asking the question why am I not seeing it here?

11 TOM FORD: I don't recall why it's not here. I  
12 would say though that if somebody has a balcony on an upper  
13 floor, that's only private. You would not be able to count  
14 that as common open space, because the unit is the only  
15 person that has access to it.

16 CHAIR HANSSEN: No, I totally understand that,  
17 but I think the issue was that if you're going to create a  
18 Multi-family building that you want to give the residents  
19 an opportunity to have some private open space.

20 JOEL PAULSON: Thank you, Chair. I'll just offer  
21 that right now we're looking at the site standards. That  
22 definitely is something we should probably consider, if  
23 it's not in there, for the building standards, which is  
24 Section B.

1 CHAIR HANSSEN: Yes, maybe I missed that and  
2 maybe it's in the building section.

3 All right, any other comments on Open Space?  
4 Okay, Building Placement? Commissioner Janoff.

5 COMMISSIONER JANOFF: Thank you. Just keeping it  
6 short here. I was curious why 10.1 only referred to  
7 development in a Community Place District when we look at  
8 the site inventory that the Housing Element Advisory Board  
9 has prepared? There are a number of developments that are  
10 outside of the Community Place District, so just curious  
11 whether this really is intended for only that, or whether  
12 it's for more than just Community Place Districts?  
13

14 TOM FORD: I don't recall why exactly we did  
15 that, other than it could be that the Community Place  
16 Districts were the only places where we were envisioning  
17 ground floor Commercial in a Mixed-Use context. That's the  
18 only thing I could think of offhand.

19 JOEL PAULSON: And to Commissioner Janoff's  
20 point, I think maybe that's too limiting, so we should  
21 probably just strike that so that it would apply to any  
22 Multi-Family or Mixed-Use. I think that's a good comment  
23 and I think you'll probably see that in a couple places, so  
24 we'll strike that wherever that occurs in this document.  
25

1 CHAIR HANSSEN: I think that's a good suggestion.  
2 Commissioner Clark, and then Commissioner Raspe.

3 COMMISSIONER CLARK: Thank you. Just to give  
4 another perspective, I have only liked this one knowing  
5 that it was in Community Place Districts, but I think  
6 normally I don't want to see everything, especially not 75%  
7 of everything, coming right up to the setback. This one is  
8 hard, because if that is mostly what another neighborhood  
9 is like, then I think that makes sense to do there, but if  
10 that doesn't exist in some places and you start doing it, I  
11 think that could make them look out of place, and so I  
12 don't personally think that's one that makes sense as an  
13 Objective Standard for everywhere.  
14

15 CHAIR HANSSEN: I'm going to ask a question on  
16 top of Commissioner Clark's question and comment. Could we  
17 make this like just specific to Mixed-Use? Because I know  
18 where this came from. It was when we were talking during  
19 the General Plan about creating communities, and we also  
20 talked about this during the redesign of our Planned  
21 Development Ordinance.

22 We have a Mixed-Use development on the northwest  
23 corner of Blossom Hill Road and Los Gatos Boulevard and  
24 that is kind of a non-vertical Mixed-Use, and the first  
25 thing you see in a lot of parts of it is parking lot, and

1 so when we were talking about re-envisioning what might  
2 happen, having Community Place Districts be Mixed-Use where  
3 it's close to the sidewalk and it's accessible and  
4 everything made sense. Would it make sense to just change  
5 this to a standard for Mixed-Use? Because any place there  
6 would be Mixed-Use would have ground floor Commercial.

7 JENNIFER ARMER: I was going to say that yes, we  
8 could. As with some of the previous standards where it  
9 referenced Mixed-Use projects in particular, one caveat I  
10 would say in our recent discussions about the Housing  
11 Element and housing developments and whether there is a  
12 possibility that for certain affordability levels, say it's  
13 100% affordable housing, that could then be allowed without  
14 a Mixed-Use component in one of these Commercial zones. So  
15 if it didn't have this requirement, then it could be  
16 (inaudible) on the street if we're trying to create this  
17 continuous streetscape, so those are some of the things to  
18 consider. We can't think of all possible situations when  
19 we're doing Objective Standards, but something to consider.

21 CHAIR HANSSEN: Commissioner Raspe, do you want  
22 to comment on this, or did you have something else?

23 COMMISSIONER RASPE: No, this one. Thank you,  
24 Chair.  
25

1 I join in Commissioner Clark's comment. The  
2 notion of a requirement of 75% for the frontage seems to me  
3 maybe not ideal in all situations, and so we may want to  
4 consider our limitation on that.

5 It also seems to me that it perhaps creates a  
6 conflict of some of the designs that are possible. I'm  
7 skipping ahead, unfortunately, a little bit to the Building  
8 Design section, but the building design in B.1d where it  
9 has the sheltered walkway within the building, I think that  
10 wouldn't be permitted if we have a requirement of 75%  
11 ground floor use on the setback, so I just want to make  
12 sure internally we're not precluding certain building  
13 design with this requirement.  
14

15 TOM FORD: If I might interject, it's just saying  
16 a minimum of 75%, so in the case of the arcade, what we've  
17 drawn there is 100%, which is more than 75%.

18 COMMISSIONER RASPE: On the arcade you have zero,  
19 don't you, because there's no ground floor in the setback?  
20 It's all removed from the street.

21 TOM FORD: Well, I consider the build to the front  
22 of the arcade, the one that establishes sort of the street  
23 frontage.

24 COMMISSIONER RASPE: In my mind's eye I see the  
25 posts as not part of it.

1 TOM FORD: Oh, okay, that's a good point.

2 SEAN MULLIN: I would jump in and say that  
3 typically those posts would be considered part of the  
4 structure and would have to meet setback, so in the case of  
5 the arcade, if that were built to the setback line that  
6 would qualify or comply with A.10.1. It's a little bit of a  
7 nuance. If you look at a Single-Family Residential, when  
8 they have a porch projecting off the front and you have  
9 those posts, those posts are the edge of the building and  
10 would be required to meet the setback, and that would be  
11 similarly applied here. We could look at another way to  
12 revise A.10.1 if there's still the concern about the 75%,  
13 but I just wanted to add that.

15 COMMISSIONER RASPE: I appreciate the  
16 clarification.

17 CHAIR HANSSEN: I'll go back to Commissioner  
18 Janoff in just a second.

19 I do think that some clarification is needed to  
20 address the concerns of Commissioner Clark and Commissioner  
21 Raspe and to make sure there's no conflict. Maybe we take  
22 out Community Place District, but we should be specific  
23 about what kinds of sites we're thinking of. Commissioner  
24 Janoff.  
25

1 COMMISSIONER JANOFF: I just wanted to add that  
2 when thinking about modifying 10.1 a big focus in the  
3 General Plan was street activation, and so these concepts  
4 of bringing the building to the street, creating a  
5 pedestrian access, was a highlight. So as you think about  
6 ways to modify it, just keep that in mind that that was an  
7 objective throughout the portions of the General Plan that  
8 spoke to these sorts of developments.

9  
10 CHAIR HANSSEN: I think that's a good comment,  
11 and that is exactly what the intent is. I was actually  
12 really glad to see this in here, but we just have to make  
13 sure we don't have unintended consequences. Commissioner  
14 Clark.

15 COMMISSIONER CLARK: Thank you. Just to kind of  
16 hop off of that, I think that there's a chance it could  
17 make sense to just say Mixed-Use for this, because, for  
18 example, if there were an affordable housing non-Mixed-Use  
19 development, maybe it should have a front yard or things  
20 like that, so I don't know if that's taken into  
21 consideration already for this, but I think that kind of is  
22 an example of what concerns me about it.

23  
24 CHAIR HANSSEN: Well, if it was 100% affordable  
25 and it was on Los Gatos Boulevard, for example, and it was  
next to a Mixed-Use development, then... But that's the

1 concern. Let's just leave it with Staff to try to figure  
2 out a way to either limit it to Mixed-Use, or whatever the  
3 context we could have, to make sure that we're not creating  
4 unintended consequences, but I definitely think we should  
5 keep this. It's just a question of making sure that it  
6 isn't creating anything that we don't want. Ms. Armer.

7 JENNIFER ARMER: Thank you, Chair. I was going to  
8 say that at this point, because of the number of comments,  
9 suggestions, and requests for additional information, it  
10 may be that it makes sense for us to continue this  
11 discussion, and once we get through the document then to  
12 continue to a date certain and have Staff come back with  
13 some of this so that you don't feel that you need to be  
14 working out the specifics tonight, as much as giving  
15 direction to Staff so that we can come back with some  
16 specifics for you to consider.

18 CHAIR HANSSEN: I think that's a good suggestion.  
19 Do you want us to go through the rest of the document and  
20 just take comments and then not try to bring it to closure  
21 because we know we're going to continue it?

22 JENNIFER ARMER: Yes, that would be my  
23 recommendation.

24 CHAIR HANSSEN: Okay, I think that's a good way  
25 to handle it. We're on page 8, so let's keep going. There



1 is Site Amenities for Mixed-Use, and then that's the last  
2 thing on Site Design, right? So this is taking us to  
3 Building Design. Any comments? Commissioner Clark, and then  
4 Commissioner Raspe.

5 COMMISSIONER CLARK: I have a question for this  
6 one. In terms of it having to implement a minimum of three  
7 of these solutions, I know that these are objective  
8 standards and that this might not be possible to work in,  
9 but I still wanted to voice my concern that I think that  
10 there's a chance that some of them could look a lot worse  
11 with three of them than with two of them, and I'm not sure  
12 how to reconcile that, but I felt like looking at each of  
13 these three could be a lot, and that might also be  
14 something where we could request some pictures of examples  
15 of things that incorporate all three, or something like  
16 that.

18 SEAN MULLIN: Tom, you may be able to pull up a  
19 couple of the parallel pictures if that's helpful to look  
20 at these concepts in particular. Admittedly, the first few  
21 times scrolling through this document it's hard to tie to  
22 what Tom has brought up here, Standard B.1.1a, but when you  
23 see it actualized, done in good architecture, it's a little  
24 bit easier. It may even be something to look at a concept  
25 image like this to see if of these six items, are three of

1 them present on just this image? Maybe there are two, maybe  
2 there are three, but some examples may be helpful.

3 TOM FORD: Right. For instance, on this example  
4 they've got two different materials, one of which is at  
5 least 30%, which I think is one of our standards. They have  
6 a setback on the upper level of part of the building. They  
7 have ground floor awnings, which is another piece. So there  
8 are a number of different things that get implemented here,  
9 but we were trying to talk about just this one specific  
10 thing. Here's another version. The front massing steps back  
11 quite a bit and they've used that step back to have an  
12 upper level deck.

14 I think Commissioner Clark brings up a good point  
15 about maybe three is not the right number, but maybe two,  
16 but as you can see, really good architects are able to do  
17 multiple standards in one building.

18 CHAIR HANSSEN: Then a couple of other  
19 Commissioners have their hands up, and they may want to  
20 comment on this or something else. I'll go to Commissioner  
21 Raspe, and then Commissioner Janoff.

22 COMMISSIONER RASPE: Thank you, Chair. I've  
23 actually got the same comment as Commissioner Clark. It  
24 seems to me that mandating a minimum of three different  
25 setbacks or massing requirements didn't necessarily work in

1 all situations. For instance, you had 50' of frontage, and  
2 three different articulation methods could be distracting,  
3 so I would encourage Staff to look at that. The thought off  
4 the top of my head is perhaps anchor it to how much street-  
5 facing there is. For instance, for 50' you would have two  
6 different requirements, and if you went to 100', maybe  
7 three different requirements, something so it wouldn't be  
8 so disjointed in a crammed area that it becomes more  
9 problematic, it doesn't solve the problem that we're  
10 looking to solve that is deemphasizing the building. So  
11 just a thought, but again, same general concern as  
12 Commissioner Clark voiced.  
13

14 CHAIR HANSSEN: Thank you for that. Commissioner  
15 Janoff.

16 COMMISSIONER JANOFF: I actually didn't have a  
17 concern at all, and I'm thinking of Mr. Ford's comment that  
18 good architects know how to incorporate these. I'm just  
19 glancing at the Palo Alto document. They're requiring three  
20 or more, so this may be something standard with developers,  
21 and I would defer to Staff if this were sort of common to  
22 have a set of objectives like that.  
23

24 Having said that, if it becomes overly burdensome  
25 to a developer because they've got to have all these more

1 expensive design features and that deters them from the  
2 project, then I would say that that's an issue.

3           Personally, before changing it I would want to  
4 hear from Eden Housing. I would want to hear from the  
5 people who are trying to do the hard work of the affordable  
6 housing and see whether these are unreasonable  
7 expectations, because that could fall into the category of  
8 government being too onerous in their standards.

9  
10           CHAIR HANSSEN: That is a good point, and I think  
11 from what I can remember of the affordable housing complex  
12 at the North Forty, they would have at least three of  
13 those. But let me go back to Commissioner Clark.

14           COMMISSIONER CLARK: I completely agree with what  
15 Commissioner Janoff was saying, and so I first wonder if  
16 you had talked to any developers in the creation of these  
17 Objective Standards?

18           Than also I wanted to say that I think  
19 regardless, something I'd like to see as we move forward  
20 with these is actually hearing from the developers if these  
21 are too stringent. Would this deter you from developing in  
22 Los Gatos and maybe make you go somewhere else? Does this  
23 make sense? That sort of thing.

24  
25           SEAN MULL IN: Thank you, and I would say in  
response that we reached out. Staff maintains a list of

1 architects that do a lot of work in the Town, and we  
2 included them in our outreach efforts for our community  
3 meetings. We didn't get much participation from them. And  
4 then we also included them in the notice for this meeting  
5 tonight, and I only heard from one of them that they  
6 planned to attend. We will continue to reach out to the  
7 design community and look for opportunities to increase  
8 their involvement.

9  
10 COMMISSIONER CLARK: Thank you. Yes, maybe going  
11 to them with a few specific questions like this that they  
12 can just send a reply to or something could be a good way  
13 to increase engagement. I know that's very difficult.

14 CHAIR HANSSEN: That's a good suggestion, and  
15 since we're continuing this to a future meeting, I don't  
16 know how much time there will be for doing that.

17 Director Paulson has his hand up, and then I'll  
18 go to Commissioner Raspe.

19 JOEL PAULSON: Thank you. I just want to remind  
20 folks too that we've got the Objective Standards for the  
21 streamlined process for the qualifying projects, but if you  
22 have an architect or a site, for instance, that maybe one  
23 or more of these ultimately become insurmountable from a  
24 design perspective, they also have the opportunity to go  
25 through our standard process.

1           Now, the whole point of some of these Objective  
2 Standards, especially when we're talking about affordable  
3 housing projects, what we want to do is to help streamline  
4 those. But for standard Mixed-Use projects, if it's on a  
5 constrained site, to Commissioner Raspe's point before, if  
6 you've only got 50' of frontage on this building because  
7 the lot is so small, then if they're not able to come up  
8 with solutions to these, then there is always an option.

9  
10           So I want to make sure to just remind everyone  
11 that if they can't meet this it doesn't mean that they  
12 can't do a project in town, it just precludes them from  
13 going through the streamlined process, just as kind of a  
14 high-level comment.

15           CHAIR HANSSEN: Would it be too much to ask to  
16 use the example of the North Forty, the affordable housing  
17 project that is being built over the Market Hall, and see  
18 if they've already done that, or how hard it would be,  
19 because that would be an example in our town?

20           JOEL PAULSON: Yes, we can definitely take a look  
21 at that. We'll work with Tom and with Staff and see how  
22 many of these A through F, or whatever it is, how many of  
23 those characteristics were they able to incorporate.

24           CHAIR HANSSEN: Without having the standard in  
25 place, but chances are they probably already did stuff like

1 that to make it not look like a big box. Commissioner  
2 Raspe.

3 COMMISSIONER RASPE: Thanks, Chair. Harking back  
4 to one of our earlier discussions, this would be a good  
5 section of the document where we could have examples of  
6 maybe finished renderings of buildings that incorporate two  
7 or three, or even four, of these different elements  
8 together. I think it would be helpful to have a good  
9 visualization of combined elements in single structures as  
10 we go through the process.

11  
12 CHAIR HANSSEN: Good suggestion. Why don't we go  
13 on, because we are going to see this again?

14 TOM FORD: Just go on to B.2?

15 CHAIR HANSSEN: Yes, because those are just  
16 individual examples of those six things, but I think the  
17 point about seeing them in single structure examples would  
18 be helpful. Then we're on B.2, Parking Structure Design.  
19 Any comments on Parking Structure Design, B.2? Commissioner  
20 Clark.

21 COMMISSIONER CLARK: I wanted to ask about 2.3b  
22 talking about the entire articulation change of 25%. I just  
23 felt like that's a very specific number and I wasn't sure  
24 if that is intentional or if that's something that is  
25

1 pretty normal or anything, but I wanted to flag that and  
2 ask about it.

3 TOM FORD: If you look at the body of 2.3 we  
4 stipulate the 25%, and the way we originally wrote 2.3b, we  
5 didn't say it down there and Staff brought to my attention  
6 somebody could read this in a way and not cover the entire  
7 articulation, so what we're trying to say is that 25% of a  
8 façade, if it's greater than 40' in length, needs to have  
9 one of those two things, and it's not enough just to  
10 introduce a second material, but you have to do it over  
11 that entire 25% articulation.  
12

13 COMMISSIONER CLARK: Okay. And does it make more  
14 sense to say 25% than to say like 25-50%, for example, or  
15 anything like that?

16 TOM FORD: The way the 2.3 body is written, it  
17 says, "at least 25%," so it wouldn't prohibit you from  
18 doing it for 50%. We could either introduce that same  
19 language here, or we could just make it known that so long  
20 as you make the 25%, you're there.

21 COMMISSIONER CLARK: Yes, I think adding "at  
22 least" would be perfect.  
23

24 TOM FORD: Okay.

25 CHAIR HANSSEN: Other Commissioners have comments  
on B.2, Parking Structure Design? Then we can go on to B.3,



1 Roof Design. Any comments on Roof Design? It looks like  
2 everyone is okay with that.

3 TOM FORD: Still in Roof Design, but a different  
4 page.

5 CHAIR HANSSEN: Any comments on this second part  
6 of Roof Design? It looks like that's okay.

7 TOM FORD: So this is the last section, but it's  
8 a pretty long section and there's a lot of illustrations,  
9 but B.4, Façade Design and Articulation, comes out of a lot  
10 of discussion by the Subcommittee.

11 CHAIR HANSSEN: Yes, we spent a lot of time on  
12 this.

13 TOM FORD: Here's another one where 4.1 sets the  
14 general rule and then there's four options, at least two of  
15 which you need to accomplish. Actually, there are five  
16 options, but only four of them are illustrated; the fifth  
17 one is pretty obvious.

18 CHAIR HANSSEN: But they actually use at least  
19 two out of five?

20 TOM FORD: Correct.

21 CHAIR HANSSEN: I'm going to guess that since no  
22 one brought it up that it would probably be helpful,  
23 because of the discussion we just had, to have an example  
24  
25

1 picture where at least two of these are combined on an  
2 actual building that we can see.

3 TOM FORD: Okay, let me just take a moment to see  
4 if we've done that. This one is doing it in that it's got  
5 that modulation both lower and upper, and it also has a  
6 balcony, so in a sense maybe they don't have enough  
7 balconies, but they've done three.

8 Here they've got a varying roofline, they've got  
9 modulating the mass out, they've made more of a top to the  
10 building, they've articulated the base, and they've  
11 accentuated a corner.

12 Here they've not only put balconies, but they've  
13 also modulated the upper level massing, and they've also  
14 introduced a second material at I can't say what the  
15 percentage is, but it's a pretty significant percentage of  
16 the entire façade. This is a pretty long façade, and so  
17 they've broken it up, and it's done by a very, very good  
18 architect, but again, it's a number of things: taller  
19 ground floor and glass.

20 Anyway, we do have some images and I think we can  
21 find a way to bring those forward into a document.

22 CHAIR HANSSEN: Sounds good. Commissioner Janoff.

23 COMMISSIONER JANOFF: Thank you. My question has  
24 to do with varied plate heights. I think in some of the  
25

1 examples you showed and commented on they were different  
2 heights. I'm curious why varied plate heights aren't one of  
3 the criteria?

4 TOM FORD: I don't know, it could be. I don't  
5 know if that's what I meant when I said that. I think I was  
6 trying to say that they didn't just have a 12' ground  
7 floor, they had a 20'; it looks more like probably at least  
8 18-20' ground floor height. That's what I meant, I'm sorry.

9 And I don't think there's any place in our  
10 document where we specify a minimum ground floor height. We  
11 might have left that to the Zoning Ordinance, particularly  
12 in a Mixed-Use context.

13  
14 COMMISSIONER JANOFF: The reason I mentioned it  
15 is because several of these examples illustrate different  
16 plate heights. Even the Palo Alto example is showing a  
17 slightly higher plate height from the first floor and then  
18 shorter going up, which is the reverse of one of the  
19 examples you provided where you've got the taller plate  
20 height, or the illusion of a taller plate height, on the  
21 third story of that first illustration you showed.

22 Personally think that the variation of the plate  
23 heights is really interesting and it makes for dynamic  
24 architecture, so I'd be in favor of including that if that  
25 made sense to Staff.

1 TOM FORD: The only thing I would say, if you  
2 don't mind my interjecting, Chair, is a developer needs to  
3 make the building as inexpensively as possible, and I think  
4 if there's a lot of different... You know, you're on the  
5 third floor and then suddenly it goes up 5' and then it  
6 changes, it could just make the floor plan a little bit  
7 more expensive to execute, but we can look into it.

8 COMMISSIONER JANOFF: I would just say if this is  
9 one of several options that they have, then you're not  
10 forcing them to go that route. As an example, the senior  
11 community that my mom lives in, the top floor, the third  
12 floor apartments have interior 11' ceilings, and you can  
13 see that from the exterior of the building as well; it  
14 looks interesting and elegant.

15 CHAIR HANSSEN: Commissioner Raspe.

16 COMMISSIONER RASPE: Thank you, Chair. I had a  
17 question going to Section 4.2; again we're in the Building  
18 Design and Articulation. The language says, "Buildings  
19 shall incorporate the same materials on all facades," and  
20 then if you look at, for instance, the language directly  
21 above it in 4.1e, one of the articulation and design  
22 methods is use of at least two different façade materials,  
23 so it seemed to me there's some inconsistency internally in  
24 the document. I'm not sure exactly what 4.2 is trying to  
25

1 say. Is it trying to say that the building will use the  
2 same façade materials all the way around its face on all  
3 corners, or on all (inaudible)?

4 TOM FORD: Correct. It could be that we've not  
5 written this clearly enough, because really what 4.2 is  
6 trying to achieve is what they call 360-degree  
7 architecture, so you don't treat your front façade with all  
8 the good stuff and then the other three you don't care  
9 about. It's probably not written well enough to do this,  
10 but I would read that if you had two materials on your  
11 front façade, then you need to have those same two  
12 materials show up on the other three facades as well;  
13 that's the goal here. It's not to conflict with each other,  
14 to have 4.1e specifying two materials and then 4.2 just  
15 saying one material.

17 COMMISSIONER RASPE: I actually agree with your  
18 point that you don't want the stick-on brick, for instance,  
19 on the front façade and then plaster on the other three  
20 faces, but I'm not sure we want to also limit our builders  
21 to say you have to use the exact same materials on all four  
22 exterior walls. There may be some design reasons why you  
23 want one side looking slightly different than the other  
24 sides. That's just my thought; maybe we should give a  
25 little bit more thought to 4.2.

1 TOM FORD: Okay.

2 CHAIR HANSSEN: I will say that we have the idea  
3 of 360-degree architecture in the Community Design Element  
4 of the General Plan Draft that's being reviewed, so I think  
5 that there's merit to that, but maybe there's a better way  
6 to say this so that it isn't in conflict with other things.  
7 Commissioner Janoff.

8 COMMISSIONER JANOFF: I was just going to echo  
9 the same thought. In many of the projects that come before  
10 us one of the issues is they haven't carried that design  
11 element 360 degrees on all surfaces of the house, and so  
12 that is part of our standard. This hung me up a little bit  
13 too, and then I realized that's not what they mean, they  
14 mean whatever you do on face 1 you do on faces 2, 3, and 4,  
15 or however many, so I didn't have a problem with it, but it  
16 probably could be clarified. Maybe it makes sense to have  
17 some duplication of the materials, but not all of the  
18 materials, I don't know. I think it's an interesting  
19 question and I put that back to Staff.  
20

21 CHAIR HANSSEN: I had the same thought, that  
22 maybe that if you had to use the same material on all four  
23 sides it didn't have to be 100% in the same way on all four  
24 sides or something like that, but I'm sure Staff and our  
25

1 consultants can figure this out since we're going to see  
2 this again. Any other questions on this section?

3           We have a community comment on the point system.  
4 This is the first time we've seen the point system.  
5 Everything else was choosing from a menu. This one is  
6 choose from a menu, but certain things have more points  
7 than others. And I assume that this kind of thing has been  
8 used other places successfully?

9           TOM FORD: Yes. It's also sort of the way some of  
10 the LEED standards work. The goal for us was to leave as  
11 much flexibility as possible to an architect, so instead of  
12 coming in here saying your façade has to have an arcade,  
13 your façade has to have a belly band, or bay windows, we  
14 tried to establish there are two parts of building the  
15 standard.  
16

17           One is what is the right minimum point threshold  
18 that they need to meet? And so we chose 12 points, and then  
19 you generally sort of weight the improvements, or the  
20 articulation pieces, as to how difficult they are to  
21 achieve or how much affect they have. So what we tried to  
22 do is certainly weight it in such a way that you couldn't  
23 just do one and get to 12 points, you had to do at least  
24 two, and if you only did two, they were probably at the  
25

1 top, because those are the most points, so that's kind of  
2 how we went about constructing this.

3 CHAIR HANSSEN: I actually like this, assuming  
4 that it would be reasonable to architects, which has been  
5 brought up before, but I like the idea of this and it looks  
6 like it gives you a lot of options about how to go about  
7 creating variations in the facades, which is something we  
8 would all worry about, especially with bigger and Multi-  
9 Family and Mixed-Use developments.

10  
11 TOM FORD: Right. If you think back to that first  
12 photo I showed of the Mark Steele building in San Diego, he  
13 probably has about 40 points, because he had balconies, he  
14 had a change of color, he had a change of upper level  
15 floor, he probably had a belly band, and he had awnings and  
16 canopies. He had a lot of different things going on. He  
17 would have had no problem with 4.3 on that building.

18 CHAIR HANSSEN: Any Commissioners have any  
19 concerns about 4.3? Then on this page there's also 4.4 and  
20 4.5. I don't see anyone with their hands raised, so we can  
21 go ahead. We're getting close to the end.

22 Can you stop at 4.6? I thought this one was kind  
23 of confusing. It was the columns part that messed me up. In  
24 the picture it has the example of the materials changing at  
25 the inside corner, but how would you do that with a column?



1 TOM FORD: That's just saying, for instance, if  
2 you want to call these columns that you could change your  
3 material here, but not like here, but you could use the  
4 column to make a change, because the column would be a  
5 significant enough piece on the façade that it's a logical  
6 place to break.

7 CHAIR HANSSEN: And it's talking about a corner.  
8 Yes, I was confused where the column would be.

9 TOM FORD: Inside corners or at architectural  
10 features that break up the façade plane.

11 CHAIR HANSSEN: Okay, so it's either/or.

12 TOM FORD: But maybe we've overwritten this and  
13 made it more confusing than it needs to be.

14 CHAIR HANSSEN: It might have just been me.  
15 Commissioner Janoff.

16 COMMISSIONER JANOFF: An illustration would help.

17 CHAIR HANSSEN: Yes, an illustration of the "or"  
18 of the columns, because I totally got the inside corner  
19 material change, but I was trying to visualize the column  
20 and it just wasn't happening for me. Vice Chair Barnett.

21 VICE CHAIR BARNETT: Going back to 4.3 if I  
22 might, it addresses only the street-facing façade planes,  
23 and it occurred to me that if you had two large buildings  
24 adjacent that you would be looking at sort of a bare façade  
25

1 except for the fenestration, and I wonder if consideration  
2 should be given to the other sides of the building?

3 CHAIR HANSSEN: Does Staff want to comment on  
4 that? Would we be covered by 4.2 as rewritten?

5 TOM FORD: That was our thinking, because we did  
6 discuss this quite a bit in the context of the 360 concept,  
7 and what we didn't want to do was start requiring all of  
8 this sort of architectural embellishment on every façade,  
9 so this was just supposed to be street-facing façade with  
10 this point system one, but we were hoping that 4.2 would  
11 carry enough of the idea around to the other sides of the  
12 buildings, but you certainly wouldn't have a chimney on all  
13 four sides of your building, you wouldn't necessarily want  
14 bay windows on all four sides, so it could be that we need  
15 to do more thinking about 4.2 rather than trying to  
16 establish 4.3 as something that happens on multiple  
17 facades.  
18

19 VICE CHAIR BARNETT: That would be appreciated.  
20 Thank you.

21 CHAIR HANSSEN: I think that would be fine to  
22 think about 4.2, because that already came up. Any other  
23 comments going through 4.6? Then we've got 4.7. I didn't  
24 have any issues with this one.  
25

1 TOM FORD: 4.7 has two parts. It also has a  
2 minimum amount of glazing, and I think I looked really  
3 quickly at that long Palo Alto document last night. I think  
4 they were using a 60% minimum as well for glass.

5 CHAIR HANSSEN: I thought this was all fine. Do  
6 any Commissioners have any concerns about what is written  
7 so far? We're on the second to last page. And then there's  
8 4.12, 4.13, and 4.14. Vice Chair Barnett.

9 VICE CHAIR BARNETT: Going back to page 19, I  
10 just noted that the Palo Alto Objective Standards spent  
11 quite a bit of time talking about entry dimensions, and I  
12 wonder if that would be worth considering?

13 TOM FORD: Sure. This dimension right here, how  
14 deep and how wide? I think I saw that.

15 SEAN MULLIN: It's tied to, I think, the number  
16 of units and the use, like the intensity of the use  
17 essentially. The more units the wider the entry.

18 TOM FORD: The only problem with that, just to  
19 play devil's advocate, I don't have a problem looking at  
20 it, but the door is either going to be 3' or 6'. It's not  
21 like you have a 3' door, but then if you have 12 units more  
22 you're going to have a 4.5' wide door, unless we're talking  
23 about the vestibule.  
24  
25

1 SEAN MULLIN: I think it's talking about the  
2 vestibule, so the door and the side lights and things like  
3 that. It's more about the defined entry and the importance  
4 of a more defined entry on a building that serves more  
5 folks.

6 TOM FORD: Okay, I see.

7 CHAIR HANSSEN: It sounds like there might be  
8 some stuff from the Palo Alto standards that you've already  
9 looked at that could be helpful to make it more robust.

10 TOM FORD: Right. We actually were tracking their  
11 progress, and so we actually used some of their earlier  
12 draft of their Objective Standards as some of the case  
13 study materials, so what you saw of those massing  
14 articulation standards that we had, we were keying into  
15 some of the things they were doing.

16 CHAIR HANSSEN: Vice Chair, did you have more on  
17 the earlier pages? I didn't want to go through it quicker  
18 than you guys were ready for.

19 VICE CHAIR BARNETT: I'm good now, thanks.

20 CHAIR HANSSEN: Anything on 4.12, 4.13, or 4.14?  
21 I'm not seeing any hands raised.

22 I think this has been a very good discussion.  
23 Staff, do we need to make a motion for a continuance?  
24  
25

1 JENNIFER ARMER: Yes, and we would recommend a  
2 date certain of July 27<sup>th</sup>. If we need more time we could  
3 continue it again at that point.

4 CHAIR HANSSEN: All right, that sounds like a  
5 good plan. Would one of the Commissioners make a motion to  
6 continue this to a date certain of July 27<sup>th</sup>? Commissioner  
7 Raspe.

8 COMMISSIONER RASPE: Thanks, Chair. I move that  
9 we continue the discussion regarding the Town of Los Gatos  
10 Draft Objective Standards to our meeting of July 27<sup>th</sup>.

11 CHAIR HANSSEN: That sounds good, and is there a  
12 second? Vice Chair Barnett.

13 VICE CHAIR BARNETT: Second the motion.

14 CHAIR HANSSEN: Okay. Then we'll just go ahead  
15 and call the question, since we've already had lots of  
16 comments. Commissioner Raspe.

17 COMMISSIONER RASPE: Yes.

18 CHAIR HANSSEN: Commissioner Clark.

19 COMMISSIONER CLARK: Yes.

20 CHAIR HANSSEN: Commissioner Janoff.

21 COMMISSIONER JANOFF: Yes.

22 CHAIR HANSSEN: Vice Chair Barnett.

23 VICE CHAIR BARNETT: Yes.

24 CHAIR HANSSEN: And I vote yes as well.

1 I'd like to thank Staff and all the Commissioners  
2 for their excellent comments. I will look forward to the  
3 next meeting when we get to follow up on some of these  
4 items that we've discussed and come up with an even better  
5 result. Vice Chair Barnett.

6 VICE CHAIR BARNETT: I was wondering if we could  
7 be presented with a redline for the changes before the  
8 meeting? That would be appreciated.

9 CHAIR HANSSEN: Is that feasible, Staff?

10 SEAN MULLIN: I believe so, yes. We'll take a  
11 look at the changes that we end up making and try to  
12 provide a redline and a clean copy.

13 CHAIR HANSSEN: All right, very good.

14 (END)  
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**TOWN OF LOS GATOS  
PLANNING COMMISSION  
REPORT**

MEETING DATE: 08/24/2022

ITEM NO: 3

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DATE: August 19, 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 (Exhibit 9).

**DISCUSSION:**

The revised Draft Objective Standards document (Exhibit 9) continues to be 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 in the revised document have been updated and several new standards have been added. Diagrams throughout the document have also been updated. The revised draft includes a new Key Terms section providing definitions for many terms used in the document.

A redline version of the revised Draft Objective Standards showing the changes made throughout the document is included as Exhibit 10. Staff has also prepared a summary of the revisions made and responses to comments received from the Planning Commission on

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

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Reviewed by: Planning Manager and Community Development Director

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DISCUSSION (continued):

June 22, 2022 (Exhibit 11). Lastly, staff conducted an evaluation of three existing developments in the Town using several of the revised Draft Objective Standards for the purpose of illustrating how these objective standards would not prevent projects from being designed to the quality level required by the current subjective process (Exhibit 12).

As the Planning Commission reviews the revised Draft Objective Standards and other supporting materials, staff requests direction on several specific items summarized below and highlighted in Exhibit 11:

New A.11.1  
(Line 41): The Community Design Element of the 2040 General Plan encourages consistent setbacks Town-wide and reduced setbacks in Community Growth Districts (CGD). For this reason, Standard A.11.1 was written to be specific to CGDs. Given the policies in the Community Design Element and the comments made by the Planning Commission during discussion of this item, staff requests direction on whether this standard should apply Town-wide or only within CGDs.

New B.4.11  
(Line 68): The standard relating to reducing privacy intrusions created by balconies was revised to provide more opportunity for developments to achieve the private recreation space requirements while protecting existing residential uses at all scales. Even with this change, staff is concerned with the requirement for private recreation space while simultaneously restricting its location to protect privacy. Staff looks to the Planning Commission for discussion of this potential conflict and welcomes direction on the matter.

PUBLIC COMMENTS:

Throughout the process and prior to the Planning Commission meeting of August 24, 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. 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.

At this time, no public comments have been received.



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.

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.

PAGE 4 OF 4

SUBJECT: Draft Objective Standards

DATE: August 19, 2022

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

Received with the June 22, 2022, Desk Item Report:

8. Suggested additions and modifications provided by a Planning Commissioner

Received with this 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

**TOWN OF LOS GATOS**  
**DRAFT OBJECTIVE STANDARDS**  
**August 24, 2022**

**PURPOSE AND APPLICABILITY**

The purpose of the Objective Design Standards is to ensure that new qualifying projects in Los Gatos provide high-quality architecture, integrate with surrounding development, and include well-designed amenities and outdoor areas to enhance community character. These standards are intended to guide property owners, applicants, developers, and design professionals by providing clear design direction that enhances the Town's unique character and ensures a high-quality living environment.

A qualifying project is a Housing Development Project as defined in Gov. Code 65589.5 in zones where the use is principally permitted. Housing Development Projects shall comply with the Objective Design Standards, and include multi-family housing, residential mixed-use projects with at least two-thirds of the square footage designated for residential use, or supportive and transitional housing.

Qualifying projects must also comply with all existing development requirements in the Town, including but not limited to:

- General Plan
- Town Code
- Guidelines and Standards for Land Use Near Streams
- Bicycle and Pedestrian Master Plan
- Parks and Public Works Standards
- Santa Clara County Fire Department Requirements

**ORGANIZATION**

The following Objective Design Standards are organized into two primary sections: Site Standards; and Building Design. The Site Standards section includes objective standards for site layout and building placement, vehicular access and parking, and outdoor areas and amenities. The Building Design section includes objective standards for building form and massing, façade articulation, materials, and roof design.

## KEY TERMS

*Community recreation space* in mixed-use developments means public gathering spaces, such as: plazas, outdoor dining areas, squares, pocket parks, or other community areas for the use of the public. *Community recreation space* in multi-family developments means gathering spaces, such as: play areas, pool areas, patios, rooftop decks, or other community areas for the use of residents.

*Façade articulation* means the division of a building façade into distinct sections; including the materials, patterns, textures, and colors that add visual interest to a building or façade.

*Fenestration* means the design, construction, and presence of any openings in a building, such as: windows, doors, vents, wall panels, skylights, curtain walls, and louvers.

*Mixed-use* means a development project where a variety of uses such as office, commercial, institutional, and residential are combined in a single building or on a single site in an integrated project.

*Multi-family use* means the use of a site for three or more dwelling units on the same site.

*Landscaping* means an area devoted to plantings, lawn, ground cover, gardens, trees, shrubs, and other plant materials; excluding driveways, parking, loading, or storage areas.

*Primary building* means a building within which the principal or main use on a lot or parcel is conducted. Where a permissible use involves more than one building designed or used for the primary purpose on the subject property, each such building on the parcel shall be construed as constituting a primary building.

*Private recreation space* at the ground level means a single outdoor enclosed patio or deck.

*Private recreation space* above the ground level means an outdoor balcony, rooftop deck, or similar.

*Transitional and supportive housing* means a type of housing used to facilitate the movement of people experiencing homelessness into permanent housing and independent living.

## A. SITE STANDARDS

### A.1. Pedestrian Access

- 1.1 All on-site buildings, entries, facilities, amenities, and parking areas shall be internally connected with pedestrian pathways and may include use of the public sidewalk. Pedestrian pathways shall connect to the public sidewalk along each street.
- 1.2 Pedestrian pathways within internal parking areas shall be separated from vehicular circulation by a physical barrier, such as a grade separation or a raised planting strip, of at least six inches in height and at least six feet in width.

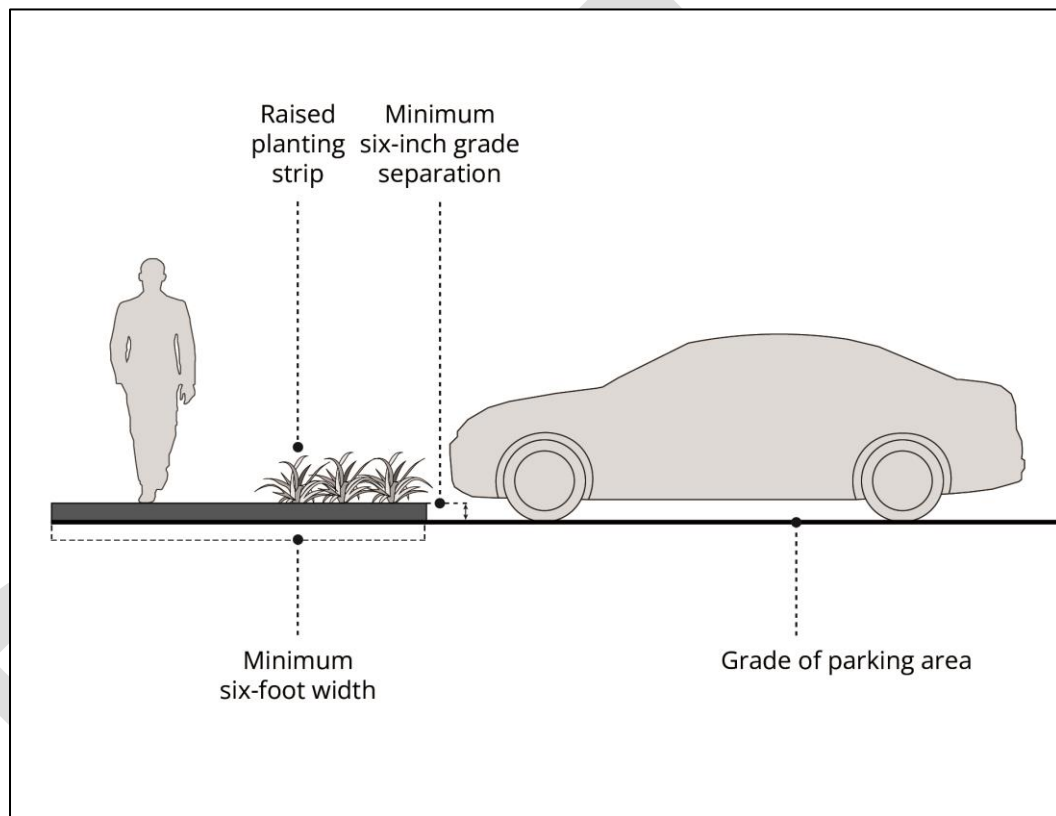


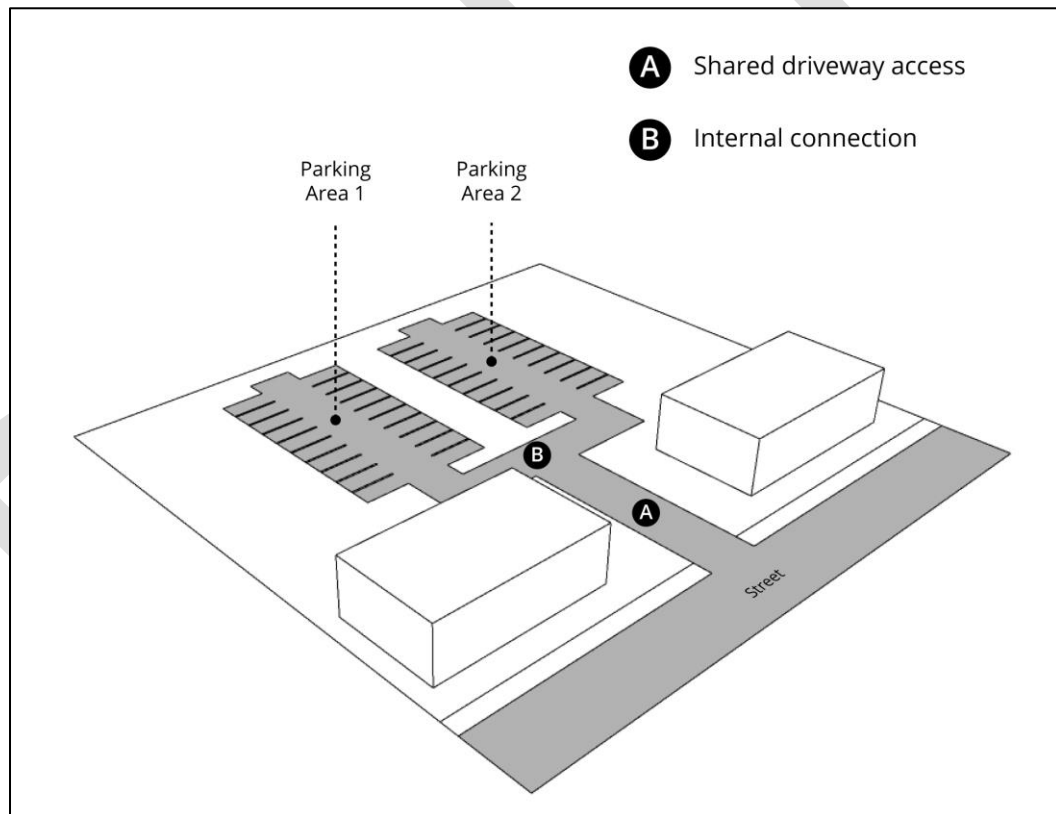
Figure A.1.2

## **A.2. Bicycle Access**

- 2.1 Bicycle parking shall be located within 50 feet of at least one primary building entrance.
- 2.2 Multi-family residential buildings shall provide one bicycle parking space per dwelling unit.
- 2.3 Mixed-use projects shall provide one bicycle parking space per dwelling unit and one bicycle parking space per 2,000 square feet of commercial space.
- 2.4 A minimum five-foot-wide walkway shall be provided connecting the bicycle parking area(s) and the street-facing sidewalk.

## **A.3. Vehicular Access**

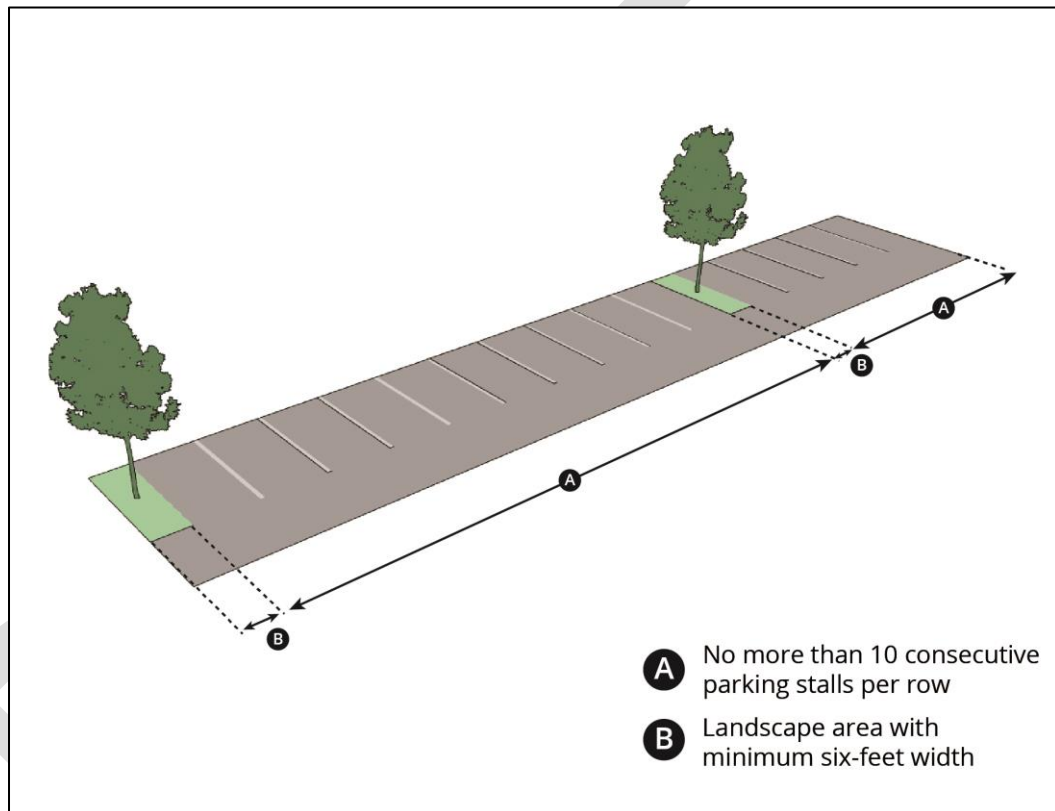
- 3.1 Off-street parking shall have internal vehicular circulation that precludes the use of a street for aisle-to-aisle circulation.



**Figure A.3.1**

#### **A.4. Parking Location and Design**

- 4.1 Driveways and surface parking lots shall not be located between the primary building frontage and the street.
- 4.2 Multiple parking areas located on a common property shall be internally connected and shall use shared driveways to access the street.
- 4.3 Uncovered parking rows with at least 15 consecutive parking spaces shall include a landscape area of six feet minimum width at intervals of no more than 10 consecutive parking stalls. One tree shall be provided in each landscape area.

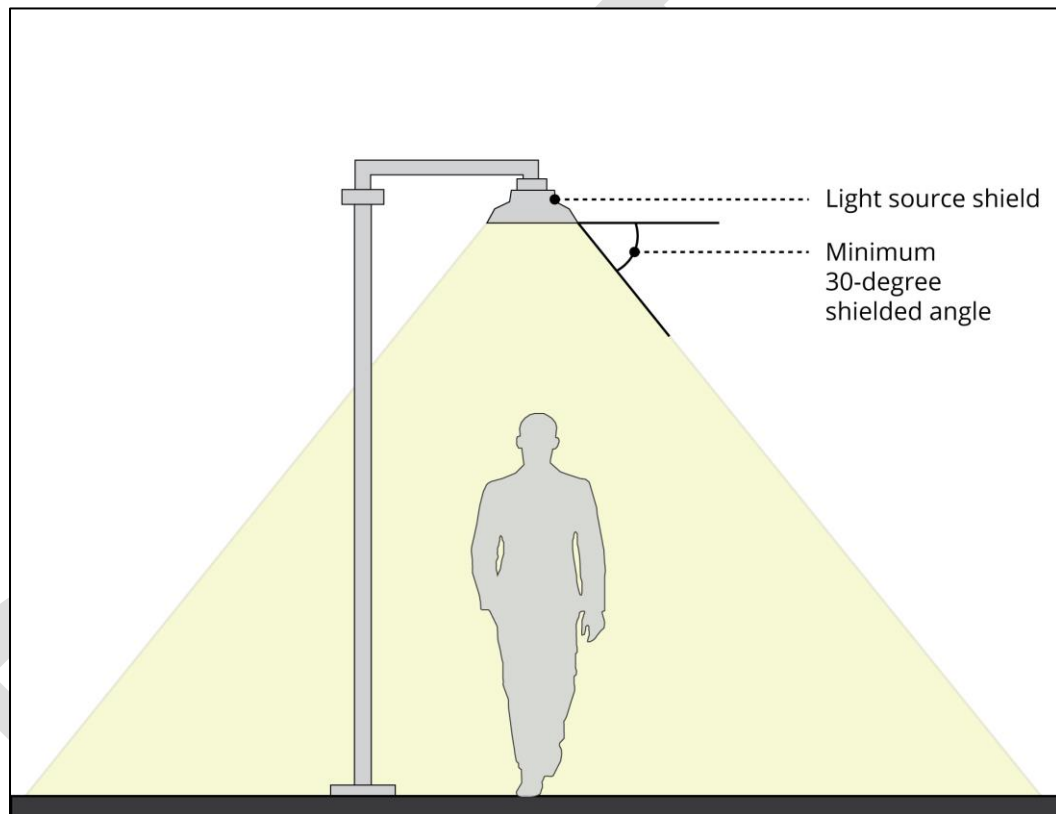


**Figure A.4.3**

- 4.4 Carports shall not be located between a primary building and a street.
- #### **A.5. Parking Structure Access**
- 5.1 Any automobile entry gate to a parking structure shall be located to allow a minimum of 25 feet between the gate and the back of the sidewalk to minimize conflicts between sidewalks and vehicle queuing.
  - 5.2 A parking structure shall not occupy more than 50 percent of the building width of any street-facing façade and shall be recessed a minimum five feet from street-facing façades of the building.

## A.6. Utilities

- 6.1 Pedestrian-oriented lighting shall be provided along all pedestrian paths in community recreation spaces. Exterior lighting fixtures shall be a minimum of three feet and a maximum of 12 feet in height. Light fixtures shall be placed along the pedestrian path at a spacing of no more than 30 linear feet.
- 6.2 Exterior lighting shall be fully shielded and restrain light to a minimum 30 degrees below the horizontal plane of the light source. Lighting shall be arranged so that the light will not shine directly on lands of adjacent residential zoned properties. Uplighting is prohibited.



**Figure A.6.2**

- 6.3 Rooftop and ground-mounted utility cabinets, mechanical equipment, trash, and service areas shall be screened from view from the street with landscape planting, fencing, or a wall. The screening shall be at least the same height as the item being screened and shall be constructed with one or more of the materials used on the primary building. Solar equipment is exempt from this requirement.



## A.7. Landscaping and Screening

- 7.1 At least 50 percent of the front setback area shall be landscaped.
- 7.2 A minimum 10-foot-wide landscape buffer shall be provided along the full length of the shared property line between multi-family or mixed-use development and abutting residential properties. The buffer shall include the following:
- A solid masonry wall with a six-foot height, except within a street-facing setback where walls are not permitted; and

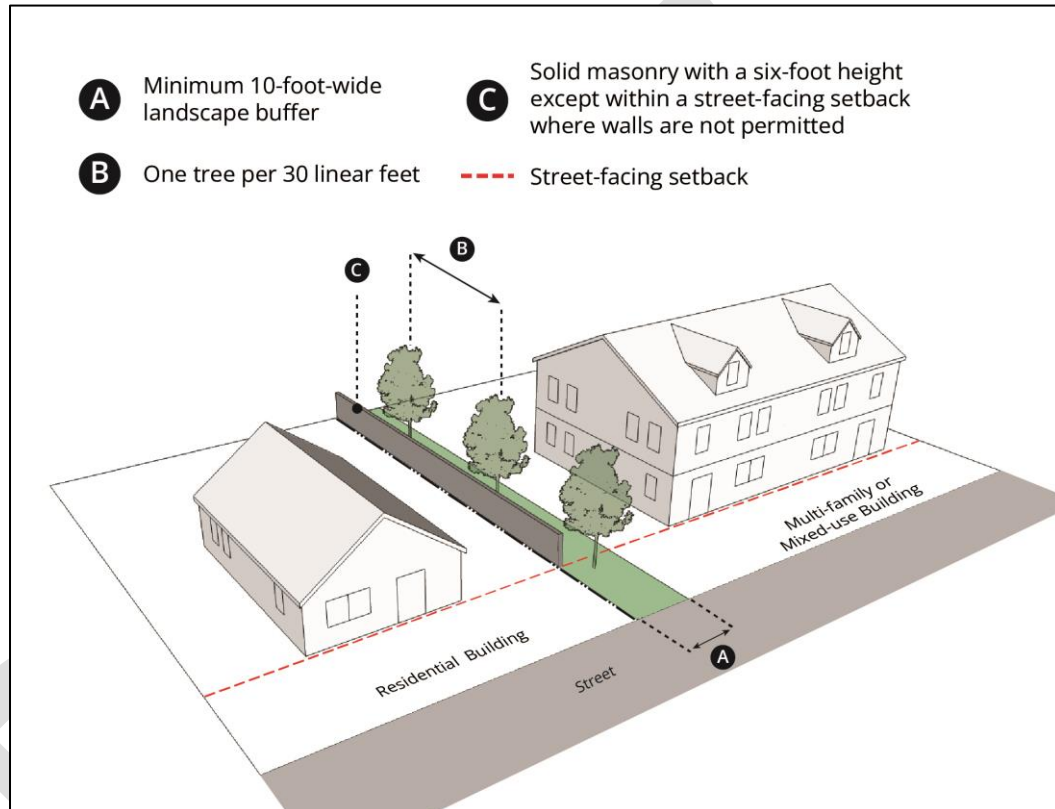


Figure A.7.2a

- Trees planted at a rate of at least one tree per 30 linear feet along the shared property line. Tree species shall be selected from the Town of Los Gatos Master Street Tree List and shall be a minimum 15-gallon size.
- 7.3 Surface parking lots shall be screened from view of the street with landscaping or a wall with a minimum three-foot height to screen the parking lot. When located in a street-facing setback, screening may not exceed a height of three feet.

#### **A.8. Fencing**

- 8.1 Fences, walls, hedges, and gates within required setbacks along all street frontages shall have a maximum height of three feet.
- 8.2 Chain link fencing is prohibited.
- 8.3 Vehicular entry gates and pedestrian entry gates shall have a maximum height of six feet.
- 8.4 Solid vehicular and pedestrian entry gates are prohibited. Entry gates shall be a minimum 50 percent open view.

#### **A.9. Retaining Walls**

- 9.1 Retaining walls shall not exceed five feet in height. Where an additional retained portion is necessary, multiple-terraced walls shall be used. Terraced walls shall set back at least three feet from the lower segment.
- 9.2 Retaining walls shall not run in a straight continuous direction for more than 50 feet without including the following:
  - a. A break, offset, or landscape pocket in the wall plane of at least three feet in length and two feet in depth; and
  - b. Landscaping at a minimum height of three feet at the time of installation along a minimum of 60 percent of the total length of the retaining wall.

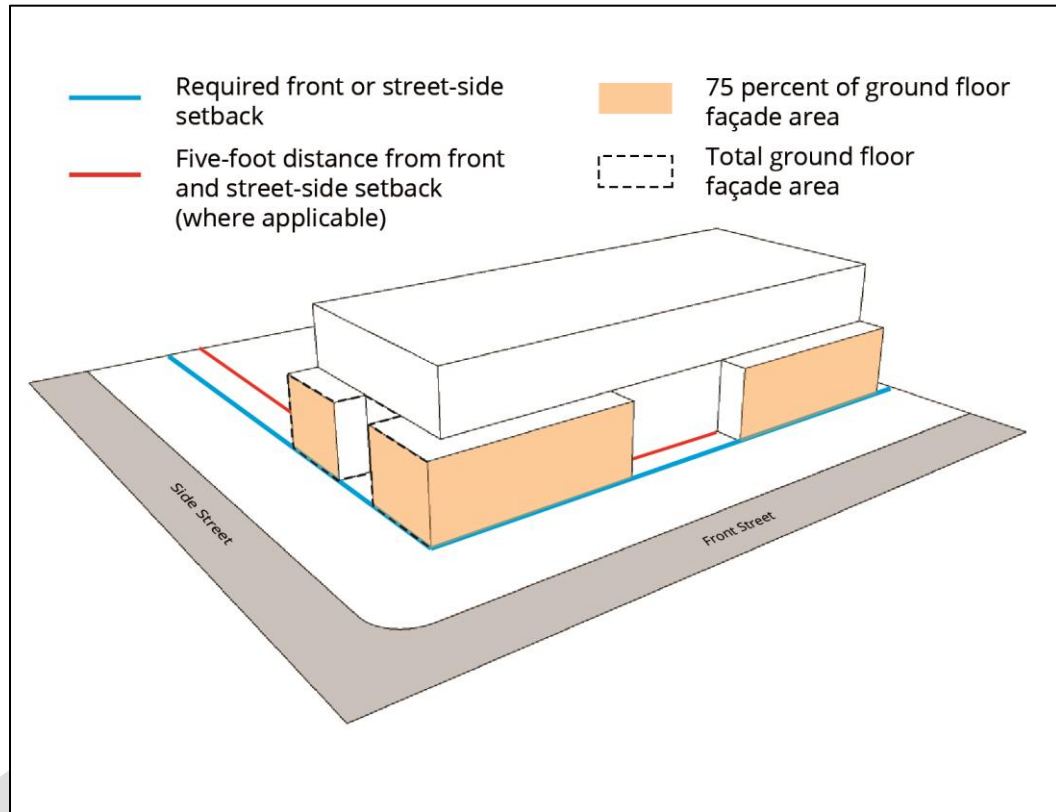
#### **A.10. Landscaped, Private, and Community Recreation Spaces**

10.1 The following landscaped, private, and community recreation spaces are required for all qualifying projects and are calculated independent of each other:

- a. Landscaped space: A minimum of 20 percent of the site area shall be landscaped.
- b. Private recreation space: The minimum horizontal dimensions are 10 feet by six feet. The minimum vertical clearance required is eight feet. Private recreation space shall be directly accessible from the residential unit.
  - i. Each ground floor dwelling unit shall have a minimum of 200 square feet of usable private recreation space.
  - ii. Each dwelling unit above the ground floor shall have 120 square feet of usable private recreation space.
- c. Community recreation space: The minimum dimensions are 10 feet by six feet. A minimum of 60 percent of the community recreation space shall be open to the sky and free of permanent solid-roofed weather protection structures. Community recreation space shall provide shading for a minimum 15 percent of the community recreation space by either trees or structures, such as awnings, canopies, umbrellas, or a trellis. Tree shading shall be calculated by using the diameter of the tree crown at 15 years maturity. Shading from other built structures shall be calculated by using the surface area of the overhead feature.
  - i. Community recreation space shall be provided in mixed-use developments at a minimum of 200 square feet per residential unit plus a minimum of two percent of the commercial square footage.
  - ii. Community recreation space shall be provided in multi-family residential development projects at a minimum of 200 square feet per residential unit.

## A.11. Building Placement

- 11.1 To create a continuous streetscape appearance, development in a Community Place Growth shall place at least 75 percent of the ground floor of a building within five feet of the front and street-side setback (where applicable) requirement of the Town Code.



**Figure A.11.1**

- 11.2 A mixed-use residential project with a ground-floor commercial use shall provide site amenities on a minimum of 15 percent and maximum of 30 percent of the ground plane between the building and the front or street-side property line. The site amenities shall be comprised of any of the following elements:
- Landscape materials or raised planters;
  - Walls designed to accommodate pedestrian seating, no higher than 36 inches;
  - Site furnishings, including fountains, sculptures, and other public art; or
  - Tables and chairs associated with the ground floor use.

## B. BUILDING DESIGNS

### B.1. Massing and Scale

- 1.1 Multiple-story building façades that face a street shall incorporate breaks in the building mass by implementing a minimum of three of the following solutions along the façades facing the street:
- a. A minimum of 40 percent of the upper floor façade length shall step back from the plane of the ground-floor façade by at least five feet;

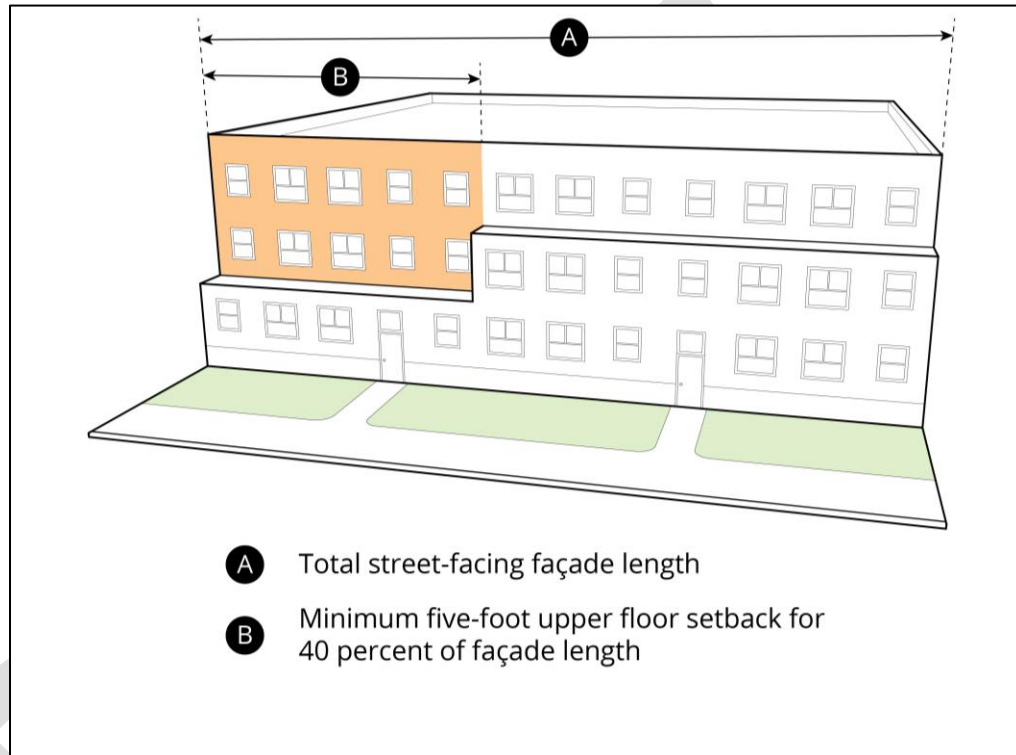
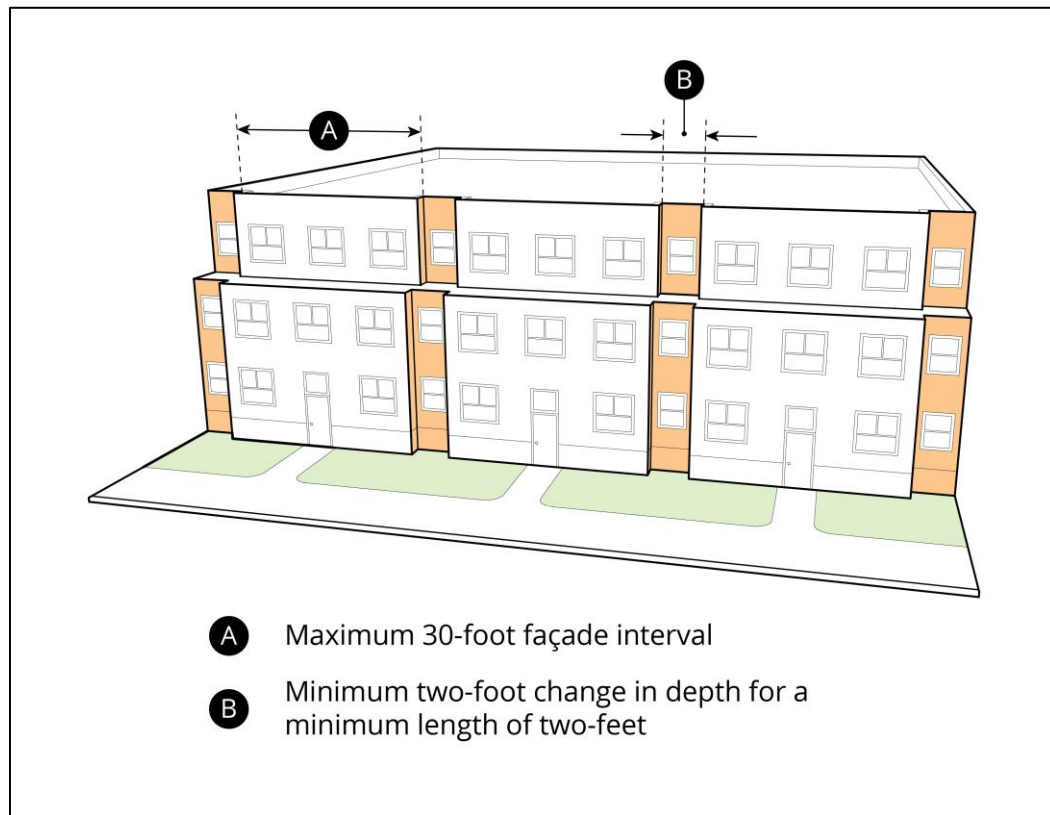


Figure B.1.1a

- b. Changes in the façade plane with a minimum change in depth of two feet for a minimum length along the façade of two feet at intervals of no more than 30 feet;



**Figure B.1.1b**

- c. Recessed building entry for the full height of the facade with a minimum ground plane area of 24 square feet;



**Figure B.1.1c**

- d. An exterior arcade that provides a sheltered walkway within the building footprint with a minimum depth of eight feet, extending the full length of the façade;



**Figure B.1.1d**

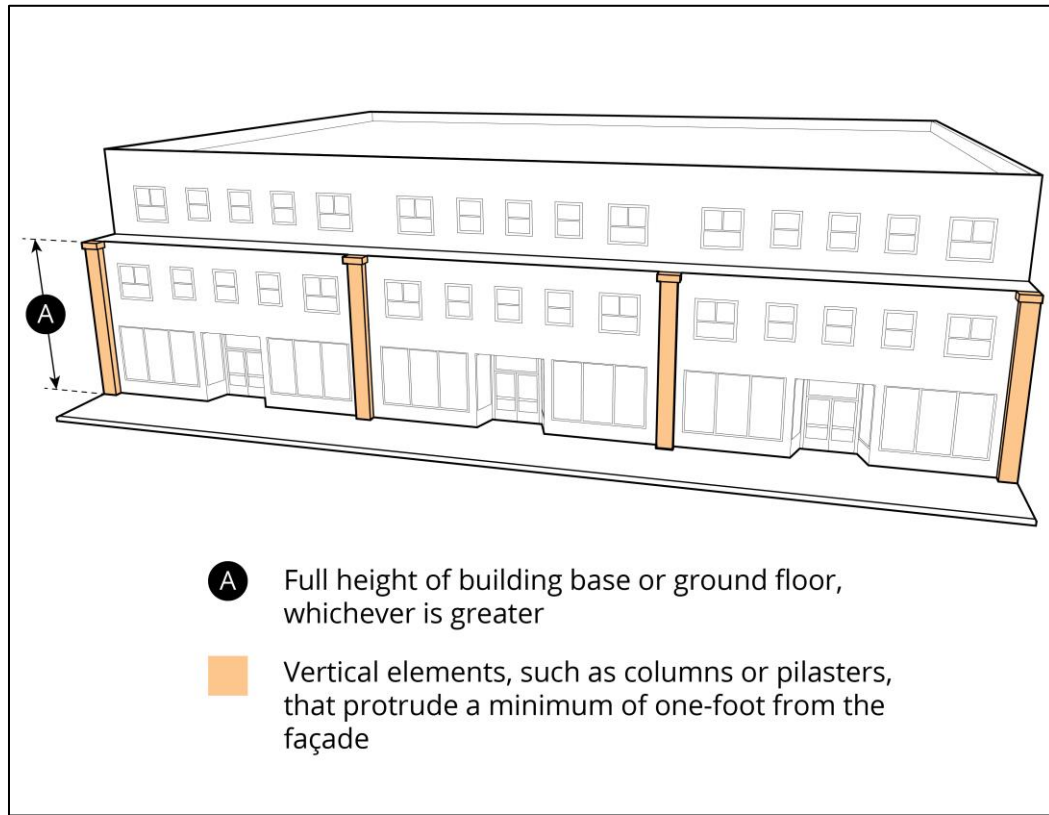


- e. Ground floor courtyards within the building footprint with a minimum area of 60 square feet; or



**Figure B.1.1e**

- f. Vertical elements, such as pilasters or columns, that protrude a minimum of one foot from the façade and extend the full height of the building base or ground floor, whichever is greater.



**Figure B.1.1f**

- 1.2 Upper floors above two stories shall be set back by a minimum of five feet from the ground-floor façade.
- 1.3 Townhomes or rowhouses shall have no more than six contiguous units in any single building.

## **B.2. Parking Structure Design**

- 2.1 The ground-floor façade of a parking structure facing a street or pedestrian walkway shall be fenestrated on a minimum of 40 percent of the façade.
- 2.2 Façade openings on upper levels of a parking structure shall be screened up to 30 percent of the opening to prevent full transparency into the structure.
- 2.3 Parking structures facing a street and greater than 40 feet in length shall include landscaping between the building façade and the street, or façade articulation of at least 25 percent of the façade length. The façade articulation shall be implemented by one of the following solutions:
  - a. An offset of the façade plane with a depth of at least 18 inches for a minimum of eight feet in horizontal length; or
  - b. A different building material covering the entire façade articulation.

### B.3. Roof Design

- 3.1 At intervals of no more than 40 feet along the building façade, horizontal eaves shall be broken using at least one of the following strategies:
- Gables;
  - Building projection with a depth of a minimum of two feet;
  - Change in façade or roof height of a minimum of two feet;
  - Change in roof pitch or form; or
  - Inclusion of dormers, parapets, and/or varying cornices.



Figure B.3.1

- 3.2 Skylights shall have a flat profile rather than domed.
- 3.3 The total width of a single dormer or multiple dormers shall not exceed 50 percent of the length of the roof.



**Figure B.3.3**

- 3.4 Carport roof materials shall be the same as the primary building.

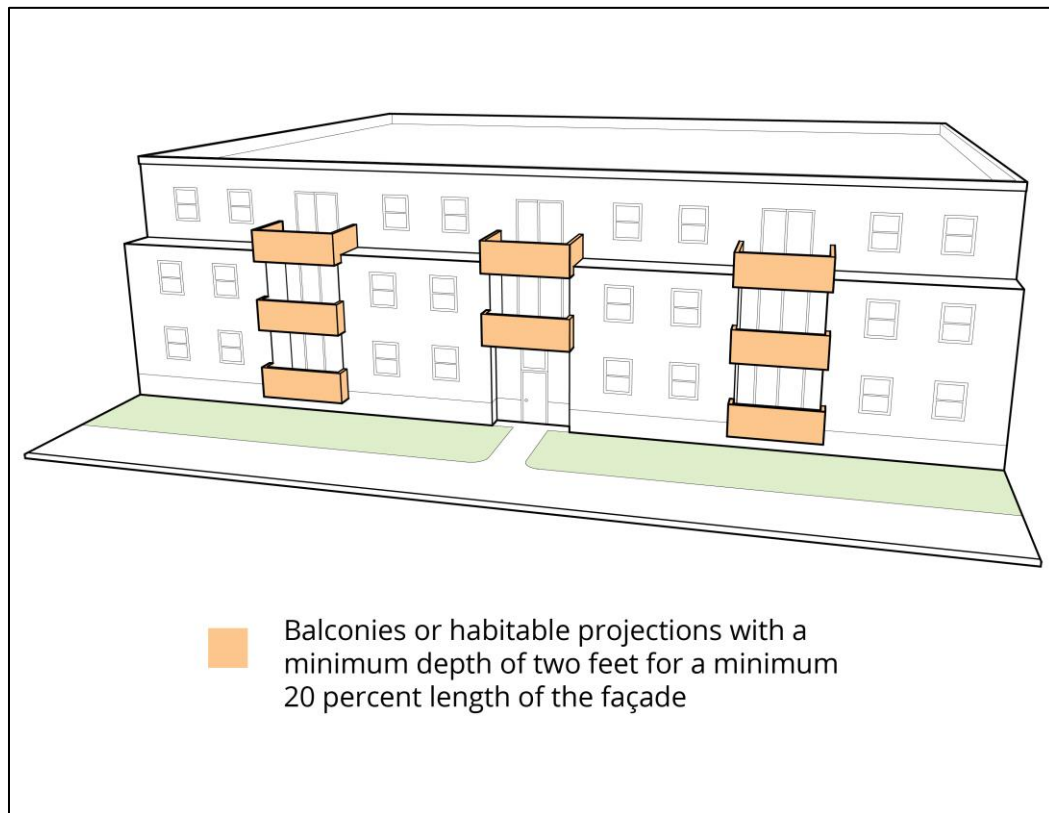
#### **B.4. Façade Design and Articulation**

- 4.1 Buildings greater than two stories shall be designed to differentiate the base, middle, and top of the building on any street-facing façade. Each of these elements shall be distinguished from one another using at least two of the following solutions:
- a. Variation in building mass for a minimum of 60 percent of the length of the street-facing façade through changes in the façade plane that protrude or recess with a minimum dimension of two feet;



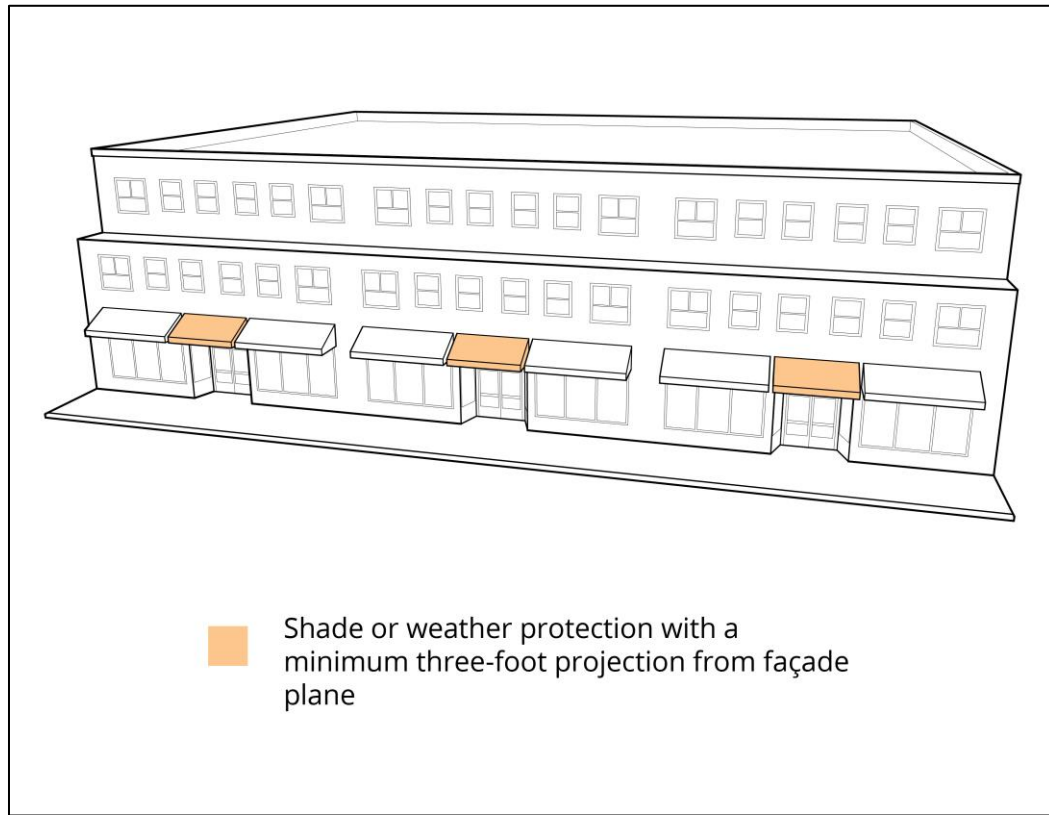
**Figure B.4.1a**

- b. Balconies or habitable projections with a minimum depth of two feet for a minimum of 20 percent length of the street-facing façade;



**Figure B.4.1b**

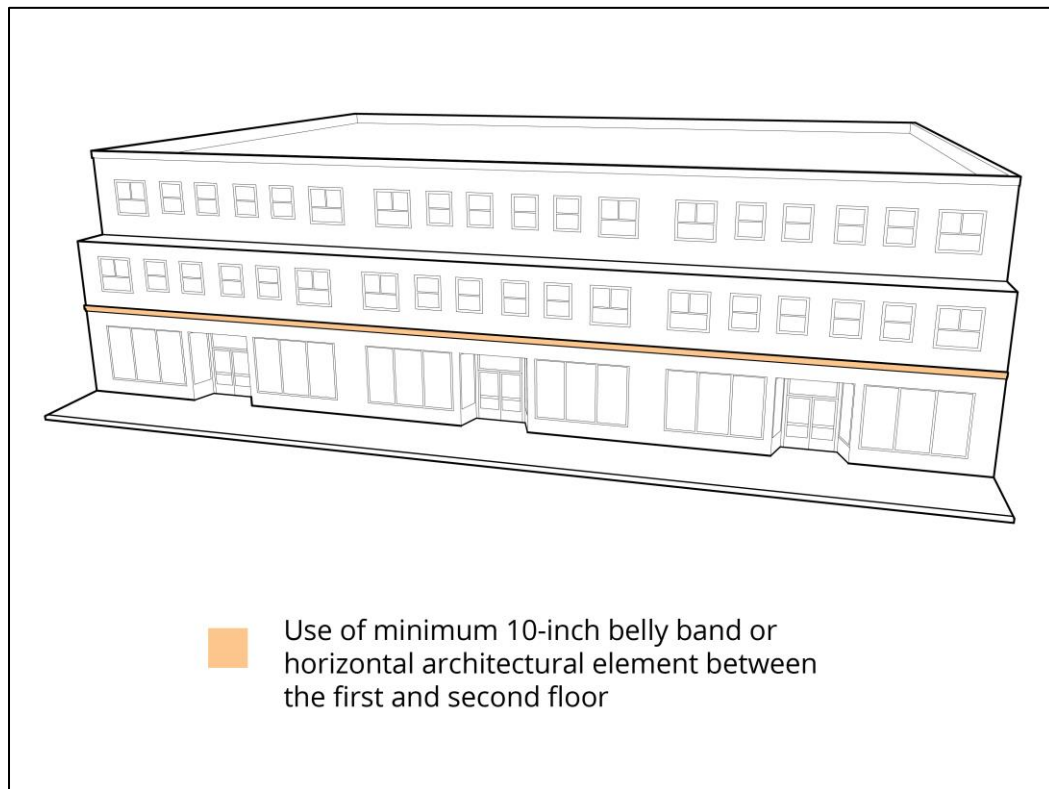
- c. Variation in façade articulation, using shade and weather protection components, projecting a minimum of three feet for a minimum of 20 percent length from the street-facing-façade;



**Figure B.4.1c**



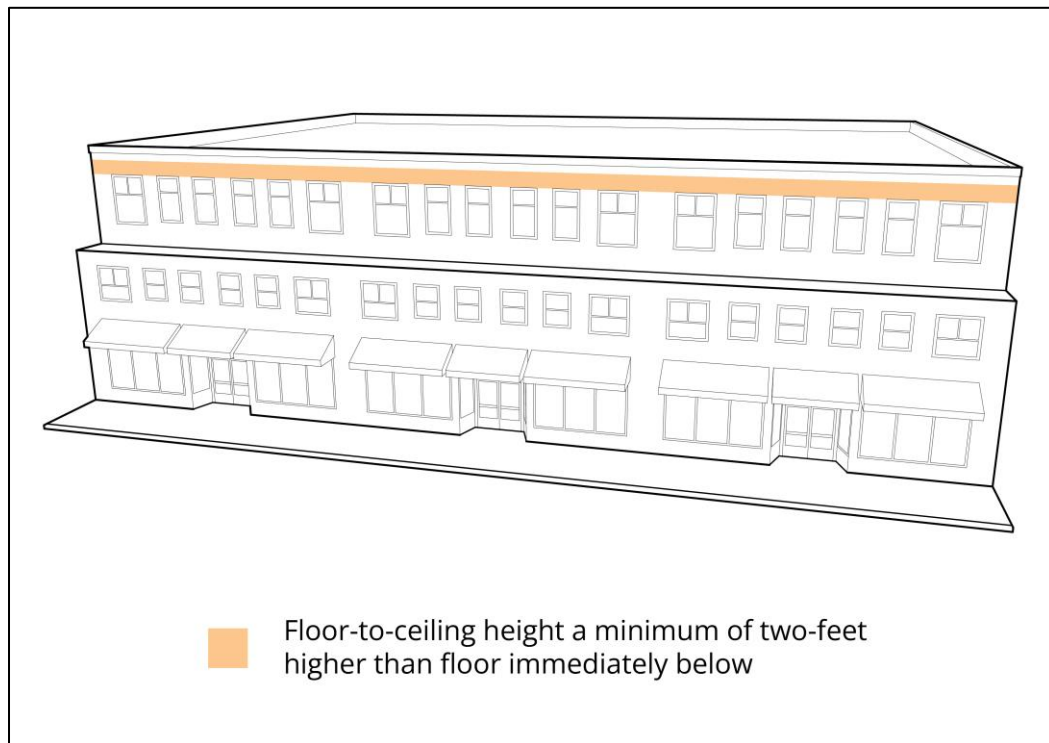
- d. Use of a belly band or horizontal architectural element with a minimum height of 10 inches between the first and second floor;



**Figure B.4.1d**

- e. The use of at least two different façade materials, each covering a minimum of 20 percent of the street-facing façade, or

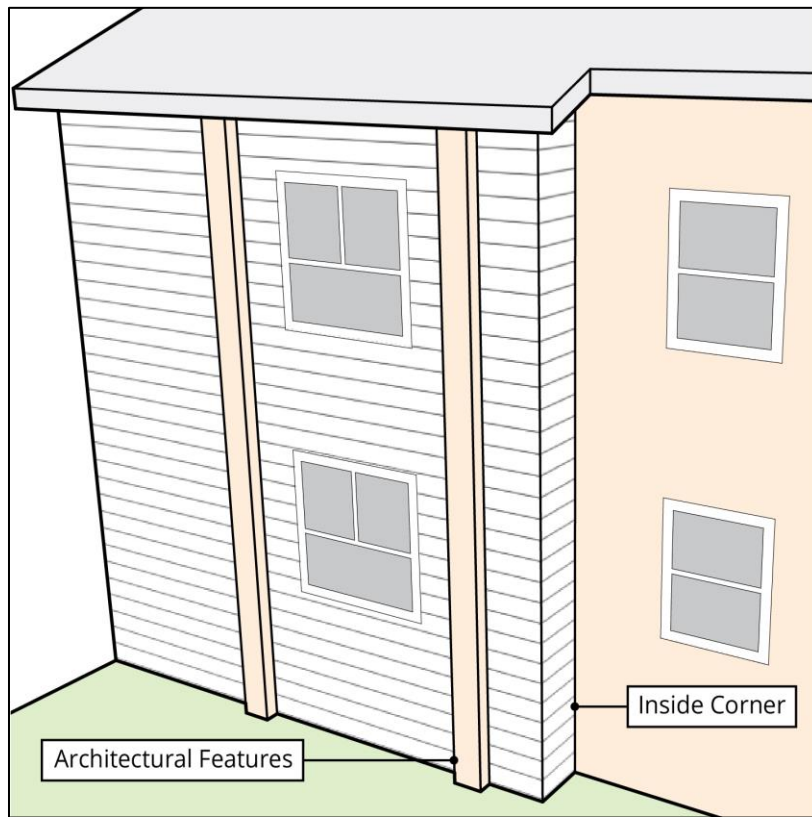
- f. The upper floor shall utilize a higher floor-to-ceiling height that is a minimum of two feet greater than the floor-to-ceiling height of the floor immediately below.



**Figure B.4.1f**

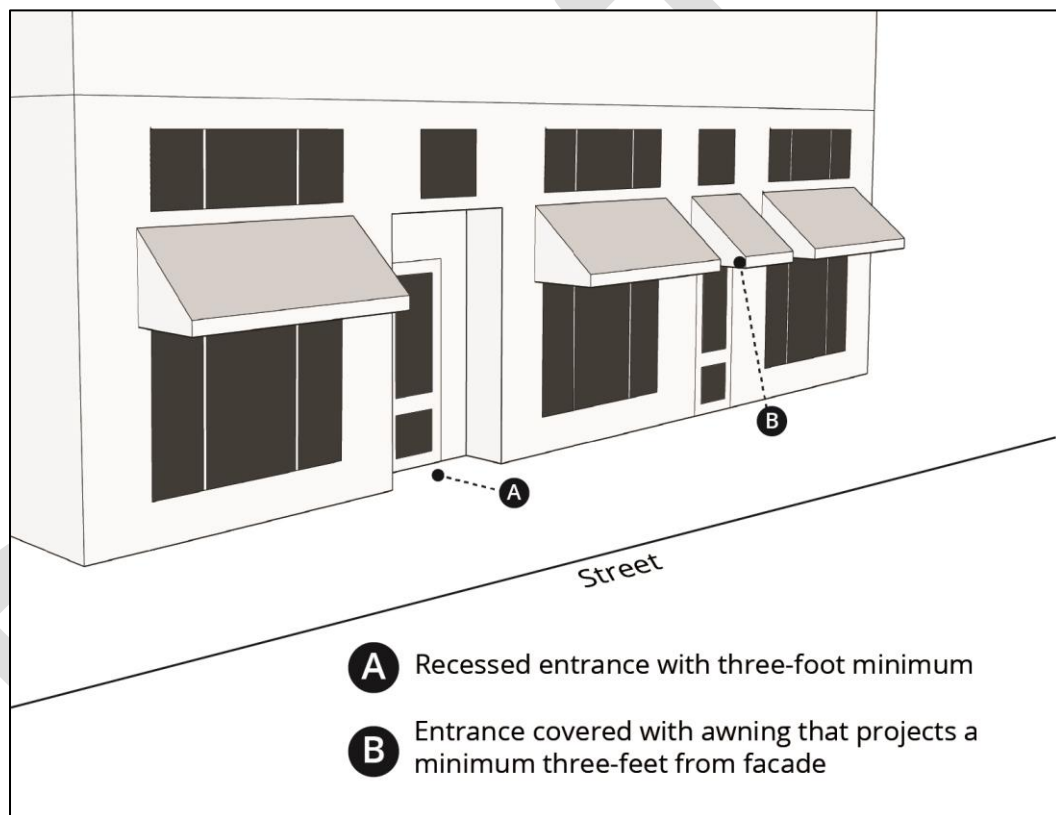
- 4.2 All façade materials, such as siding, window types, and architectural details, used on the street-facing façade shall be used on all other building façades.
- 4.3 Variation in the street-facing façade planes shall be provided for buildings greater than one story by incorporating any combination of the following architectural solutions to achieve a minimum of 16 points:
- Architectural features, such as:
    - Arcade or gallery along the ground floor; 8 points
    - Awnings or canopies; 6 points
    - Building cornice; 5 points
    - Belly band, or horizontal architectural element, between the first and second floor; or 5 points
    - Façade sconce lighting. 3 points
  - Bay windows; 6 points
  - Balconies or Juliet balconies; 5 points
  - Landscaped trellises or lattices; 5 points
  - Materials and color changes; 3 points
  - Chimneys; 3 points
  - Eaves that overhang a minimum of two feet from the facade with supporting brackets; 3 points
  - Window boxes or plant shelves; or 3 points
  - Decorative elements such as molding, brackets, or corbels. 3 points
- 4.4 Garage doors shall be recessed a minimum of 12 inches from the façade plane and along the street-facing façade shall not exceed 40 percent of the length of the building façade.

- 4.5 Changes in building materials shall occur at inside corners or at architectural features that break up the façade plane such as columns.



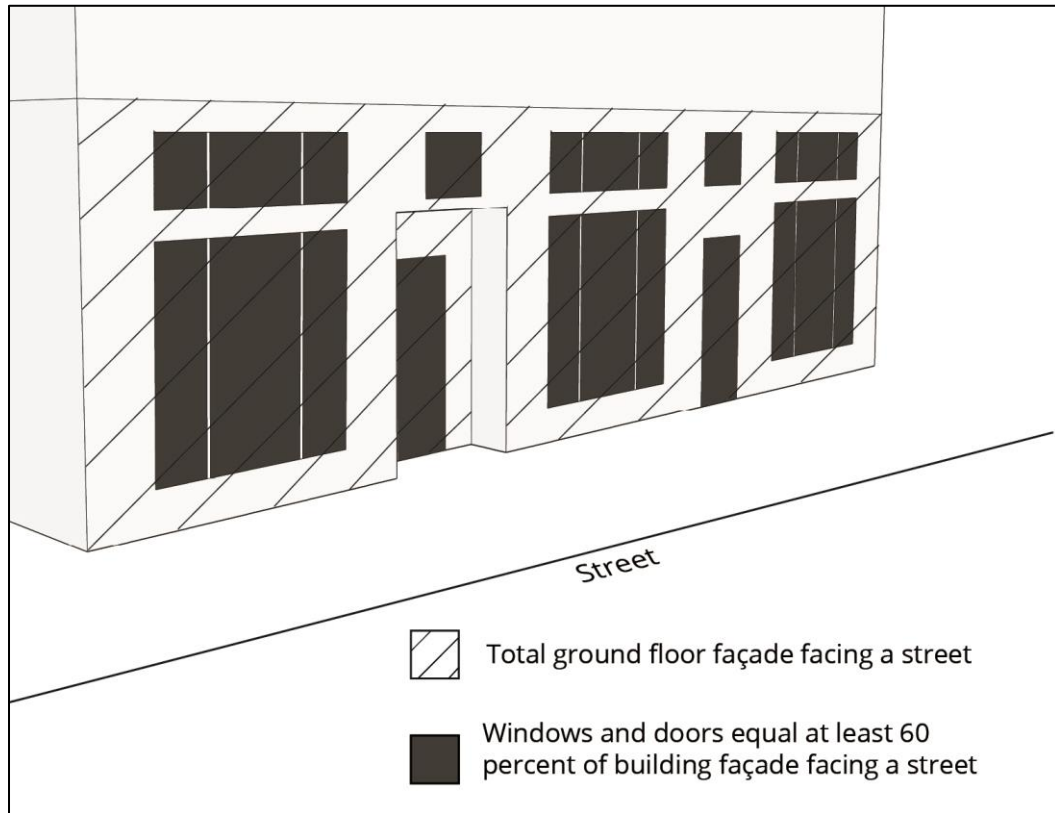
**Figure B.4.5**

- 4.6 A primary building entrance shall be provided facing a street or community recreation space. Additionally, all development shall meet the following requirements:
- a. Pedestrian entries to ground-floor and upper-floor commercial uses shall meet at least one of the following standards:
    - i. The entrance shall be recessed in the façade plane at least three feet in depth; or
    - ii. The entrance shall be covered by an awning, portico, or other architectural element projecting from the façade a minimum of three feet.



**Figure B.4.6a**

- b. For ground-floor commercial uses, façades facing a street shall include windows, doors, or openings for at least 60 percent of the building façade that is between two and 10 feet above the level of the sidewalk.



**Figure B.4.6b**

- 4.7 Pedestrian entries to buildings shall meet minimum dimensions to ensure adequate access based on use and development intensity. Building entries inclusive of the doorway and the facade plane shall meet the following minimum dimensions:
  - a. Individual residential entries: five feet in width
  - b. Single entry to multiple residential unit building, including mixed-use buildings: eight feet in width
  - c. Storefront entry: six feet in width

- 4.8 Mirrored windows are prohibited.
- 4.9 Awnings shall be subject to the following requirements:
  - a. A minimum vertical clearance of eight feet measured from the pedestrian pathway;
  - b. Shall not extend beyond individual storefront bays; and
  - c. Shall not be patterned or striped.
- 4.10 For buildings abutting a single-family zoning district, rooftop and upper floor terraces and decks are prohibited.
- 4.11 Balconies are allowed on facades facing the street and those facades facing existing non-residential uses on abutting parcels. Balconies facing existing residential uses on abutting parcels are allowed when the design is proven to prevent views to the residential use. Such balconies shall be without any projections beyond the building footprint.
- 4.12 Mixed-use buildings shall provide at least one of the following features along street-facing façades where the façade exceeds 50 feet in length:
  - a. A minimum five-foot offset from the façade plane for a length of at least 10 feet;
  - b. Multiple pilasters or columns, each with a minimum width of two feet; or
  - c. Common open space, such as a plaza, outdoor dining area, or other spaces.
- 4.13 Continuous blank façades on any floor level shall not exceed 25 percent of the entire façade length along any street.

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**TOWN OF LOS GATOS**  
**DRAFT OBJECTIVE STANDARDS**  
**August 24, 2022**

**PURPOSE ~~AND APPLICABILITY~~**

The purpose of the Objective Design Standards is to ensure that new qualifying ~~multi-family and mixed-use~~ projects in Los Gatos provide high-quality architecture, integrate with surrounding development, and include well-designed amenities and ~~open spaces outdoor areas~~ to enhance community character. These standards are intended to guide property owners, applicants, developers, and design professionals by providing clear design direction that enhances the Town's unique character and ensures a high-quality living environment.

A qualifying project is a Housing Development Project as defined in Gov. Code 65589.5 in zones where the use is principally permitted. Housing Development Projects shall comply with the Objective Design Standards, and include multi-family housing, residential mixed-use projects with at least two-thirds of the square footage designated for residential use, or supportive and transitional housing.

Qualifying projects must also comply with all existing development requirements in the Town, including but not limited:

- General Plan
- Town Code
- Guidelines and Standards for Land Use Near Streams
- Bicycle and Pedestrian Master Plan
- Parks and Public Works Standards
- Santa Clara County Fire Department Requirements

**ORGANIZATION ~~AND APPLICABILITY~~**

The following Objective Design Standards are organized into two primary sections: Site Standards; and Building Design. The Site Standards section includes objective standards for site layout and building placement, vehicular access and parking, and outdoor ~~spaces areas~~ and amenities. The Building Design section includes objective standards for building form and massing, façade articulation, materials, and roof design.

~~Qualifying multi-family and mixed-use projects must also 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.~~

## KEY TERMS

Community recreation space in mixed-use developments means public gathering spaces, such as: plazas, outdoor dining areas, squares, pocket parks, or other community areas for the use of the public. Community recreation space in multi-family developments means gathering spaces, such as: play areas, pool areas, patios, rooftop decks, or other community areas for the use of residents.

Façade articulation means the division of a building façade into distinct sections; including the materials, patterns, textures, and colors that add visual interest to a building or façade.

Fenestration means the design, construction, and presence of any openings in a building, such as: windows, doors, vents, wall panels, skylights, curtain walls, and louvers.

Mixed-use means a development project where a variety of uses such as office, commercial, institutional, and residential are combined in a single building or on a single site in an integrated project.

Multi-family use means the use of a site for three or more dwelling units on the same site.

Landscaping means an area devoted to plantings, lawn, ground cover, gardens, trees, shrubs, and other plant materials; excluding driveways, parking, loading, or storage areas.

Primary building means a building within which the principal or main use on a lot or parcel is conducted. Where a permissible use involves more than one building designed or used for the primary purpose on the subject property, each such building on the parcel shall be construed as constituting a primary building.

Private recreation space at the ground level means a single outdoor enclosed patio or deck. Private recreation space above the ground level means an outdoor balcony, rooftop deck, or similar.

Transitional and supportive housing means a type of housing used to facilitate the movement of people experiencing homelessness into permanent housing and independent living.

## A. SITE STANDARDS

### A.1. Pedestrian Access

- 1.1 All on-site buildings, entries, facilities, amenities, and parking areas shall be internally connected with pedestrian pathways and may include use of the public sidewalk. Pedestrian pathways shall connect to the public sidewalk along each street.
- 1.2 Pedestrian ~~walkways-pathways~~ within internal parking areas shall be separated from vehicular circulation by a physical barrier, such as a grade separation or a raised planting strip, of at least six inches in height and at least six feet in lengthwidth.

Figure A.1.2

### A.2. Bicycle Access

- 2.1 Bicycle parking shall be located within 50 feet of at least one primary building entrance.
- 2.2 Multi-family residential buildings shall provide one bicycle parking space per dwelling unit.
- 2.3 Mixed-use projects shall provide one bicycle parking space per dwelling unit and one bicycle parking space per 2,000 square feet of commercial space.
- 2.4 A minimum five-foot-wide walkway shall be provided connecting the bicycle parking area(s) and the street-facing sidewalk.

### A.2.A.3. Vehicular Access

- ~~2.13.1~~ Off-street parking shall have internal vehicular circulation that precludes the use of a street for aisle-to-aisle circulation.

Figure A.23.1

### A.3.A.4. Parking Location and Design

- ~~3.14.1~~ Driveways and surface parking lots shall not be located between the primary building frontage and the street.
- ~~3.24.2~~ Multiple parking areas located on a common property shall be internally connected and shall use shared driveways to access the street.

3.34.3 Uncovered parking rows with at least 15 consecutive parking spaces shall include a landscape area of six feet minimum width at intervals of no more than 10 consecutive parking stalls. One tree shall be provided in each landscape area.

**Figure A.34.3**

3.44.4 Carports shall not be located between a primary building and a street.

**A.4.A.5. Parking Structure Access**

4.15.1 Any automobile entry gate to a parking structure shall be located to allow a minimum of 25 feet between the gate and the back of the sidewalk to minimize conflicts between sidewalks and vehicle queuing.

4.25.2 A parking structure shall not occupy more than 50 percent of the building width of any street-facing façade and shall be recessed a minimum five feet from street-facing façades of the building.

**A.5.A.6. Utilities**

5.16.1 Pedestrian-oriented lighting shall be provided along all pedestrian paths in community recreation spaces. Exterior lighting fixtures shall be a minimum of three feet and a maximum of 15-12 feet in height. Light fixtures shall be placed along the pedestrian path at a spacing of no more than 30 linear feet.

5.26.2 Exterior lighting shall be fully shielded and restrain light to a minimum 30 degrees below the horizontal plane of the light source. Lighting shall be arranged so that the light will not shine directly on lands of adjacent residential zoned properties. Uplighting is prohibited.

**Figure A.6.2**

5.36.3 Rooftop and ground-mounted utility cabinets, mechanical equipment, trash, and service areas shall be screened from view from the street with landscape planting, fencing, or a wall. The screening shall be at least the same height as the item being screened and shall be constructed with one or more of the materials used on the primary building. Solar equipment is exempt from this requirement.

**A.6.A.7. Landscaping and Screening**

6.17.1 At least 50 percent of the front setback area shall be landscaped.

6.27.2 A minimum 10-foot-wide landscape buffer shall be provided along the full length of the shared property line between multi-family or mixed-use development and abutting residential properties. The buffer shall include the following:

a. A solid masonry wall with a six-foot height, except within a street-facing setback ~~where walls are not permitted, where the maximum permitted height is three feet; and~~

**Figure A.76.2a**

b. Trees planted at a rate of at least one tree per 30 linear feet along the shared property line. Tree species shall be selected from the Town of Los Gatos Master Street Tree List and shall be a minimum 15-gallon size. ~~;~~ and

~~6.37.3~~ Surface parking lots shall be screened from view of the street with landscaping or a wall with a minimum three-foot height to screen the parking lot. When located in a street-facing setback, screening may not exceed a height of three feet.

**A.7.A.8. Fencing**

~~7.18.1~~ Fences, walls, hedges, and gates within required setbacks along all street frontages shall have a maximum height of three feet.

~~7.28.2~~ Chain link fencing is prohibited.

~~7.38.3~~ Vehicular entry gates and pedestrian entry gates shall have a maximum height of six feet.

~~7.48.4~~ Solid vehicular and pedestrian entry gates are prohibited. Entry gates shall be a minimum 50 percent open view.

**A.8.A.9. Retaining Walls**

~~8.19.1~~ Retaining walls shall not exceed five feet in height. Where an additional retained portion is necessary, multiple-terraced walls shall be used. Terraced walls shall set back at least three feet from the lower segment.

~~8.29.2~~ Retaining walls shall not run in a straight continuous direction for more than 50 feet without including the following:

a. A break, offset, or landscape pocket in the wall plane of at least three feet in length and two feet in depth; and

b. Landscaping at a minimum height of three feet at the time of installation along a minimum of 60 percent of the total length of the retaining wall.

**A.9.A.10. Open Landscaped, Private, and Community Recreation Spaces**

- ~~9.1 A minimum of 20 percent of the site area shall consist of landscaped open space. Landscaped open space may be in the form of trees, hedgerows, flowerbeds, or ground cover vegetation, such as grass.~~
- ~~9.2 Common open space shall be provided in mixed-use developments in the form of public gathering spaces, such as plazas, outdoor dining areas, squares, or pocket parks. The space required is a minimum of 100 square feet per residential unit plus a minimum of two percent of the commercial square footage.~~
- ~~9.3 Common open space shall be provided in multi-family residential development projects in the form of gathering spaces, such as play areas, pool areas, patios, rooftop decks, or other community areas for the use of residents. The minimum space required is 100 square feet per residential unit.~~
- ~~9.4 Common open spaces shall provide shading for a minimum 15 percent of each open space area by either trees or structures, such as awnings, canopies, umbrellas, or a trellis. Tree shading shall be calculated by using the diameter of the tree crown at 15 years maturity. Shading from other built structures shall be calculated by using the surface area of the overhead feature.~~
- 10.1 The following landscaped, private, and community recreation spaces are required for all qualifying projects and are calculated independent of each other:
- a. Landscaped space: A minimum of 20 percent of the site area shall be landscaped.
  - b. Private recreation space: The minimum horizontal dimensions are 10 feet by six feet. The minimum vertical clearance required is eight feet. Private recreation space shall be directly accessible from the residential unit.
    - i. Each ground floor dwelling unit shall have a minimum of 200 square feet of usable private recreation space.
    - ii. Each dwelling unit above the ground floor shall have 120 square feet of usable private recreation space.
  - c. Community recreation space: The minimum dimensions are 10 feet by six feet. A minimum of 60 percent of the community recreation space shall be open to the sky and free of permanent solid-roofed weather protection structures. Community recreation space shall provide shading for a minimum 15 percent of the community recreation space by either trees or structures, such as awnings, canopies, umbrellas, or a trellis. Tree shading shall be calculated by using the diameter of the tree crown at 15 years maturity. Shading from other built structures shall be calculated by using the surface area of the overhead feature.

- i. Community recreation space shall be provided in mixed-use developments at a minimum of 200 square feet per residential unit plus a minimum of two percent of the commercial square footage.
- ii. Community recreation space shall be provided in multi-family residential development projects at a minimum of 200 square feet per residential unit.

#### **A.10.A.11. Building Placement**

~~10.111.1~~ To create a continuous streetscape appearance, development in a Community Place-Growth District shall place at least 75 percent of the ground floor of a building within five feet of the front and street-side setback (where applicable) requirement of the Town Code.

**Figure A.~~1011~~.1**

~~10.211.2~~ A mixed-use residential project with a ground-floor commercial use shall provide site amenities on a minimum of 15 percent and maximum of 30 percent of the ground plane between the building and the front or street-side property line. The site amenities shall be comprised of any of the following elements:

- a. Landscape materials or raised planters;
- b. Walls designed to accommodate pedestrian seating, no higher than 36 inches;
- c. Site furnishings, including fountains, sculptures, and other public art;
- or
- d. Tables and chairs associated with the ground floor use.

### **B. BUILDING DESIGNS**

#### **B.1. Massing and Scale**

1.1 Multiple-story building façades that face a street shall incorporate breaks in the building mass by implementing a minimum of three of the following solutions along the façades facing the street:

- a. A minimum of 40 percent of the upper floor façade length shall step back from the plane of the ground-floor façade by at least ~~six~~five feet;

**Figure B.1.1a**

b. Changes in the façade plane with a minimum change in depth of two feet for a minimum length along the façade of two feet at intervals of no more than 30 feet;

**Figure B.1.1b**

c. Recessed ~~or projected covered building entries~~ entry for the full height of the facade with a minimum ground plane area of 24 square feet;

**Figure B.1.1c**

d. An exterior arcade that provides a sheltered walkway within the building footprint with a minimum depth of eight feet, extending the full length of the façade;

**Figure B.1.1d**

e. Ground floor courtyards within the building footprint with a minimum area of ~~48-60~~ square feet; or

**Figure B.1.1e**

f. Vertical elements, such as pilasters or columns, that protrude a minimum of one foot from the façade and extend the full height of the building base or ground floor, whichever is greater.

**Figure B.1.1f**

1.2 Upper floors above two stories shall be set back by a minimum of five feet from the ground-floor façade.

1.3 Townhomes or rowhouses shall have no more than six contiguous units in any single building.

**B.2. Parking Structure Design**

2.1 The ground-floor façade of a parking structure facing a street or pedestrian walkway shall be fenestrated on a minimum of 40 percent of the façade.

2.2 Façade openings on upper levels of a parking structure shall be screened up to 30 percent of the opening to prevent full transparency into the structure.



2.3 Parking structures facing a street and greater than 40 feet in length shall include landscaping between the building façade and the street, or façade articulation of at least 25 percent of the façade length. The façade articulation shall be implemented by one of the following solutions:

a. An offset of the façade plane with a depth of at least 18 inches for a minimum of eight feet in horizontal length; or

b. A different building material covering the entire façade articulation ~~change of 25 percent of the façade length.~~

### **B.3. Roof Design**

3.1 At intervals of no more than 40 feet along the building façade, horizontal eaves shall be broken using at least one of the following strategies:

a. Gables;

b. Building projection with a depth of a minimum of two feet;

c. Change in façade or roof height of a minimum of four two feet;

d. Change in roof pitch or form; or

e. Inclusion of dormers, parapets, and/or varying cornices.

#### **Figure B.3.1**

3.2 Skylights shall have a flat profile rather than domed.

3.3 The total width of a single dormer or multiple dormers shall not exceed 50 percent of the length of the roof.

#### **Figure B.3.3**

~~3.4 — Eave depths shall not exceed 24 inches from the façade plane.~~

~~3.5~~3.4 Carport roof materials shall be the same as the primary building.

### **B.4. Façade Design and Articulation**

4.1 Buildings greater than two stories shall be designed to differentiate the base, middle, and top of the building on any street-facing façade. Each of these elements shall be distinguished from one another using at least two of the following solutions:

a. Variation in building mass for a minimum of ~~70~~60 percent of the length of the street-facing façade through changes in the façade plane that protrude or recess with a minimum dimension of two feet;

**Figure B.4.1a**

b. Balconies or habitable projections with a minimum depth of two feet for a minimum of 20 percent length of the street-facing façade;

**Figure B.4.1b**

c. Variation in façade articulation, using shade and weather protection components, projecting a minimum of three feet for a minimum of 20 percent length from the street-facing-façade;

**Figure B.4.1c**

d. Use of a belly band or horizontal architectural element with a minimum height of 10 inches between the first and second floor; ~~or~~

**Figure B.4.1d**

e. The use of at least two different façade materials, each covering a minimum of 20 percent of the street-facing façade., or

f. The upper floor shall utilize a higher floor-to-ceiling height that is a minimum of two feet greater than the floor-to-ceiling height of the floor immediately below.

**Figure B.4.1f (new Figure)**

4.2 ~~Buildings shall incorporate the same materials on all façades. All building materials~~façade materials, such as siding, window types, and architectural details, used on the street-facing façade shall be used on all other building façades.

4.3 Variation in the street-facing façade planes shall be provided for buildings greater than one story by incorporating any combination of the following architectural solutions to achieve a minimum of ~~12~~16 points:

- Architectural features, such as:
  - Arcade or gallery along the ground floor; 8 points
  - Awnings or canopies; 6 points
  - Building cornice; 5 points

- Belly band, or horizontal architectural element, between the first and second floor; or 5 points
- Façade sconce lighting. 3 points
- Bay windows; 6 points
- ~~Façade plane of upper floors steps back a minimum of five feet from the ground floor façade;~~ 6 points
- ~~Material and color changes;~~ 5 points
- Balconies or Juliet balconies; 5 points
- Landscaped trellises or lattices; 5 points
- Materials and color changes; 3 points
- Chimneys; 3 points
- Wide Eaves that overhangs a minimum of two feet from the facade with supporting projecting brackets; 3 points
- Window boxes or plant shelves; or 3 points
- Decorative elements such as molding, ~~ornamentation brackets,~~ or corbels. 3 points

~~4.4 Mixed-use buildings shall provide the following architectural elements along the ground floor:~~

~~a. A minimum of 60 percent of the street-facing façade between two and 10 feet above the adjacent grade shall consist of transparent windows; and~~

~~b. A form of weather protection above storefront entries that extends from the façade a minimum of three feet.~~

~~4.54.4~~ Garage doors shall be recessed a minimum of 12 inches from the façade plane and along the street-facing façade shall not exceed 40 percent of the length of the building façade.

~~4.64.5~~ Changes in building materials shall occur at inside corners or at architectural features that break up the façade plane such as columns.

**Figure B.4.65**

4.74.6 Mixed-use A primary building entrance shall be provided facing a street or community recreation space. Additionally, all development shall meet the following requirements:

- a. Pedestrian entries to ground-floor and upper-floor commercial uses shall meet at least one of the following standards:
  - i. The entrance shall be recessed in the façade plane at least three feet in depth; or
  - ii. The entrance shall be covered by an awning, portico, or other architectural element projecting from the façade a minimum of three feet.

**Figure B.4.76a**

- b. For ground-floor commercial uses, façades facing a street shall include windows, doors, or openings for at least 60 percent of the building façade that is between two and 10 feet above the level of the sidewalk.

**Figure B.4.76b**

4.7 Pedestrian entries to buildings shall meet minimum dimensions to ensure adequate access based on use and development intensity. Building entries inclusive of the doorway and the facade plane shall meet the following minimum dimensions:

- a. Individual residential entries: five feet in width
- b. Single entry to multiple residential unit building, including mixed-use buildings: eight feet in width
- c. Storefront entry: six feet in width

4.8 Mirrored windows are prohibited.

~~4.9 A primary building entrance shall be provided facing a street or common opencommunity recreation space. All building entrances shall be recessed from the façade plane or covered by a building projection of at least three feet in depth measured from the wall plane. [if this edit works for you, I think we should move this Standard up to become B.4.7]~~

4.104.9 Awnings shall be subject to the following requirements:

- a. A minimum vertical clearance of eight feet measured from the pedestrian pathway;

- b. Shall not extend beyond individual storefront bays; and
- c. Shall not be patterned or striped.

4.114.10 For buildings abutting a single-family zoning district, rooftop and upper floor terraces and decks are prohibited.

4.124.11 ~~Balconies are allowed on facades facing the street and those facades facing existing non-residential uses on abutting parcels. Balconies facing existing residential uses on abutting parcels are allowed when the design is proven to prevent views to the residential use. For buildings abutting a single-family zoning district, balconies shall only be permitted on the street-facing building façade.~~ Such balconies shall be without any projections beyond the building footprint.

4.134.12 Mixed-use buildings shall provide at least one of the following features along street-facing façades where the façade exceeds 50 feet in length:

- a. A minimum five-foot offset from the façade plane for a length of at least 10 feet;
  - b. Multiple pilasters or columns, each with a minimum width of two feet;
- or
- c. Common open space, such as a plaza, outdoor dining area, or other spaces.

4.144.13 Continuous blank façades on any floor level shall not exceed 25 percent of the entire façade length along any street.

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Summary of Revisions Made and Responses to Comments Received at the Planning Commission Hearing of June 22, 2022				
Line #	OLD #	NEW #	Comments Received	Staff Response
PUBLIC TESTIMONY				
1	--	--	In previous meetings, it was stated that there would be one unifying document of all objective standards. If we don't do this, it will be confusing for the public to understand. Document should be integrated.	Other applicable development requirements in the Town are now listed in the "Purpose and Applicability" section.
2	--	--	Define qualifying project.	"Qualifying Project" are now outlined in the "Purpose and Applicability" section.
3	--	--	Photos or graphics would be helpful for the public to understand the concepts.	Diagrams have been updated throughout the document.
4	--	--	The document covers many building types and the concepts should be broken up for each building type.	The document has not be modified to cover different building types. Staff does not recommend this approach as it will over-complicate the document.
COMMISSIONER DISCUSSION				
5	--	--	How will the objective standards document be viewed from a developer perspective?	The final formatting and application process for qualifying projects will be developed by staff after adoption of the final document. Staff will determine the best approach based on the final adopted document. All documents and applications will be made available on the Town's website.
6	--	--	Is this applicable to single-family?	No. "Qualifying Projects" is now outlined in the "Purpose and Applicability" section.
7	--	--	Will there still be discretionary review if an applicant does not want to follow these standards?	Yes.
8	--	--	What does "qualifying" mean in this sense?	"Qualifying Projects" are now outlined in the "Purpose and Applicability" section.
9	--	--	Discussion on amending Town Code and guideline documents.	The intent is that the document would be a stand-alone policy document without requiring any other amendments to existing Town documents. A stand-alone document, similar to the Hillside Development Standards and Guidelines, allows for increased flexibility through periodic updates that are more difficult to accomplish within the structure of the Town Code.
10	--	--	What happens if an element was not included in the objective standards?	The goal of the document is to include all relevant standards. Being a stand-alone policy document, staff can return with updates periodically as needed.
11	--	--	Likes the idea of real-world examples instead of simplistic diagrams.	Photographic examples of the concepts have the potential to communicate unintended values or design guidance. Diagrams have been updated throughout the document to better illustrate the concepts in a more realistic style. Staff does not recommend the use of photos in the document.
12	--	--	Is protection of views covered and considered? Do any other jurisdictions have objective standards for view protection?	Protection of views is not covered in the document. The concept was discussed in previous meetings and researched by the consultant. Staff is not aware of other jurisdictions having objective view standards. The Town would first need to adopt a view shed protection ordinance in order to include standards in the document to protect views. This would be a Council-level priority decision and is not appropriate for this policy document.
13	--	--	Since Palo Alto's standards are much more comprehensive, how should we move forward?	Palo Alto's ordinance includes both objective standards and context based design criteria formatted in line with one another. The context based criteria lines up with the Town's discretionary review application process. If there are specific pieces of objective standards from other jurisdictions that the Planning Commission thinks should be included in the Town's document, please let staff know.
14	--	--	There would be merit to having a more comprehensive document even if we are duplicating code.	From the onset, the goal was to avoid duplication of the Town Code. Staff has revised the document to eliminate unnecessary duplication of the Town Code.
15	--	--	Clearly describe that there are objective standards in other areas - we should list them in this document.	Other applicable development requirements in the Town are now listed in the "Purpose and Applicability" section.
16	--	--	We should be consistent about when we duplicate existing Town Code requirements.	From the onset, the goal was to avoid duplication of the Town Code. Staff has revised the document to eliminate unnecessary duplication of the Town Code.

Summary of Revisions Made and Responses to Comments Received at the Planning Commission Hearing of June 22, 2022				
Line #	OLD #	NEW #	Comments Received	Staff Response
17	--	--	Staff addition/revision.	"Purpose and Applicability" section now includes an outline of Qualifying Projects and lists other applicable development requirements in the Town. Other revisions made for document consistency.
18	--	--	Staff addition/revision.	A "Key Terms" section has been added to clarify several terms used throughout the document.
19	A.1	A.1	Regarding Pedestrian Access, Palo Alto has a hierarchy prioritizing different modes of transportation.	Palo Alto's modal hierarchy is included in their contextual design criteria, which is not objective. Through research, staff determined that a modal hierarchy would be very difficult to objectify. Such a hierarchy should be determined at the Council level and included in a more appropriate policy document.
20	A.1	A.1	Why don't we have bicycle standards? We should prioritize bicycles.	Bicycle standards have been added (new A.2). The standards included are those that can be required on-site. Off-site improvements (such as the addition of bike lanes) are not appropriate in this document and may be required on a case-by-case basis through the Parks and Public Works Department.
21	A.1	A.1	This document should cover all modes of transportation in some way.	In addition to the pedestrian access and vehicular access/parking standards, bicycle standards have been added (new A.2).
22	A.1.2	A.1.2	Why don't we mention depth? We only specify height.	A width dimension of six feet has been added.
23	A.3.4	A.4.4	Staff addition/revision.	Clarified that the standard is applicable to the "primary" building.
24	A.5.1	A.6.1	Is this related to height or location? 15' is very tall. There should be location standards.	The original standard was related to height. The maximum height allowed has been revised from 15 feet to 12 feet. A maximum spacing between lighting has been added (30 feet).
25	A.5.1	A.6.1	Staff addition/revision.	"in community recreation spaces" added to align with new A.10.
26	A.5.2	A.6.2	Staff addition/revision.	Added language requiring exterior lighting be directed to not shine on neighboring residential properties to be consistent with Town Code.
27	A.6 A.9	A.7 A.10	Landscaping should be required to be native and drought tolerant	The terms "native" and "Drought tolerant" are not objective without very specific definitions and/or lists of allowed species. This level of specificity may limit the variety of landscaping in the Town. Additionally, the Town and the State already have rules addressing water use. Chapter 26 of the Town Code and the State's Model Water Efficient Landscape Ordinance (MWELO) promote efficient water use in landscape areas. These ordinances recognize that large water savings can be gained by efficient landscape design, installation, management, and maintenance. This is accomplished by choosing climate adapted plants, improving soil conditions, using and maintaining high efficiency irrigation equipment, and managing the irrigation schedule to fit the plants water needs as they are influenced by local climates.
28	A.6	A.7	Do we define "landscape"?	"Landscaping" has been added to the Key Terms.
29	A.6.2	A.7.2	Staff addition/revision.	Clarified that the landscape buffer must stretch the full length of the shared property line.
30	A.6.2.a	A.7.2.a	Why is a masonry wall is required over regular fencing?	The requirement in the document for a masonry wall reflects the Town Code, which requires a masonry wall between residential zoned properties and commercial/office/manufacturing zoned properties. The intent of the wall is to provide robust separation between more intense uses (commercial, mixed-use, multiple-family) and less intense single- and two-family uses. As written, the standard would not require a masonry wall separating single- and two-family residential uses from neighboring single- and two-family residential uses.
			Is there a way to be clear that this doesn't apply to residential facing residential?	
			Would a duplex need a multi-family wall? We should be clear when this is required.	
31	A.6.2.a	A.7.2.a	Staff addition/revision.	Added clarification that a six-foot tall masonry wall is not allowed within a street-facing setback, consistent with Town Code Section 29.50.035
32	A.6.3	A.7.3	Should we create a maximum height as well for parking lot buffers?	Added a maximum height allowance for screening located within a street-facing setback.



Summary of Revisions Made and Responses to Comments Received at the Planning Commission Hearing of June 22, 2022				
Line #	OLD #	NEW #	Comments Received	Staff Response
33	A.7	A.8	Consider deleting this sections as it duplicates Town Code.	This standard duplicates elements of the fence regulations application to residential properties. The residential fence regulations contained in Sections 29.40.030 through 29.40.0330 would not apply to qualifying projects outside of residential zones. Therefore, this standards was not deleted as it does not duplicate Town Code regulations.
34	A.9	A.10	Are these two standards combined to burdensome? Do these two standards overlap? Can we clarify that these do overlap?	The entire A.9 section has been replaced with new A.10 to align with the Town Code, eliminate overlap, specify the types of "open areas", and clarify applicability between multi-family and mixed use projects.
35	A.9	A.10	Use of the word "may" - is this objective?	Conflict eliminated. The entire A.9 section has been replaced with new A.10.
36	A.9	A.10	Perhaps we remove the allowance of grass due to the drought.	Landscaping is now defined in the "Key Terms" section. The definition includes lawns allowing developers flexibility to meet their project goals while recognizing the Town regulates water use through Chapter 26 of the Town Code and the MWELO.
37	A.9	A.10	Palo Alto has an "open to sky" requirement. Recommends we look into this.	"Community recreation space" includes a requirement that 60 percent of the space remain open to the sky (A.10.1.c).
38	A.9	A.10	Look at private open space that is used in Palo Alto's code.	Revised A.10 addresses this comment.
39	A.9	A.10	Requirement for multi-story to have a balcony as discussed during the General Plan update.	"Private recreation space" added as a "Key Term" that includes balconies. Private recreation space above the ground floor is required in multi-story qualifying projects.
40	A.10.1	A.11.1	Staff addition/revision.	Changed "Community Place District" to "Community <u>Growth</u> District".
41	A.10.1	A.11.1	Why does this only include Community Growth Districts (CGDs)?	<p>The following polices discussing setbacks are included in the Community Design Element of the 2040 General Plan:</p> <p><b>CD-2.10 (Town-wide): Well-Defined Street Fronts</b> - Require new buildings to maintain a consistent setback from the public right-of-way in order to create a well-defined streetscape. Require new buildings throughout Town to use consistent setbacks.</p> <p><b>CD-7.1 (All CGDs): Neighborhood-Friendly Design</b> - Encourage buildings and sites within all Community Growth Districts regardless of designation, including shopping centers undergoing redevelopment, to integrate design features that create a pedestrian- and neighborhood-friendly environment, such as by siting buildings close to the sidewalks, providing space for small plazas, and including public art.</p> <p><b>CD-9.1: (LGB CGD): Setbacks and Step Backs of Massing</b> - Require medium density, high density, and mixed-use parcels in the Los Gatos Boulevard District adjacent to single-family parcels to include increased site setbacks and multi-story step backs to minimize the impact and increase compatibility with smaller adjacent structures.</p> <p><b>CDP-11.7: (Lark CGD): Reduced Setbacks</b> - Allow reduced setbacks to foster a more urban environment focused on corporate centers, commercial shopping areas, medical services, and hospitality uses.</p> <p>Consistent setbacks are encouraged by CD-2.10, while reduced setbacks are encouraged in CGDs. For this reason, Standard A.11.1 was written specific to CGDs. <b>Given the above polices and the comments made by the Commission during discussion of this item, staff requests direction on whether this standard should apply Town-wide or only within CGDs.</b> The corresponding figure/diagram will be updated accordingly.</p>
			Likes that it only applies to Community Growth Districts otherwise it could make them look out of place. It might also limit design related to arcade setback standards in Section B.	
			Can we apply this just to mixed-use? It should apply to ground-floor commercial.	
			Big focus during GP discussions was street-activation and should be kept in mind during revisions.	
			Perhaps replace "Community Growth District" with "Mixed-Use".	
42	B.1.1	B.1.1	There is chance that using three of these approaches may result in poor design. Maybe two would be better. Perhaps anchor it to the amount of street facing façade that exists. If under 50 feet, only require two.	This Standards continues to require implementation of at least three solutions. Staff evaluated several projects in the Town to see if they would meet this Standards (Exhibit X). A quality design should not have a problem implementing at least three solutions.
	B.1.1	B.1.1	Palo Alto requires three or more. Good architects should be able to make it work.	
	B.1.1	B.1.1	Would the mixed use building at N40 meet this standard?	

Summary of Revisions Made and Responses to Comments Received at the Planning Commission Hearing of June 22, 2022				
Line #	OLD #	NEW #	Comments Received	Staff Response
43	B.1.1	B.1.1	Detailed images or renderings would be helpful for this section.	Photographic examples of the concepts have the potential to communicate unintended values or design guidance. Diagrams have been updated throughout the document to better illustrate the concepts in a more realistic style. Staff does not recommend the use of photos in the document.
44	B.1.1.a	B.1.1.a	Staff addition/revision.	Revised required step back from six feet to five feet for consistency within the document.
45	B.1.1.e	B.1.1.e	Staff addition/revision.	Changed 48 to 60 square feet to align with new A.10.
46	B.2.3	B.2.3	Staff addition/revision.	Added "façade" to align with key term "façade articulation".
47	B.2.3.b	B.2.3.b	Where did the 25% number come from?	This metric is included in B.2.3 above. Staff simplified language by removing "25 percent of the façade length" since this minimum is required in B.2.3 above. Also added "façade" to align with key term "façade articulation".
48	B.3.1.c	B.3.1.c	Staff addition/revision.	Revised the change in façade or roof height from four feet to two feet to align with the height limitations of the Town Code.
49	B.3.4	B.3.4	Staff addition/revision.	Deleted to eliminate potential conflict with architectural styles.
50	B.4.1	B.4.1	Example pictures would be helpful.	Photographic examples of the concepts have the potential to communicate unintended values or design guidance. Diagrams have been updated throughout the document to better illustrate the concepts in a more realistic style. Staff does not recommend the use of photos in the document.
51	B.4.1.a	B.4.1.a	Staff addition/revision.	Revised the minimum percent from 70 to 60 percent following case study of buildings with similar heights to those allowed in the Town.
52	B.4.1	B.4.1	Why not include varied plate heights in this section? It would make for dynamic architecture.	Added B.4.1.f, offering a solution that the upper floor utilize a higher floor-to-ceiling height that is a minimum of two feet greater than the floor-to-ceiling height of the floor immediately below. New figure B.2.1.f added.
53	B.4.2	B.4.2	Inconsistency with 4.1.e regarding the use of different building materials. What is 4.2 trying to say?	Revised to clarify that the building elements that need to be repeated on all elevations are the façade materials (such as siding, window types, trim) and not forms (such as chimneys, arcades, etc.). Revised standard does not conflict with B.4.1.e and does not require that materials be distributed consistently between elevations; (i.e.; if a second material is used on 30 percent of the front elevation, it does not need to be included at 30 percent of each of the other elevations).
54	B.4.2	B.4.2	The 360 degree architecture might limit design.	This requirement has been applied for designs of residences and structures throughout the Town for some time without any significant impacts to quality architecture.
55	B.4.2	B.4.2	360 degree architecture is in the draft General Plan. Perhaps there is a better way to say this. Please look into this further.	B.4.2 revised as discussed above.
56	B.4.3	B.4.3	Staff addition/revision.	Increased the point requirement from 12 to 16 points to require incorporation of more than two architectural solutions.
57	B.4.3	B.4.3	Has this menu been used successfully in other places? Likes the idea.	Yes. This leaves flexibility for the architect/designer.
58	B.4.3	B.4.3	This only addresses street-façade planes. Should consideration be given to other sides of the building?	B.4.2 addresses carrying architectural detailing around all sides of a building. The purpose of B.4.3 is to require more articulation on the most visible facades.
59	B.4.3	B.4.3	Staff addition/revision.	Removed upper floor step back as it is required elsewhere for buildings greater than two floors and could result in an awkward design if used on a two-story building
60	B.4.3	B.4.3	Staff addition/revision.	Reduce point value for materials and color changes from five points to three points
61	B.4.3	B.4.3	Staff addition/revision.	Removed "ornamentation" for specifics of decorative elements since it is a general term.
62	B.4.3	B.4.3	Staff addition/revision.	Revised "overhang" language to increase objectivity.
63	B.4.4	B.4.4	Staff addition/revision.	Deleted individual standard due to repetition in following new B.4.6.
64	B.4.7	B.4.6	Staff addition/revision.	Added elements of old B.4.9 to reduce repetition in new B.4.6.
65	B.4.6	B.4.5	How would you do this with a column? An illustration of the columns or projection would help	Revised illustration added.

Summary of Revisions Made and Responses to Comments Received at the Planning Commission Hearing of June 22, 2022				
Line #	OLD #	NEW #	Comments Received	Staff Response
66	B.4.7	B.4.7	Palo Alto document details entry (not just door width) dimensions. Perhaps we should consider.	New B.4.7 includes entry width requirements based on use.
67	B.4.9	--	Staff addition/revision.	Deleted and incorporated concept into ne B.4.6.
68	B.4.12	B.4.11	Staff addition/revision.	Revised standard to allow balconies on street-facing facades and on facades that face existing non-residential uses on abutting parcels. Additionally, balconies are allowed when facing residential uses when proven that it will not create a privacy issue with the neighboring residential use. The applicant would be required to submit additional drawings (site line study, section, screening, etc.) to prove compliance with this standard. This provides more opportunity for developments to achieve the private recreation space requirements while protecting existing residential uses at all scales. <b>Even with this change, staff is concerned with the requirement for private recreation space while simultaneously restricting its location in an attempt to protect privacy. Staff looks forward to the discussion with the Planning Commission.</b>

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## **Evaluation of Existing Developments**

Staff evaluated several existing developments in the Town to see if they would meet three standards that offer multiple design solutions. These projects were designed and built without requirements to adhere to specific objective design standards. While some of the projects would not comply with all of the standards below, incorporating additional design solutions would be easily accomplished during the design phase.

### **B. BUILDING DESIGNS**

#### **B.1. Massing and Scale**

- 1.1 Multiple-story building façades that face a street shall incorporate breaks in the building mass by implementing a minimum of three of the following solutions along the façades facing the street:
  - a. A minimum of 40 percent of the upper floor façade length shall step back from the plane of the ground-floor façade by at least five feet;
  - b. Changes in the façade plane with a minimum change in depth of two feet for a minimum length along the façade of two feet at intervals of no more than 30 feet;
  - c. Recessed building entry for the full height of the facade with a minimum ground plane area of 24 square feet;
  - d. An exterior arcade that provides a sheltered walkway within the building footprint with a minimum depth of eight feet, extending the full length of the façade;
  - e. Ground floor courtyards within the building footprint with a minimum area of 60 square feet; or
  - f. Vertical elements, such as pilasters or columns, that protrude a minimum of one foot from the façade and extend the full height of the building base or ground floor, whichever is greater.

#### **B.4. Façade Design and Articulation**

4.1 Buildings greater than two stories shall be designed to differentiate the base, middle, and top of the building on any street-facing façade. Each of these elements shall be distinguished from one another using at least two of the following solutions:

- a. Variation in building mass for a minimum of 60 percent of the length of the street-facing façade through changes in the façade plane that protrude or recess with a minimum dimension of two feet;
- b. Balconies or habitable projections with a minimum depth of two feet for a minimum of 20 percent length of the street-facing façade;
- c. Variation in façade articulation, using shade and weather protection components, projecting a minimum of three feet for a minimum of 20 percent length from the street-facing-façade;
- d. Use of a belly band or horizontal architectural element with a minimum height of 10 inches between the first and second floor;
- e. The use of at least two different façade materials, each covering a minimum of 20 percent of the street-facing façade; or
- f. The upper floor shall utilize a higher floor-to-ceiling height that is a minimum of two feet greater than the floor-to-ceiling height of the floor immediately below.

4.3 Variation in the street-facing façade planes shall be provided for buildings greater than one story by incorporating any combination of the following architectural solutions to achieve a minimum of 16 points:

- Architectural features, such as:
  - Arcade or gallery along the ground floor; *8 points*
  - Awnings or canopies; *6 points*
  - Building cornice; *5 points*
  - Belly band, or horizontal architectural element, between the first and second floor; or *5 points*
  - Façade sconce lighting. *3 points*
- Bay windows; *6 points*
- Balconies or Juliet balconies; *5 points*
- Landscaped trellises or lattices; *5 points*
- Materials and color changes *3 points*
- Chimneys; *3 points*
- Eaves that overhang a minimum of two feet from the facade with supporting brackets; *3 points*
- Window boxes or plant shelves; or *3 points*
- Decorative elements such as molding, brackets, or corbels. *3 points*

## University Avenue at Los Gatos-Saratoga Road



### B.1.1 - (Minimum 3)

- a. Changes in the façade plane with a minimum change in depth of two feet for a minimum length along the façade of two feet at intervals of no more than 30 feet.
- b. Recessed building entry for the full height of the facade with a minimum ground plane area of 24 square feet.

### B.4.1 – Not applicable, only two stories.

### B.4.3 – (16 points minimum)

Arcade (8 points)

Belly Band (5 points)

Sconce lighting (3 points)

Balconies (5 points)

Decorative elements (3 points)

Building cornice (5 points)

Belly band (5 points)

**TOTAL = 34 points**



## **Aventino – Winchester Boulevard**



### **B1.1 - (Minimum 3)**

- b. Changes in the façade plane with a minimum change in depth of two feet for a minimum length along the façade of two feet at intervals of no more than 30 feet.
- c. Recessed building entry for the full height of the facade with a minimum ground plane area of 24 square feet.

### **B4.1 – (Minimum 2)**

- a. Variation in building mass for a minimum of 60 percent of the length of the street-facing façade through changes in the façade plane that protrude or recess with a minimum dimension of two feet;
- b. Balconies or habitable projections with a minimum depth of two feet for a minimum of 20 percent length of the street-facing façade;

### **B4.3 – (16 points minimum)**

Material and color changes (3 points)

Balconies or Juliet balconies (5 points)

Landscaped trellises or lattices (5 points)

Eaves that overhang a minimum of two feet from the façade with supporting brackets (3 points)

Window boxes or plant shelves (3 points)

Decorative elements such as molding, ornamentation, or corbels (3 points):

**TOTAL = 22 points**

## North 40 - Market Hall (previously approved plans from A&S)



B1.1 – (minimum 3)

- b. Changes in the façade plane with a minimum change in depth of two feet for a minimum length along the façade of two feet at intervals of no more than 30 feet;
- c. Recessed building entry for the full height of the facade with a minimum ground plane area of 24 square feet;
- f. Vertical elements, such as pilasters or columns, that protrude a minimum of one foot from the façade and extend the full height of the building base or ground floor, whichever is greater.

B4.1 – (Minimum 2)

- a. Variation in building mass for a minimum of 60 percent of the length of the street-facing façade through changes in the façade plane that protrude or recess with a minimum dimension of two feet;
- b. Balconies or habitable projections with a minimum depth of two feet for a minimum of 20 percent length of the street-facing façade;
- c. Variation in façade articulation, using shade and weather protection components, projecting a minimum of three feet for a minimum of 20 percent length from the street-facing-façade;
- e. The use of at least two different façade materials, each covering a minimum of 20 percent of the street-facing façade; or
- f. The upper floor shall utilize a higher floor-to-ceiling height that is a minimum of two feet greater than the floor-to-ceiling height of the floor immediately below.

B4.3 – (16 points minimum)

Awnings or canopies (6 points)

Belly band, or horizontal architectural element, between the first and second floor (5 points)

Material and color changes (3 points)

Balconies or Juliet balconies (5 points)

**TOTAL = 19 points**



**TOWN OF LOS GATOS  
PLANNING COMMISSION  
REPORT**

MEETING DATE: 8/24/2022

ITEM NO: 3

ADDENDUM

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DATE: August 23, 2022  
TO: Planning Commission  
FROM: Joel Paulson, Community Development Director  
SUBJECT: Review and Recommendation of the Draft Objective Standards to the Town Council.

**REMARKS:**

Exhibit 13 includes Planning Commissioner comments.

**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

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

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Reviewed by: Planning Manager and Community Development Director

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PAGE 2 OF 2

SUBJECT: Draft Objective Standards

DATE: August 23, 2022

Received with this Addendum Report:

13. Planning Commissioner Comments

**From:** Jeffrey Barnett  
**Sent:** Tuesday, August 23, 2022 9:38:09 AM  
**To:** Sean Mullin <[SMullin@losgatosca.gov](mailto:SMullin@losgatosca.gov)>  
**Subject:** PC Meeting 8.24.22 - Balconies

EXTERNAL SENDER

Hello, Sean.

Reference is made to the following language in the Staff Report and Draft Objective Standards: Page 198 of the Staff Report concerning balconies and privacy; Section B.4.11 on Page 243; and the Staff comment on Page 249 concerning B.4.11.

It has come to my attention that the Palo Alto Municipal Code includes language concerning privacy with respect to balconies adjacent to residential properties. It is found at Section 18.24.050(C)(2) and provides:

Balconies: Within 30 feet of residential windows (except garage or common space windows) or private open space on an adjacent residential building, balconies and decks on the subject site shall be designed to prevent views:

- (i) No sight lines to the adjacent property window or open space are permitted within five feet above the balcony or deck flooring and a 45-degree angle downward from balcony railing.
- (ii) Submit section view of proposed balcony/deck and abutting residential windows and/or private open space.
- (iii) Provide balcony/deck design measure which may include:
  - a. Minimum 85% solid railing
  - b. Obscure glass railing
  - c. Barrier with min. 18" horizontal depth from railing (e.g., landscape planter).

Subsections (i) - (iii) would be appropriate for discussion at the meeting tomorrow.

Thank you.

Jeffrey

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**TOWN OF LOS GATOS  
PLANNING COMMISSION  
REPORT**

MEETING DATE: 08/24/2022

ITEM NO: 3

DESK ITEM

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DATE: August 24, 2022  
TO: Planning Commission  
FROM: Joel Paulson, Community Development Director  
SUBJECT: Review and Recommendation of the Draft Objective Standards to the Town Council.

**REMARKS:**

Exhibit 14 includes Planning Commissioner comments. Exhibit 15 includes public comment received between 11:01 a.m., August 23, 2022, and 11:00 a.m., August 24, 2022.

**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
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12. Evaluation of Existing Developments

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

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Reviewed by: Planning Manager and Community Development Director

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PAGE 2 OF 2

SUBJECT: Draft Objective Standards

DATE: AUGUST 24, 2022

Previously received with the August 24, 2022 Addendum Report:

13. Planning Commissioner Comments

Received with this 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

**From:** Jeffrey Barnett  
**Sent:** Tuesday, August 23, 2022 11:33:24 AM  
**To:** Sean Mullin <[SMullin@losgatosca.gov](mailto:SMullin@losgatosca.gov)>  
**Subject:** PC Hearing 8.24.22 - Objective Standards

EXTERNAL SENDER

Good morning, Sean.

I have a few questions that I would like to discuss with you in advance of tomorrow's meeting.

(1) A.1.2 Page 233: Explain how this standard applies where pedestrians must cross a car driveway in the parking lot.

(2) 4.1 on Page 233: Would a standard preferring a rear parking structure be objective?

(3) A.6 on Page 234: This lighting rule does not include pathways adjacent to buildings. The "key term" definition of "community recreation space" for mixed-use projects and multi-family developments does not seem to encompass these areas, and the language "other community areas for the use of residents", in my opinion" may not apply to such pathways. Also, I do not see a provision for lighting in parking areas. I don't believe that these too are community recreation spaces.

(4) 10.1c Page 236: sixty square feet is very small. My pool is almost that large, and is not particularly big.

(5) Figure B.1.1(b) on Page 238: should this only apply to staircases that are open to view?

Is there a convenient time for us to talk about these questions? I am free from 1 to 3:30 today and all day tomorrow.

Thanks in advance, Sean.

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To Planning Commission  
Item 2 August 24th Planning Commission Meeting  
From: Lee Quintana

COMMENTS ON TOWN OF LOS GATOS  
DRAFT OBJECTIVE STANDARDS,  
AUGUST 24, 2022

### **GENERAL COMMENTS:**

Comprehensive stand alone document: It is my understanding, from previous public discussions of the Objective Guidelines, that the Objective Standards would be a comprehensive “stand alone” document containing the objective standards from all relevant documents and regulations. It is difficult to assess the Draft Objective Standards without knowing what other objective standards also apply to “qualified projects”. At a minimum, please consider adding a list of *all* objective standards contained . Consider adding a Table of all other objective standards that would apply to multi-family and mixed-use residential projects and include hyper-links to the individual standards.

### **PURPOSE AND APPLICABILITY**

This section defines “qualifying project” and where the definition can be found in the California Government Code. However it does not define “Objective Standards” as defined by the Government Code. Most importantly, it does not explain how these apply to the approval process for “qualifying projects”.

Please delete and revise the first paragraph to better define the purpose of Objective Standards, (streamlining approval process? .

Delete and receive the second paragraph and include the following as part of that paragraph:

Gov. Code 65559.5 identifies Qualifying Housing Development Projects:

- Multi-family housing developments,
- Residential Mixed Use Housing developments with a minimum of two-thirds of the square footage is designated for residential use,
- Supportive and transitional housing development

Delete and revise the last paragraph as follows:

A Qualifying project shall be approved through a ministerial review process when the project complies with these Objective Site Standards as well as complying with all existing objective development regulations in the Town, including but not limited to the following:

- General Plan
- Town Code

- Guideline and Standards Near Streams
- Bicycle and Pedestrian Master Plan
- Parks and Public Works Standards
- Santa Clara County Fire Department Regulations.

## ORGANIZATION

The Following Objective ~~Design~~ Standards are organized into two primary sections:.....

## KEY TERMS

*Community recreation space Delete and replace with:*

Community recreation space in a mixed use residential development means public gathering spaces such as: plazas, outdoor dining, squares, pocket parks, or other community areas for the use of the public.

- Please clarify whether this applies to non-residential and residential parts of a mixed use residential project or just to the non-residential part.
- 
- Should the Community space require a public access easement.

Community recreation space in multi-family developments means gathering spaces such as: play areas, pool areas, patios, rooftop decks, and other community areas available for the use of all residents.

Please clarify whether this applies to projects just with MF zoning designation or applies to the multi-family part of a Mixed Use Residential Project

*Mixed Use Residential* means a development project where a variety of uses such as office, commercial, or institutional, ~~and residential~~ are combined with residential use(s) in a single building or on a single site in an integrated project.

*Private recreation space above ground level* means an outdoor balcony, or rooftop deck, or similar, accessible from a single dwelling unit.

similar” = subjective. Delete or replace with more specific language

*Private recreation space at ground level* means ~~a single~~ an outdoor enclosed patio or deck accessible from a single dwelling unit.

Objective Standard means.....(add language)

## A .SITE STANDARDS

### A.1 Pedestrian Access

1.2 & Figure A.1.1: Is there a minimum width for the sidewalk? Or for the planting strip

### A.2 Bicycle Access

2.4. 1.2 was “modified from walkway” to “pathway”. Should 2.4 also be changed to “pathway as well?”

### **A.3 Vehicular Access and A.4 Parking Location and Design**

Figure A.3.1, A.3.1 and A4.3 need clarification

:What is the difference between aisle to aisle circulation (A3.1) and parking areas (Figure A3.1)? Does Figure A.3.1 represent multiple parking areas (see A.4.2) or aisle-to-aisle circulation of A.3.1.

4.3 *Comment:* Consider decreasing spacing between trees. Aside from aesthetic value, the shading trees decrease radiation from the parking lot surfaces

4.4 Move 4.4 up under 4.1

### **A.5 Parking Structure Access**

Add a standard for pedestrian access to a parking garage

### **A.6 Utilities**

6.3-Delete and separate ground and rooftop:

6.3 Views from the street of ground level utility cabinets, mechanical equipment, trash enclosures shall be screened from view.

- a. Screening shall be provided by landscaping, fencing or a wall.
- b. The screening shall be at least the same height as the utility being screened.  
*Comment:* Should they also be screened from within a site? Or at a minimum from common areas?

6.4 Rooftop mechanical equipment shall be screened from view from the street

- a. Solar equipment is exempt from this requirement  
Consider a height exemption of the area required for an elevator shaft.

### **A.7 Landscaping and Landscape Screening**

A.7.2.c *Comment:* Is there a requirement for planting between the trees?

### **A.10. Landscaping, Private, and Community Recreation Spaces**

A10.1. The following landscaped, private, and community recreation spaces shall be ~~are~~ required for all qualifying projects and ~~are~~ shall be calculated independent of each other:

### **A.11 Building Placement**

11.1.c. How shade is calculated needs to be more specific.

### **B.4 Facade Design and Articulation**

4.3 Change format consistent with the rest of the document

## **B. BUILDING DESIGN**

### **B.1.3.e and Figure B.1.3..e**

**Comment:** I don't understand this one. The illustration does not fit my understanding of a courtyard. Is this intended to be private the private use of the dwelling units? Is this an illustration of B.1.3 (Townhouse)

**B.2.2** If the intent is to prevent full transparency into the structure, should there be a minimum as well as a maximum?

### **B.3 Roof Design**

Figure B.3.3 **Comment:** This figure looks more like the gable illustrated in Figure.3.1 than it looks like a dormer

### **B.4 Facade Design and Articulation**

B.4.3 Why change in format?



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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 Reza Tavana Emily Thomas
Town Manager:	Laurel Prevetti
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2 P R O C E E D I N G S:

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4 CHAIR HANSSEN: We can move on Item 3 on our  
5 agenda, and Item 3 is review and recommendation of the  
6 Draft Objective Standards to the Town Council.

7 Just as a reminder for the Commission, we'll have  
8 a Staff Report, but we did see this item previously and  
9 sent it back for revisions based on comments that we had  
10 and comments from the public, so we're seeing the revised  
11 draft. I will turn it over to Staff to give us a Staff  
12 Report.

13 SEAN MULLIN: Thank you. Before you tonight is  
14 the continued review of the Draft Objective Standards for  
15 recommendation to the Town Council.

16 On June 22<sup>nd</sup> the Planning Commission reviewed the  
17 first draft document and provided input to Staff on  
18 recommended modifications. Following that meeting, Staff  
19 and our consultant, M-Group, considered the direction from  
20 the Planning Commission and prepared a revised draft  
21 document.

22  
23 The revised Draft Objective Standards continues  
24 to be organized into two sections: Site Standards and  
25 Building Design. The revised draft includes a new Key Terms

1 section providing definitions for terms used in the  
2 document. Many of the Objective Standards have been  
3 updated, several new standards have been added, and  
4 diagrams throughout the document have also been updated.

5 In addition to the revised document, Staff  
6 prepared a redline document showing all of the changes made  
7 to the previous draft.

8 Staff also prepared a summary of the revisions  
9 made and responses to comments received from the public and  
10 the Planning Commission. These documents are included as  
11 exhibits to your Staff Report this evening.

12 An Addendum and Desk Item have been distributed,  
13 including input from Planning Commissioners and additional  
14 public comment received after publishing of the Staff  
15 Report.

16 Staff, along with our consultant, look forward to  
17 the discussion this evening and are available to answer any  
18 questions.

19 CHAIR HANSSEN: Thank you for that. Just to  
20 recap, we did get comments in both the Addendum and Desk  
21 Item from Vice Chair Barnett, and we also got comments from  
22 Ms. Quintana.

23 I'd like to ask if any Commissioners have  
24 questions for Staff? Commissioner Clark.

1 COMMISSIONER CLARK: Thank you. I actually wanted  
2 to set the stage by thanking Staff. I had my original  
3 packet with all my notes alongside the new standards when I  
4 was reviewing it, and it was incredible how well all of it  
5 was reflected in the new standards, so thank you for all of  
6 your hard work.

7 CHAIR HANSEN: Thank you for that. Any other  
8 questions for Staff from Commissioners? Okay, I think we  
9 should go ahead and take public comments, and then we can  
10 have your Commission discussion about whether or not it's  
11 good enough to recommend to go forward, so I'd like to see  
12 if any members of the public would like to speak on the  
13 Draft Objective Standards and you have up to three minutes.  
14 If you'd like to speak, please raise your hand.

16 JENNIFER ARMER: Chair, it does look like we've  
17 got at least a couple of people who would like to speak, so  
18 we're going to start with Rob Moore. Go ahead, you have  
19 three minutes.

20 ROB MOORE: Thank you. Good evening, Chair  
21 Hanssen and members of the Planning Commission. My name is  
22 Rob Moore and I'm speaking purely in a personal capacity  
23 tonight.

24 I'm here to voice my support for the Objective  
25 Standards and thank both the Commission and Staff for

1 working so hard to put these together. I feel that these  
2 Objective Standards will do a lot to streamline the  
3 planning process while ensuring high-quality projects.

4 I've actually been talking with hundreds of folks  
5 throughout the Town every week, and whenever they bring up  
6 concerns about the building process I tell them that this  
7 document is in the works. It may be hard to believe this,  
8 but without fail this prospect of Objective Standards is  
9 incredibly exciting to them, and these Objective Standards  
10 are exciting to me as well.

11  
12 Thank you all for your service to the Town and  
13 have a great rest of your meeting.

14 CHAIR HANSSEN: Thank you for that, Mr. Moore. Do  
15 any Commissioners have questions for Mr. Moore? I don't see  
16 any. All right, it looks like we have another hand up as  
17 well.

18 JENNIFER ARMER: Yes, I will allow Bess Wiersema  
19 to speak. Go ahead, you have up to three minutes.

20 BESS WIERSEMA: Good evening, Commissioners, my  
21 name is Bess Wiersema, Studio 3 Design. I know several of  
22 you from many years past, and some of you are new. Welcome  
23 to the Commission, I guess. I know it's a big job.

24 I'm here tonight to represent your local  
25 architects. We have reviewed the document and met on the

1 side to help try to figure out how to best support the Town  
2 in streamlining the process for permitting, but also allow  
3 for Design Guidelines and Objective Standards that actually  
4 would provide a positive built environment for the Town.

5           This group of architects includes Gary Kolhsaat,  
6 Louie Leu, Tom Sloan, Jay Plett, Bill Cross, Terry Martin,  
7 Bob Flury, Jennifer Kretschmer, and Tony Jeans. We're all  
8 people you have probably seen projects from before and can  
9 recognize both Single-Family and Multi-Family around town.  
10

11           We do have concerns about what we see in the  
12 draft documents that are relatively significant and we  
13 respectfully request that this be continued, and that you  
14 lean on your local architects and designers to help define  
15 details that are applicable to the Town and community that  
16 we all love, work in, and service.

17           We feel that this document creates a rule of  
18 thumb that can be used by everyone for essentially design-  
19 by-numbers, like paint-by-numbers, which means you end up  
20 with a picture that looks exactly like what the diagram  
21 defines.

22           We're also very concerned that several of the  
23 items within each of the categories are not relative to  
24 actually a positive Town-built environment as well as  
25

1 reflect local standards for other communities that are  
2 similar to size and scale to ours.

3           We're concerned that the diagrams shown in this  
4 become reality, because they are limiting in terms of form  
5 and proportion. We respect the fact that you're trying to  
6 streamline the process by objectifying subjective and  
7 design standards, however, that's not the definition of  
8 design, and I'm sure you all know that and that's part of  
9 what you review constantly on all types of projects.

10  
11           Trying to objectify guidelines and subjective  
12 rules is ultimately the definition of something that I know  
13 everyone wants to do, because we're trying to make it  
14 easier for people to understand what to design to get  
15 passed and make it easier for you to support or not support  
16 a proposal, and we respectfully request that you respect  
17 the fact that there are items that are already part of the  
18 permit process that we step through from a design capacity.  
19 We have peer reviews, Larry Cannon, etc., and we have to  
20 take public comment on projects, just as you witnessed  
21 before, and a robust conversation around them.

22           Many of the architectural features suggested only  
23 reflect traditional detailing and architecture. How will  
24 more modern elements be classified and who judges if a  
25 proposed element meets this definition? The danger being

1 that only traditional architecture will meet these  
2 qualifications, and that is not necessarily relevant for  
3 Multi-Family.

4           According to Item 4.6b, 60% of building façade  
5 facing a street has to have fenestration. In some instances  
6 a contrast of solid versus open, i.e. fenestration...

7           CHAIR HANSSEN: Ms. Wiersema, Ms. Armer has her  
8 hand up. I believe your three minutes are up.

9           BESS WIERSEMA: I guess my final thing would be  
10 we are willing to be available to answer questions, and  
11 have gone through and taken each section, categorized it,  
12 and have some concerns or options we'd be willing to share.

13           CHAIR HANSSEN: Thank you for that. I can ask if  
14 any Commissioners have questions for you at this time?

15           Commissioner Clark.

16           COMMISSIONER CLARK: Thank you so much for being  
17 here. I know that you very well may not have an answer to  
18 this question, but I think that creating Objective  
19 Standards, as you pointed out, is really tricky, because  
20 you want to be encouraging creativity while also ensuring  
21 consistency in everything, so I was wondering if you know  
22 of any examples of Objective Standards that you think do a  
23 better job at addressing some of your concerns?  
24  
25



1           BESS WIERSEMA: Specific Objective Standards and  
2 Multi-Family or Single-Family Residential?

3           COMMISSIONER CLARK: Yes, like any other cities,  
4 or anything like that?

5           BESS WIERSEMA: Yes, I know Gary Kolhsaat has  
6 done an analysis, and for instance in the standards that  
7 you guys are trying to put individual recreation area  
8 requirements are much larger than most typical condo and  
9 apartments built locally. One hundred and twenty square  
10 feet of outdoor area per unit is not consistent with our  
11 neighboring townships and cities, and much larger. That's  
12 just one example of many.

13  
14           I think what we have a grave concern about as  
15 architects and designers is that attached diagrams and  
16 quantification based on a point system is really only going  
17 to create a design-by-numbers, and who and how determines  
18 what those points are and what qualifies as those?

19           COMMISSIONER CLARK: Thank you.

20           CHAIR HANSSEN: Vice Chair Barnett.

21           VICE CHAIR BARNETT: Can you provide an estimate  
22 of when the architects could provide some written input to  
23 the Commission along the lines that you're talking about,  
24 provide all that information for our consideration?  
25

1           BESS WIERSEMA: Sure. I'm happy to go back to the  
2 group. I was nominated to represent everyone tonight,  
3 because people had different things with back to school,  
4 but I'm happy to collectively put everyone on a group email  
5 to Sean and Ryan and Jennifer and figure out what might  
6 work for you guys as well as us from a timing perspective.

7           We lamented in our most recent get together that  
8 the special meetings and research sessions that occur often  
9 occur during the middle of the day with a lot of us not  
10 being able to step away from clients and the work that we  
11 do in order to accommodate that, so maybe we could also put  
12 some time suggestions together to present something in a  
13 capacity that is useful to you.

14           CHAIR HANSSEN: I think you answered the  
15 question, and so we would definitely encourage you to, as  
16 quickly as possible, because this effort has been going on  
17 for over a year now.

18           BESS WIERSEMA: No, we understand. We understand.  
19 In the background, and just as a reminder, we are the ones  
20 who actually have to deal with implementing this and  
21 dealing with it alongside continuing to run our businesses  
22 so that we can support the Town. We understand it's been  
23 going on. We also have been dealing with a shifting and  
24 changing Building Department and process and procedure for  
25

1 everything, and we appreciate your consideration of  
2 everything that we step through as local business owners as  
3 well from a timing and efficiency standpoint.

4 We also have a concern that perhaps these Multi-  
5 Family ones are going to trickle down into Single-Family  
6 rules of thumb in terms of objectifying subjective  
7 guidelines.

8 CHAIR HANSSEN: So now you're not answering my  
9 question and you're (inaudible) into comments. I'm sorry,  
10 but we do have to limit everyone to three minutes, so we  
11 appreciate that, and we do encourage you to provide  
12 additional comments in writing. Thank you.

14 Is there anyone else that would like to speak on  
15 this item? It looks like there is one more hand up.

16 JENNIFER ARMER: Yes, we have interest from Lee  
17 Quintana. All right, Lee, you should be able to speak.

18 LEE QUINTANA: I would encourage you to consider  
19 meeting with the architects of the Town.

20 I like Objective Standards as a good way to speed  
21 up processing of projects, but I think that standards have  
22 to be easily understood by everybody who sees them, and I  
23 would agree with Bess that the illustrations in these  
24 Objective Standards do tend to make one think that all  
25 these buildings are going to be absolutely symmetrical and

1 absolutely square and triangular and all face the street,  
2 and that's going to be pretty damn boring.

3 But I do think we need Objective Standards, but  
4 I'd also like Staff to explain what these particular  
5 standards apply to and why they're being developed, because  
6 it's my understanding they will only apply to very specific  
7 projects, not every project, so I think that's one of the  
8 failings of the introduction is it's really not clear what  
9 they apply to.

10  
11 CHAIR HANSSEN: Did you have any other additional  
12 comments you wanted to make at this time?

13 LEE QUINTANA: No, at this time they're all in my  
14 comments that I submitted.

15 CHAIR HANSSEN: Yes, and we thank you as well, as  
16 always, for submitting a lot of additional comments and  
17 things for us to consider. I'd like to ask if any  
18 Commissioners have questions for you. I don't see anyone  
19 with their hands up, so thank you for that.

20 I will see if there's anyone else that would like  
21 to speak in public comments.

22 JENNIFER ARMER: If anyone else would like to  
23 speak on this item, please raise your hand. I'm not seeing  
24 any hands raised, Chair.

1 CHAIR HANSSEN: So then I'm going to close public  
2 comments on this item, and I will turn to the Commission to  
3 have a discussion.

4 Our Town Attorney has a comment.

5 ATTORNEY WHELAN: If the Commission would like, I  
6 can address the question from the public as to why the  
7 Objective Design Standards are necessary. As the Commission  
8 probably knows, it's a requirement of Senate Bill 35 and it  
9 requires cities to establish Objective Design Standards for  
10 Multi-Family Residential development.  
11

12 The second part of the question was whom would  
13 this apply to? It would apply to Multi-Family Residential  
14 development. Thank you.

15 CHAIR HANSSEN: Thank you for that. Commissioner  
16 Thomas.

17 COMMISSIONER THOMAS: I had a quick follow up  
18 question about that. When we're talking about Multi-Family  
19 specifically, is that going to be anything larger than one  
20 unit?

21 ATTORNEY WHELAN: The State Housing and Community  
22 Development Department defines it as two or more. There's a  
23 nuance in the Town's code, so we're defining it to mean  
24 three or more.  
25

1 COMMISSIONER THOMAS: I wasn't sure if it was  
2 three or four. So it is anything that is three or more, so  
3 not a duplex, but a tri-plex? Okay, thank you.

4 CHAIR HANSSEN: Are there any more questions  
5 upfront?

6 So then in terms of Vice Chair Barnett, you  
7 submitted a comment regarding the Palo Alto Objective  
8 Standards and you had subparts 1, 2, and 3 that you wanted  
9 to discuss. What are you hoping to do with the Objective  
10 Standards regarding this? Add things from Palo Alto? Maybe  
11 you could help us.

12 VICE CHAIR BARNETT: I think that the Palo Alto  
13 municipal code section has very good Objective Standards  
14 that relate to the privacy of neighbors with respect to the  
15 use of balconies in adjacent Multi-Family buildings, and  
16 you saw what they were from the input I gave. It would be  
17 my recommendation that we include that as part of our final  
18 approval of the Objective Standards.

19 CHAIR HANSSEN: Because at this point in time we  
20 don't have a specific section on privacy, although there  
21 might be things in the standards that could address some  
22 privacy. So your recommendation would be to include  
23 language similar to that?  
24  
25

1           VICE CHAIR BARNETT: There is some language about  
2 protecting privacy, but it's not specific in terms of the  
3 view angle and the height of balcony enclosure.

4           CHAIR HANSSEN: It looks like some Commissioners  
5 have comments or questions. Commissioner Janoff, and then  
6 Commissioner Thomas.

7           COMMISSIONER JANOFF: Thank you. I was going to  
8 point out that Vice Chair Barnett's recommendations on  
9 balconies is a deep dive in a way that the other components  
10 of the document don't do, and we talked the time before  
11 about not wanting to go into that much detail.

12           I'm not against including some Objective  
13 Standards regarding balconies, but I'm concerned about an  
14 Objective Standard around privacy. Item 2 on our agenda  
15 tonight was all about privacy. We don't have Objective  
16 Standards regarding that, so I'm curious to hear from Staff  
17 or even the Town Attorney, because privacy isn't just a  
18 balcony issue. If we go to balcony, then why wouldn't we go  
19 broader? And if we go broader, are we going to get into  
20 trouble? I'm just curious what Staff would have to say  
21 about privacy. And would those Objective Standards lead us  
22 to Objective Standards for Residential projects and that  
23 sort of thing?  
24  
25

1 SEAN MULLIN: Thank you. Specific to the  
2 balconies issue, what Staff can offer here is we certainly  
3 looked at the specific section from Palo Alto following the  
4 direction of the Planning Commission at the last meeting.  
5 We recognized the level of detail that their Objective  
6 Standards, which are incorporated into their municipal  
7 code, that they go to here, and also heard from the  
8 Planning Commission to Commissioner Janoff's point that  
9 that wasn't the level of detail that perhaps our document  
10 wanted to go to.  
11

12 The other piece here depends on how you read  
13 things and on future development. You can inadvertently  
14 restrict future development on neighboring properties by  
15 having Objective Standards like this and providing an  
16 example of a Multi-Family development going in on one  
17 property next to a Residential property, but once that's  
18 built if the Residential property wants to redevelop in the  
19 future to a different residence, all of a sudden you can  
20 create a conflict with privacy based on these Objective  
21 Standards.  
22

23 Given all that, and there were long discussions  
24 with the consultant and Staff, we tried to simplify it down  
25 to trying to preserve future development rights and to  
create some privacy breaks regarding balconies.



1 COMMISSIONER JANOFF: Thank you for that. To my  
2 broader question of balconies, one component on privacy, as  
3 we heard tonight, windows are another, for example. How  
4 would we or could we, or does the Commission want to go to  
5 privacy standards?

6 SEAN MULLIN: Windows could certainly be  
7 regulated in a similar fashion to the way that Palo Alto is  
8 approaching their balconies. Whether the Commission wants  
9 to do that remains to be seen.

10 CHAIR HANSSEN: Thank you for bringing that up,  
11 Commissioner Janoff. Let's see, Commissioner Thomas, and  
12 then Commissioner Clark. Hold on, Ms. Armer has her hand  
13 up.  
14

15 JENNIFER ARMER: Sorry. I believe that Mr. Safty  
16 had an additional thought to add to that discussion.

17 CHAIR HANSSEN: I'm sorry, I completely missed  
18 your hand. Go ahead.

19 RYAN SAFTY: It's okay; thank you. I was just  
20 going to interject it does seem like there's a little bit  
21 of confusion about whether or not we did include that. We  
22 do have some privacy standards in 4.11b, but to echo what  
23 Mr. Mullin said, it was a little bit of a struggle, so we  
24 did bring that more as a request to the Commissioners to  
25 see which direction you wanted to go, and the reason we

1 didn't decide to tackle windows is there are certain  
2 requirements on size of windows for different rooms in a  
3 house, so we didn't want to overly restrict the  
4 development. But again, any comments we're happy to  
5 receive, so please let us know.

6 CHAIR HANSSEN: Thank you for that clarification,  
7 because it has been a long process starting from when we  
8 had the Subcommittee last summer and fall and we went  
9 through every Objective Standard in the Town, and so if  
10 things aren't in there we probably discussed it and came up  
11 with a reason why we might not want to do that.

12  
13 Let's go on and hear what the other Commissioners  
14 have to say. Commissioner Thomas, and then Commissioner  
15 Clark.

16 COMMISSIONER THOMAS: I hesitate to add much more  
17 about privacy specifically because I do think that it has  
18 the possibility of restricting design elements and/or some  
19 types of projects, and as we know, it's hard to get these  
20 big projects done as it is, and I think that particularly  
21 in areas that we're looking to build a lot of these Multi-  
22 Family we're hoping that the Town gets some redevelopment  
23 in these areas. It doesn't seem like right now we really  
24 need to be restricting things with regard to specifics  
25 about windows or more specific things about balconies.

1           My other question for the Town Attorney is when  
2 is our deadline really for getting these Objective  
3 Standards approved by the Town Council according to SB 35?  
4 Is there a point at which we get fined, we get in trouble,  
5 or we get told these are our standards now?

6           ATTORNEY WHELAN: If I remember correctly, the  
7 deadline was January of this past year, so I do think we're  
8 past the deadline. In terms of penalties, I think it will  
9 be difficult if we get an SB 35 planning application that  
10 asks to see the Town's Objective Standards, because the  
11 Town will need to demonstrate that a proposed project does  
12 not comply with its Objective Standards.

13           COMMISSIONER THOMAS: So the longer we drag this  
14 out, if we don't have Objective Standards then we really  
15 risk projects having local control about project approval,  
16 because if we don't have the standards and they go through  
17 the SB 35 route and we have nothing to show them,  
18 essentially the project gets approved?

19           ATTORNEY WHELAN: Right.

20           COMMISSIONER THOMAS: Thank you for clarifying  
21 that.

22           CHAIR HANSSEN: I'll go to Commissioner Clark,  
23 and then Commissioner Tavana.  
24  
25

1 COMMISSIONER CLARK: Thank you. I also am  
2 hesitant to put further restrictions on privacy. Even in  
3 the Staff Report one of their concerns is the requirement  
4 for private recreation space while simultaneously requiring  
5 more privacy, and so I think already it's becoming a  
6 problem when we are focusing it in too many different  
7 areas, and I do think once we get specific about balconies  
8 and windows, then we have to get specific about other  
9 things related to privacy, and then once we get specific  
10 about privacy, do we have to go more specific with the rest  
11 of our plan?  
12

13 The Palo Alto standards are a lot more specific,  
14 and I think that makes them more restrictive, which is not  
15 the goal here. I think in general we understand that these  
16 are supposed to allow development while making sure that  
17 they fit with the Town, and so I think that it probably  
18 isn't a good idea to get more specific about these sorts of  
19 things.  
20

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

23 COMMISSIONER TAVANA: Thank you, Chair. I would  
24 like to echo Commissioner Clark's statements about privacy.  
25 I do think privacy is inherently subjective. What is  
private to one person could be acceptable to the next, so

1 any language regarding this topic I do think should be  
2 general.

3           Lastly, I think Bess made a number of compelling  
4 comments and I'd like to see a comprehensive list of  
5 suggestions. I don't know why it hasn't happened yet, but I  
6 wouldn't feel comfortable making a recommendation to the  
7 Town Council until I hear their complete comments.

8           CHAIR HANSSEN: Before I go to any other  
9 Commissioners, I'm going to ask a question for Staff and  
10 our consultant who is here. I thought that engaging with  
11 architects was part of the process?

12           RYAN SAFTY: Feel free to chime in, Mr. Mullin,  
13 if I miss anything, but throughout the process we do have  
14 the list of architects on our email blast, so any time  
15 there were community meetings or drafts of the document  
16 available we were sending that out and strongly encouraging  
17 input, and we do look forward to seeing these comments from  
18 the architects.

19           CHAIR HANSSEN: Okay, fair enough. Then I will go  
20 to Commissioner Janoff, Commissioner Clark, and then  
21 Commissioner Thomas.

22           COMMISSIONER JANOFF: Thank you. Here's a  
23 conundrum. We always want to hear from the experts, because  
24 we aren't the experts compared to what we know of this  
25

1 group of amazing, talented architects. Having said that, we  
2 don't have the input and we don't have much time, or we're  
3 out of time.

4 I'm usually in favor of pressing on with meeting  
5 an objective, and we've had quite a bit of time to do that,  
6 but on the other hand, I'm also in favor of hearing  
7 directly from the architects, and we got just a little  
8 tidbit of what they have to say, so here's my question for  
9 Staff.

10  
11 I could see myself going either way. I would feel  
12 comfortable approving what we have tonight with some  
13 changes that we are no doubt going to discuss with the  
14 understanding that architects can come in and provide  
15 comments and we can make an amendment; we can make a  
16 change. So the question for Staff is is it more prudent to  
17 get this thing through and then make changes, or vice-  
18 versa?

19 If the architects are as concerned about some of  
20 the language—and actually I heard more concern about the  
21 visuals than the language—what do you recommend? Do you  
22 recommend that we go forward with approving something so  
23 there are some Objective Standards in place when an SB 35  
24 project comes to the Town, or do you recommend we wait?  
25

1 SEAN MULLIN: I can weigh in very briefly, and  
2 then I would defer to the Town Attorney on whether it's  
3 best to get something approved and then amend it later.

4 I think there is tremendous value in receiving  
5 input from the local architect community, so much so that  
6 that's why we've reached out to them and appreciate that  
7 they've gotten together and will be providing us some  
8 information. I suspect that with the Planning Commission's  
9 direction once that information is understood that there  
10 could be some significant changes to the document.

11  
12 So there are the two paths that you're looking  
13 at. It's not having something on the books for SB 35, or  
14 putting something on the books that's going to be changed,  
15 or could prospectively be changed pretty significantly in  
16 the future.

17 COMMISSIONER JANOFF: Personally, I wouldn't want  
18 to put something out that's going to look pretty different  
19 if we have an amendment, so if the architects can come  
20 together and provide us feedback within the next week, then  
21 I would be in favor of continuing this to the next Planning  
22 Commission meeting so we have the benefit of that  
23 information.

24 One thing I would say is the diagrams that we  
25 have are a marked improvement over the first draft that we

1 looked at, so I think we're heading in the right direction,  
2 but my question for Staff is would there be any downside to  
3 including actual images like the three examples that you  
4 gave at the end of the Staff Report? They were really a  
5 great opportunity to say this is how the evaluation would  
6 work, this is how the points would add up, and those are  
7 real examples in Town, they look different, and they really  
8 provide kind of a range of architectural styles.

9  
10           So my question is like the Residential Design  
11 Guidelines, for instance, when we have actual images of  
12 properties within Town, can we do something similar so that  
13 we assuage the concern of the architects that this stuff  
14 really does look like brutalist architecture if you go that  
15 direction? I appreciate that concern, and if we can put  
16 more actual graphics in I think that would make a huge  
17 difference in speaking to the range of architecture styles  
18 that would be welcome in the Town.

19           SEAN MULLIN: We certainly could include images,  
20 and that was a point that was discussed in great detail  
21 with our consultant. The caution that we received from our  
22 consultant, and that I personally agree with, is that  
23 putting an image out there to demonstrate our façade  
24 articulation could have the unintended consequence of  
25 including something else that violates an objective



1 standard further down the document, and that's just  
2 inherent with putting a real world picture in. Because of  
3 that complication we chose to move the diagrams from what  
4 you saw at the last meeting in June to what you see now,  
5 which is closer to the Palo Alto document, which is sort of  
6 being the case study that's being held up here, and try to  
7 have a more controlled environment to articulate the point.

8           But if it is the will of the Planning Commission,  
9 we could certainly start to work on sourcing images and  
10 taking photos to demonstrate these points.

11           CHAIR HANSSEN: Let's see what others think.  
12 Commissioner Clark, and then Commissioner Thomas.

13           COMMISSIONER CLARK: Thank you. First I'll touch  
14 on the photos. I agree that I had thought it would be good  
15 to see some photos in there. I think that Mr. Mullin makes  
16 a very good point. I have a couple of thoughts on it.

17           One is that I would hope there are projects out  
18 there that don't break any of the rules, since  
19 theoretically we're trying to bring these into existence,  
20 so I think it would be worth looking, and if you are able  
21 to find some and confirm that they fully conform, I do  
22 think that those would be great to see in there. If that's  
23 not possible, I think creating some more nuanced versions  
24 just showing something and seeing which of the ones it  
25

1 incorporates, how many points it gets, and showing that it  
2 can be asymmetrical and look a little different and things  
3 like that, at least having something of that sort in there  
4 would be worth it.

5 I also am torn about what to do with the  
6 situation with the architects. I think that their input is  
7 really important and it sounds like they're going to be  
8 putting something together, and I don't see a world in  
9 which we receive that and just dismiss it, and I do think  
10 that it sounded like there would be some significant  
11 changes. It's really, really unfortunate that the timing  
12 happened this way and that this wasn't brought to our  
13 attention sooner, but I don't feel like it is worth having  
14 a really deep conversation and making a lot of changes if  
15 they might end up not feeling realistic to the people who  
16 are going to be tasked with implementing them.

18 CHAIR HANSSEN: Fair enough. Thank you for that.  
19 Commissioner Thomas.

20 COMMISSIONER THOMAS: I have multiple comments,  
21 and first I would like to comment on the visuals.

22 I know that the visuals seem sterile, and I know  
23 that I am not an architect, but I see that as more of an  
24 opportunity. I really do feel like the visuals are a great  
25 improvement and I do feel like in a lot of ways less is

1 more. I think that our Residential Design Guidelines have  
2 photos of real houses, because residents read those. Not  
3 that residents aren't going to be looking at these Draft  
4 Objective Standards, but the reality is that these are for  
5 Multi-Family units, these are going to be professionals  
6 that are looking at these standards and interpreting them.  
7 So for me, I would hope that, as an architect, if you  
8 looked at this you would see this more as a blank slate  
9 that you could work with rather than being restricted.  
10

11 I totally appreciate that the architects have  
12 concerns, and I do think that it's unfortunate that we're  
13 hearing about them tonight at this meeting when we're so  
14 far beyond the deadline, however, I would hope that we  
15 could just get some very specific points about what exactly  
16 is very restrictive and perhaps might result in too much of  
17 a cookie cutter like development.

18 I see Ms. Armer has her hand up. Do you want to  
19 say something before I keep going?

20 CHAIR HANSSEN: Yes, why don't you go ahead, Ms.  
21 Armer, and then we'll let Commissioner Thomas finish.

22 JENNIFER ARMER: Sorry, Commissioner, I did not  
23 intend to interrupt you. I just wanted to make sure that as  
24 we do continue with this discussion and consideration as to  
25 whether to try to make a recommendation tonight or continue

1 for further discussion in another time to remember that, as  
2 with any recommendation from the Planning Commission, we  
3 will continue to receive public comments through the  
4 process as it goes to Town Council for their consideration,  
5 so while we want the recommendation of the Planning  
6 Commission to be as complete as possible, there still will  
7 be that additional time after this discussion tonight.

8           COMMISSIONER THOMAS: Perfect. Thank you for that  
9 reminder, because that was one of my other comments that I  
10 wanted to bring up, that I personally am interested to hear  
11 what other Commissioners think about making minor  
12 recommended changes, but overall hopefully getting to a  
13 place tonight where we can forward this to the Town Council  
14 for recommendation and really, really hope and encourage  
15 that those architects get their public comments in over the  
16 next week, and it will be if make the recommendation Town  
17 Council will know that we feel very strongly that we should  
18 be receiving feedback from the architects and taking that  
19 into consideration.

21           I just want to know, do any of us feel  
22 comfortable forwarding for approval but then telling Town  
23 Council that we strongly encourage them to consider any  
24 further comments from professionals that they receive?  
25

1           My last comment and concern, and this is again  
2 unfortunate that we're just hearing some of these concerns  
3 tonight, but I did also hear that a concern is that these  
4 Objective Standards might trickle down into Single-Family  
5 standards and I wanted to confirm with Staff that that is  
6 not the case, and that is not my interpretation of this  
7 situation whatsoever.

8           RYAN SAFTY: I can take the first stab at this.  
9 Thank you for the question. You are correct, these  
10 Objective Standards, per direction from the state, are  
11 applicable only to these qualifying projects defined as  
12 Multi-Family and Mixed-Use. If, at a certain time in the  
13 future, there is direction to do this for Single-Family I'm  
14 assuming there will be an (inaudible) with Subcommittee and  
15 community meetings to get input. Thank you.

16           CHAIR HANSSEN: Thank you for that, and I would  
17 also say that if you look at the direction of State law  
18 that it's not at all focused on Single-Family, because what  
19 they're trying to encourage is Multi-Family, because that's  
20 the best way to get more housing. Go ahead, Commissioner  
21 Thomas.

22           COMMISSIONER THOMAS: I'm sorry, I just want to  
23 add one more thing related to all that. I really think that  
24 as a town, and I know with a lot of the work we're doing,  
25

1 the more towns that get behind on putting up Objective  
2 Standards for things and fall behind on all of this, it  
3 just is encouraging Sacramento to come in and put more and  
4 more restrictions on local control, and I know that having  
5 local control and being able to hold local power and  
6 decision making of what our Town character looks like is  
7 something that's really important to our residents here in  
8 town. I really don't want to be responsible for furthering  
9 any hard restrictions coming from Sacramento that would  
10 take away a lot of our local power, and that is a concern  
11 of mine if we continue to continue this.

13 CHAIR HANSSEN: Thank you for that. There are  
14 several people with their hands up. Let's go to Vice Chair  
15 Barnett, then Commissioner Clark, and then Commissioner  
16 Janoff.

17 VICE CHAIR BARNETT: Thank you, Chair. I share  
18 the dismay of my fellow commissioners about the delay from  
19 the professionals in the community to provide input during  
20 our process, however, we've received a number of specific  
21 topics from the speaker about specific comments about  
22 design characteristics and Objective Standards that they  
23 don't think are practical in real life, and so I would be  
24 in favor of some delay. I wish we had a better sense of how  
25 long it would realistically take the architects and

1 engineers to provide us that feedback, but I would  
2 certainly be comfortable with one week.

3           As to the photos, I may be wrong, but my  
4 recollection is that in the process of developing the  
5 Objective Standards we did see some photographs that were  
6 prepared by the consultant and I thought they were very  
7 helpful, and were certainly helpful in the Residential  
8 Design Guidelines, so I would encourage that change in the  
9 Objective Standards. Thank you.

10  
11           CHAIR HANSSEN: Thank you, Vice Chair.  
12 Commissioner Clark, and then Commissioner Janoff.

13           COMMISSIONER CLARK: Thank you. I want to address  
14 two things.

15           First is on the images. As we've said, definitely  
16 an upgrade from what we saw before, and I think from what  
17 we've heard from the public tonight it sounds like when  
18 members of the public do go look at the document it doesn't  
19 really make them feel like the standards are going to allow  
20 for variety, and it sounds like it's still kind of hard for  
21 them to picture what they look like in real life.

22           Personally, when I've been talking to people about the  
23 ministerial process and addressing their concerns I talk  
24 about the Objective Standards, and so I do think that  
25 people are going to go look at them to see what actually

1 happens when a development is going through this process  
2 and I think it's important to consider what a lay person  
3 might think when they see the document, so I think having  
4 something a little more real world in there would be worth  
5 it in my opinion.

6           Second, I agree with Vice Chair Barnett that my  
7 preference would be to defer this to some degree. I think  
8 it sounded like the architects have some serious concerns  
9 and I think that the Planning Commission's role is to  
10 really look closely at these standards before we're sending  
11 them over the Town Council and that we're a trusted source,  
12 and so I'd want to make sure that we've looked at them in a  
13 similar form to how they'll be seen at the Council.  
14

15           CHAIR HANSSEN: Thank you for that. Commissioner  
16 Janoff.

17           COMMISSIONER JANOFF: Thank you. If we had any  
18 assurance that what we were looking at in draft form was  
19 90% close according to the architects, then maybe I'd be  
20 comfortable forwarding it the Town Council and then letting  
21 them do the remaining work, but I'm not generally in favor  
22 of having Council do the Planning Commission's work, and so  
23 I really think it's important, given Bess' urgency that we  
24 heard, I think we should give them the opportunity to  
25



1 provide input. We need to give them a very short deadline  
2 so that they understand that we can't keep delaying this.

3           Staff can confirm whether we do or don't have SB  
4 35 projects in the pipeline, and if we don't today we  
5 probably won't in two weeks, and if we can get this draft  
6 in better shape I think we owe it to Town Council to have  
7 at least done the invite to the architects, give them a  
8 hard deadline, get that input, and be prepared to discuss  
9 it next week, so I'm in favor of continuing for that.

10           A couple other comments. When we talk about  
11 images, I think it's important to keep the line drawings in  
12 there. As Commissioner Thomas indicated, it doesn't tell  
13 you much, it just says this is the basic, and that's a good  
14 thing for creativity. But if we have a bunch of examples  
15 with good architectural design that incorporate these kinds  
16 of standards, even if the captions say this is showing good  
17 articulation or whatever you want the person to be looking  
18 at, it doesn't have to be in town. If it is, it's great,  
19 but it could be within the wider community, or even further  
20 afield if we want to have really quality architectural  
21 images in the standards, so I think that's a really god  
22 idea.  
23

24           Last point, I think that the comments from Lee  
25 Quinta on the introductory area are important. While I

1 thought her recommended changes for specifically talking  
2 about government code and what it intended to cover were  
3 good, I think if we frame the introduction specifically  
4 siting SB 35 and what it covers or what its expectations  
5 are, then we have a much stronger introduction about why  
6 this is happening and why it's important, and if that  
7 includes the government code, great, include that too. I  
8 don't think there's any harm in making the introduction  
9 nicely comprehensive.

10  
11 But I would be in favor of a short continuance,  
12 and again for Staff, if we've got SB 35 projects in the  
13 pipeline, you'll let us know if we're really flirting with  
14 any real possibility that we're going to have some problems  
15 if we delay.

16 CHAIR HANSSEN: I'm going to ask Commissioner  
17 Thomas to hold on and let Director Paulson speak, and then  
18 I have something I wanted to say as well.

19 JOEL PAULSON: Thank you, Chair. Just a couple of  
20 comments.

21 I think what I also heard from Ms. Wiersema was  
22 getting something quickly is probably not going to be  
23 realistic, just so the Commission is prepared. I think at a  
24 minimum we would have to continue it to the second meeting  
25 in September, and so I think that hopefully will give Staff

1 time, because I think what would be important in that  
2 exercise is for Staff to meet with the architect's group as  
3 well so we can walk through stuff together rather than the  
4 back and forth of email or attachment communication, so I  
5 think that would be important.

6           We've talked about the illustrations and photos  
7 throughout a number of different processes, and they're  
8 always challenging, but I think we can definitely look into  
9 that piece as well.

10           This is a little broader than just SB 35. There's  
11 also SB 330 and the Housing Accountability Act; those all  
12 have specific references to Objective Standards. We don't  
13 have any projects currently for any of those. The couple of  
14 Housing Accountability Act projects you did see were the  
15 North Forty utilized that for the first phase, and then the  
16 Mixed-Use projects on Union across from Safeway where they  
17 had the Single-Family detached and they had a Mixed-Use  
18 with three condos above, so they utilized that. They were  
19 willing to make some changes. I think specifically from the  
20 Union project there were some things that they were willing  
21 to do, but they weren't willing to do all the things that  
22 were more of a subjective nature.

23           I think it's important to keep that big picture  
24 of what we're really talking about. We're definitely not  
25

1 going down to Single-Family or duplexes. We've had that  
2 conversation as well. If that were something that  
3 ultimately the Town is interested in, that would be a  
4 completely separate standalone document for those two  
5 product types.

6 I just want to make sure that we have realistic  
7 expectations both for the architects as well as the  
8 Commission to really have a conversation with them, have  
9 them pull their stuff together so the Commission can have  
10 it as well. I think is going to be a little more than a  
11 week; I'm not sure that's realistic. I don't want to speak  
12 for the architects group, but I'm fairly confident they  
13 would potentially agree.

14  
15 CHAIR HANSSEN: Question for Staff. Ms. Wiersema  
16 has had her hand up for a while, but I did close the public  
17 hearing. Is it possible that I could reopen the public  
18 comments and just get that input?

19 JENNIFER ARMER: But it should be for a very  
20 specific question, kind of a yes or no type question. If  
21 you were to open it, it should be very specific.

22 CHAIR HANSSEN: I'm just going to make a comment,  
23 and then I'd like to hear back from Staff as well. I'm not  
24 comfortable with sending this off to Town Council, but on  
25 the other hand, I'm extremely concerned to hear that we are

1 this many months behind, so if we're going to continue it,  
2 it needs to be a fairly short time frame.

3           Some of the comments I heard from Ms. Wiersema  
4 were around creativity and design and all that stuff, and  
5 these are supposed to be Objective Standards. I don't think  
6 that there's anything that's unclear at all about  
7 articulation and things like that, concepts that are  
8 presented in this document, so any changes that get to be  
9 made, it can't be we want to have freedom to do whatever we  
10 want, it has to be Objective Standards and we need to give  
11 enough detail so that anyone, including people that don't  
12 have a lot of experience working with the Town, can look at  
13 those things and say yes, I know how to incorporate those.

15           I guess I'm trying to figure out how we can  
16 determine what is an appropriate amount of time, because  
17 the other side of this is that if we are this far past  
18 January, a few more weeks might not matter. So Staff, give  
19 me some guidance here.

20           SEAN MULLIN: Thank you. I think looking at the  
21 prospective comments from the architect community, as  
22 stated before, I think there could be some significant  
23 changes. We would be looking for the most specific comments  
24 we could get on concerns on existing standards and any  
25 recommendations to additional standards.

1           From a turnaround standpoint, from Staff's  
2 perspective, we wouldn't be making any changes before we  
3 came back to the Planning Commission; I don't believe we  
4 would. I think we would collect their input and bring it to  
5 the Planning Commission for discussion and could possibly  
6 provide responses as we've done before. I can defer to Joel  
7 and Jennifer on that as well.

8           CHAIR HANSSEN: Go ahead, Director Paulson.

9           JOEL PAULSON: Thank you, Mr. Mullin. I think,  
10 again, another option is we continue it to the first  
11 meeting in September, but if we don't have the input from  
12 the architects because they haven't been able to pull that  
13 together, then we could continue it again. I think that  
14 would be a discussion for the Commission, whether or not  
15 the Chair is interested in opening up the public hearing  
16 for a very specific question such as do you think the  
17 architect's group is going to be able to come up with their  
18 recommendations by next Thursday so that we can get it into  
19 the packet for the meeting on the 14<sup>th</sup>, or two weeks,  
20 because I think the packet goes out, Ms. Armer, on the 9<sup>th</sup>?

21           JENNIFER ARMER: That's correct. We do have three  
22 weeks until the next meeting.

23           CHAIR HANSSEN: I also heard an offer from Staff  
24 to meet with these architects versus them having to send  
25

1 comments back and forth to each other, which to me sounds  
2 much more expedient, because you could take notes on what  
3 sounds reasonable in a meeting versus sending things and  
4 then having to review them and sending them back.

5           Before I do that, because Commissioner Thomas and  
6 Commissioner Janoff have their hands up, I'm going to ask  
7 them for their input, and then we'll go from there.  
8 Commissioner Thomas, and then Commissioner Janoff.

9           COMMISSIONER THOMAS: Thank you, Chair. I want to  
10 say that I also support Ms. Quintana's comments regarding  
11 the introduction. I do think that it's important to be very  
12 specific. It's called Purpose, and I think that being very  
13 explicit and assuming that people don't know what the  
14 purpose of this document is before they look at it is  
15 important.  
16

17           My comment regarding the photos would be I do  
18 appreciate how straightforward and simple this is compared  
19 to our Residential Design Guidelines. I think it's quick  
20 and easy to look at and easy to interpret, and so I  
21 appreciate Commissioner Clark's comments about how lay  
22 people are going to look at this, so we should include some  
23 examples, so I'm interested in hearing if people are  
24 thinking those photos should be integrated throughout or  
25

1 more like used as an index to reference examples at the  
2 end? So that's one thing.

3 I have a couple of comments and questions  
4 regarding just Objective Standards and SB 35.

5 I kind of got the impression from the architects'  
6 comments tonight that Objective Standards in general are  
7 restrictive with regard to design and architecture, and  
8 like Director Paulson just said, not having Objective  
9 Standards isn't an option at this point, we have to have  
10 them, so I am curious if this group of architects, do we  
11 know what kind of projects they're doing? Because I think  
12 the projects that are going to come through SB 35 and  
13 through this ministerial process, even though it's  
14 classified and Town Code is two or more, I would assume  
15 that it's going to be larger developments and  
16 redevelopments.  
17

18 So my question for Staff and/or the Town Attorney  
19 is just because this SB 35 Objective Standards pathway  
20 exists, can smaller projects still go through the typical  
21 Town process in a different way and not have to deal with  
22 this point system with regard to Objective Standards and  
23 just meet our other Residential Design Guidelines that  
24 exist, or is this now going to be the only pathway for  
25 development of two or more?



1           ATTORNEY WHELAN: I can start. For SB 35 the  
2 project has to invoke it in order to rely on it, however,  
3 as the Director mentioned, there is also though the State  
4 Housing Accountability Act, and that provides that cities  
5 and towns can only deny multi-unit housing if they can  
6 demonstrate that the project doesn't comply with an  
7 objective standard, and so it's also a benefit to cities  
8 and towns to have objective standards in place to consider  
9 any Multi-Family housing project.  
10

11           SEAN MULLIN: I would add that smaller projects,  
12 to the Commissioner's question, the existing process would  
13 remain and they could choose to not go through the  
14 Objective Standards process, which is a streamlined  
15 process, and choose for whatever reason to go through the  
16 typical existing Architecture and Site process.

17           COMMISSIONER THOMAS: So basically if you want to  
18 develop a lot right now and you want to build a smaller  
19 like four-plex on that lot, and it fits with the design,  
20 we've looked at all the neighborhood, it doesn't even look  
21 like a four-plex, it looks like a normal Single-Family  
22 home, there is a pathway to still do that through the  
23 typical Architecture and Site application that exists right  
24 now? I just want to confirm that.  
25

          SEAN MULLIN: That is correct.

1 JENNIFER ARMER: Correct, those existing  
2 processes will still be in place for all size projects.  
3 It's really just when they're invoking this special  
4 streamlined process that we would then require that they  
5 comply with these Objective Standards.

6 COMMISSIONER THOMAS: Thank you. Then my  
7 understanding, and please tell me if this is not a good  
8 interpretation, is that SB 35 is mainly going to be used  
9 for larger projects that are invested with large companies,  
10 large developers, contractors, big architecture firms, all  
11 of that most of the time in our situation.

12  
13 With that, if that is the case, then I am more  
14 comfortable just proceeding on, because we still have this  
15 other pathway that exists if our local architects feel like  
16 these Objective Standards are restrictive, but I am really  
17 curious to hear what other Commissioners think about that.

18 CHAIR HANSSEN: Commissioner Janoff.

19 COMMISSIONER JANOFF: I wouldn't mind responding  
20 to Commissioner Thomas, but I think we've got a question at  
21 hand that really needs to be answered, and that is yes, I  
22 agree, we should open the public meeting back up to ask the  
23 architect, Bess Wiersema, since she's the named  
24 representative for the architects, whether they can compile  
25 the comments of the architects within the next two weeks?

1 CHAIR HANSSEN: That was my thinking as well. I  
2 think a week is too fast, and if it meant that we couldn't  
3 meet at the next meeting, then so be it. But do others feel  
4 differently about that before I ask Ms. Wiersema?

5 Commissioner Clark.

6 COMMISSIONER CLARK: Thank you. I'll have  
7 something after that, but I also think that question needs  
8 to be answered first.

9 I think it's important that the architects are  
10 able to meet with Staff, so I also want to make sure that  
11 that's incorporated into the timeline.

12 CHAIR HANSSEN: I'm going to reopen the public  
13 comments section and I'm to ask Ms. Wiersema a question.

14 JENNIFER ARMER: She should be able to speak once  
15 you've asked the question.

16 CHAIR HANSSEN: So my question is this: Can you  
17 either send comments or meet with Staff within the next two  
18 weeks to help advance this Objective Standards project  
19 forward, because we are in such a tight time frame?

20 BESS WIERSEMA: I will make sure that we meet  
21 with Staff and we provide you with comments in two weeks,  
22 100%. We care, we want to help, and we want to make sure  
23 that this is a successful process for what Los Gatos wants  
24 to see in terms of this built environment.  
25

1 I would say that I want to make sure that my two-  
2 week time definition has to do with we have two weeks as  
3 community members, business owners, etc., to get our  
4 information to Staff, and that does not mean that based on  
5 their backup of when they have to submit to you for  
6 documents for the hearing, it doesn't become a Desk Item,  
7 which is always cumbersome for all of us. So I'm not sure  
8 what that calendar timing is, and maybe you can help define  
9 that.

10  
11 CHAIR HANSSEN: I thought a week was not long  
12 enough, so I'm saying two weeks, and I understand that that  
13 doesn't include Staff turning this thing around necessarily  
14 for our next meeting unless they could do that after  
15 getting your input in two weeks, so I'm good with that. So  
16 I'm going to close the comments, and I'll go back.

17 We have Ms. Armer, and then we have two  
18 Commissioners.

19 JENNIFER ARMER: Thank you, Chair. I wanted to  
20 clarify that tonight's meeting, we are August 24<sup>th</sup>, and two  
21 weeks from today would be September 7<sup>th</sup>. The full Staff  
22 Report packet for the next Planning Commission meeting goes  
23 out two days later on the 9<sup>th</sup>, so if written comments were  
24 received from the architects by the 7<sup>th</sup>, they would be in  
25 your full packet and you would have the normal period of

1 time to take a look at them, though depending on when they  
2 are received, Staff will have more or less time to provide  
3 responses in writing in advance of the meeting.

4 CHAIR HANSSEN: Okay. It sounds like we can work  
5 with that, and then if something doesn't occur as we  
6 expected, there certainly is always the possibility to  
7 continue it to the second meeting in September, correct?

8 JENNIFER ARMER: Correct.

9 CHAIR HANSSEN: All right. So then our date  
10 certain, if it's the will of the Commission to do this,  
11 would be the first meeting in September.

12 JENNIFER ARMER: September 14<sup>th</sup>.

13 CHAIR HANSSEN: Thank you. Okay, Commissioner  
14 Clark, and then Commissioner Janoff.

15 COMMISSIONER CLARK: Thank you, just a couple of  
16 things about the photos. I know that Commissioner Thomas  
17 asked if we would want them throughout the document or as  
18 an index at the end, and my personal thought would be to  
19 have an image in the sections that are done through  
20 scoring, and it can say that these are the parts that are  
21 in it and this is the score it would receive, because I  
22 feel like that's where they started to look the most  
23 monotonous to some people and where it gets kind of  
24 confusing to picture multiple being integrated.  
25

1           Second, I see what you mean, Commissioner Thomas,  
2 about them still having that other option of not going  
3 through the ministerial process and still just using the  
4 normal one, but I think that it's really important that  
5 these Objective Standards are practical, and we really want  
6 them to be utilized, so I think talking to the architects  
7 is a really good way to make sure that they are as  
8 practical as they can be, and I think we need to focus on  
9 not relying on somebody possibly using the other process  
10 and hoping that people will be able to take advantage of  
11 the Objective Standards.  
12

13           CHAIR HANSSEN: Thank you for that. Commissioner  
14 Janoff.

15           COMMISSIONER JANOFF: Just quickly, I think that  
16 given where we are with the promise of the architects to  
17 come back with us, then we should suspend our conversation  
18 tonight. We can have longer to look over the comments from  
19 the Desk Item so we can incorporate those. I feel like I  
20 have no idea where the architects' changes might be, and so  
21 going through the document I think doesn't make much sense  
22 at this point.  
23

24           I would agree that we're just really beating a  
25 dead horse about the images, but images always speak more  
strongly when they're related to what the comments are

1 talking about, so putting them at the end, where you've got  
2 to leaf back and forth, whether you do it online or in a  
3 hard copy, it doesn't make too much sense to me, so I'd  
4 keep those images interwoven with the discussion so that  
5 the examples are clear, or put them, as Commissioner Clark  
6 suggested, with examples of how projects would be scored.

7 CHAIR HANSSEN: I agree. I was not considering  
8 going through the document, because I feel like there's  
9 enough support from the Commission to continue the item,  
10 although we haven't gone through that process yet.

11  
12 I did want to weigh in about the pictures. While  
13 understanding some of the complexities of doing pictures, I  
14 think we need to have some pictures, especially—I think  
15 Commissioner Clark was spot on—in that section where we're  
16 scoring a project. If we can get permission from a project  
17 to apply the score to them, it should be in the document,  
18 not at the end, and make it easy for people to understand  
19 how to implement the standards that we have, because the  
20 whole idea is streamlining, so we need to make it easier  
21 for people and not complicated.

22 I also wanted to comment on Commissioner Janoff's  
23 thought that we did get some good comments from Ms.  
24 Quintana in the Desk Item. I don't know that everyone had a  
25 chance to totally digest them, but one of the comments that

1 was raised, and it was raised before, was about having all  
2 of the Objective Standards from every other document  
3 included in this document, and Staff did address that  
4 comment in the packet and said that instead there would be  
5 references to the other documents that it wasn't going to  
6 be in scope to do that thorough of a document to pull in  
7 everything from every other document and put it in this  
8 document.

9  
10 I will go to Vice Chair Barnett, and then back  
11 Commissioner Janoff.

12 VICE CHAIR BARNETT: I'm prepared to make a  
13 motion to continue this hearing to September 14<sup>th</sup> with the  
14 understanding that if we don't receive the architects'  
15 input within two weeks that it will be denied or not  
16 considered for a further hearing.

17 CHAIR HANSSEN: Okay. Do I have a second for  
18 that? Commissioner Clark.

19 COMMISSIONER CLARK: I second.

20 CHAIR HANSSEN: Thank you for that. Then  
21 Commissioner Janoff, you had your hand up. Was it to make a  
22 motion?

23 COMMISSIONER JANOFF: No, it was to make a  
24 comment, but we can go ahead.  
25



1           CHAIR HANSSEN: So we have a motion and a second  
2 to continue. I did want to ask if any Commissioners would  
3 like to make comments before I call the question? Obviously  
4 we'll have another chance to see this when it comes back to  
5 us. Commissioner Janoff.

6           COMMISSIONER JANOFF: All right, just quickly. In  
7 the interest of transparency, I also wanted to underscore  
8 the importance of actual images to residents. We're  
9 entering into some uncharted territory with the number and  
10 scale of the housing that we're looking for under the  
11 Housing Element, and obviously this document is going to  
12 relate to that type of development. Having residents  
13 understand and see what this could look like, and be really  
14 beautiful additions to our community, I think would be  
15 really important.

16           CHAIR HANSSEN: Thank you for that. Commissioner  
17 Thomas, and then Commissioner Tavana.

18           COMMISSIONER THOMAS: I do just have a question  
19 for Staff. Are we going to get another draft based on the  
20 few comments that we gave to you tonight, or can we assume  
21 the draft we got tonight is what we'll also see in three  
22 weeks?  
23

24           RYAN SAFTY: Based on the anticipation of all the  
25 future comments we're going to get from the architects, it

1 would be my preference and Staff's preference to probably  
2 not go through an amended document and try to collect all  
3 the feedback at one time.

4 COMMISSIONER THOMAS: Yes, I was going to say  
5 that I would hope that you would do whatever is going to be  
6 the most productive use of your time since you're going to  
7 probably have to go back and edit it again after that next  
8 meeting. Okay, thank you.

9 CHAIR HANSSEN: Commissioner Tavana.

10 COMMISSIONER TAVANA: I have a question for the  
11 maker of the motion. If we do not receive comments by two  
12 weeks time, will it still be on the agenda for the meeting  
13 of September 14<sup>th</sup>?

14 VICE CHAIR BARNETT: If I may respond, that was  
15 certainly my intention, that we would go forward with any  
16 remaining comments on the draft that we received with the  
17 Staff Report.

18 CHAIR HANSSEN: Are there any other questions or  
19 comments before I call the question? Commissioner Janoff.

20 COMMISSIONER JANOFF: Just to clarify what the  
21 maker of the motion stated in response to Commissioner  
22 Tavana, are you saying that if the architects come back and  
23 say we need another week that we wouldn't give that  
24  
25

1 continuance? I'm not clear what you're going forward  
2 without the input means.

3 VICE CHAIR BARNETT: If I may respond, we had  
4 assurance that it absolutely could be provided within two  
5 weeks. I should think that after all the delays and failure  
6 to respond to the outreach that that's reasonable.

7 CHAIR HANSSEN: I also will weigh in. I heard  
8 from Ms. Wiersema that 100% that two weeks was going to  
9 work, so I think we should just proceed forward with that  
10 assumption. Any other questions? Commissioner Tavana.

11 COMMISSIONER TAVANA: I know they said 100%, but  
12 there is always a chance we do not receive comments, so I  
13 just want to make sure in case we do not receive comments  
14 it still is on the agenda for the next meeting regardless  
15 of whether we do or do not receive comments.

16 JENNIFER ARMER: I just wanted to step in and  
17 clarify. This would be a continuance to the meeting on the  
18 14<sup>th</sup> regardless of whether any additional input was received  
19 between now and then, and then the Commission would be  
20 considering the item and making a recommendation, or  
21 continuing it again if they so chose at that meeting. Since  
22 we don't yet have a recommendation on this item to Town  
23 Council, it wouldn't move forward without further  
24 discussion.  
25

1 CHAIR HANSSEN: I think that works, and so it's  
2 going to be on the agenda one way or the other, because we  
3 are recommending a continuance, and you all have seen in  
4 the past where if something strange happens, then there's  
5 always the possibility of continuing it again, but we  
6 really do need to finish this.

7 I'm going to call the question, and I will start  
8 with Commissioner Thomas.

9 COMMISSIONER THOMAS: Yes.

10 CHAIR HANSSEN: Commissioner Tavana.

11 COMMISSIONER TAVANA: Yes.

12 CHAIR HANSSEN: Commissioner Janoff.

13 COMMISSIONER JANOFF: Yes.

14 CHAIR HANSSEN: Commissioner Clark.

15 COMMISSIONER CLARK: Yes.

16 CHAIR HANSSEN: Vice Chair Barnett.

17 VICE CHAIR BARNETT: Yes.

18 CHAIR HANSSEN: And I vote yes as well, so it  
19 passes unanimously, and so there is no recommendation,  
20 we're just continuing this to the meeting on the 14<sup>th</sup>.  
21

22 (END)



**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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We, a cooperative of Architects and Designers of Los Gatos, have reviewed the Draft Objective Standards for multi-family and mixed-use residential projects. We respectfully request that our concerns be heard and addressed where ever possible.

Our review is based on our experience with not only designing quality architecture, but also how codes, guidelines and standards can be misinterpreted by different designers but also staff. We also take great pride in carefully crafted design and how less experienced designers might use these standards as a crutch, instead of finding more appropriate and elegant and site/project specific design solutions. In many cases, we are playing devils advocate, in order to highlight where we see holes or weaknesses in specific standards. We have made specific suggestions where we see an opportunity to do so.

We also understand that this is an onerous task that has been put upon you but the state and that there can be no perfect set of standards. Design is inherently complicated and subjective. We are here to help with any further discussions if requested.

## GENERAL

- The Planning Dept needs to make sure the Planning Commissioners understand that these design guidelines/standards are not to be referred to or used at all when evaluating Discretionary Review projects that go through the normal DRC/PC approval process. The two processes are mutually exclusive, and Discretionary projects should be reviewed on their own merits. It must be understood and clearly stated that these “Standards” are not to be considered a standard that is compared to projects that do not apply for this stream lined process. These standards are not standards of excellence and should never be considered as such.
- Could there be a tiered system for some of these requirements? Projects that are 3 units or 50 units or 500 units shouldn’t necessarily have the same standards.

## KEY TERMS

- Are community recreation space and landscaped areas mutually exclusive?
- In community areas, is there a minimum size of such a space? How big must it be to have it considered community space? Example: could a widened, paved node at a pathway intersection be considered community space? Like with a bench?
- Does landscape area include pathways?

## A.10 LANDSCAPE, PRIVATE, AND COMMUNITY RECREATION SPACES

- Does landscape area mean any and all planted areas, including planters and pots on every floor?
- Private recreation space should be proportionally based on the size of the unit. The Palo Alto standards require just 50 SF for each unit regardless of which floor or unit size. We propose a requirement of 10% of the living area. A 500 SF studio should not be required to have a 10'x15' balcony. There could be a minimum as well, 50 SF, so that it must still be able to hold a couple of people comfortably.
- Can the required recreation space be broken down into many smaller community spaces? If so, what are the minimum dimensions? (Refer back to key terms comment.)

## A.11 BUILDING PLACEMENT

- Requirement 11.1 states that 75% of the ground floor of a building shall be placed within 5 feet of the front & street side setbacks. Does this mean all the buildings on site? Does this mean 75% of the entire street frontage must have a building on its frontage? Or only the buildings that abut the street when multiple buildings are on site? Will buildings be calculated individually? What about corner lots and corner open plazas?
- Requirement 11.2 states that there must be between 15-30% of the street frontage area shall have site amenities. If a restaurant is at this ground floor, and they would like the whole frontage to be tables & chairs and landscaping, how can they meet the 30% max. Why is a maximum necessary?

## B.1 BUILDING DESIGN - Massing & Scale

- Do these options apply to each individual building that abuts the street separately? Does this apply to buildings on site that do not abut the street?
- Some of these options seem mutually exclusive. How would a continuous arcade, continuously vertical recessed entries and recessed courtyards all exist on the same building facade? How would any of these options work with the arcade?
- Longer buildings and corner buildings will look monotonous with a continuous arcade. And architecturally speaking not attractive unless in a very particular setting. Shouldn't this option be contingent on the length of the building? When over 80 or 100 ft long, a 2/3 arcade approach could apply? And special treatment for corner lots. What about open corner plazas?
- There should be an entire section that deals with corner lots, with points awarded for an open plaza/public amenity at the corner, or a tower at a corner (with a height increase exception for the tower), or another creative way to highlight/celebrate a corner, etc. although maybe too complex for this cookie cutter approach document.

- B.1.1c suggests entries should be recessed all the way up the entire building height, but it is not good practice to have uncovered entries. How will this option be beneficial? Would a roof/covered porch at these entries be allowed for this option? Especially when this conflicts directly with the recommendation for a 3' recessed entry per diagram B.4.6a. If any fenestration element needs an awning it's the entrance.
- Option B.1.1f offers pilasters as an option, but pilasters are much less about massing as they are about facade articulation. Shouldn't this be in section B.4?

### B.3 ROOF DESIGN

- B.3 illustration has all pitched roofs. This is not exemplary of most modern architecture and seems to show favor for sloped pitches. Offer more examples of flat roofs with eaves or parapets.

### B.4 FACADE DESIGN & ARTICULATION

- B.4.1d & f shows a continuous belly band and cornice. Do these bands have to be continuous and unbroken? The pop outs, recesses, and continuous pilasters suggested in the other options would not be very harmonious with these options. These also seem to conflict with the recessed courtyards and entries and recessed upper floors if the bands must be continuous. What about different roof heights? This option is not very compatible with many other design elements suggested.
- B.4.1d - A 10" tall belly band is quite thick for a modern line. This suggests only a traditional style building will be allowed. Palo Alto objectives require 4" min, not 10" min.
- B.4.1f - Requiring a "floor to ceiling height" is a structural dimension that is measured in a cross section and cannot be perceived from the outside. The height between the top of the top windows and the top of the parapet is what is perceived. Is this what is supposed to be 24" + lower floor framing/ceiling assembly height? Interior finishes, such as dropped ceilings should not be part of this calculation as they are not perceived from the outside. How does a sloped interior ceiling height get calculated? It's really the facade height, parapet height, etc that should be controlled.
- B.4.2 - When a building side facade is on the property line or within 5' of it, how can this requirement be fulfilled? Windows are not allowed. Further, expensive accent materials, that can enhance a street side facade will be wasted money on a side no one can see. This will prohibit small amounts of high end exterior materials from being used at all.
- B.4.3 - Almost all of the first listed architectural features are found in the previous section under B.4.1. These are redundant.
- B.4.3 - Who will determine if a particular architectural "solution", aka decorative feature, will constitute points? Will one Juliet balcony, or planter box mean the points are achieved? One chimney, one bay window? This points system lacks specificity and at the same time is entirely too specific about traditional style

architectural features. Most of these features are entirely inappropriate on modern architecture. When we say "Bay Window", can we add in "or Box Window", and "angled Box Window"? The term Bay Window is too specific/ limiting. And what about the unfortunate designer that decides "hey maybe I'll take one of each thing on the menu?" One bay window, one planter, one awning, one pilaster, one arcade - oh wait maybe two, one balcony, one trellis, one braced overhang, one corbel, one scoop with sprinkles, and why don't you just throw in a 10" thick caramel flavored belly band just for fun". Are we making an ice cream sundae here? In my absurd example, the Town would have no choice but to approve it as long they scored the minimum 16 points" To quote their own language: "... by incorporating any combination of the following architectural solution to achieve a minimum of 16 points" with no mention of any cohesive design theme, scale, proportion, repetition, cadence, architectural nuance, color, materials, etc.

- B.4.5 - This illustration should be stricken of the "Architectural Features" pilasters. Not Good
- B.4.6a - This requirement seems to conflict with the vertically continuously recessed entry option from section B.1.1c
- B.4.6b - How about adding in another drawing that shows glass extending to the floor? Why say between 2 and 10 feet above the sidewalk? Why can't the glass extend to the sidewalk?
- B.4.10 - Wouldn't it be more appropriate to have a setback to roof top decks and balconies, rather than prohibiting them entirely from a building? The building could be very large and deep. What about a daylight plane?
- B.4.11 - Why can't the balconies extend beyond the footprint if you can prove that views to residential uses are prevented?
- B.4.12 - Why is this even a section? Isn't this all covered in great detail in the previous sections?

Respectfully,

Gary Kohlsaat  
Jaclyn Greenmyer  
Bess Weirsema  
Jay Plett  
Noel Cross  
Jennifer Kretschmer  
Louie Leu  
Tom Sloan  
Terry Martin  
Bob Flury  
Tony Jeans

**From:** Jeffrey Barnett

**Sent:** Tuesday, September 6, 2022 1:14 PM

**To:** Jennifer Armer <[JArmer@losgatosca.gov](mailto:JArmer@losgatosca.gov)>; Joel Paulson <[jpaulson@losgatosca.gov](mailto:jpaulson@losgatosca.gov)>; Attorney <[Attorney@losgatosca.gov](mailto:Attorney@losgatosca.gov)>

**Subject:** PC Hearing on 9.14.22 - Objective Standards

EXTERNAL SENDER

Dear Ms. Armer and Mr. Paulson,

Please include the following comments in the Staff Report for our next meeting. Thanks in advance.

I wish to amplify upon the comments made in my Desk Item dated August 23rd as well as during the Planning Commission meeting of August 24th concerning Agenda Item 3, wherein I objected to draft Standard B11.4 related to privacy for neighbors from balcony views. Five of my fellow Commissioners voted to not make the proposed standard concerning such balcony views more specific. This draft standard provides that balconies facing existing residential uses on abutting parcels are allowed "when the design is proven to prevent views to the residential use."

SB 35, creating the streamlined approval process, and SB 330, the Housing Crisis Act of 2019, require "objective, quantifiable, written development standards, conditions and policies" to retain local control of multifamily housing and, in the case of SB 330, certain mixed-use developments as well.

The Government Code changes effected by these Bills specify that the term "objective standards" means standards that involve "no personal or subjective judgment 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 and the public official before submittal of an application." See Government Code Sections § 65913.4(a)(5) (part of SB 35) and 66300(a)(7) (part of SB 330).

I submit that keeping the standards "general", as was proposed by certain Commissioners at our last hearing, is not consistent with these requirements of the Government Code. Standard B.4.11 should be made more specific, along the lines of Palo Alto Municipal Code 18.24.050(c)(2) which is cited in my prior Desk Item.

The draft standard providing that balconies facing existing residential uses on abutting parcels are allowed "when the design is proven to prevent views to the residential use." is clearly subjective. There is no way that an applicant can determine the meaning of the language without conferring with the Community Development Department. Indeed, the proposed standard imposes a burden of proof on the applicant, which is completely antithetical to the objective standard requirements in the Government Code.

Some Commissioners expressed concern that making the balcony privacy requirement more specific would call into question the adequacy of the window standards. If window views onto adjacent residential lots and homes is concerning to the Commission, objective standards should be adopted for them too.

For the above reasons, I submit that Standard B 4-11 is not enforceable, and that the Commission's prior approval of it as an objective standard should be reconsidered. I further

request that our Town Attorney provide a legal opinion concerning compliance of B 4-11 with SB 35 and 330.

Finally, I withdraw my other Desk Item, also dated August 23rd, which contained five points. My questions and comments were resolved satisfactorily through a discussion with Ms. Armer and Mr. Paulson.

Thank you.

Jeffrey Barnett



**From:** Adam Mayer

**Sent:** Wednesday, September 7, 2022 11:53 PM

**To:** Joel Paulson <jpaulson@losgatosca.gov>; Sean Mullin <SMullin@losgatosca.gov>; Ryan Safty <RSafty@losgatosca.gov>

**Subject:** Comments on Objective Standards

**EXTERNAL SENDER**

Hello Los Gatos Planning Staff,

This is Adam Mayer, local architect and current member of the Housing Element Advisory Board.

I just wanted to make a few comments piggybacking on the issues brought up by the group of architects represented by Ms. Bess Wiersema at the last Planning Commission meeting. Although I am not part of that group, I too have some overlapping concerns about the Objective Standards as they are currently drafted.

Generally I agree with the intent of the Objective Standards and think that the State is doing the right thing by trying to streamline housing development. The potential downside, as was noted by the group of architects in the previous meeting, is that these standards could end up stifling the architect's creativity by being overly prescriptive, resulting in mediocre cookie-cutter design.

To be sure, this is a delicate balance to walk and I think Town Staff has done a fairly good job of walking this tight-rope so far.

For instance, one point of discussion in the last Planning Commission meeting was about including pictures of real-life examples, but my personal opinion here is that I prefer the more abstract line drawings that are currently used in the Draft document. For Design Guidelines, real world photo examples might make sense but I think the abstract line drawings are better (and potentially less restricting from a design point-of-view) for the Objective Standards.

Now onto the specific parts of the Draft Objective Standards where I have some comments (primarily on the Site Standards, the Building Design Standards look fine for the most part):

**Section A5.1**

*Any automobile entry gate to a parking structure shall be located to allow a minimum of 25 feet between the gate and the back of the sidewalk to minimize conflicts between sidewalks and vehicle queuing.*

**Comment:** Imagine a scenario where there is a new multi-story, multi-family residential building on a tight lot with an underground parking garage. There is no way you are going to fit a ramp on the site that starts 25' away from the sidewalk that has enough run to get a full story below grade. Furthermore, on a project where you have only residential (no commercial) you are very unlikely to ever have a scenario where vehicles are going to be backed up in a queue. I'd remove this section or amend it to be much less than 25'

**Section A8.3**

*Vehicular entry gates and pedestrian entry gates shall have a maximum height of six feet.*

**Comment:** Does this include entry gates that enter into a below-grade parking garage? Typically these are full height (because they retract up into the ceiling) with a minimum height clearance of 6'-8"

**Section A10.1a**

*Landscaped space: A minimum of 20 percent of the site area shall be landscaped.*

**Comment:** 20% seem unnecessarily high for an infill building. Can a landscaped roof count toward the 20%?

**Section A10.1b**

*Private recreation space: The minimum horizontal dimensions are 10 feet by six feet. The minimum vertical clearance required is eight feet. Private recreation space shall be directly accessible from the residential unit.*

**Comment:** 6 ft. x 10 ft. is a gigantic balcony for a multi-family unit, even for luxury condos. 120 square feet is absurd.

**Section A10.1c**

*Community recreation space shall be provided in multi-family residential development projects at a minimum of 200 square feet per residential unit.*

**Comment:** Like the private recreation space, this is way too much. For smaller multi-family residential buildings under a certain size (say 10-12 units) I would say that "community recreation space" is unnecessary and would be a huge obstacle in getting these sort of mid-tier boutique multi-family projects built. "Community Recreation Space" makes more sense in larger multi-family developments (like 20 - 100 units)

Thanks for considering my comments and happy to answer any questions.

Best,  
Adam

**Adam N. Mayer** AIA, LEED AP BD+C, WELL AP



**TOWN OF LOS GATOS  
PLANNING COMMISSION  
REPORT**

MEETING DATE: 9/14/2022

ITEM NO: 3

ADDENDUM

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DATE: September 13, 2022  
TO: Planning Commission  
FROM: Joel Paulson, Community Development Director  
SUBJECT: Review and Recommendation of the Draft Objective Standards to the Town Council.

**REMARKS:**

Per the request of the Planning Commission at the August 24, 2022 Planning Commission hearing, the community of local architects submitted written comments related to their concerns with the drafted Objective Standards document (Exhibit 16). Staff has prepared a numbered list of the 29 bulleted items presented in the architect community input (Exhibit 19) including staff responses to suggestions and questions. There were several recommendations in the comment letter that staff supports if Planning Commission chooses to incorporate them in their recommendation to Town Council. There were also 10 items which staff recommends that the Planning Commission discuss further; these are summarized below:

- Comment 9 relates to the continuous streetscape requirement in A.11.1, which requires development in a Community Growth District to place at least 75 percent of the ground floor within five feet of the street-facing property lines. The comment suggests that it is not clear whether it applies to the proposed buildings, or the entire length of the property line. This draft standard is currently worded to apply only to proposed buildings.
- Comment 10 questions why section A.11.2 has a maximum percentage for site amenities in front of the front façade. The maximum percentage was originally included to ensure visibility to ground floor commercial uses; however, in the case of restaurant uses, it may be overly restrictive, and therefore the standard could be modified to include a minimum, but no maximum.
- Comment 12 questions how the arcade (B.1.1.d) and the recessed building entry (B.1.1.c) standards could be incorporated in the same building. The Planning Commission could consider removing the "full height of the façade" requirement from B.1.1.c or removing the arcade option (B.1.1.d) in its entirety to remedy this concern.

**PREPARED BY:** RYAN SAFTY  
Associate Planner

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Reviewed by: Planning Manager and Community Development Director

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DISCUSSION (continued):

- Comment 13 also related to the arcade option in B.1.1.d, stating that longer buildings would look monotonous with a continuous arcade. The arcade option could either be removed, or a limit to the required arcade length could be added.
- Comment 14 requests that an additional section be added to deal with corner lots. Although this does not currently exist, these could be developed in the future.
- Comment 18 and 19 are related to the belly band option in B.4.1.d. Based on the reasoning provided, Planning Commission can consider removing this option.
- Comment 23 questions how B.4.3 would be applied, for example if a single bay window would be sufficient to qualify for the points listed. Staff can either add greater specificity for certain items or remove this requirement. Staff looks for direction from the Planning Commission.
- Comment 24 suggests that the illustration of pilasters should be removed. This illustration was a specific request from a previous hearing, but it could be removed.
- Comment 27 suggests that rather than prohibiting rooftop and upper floor terraces and decks that they could be allowed given certain controls.

In addition to the comments received from the community of local architects in Exhibit 16, additional public comment was received from a local architect and are included in Exhibit 18. The public comment expresses concern with using “real world photo examples” within the document and makes recommendations for specific sections of the draft document. First, the public comment requests that parking structure entry gate setback be reduced to under 25 feet in standard A.5.1. Second, the public comment requests that the six-foot height limit for vehicular entry gates be increased in standard A.8.3. Third, the public comment questions whether landscaped roofs can count towards the landscaping requirement in standard A.10.1.a, and whether 20 percent is too high. Last, the public comment requests that the private and community recreation spaces be reduced in size in standard A.10.1.

Exhibit 20 includes public comment received between 11:01 a.m., September 9, 2022, and 11:00 a.m., September 13, 2022. These comments are meant to update the comments provided in Exhibit 15 with the August 24, 2022 Desk Item report. The public comment in Exhibit 20 also expresses support with the information provided in Exhibits 16, 17, and 18, and provided additional suggestions throughout the Purpose and Applicability section of the document. Staff is supportive of these recommendations and can incorporate the recommendations when forwarding the revised document to the Town Council.

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

Previously received with the September 14, 2022 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

Received with this Addendum Report:

19. Staff's responses to architect comments in Exhibit 16.
20. Public Comments received between 11:01 a.m., September 9, 2022, and 11:00 a.m., September 13, 2022.

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To: Chair and Planning Commissioners  
From: Lee Quintanta  
Re : September 14, 2022, Agenda Item 3

Planning Commission:

1. Attached as Attachment 1 are my comments submitted for the August 24th Planning Commission on the Draft Objective Standards. I have added additional comments in red.
2. I concur with Exhibit 17 attached to the Staff Report.
3. I agree with most of the comments contained in Exhibit 16 and Exhibit 17. The following are my Comments on Draft Objective Standards and to the included Exhibits 16, 17, and 18. Both Exhibits 16 and 18 raise indicate that further work is needed for clarity in the areas of landscaping, private and community recreation space and the question of line drawings/photos.
4. Below are a few additional suggestions to increase the understanding of these Objectives. Many of the suggestions are based on Section 18.24 of the Palo Alto Municipal Code Project Contextual Design Criteria and Objective Standards. While I understand that it is not the intent of the Town's Objective Standards to include Contextual Design Criteria, I none the less suggest considering the following ideas taken from of the Palo Alto Code be incorporated into the Town's Objective Standards Document.
  - *Purpose:* Purpose of the Objectives:
    - The purpose of these Objective Design Standards is to establish the intent of and objective design criteria and their intent for project that qualify for the streamlined approval review of Housing Development Projects eligible as defined by the Housing Development Act., ie eligible for ministerial approval (as defined by Cal. Gov. Code 65589.5)
    - Include an statement of intent prior to each section of the Objectives b (before A.1, A.2 etc) to provide guidance as to what the objectives are intended to achieve. (18.24.010 Purpose and Applicability)
    - Include a statement that diagrams are illustrative only, that They are not intended to convey a required architectural style. Rather the objective standards aim to accommodate a variety of styles, construction types.
  - *Applicability:* Suggestions:
    - Include a list of the zoning districts in which Housing Development Projects (as identified in California Gov. Code) and add a statement that the Objective Standards applies to both new construction and renovations.
    -

Page 2

- Include a statement to the effect that the streamlined approval process applies only if all objective standards are met, both those in these Objective Design Standards, and those in all other Town Regulation etc. (i.e. as listed on page one of the Objective Standards.
5. In order to submit this by 11:00 my additional comments on landscaping, private and common space and illustration/photos will follow tomorrow.

Thank you for your consideration.

Lee Quintana



To Planning Commission  
Item 2 August 24th Planning Commission Meeting  
From: Lee Quintana

COMMENTS ON TOWN OF LOS GATOS  
DRAFT OBJECTIVE STANDARDS,  
AUGUST 24, 2022

### **GENERAL COMMENTS:**

Comprehensive stand alone document: It is my understanding, from previous public discussions of the Objective Guidelines, that the Objective Standards would be a comprehensive “stand alone” document containing the objective standards from all relevant documents and regulations. It is difficult to assess the Draft Objective Standards without knowing what other objective standards also apply to “qualified projects”. At a minimum, please consider adding a list of *all* objective standards contained . Consider adding a Table of all other objective standards that would apply to multi-family and mixed-use residential projects and include hyper-links to the individual standards.

### **PURPOSE AND APPLICABILITY**

This section defines “qualifying project” and where the definition can be found in the California Government Code. However it does not define “Objective Standards” as defined by the Government Code. Most importantly, it does not explain how these apply to the approval process for “qualifying projects”.

Please delete and revise the first paragraph to better define the purpose of Objective Standards, (streamlining approval process? .

Delete and ~~receive revise~~ the second paragraph and to include the following as part of that paragraph:

Gov. Code 65559.5 identifies Qualifying Housing Development Projects:

- Multi-family housing developments.
- Residential Mixed Use Housing developments with a minimum of two-thirds of the square footage is designated for residential use.
- Supportive and transitional housing development

Delete and revise the last paragraph as follows:

A Qualifying project shall be approved through a ministerial review process when the project complies with these Objective Site Standards as well as complying with all existing objective development regulations in the Town., including but not limited to the following:

- General Plan

- Town Code
- Guideline and Standards Near Streams
- Bicycle and Pedestrian Master Plan
- Parks and Public Works Standards
- Santa Clara County Fire Department Regulations.

## ORGANIZATION

The Following Objective ~~Design~~ Standards are organized into two primary sections:.....

## KEY TERMS

*Community recreation space* Delete and replace with: *Note: Separate the definitions for Community Recreation space in mixed use developments and multi-family developments as individual definitions.*

*Community recreation space in a mixed use residential development* means public gathering spaces such as: plazas, outdoor dining, squares, pocket parks, or other community areas for the use of the general public.

- Please clarify whether this applies to non-residential and residential parts of a mixed use residential project or just to the non-residential part.
- *Note: Residential uses in a mixed use development should have some opportunity for gathering space as do residents in a MF only development. - please modify here and in objective standards to include this.*
- Should the Community space require a public access easement. ?
- 

*Community recreation space in multi-family developments* means gathering spaces such as: play areas, pool areas, patios, rooftop decks, and other community areas available for the use of all residents.

- Please clarify whether this applies to projects just with MF zoning designation or applies to the multi-family part of a Mixed Use Residential Project See Note above.

*Mixed Use* means a development project where a variety of uses such as office, commercial, or institutional, ~~and residential~~ are combined with residential use(s) in a single building or on a single site in an integrated project.

*Private recreation space above ground level* means an outdoor balcony, or rooftop deck, ~~or similar~~, accessible from a single dwelling unit.

similar” = subjective. Delete or replace with more specific language

*Note: Add a space to separate above and at ground private recreation space*

*Private recreation space at ground level* means ~~a single~~ an outdoor enclosed patio or deck accessible from a single dwelling unit.

Objective Standard means.....(add language)

## **A .SITE STANDARDS**

### **A.1 Pedestrian Access**

1.2 & Figure A.1.1: Is there a minimum width for the sidewalk? Or for the planting strip

### **A.2 Bicycle Access**

2.4. 1.2 was “modified from walkway” to “pathway”. Should 2.4 also be changed to “pathway as well?”

### **A.3 Vehicular Access and A.4 Parking Location and Design**

Figure A.3.1, A.3.1 and A4.3 need clarification

What is the difference between aisle to aisle circulation (A3.1) and parking areas (Figure A3.1)? Does Figure A.3.1 represent multiple parking areas (see A.4.2) or aisle-to-aisle circulation of A.3.1.

4.3 *Comment:* Consider decreasing spacing between trees. Aside from aesthetic value, the shading trees decrease radiation from the parking lot surfaces

*Note: Shading from trees also lowers the temperature in cars. Consider adding a standard to ensure X% of parking spaces are shaded, or that addresses of trees to optimize shading (relates to Climate Change, energy, resiliency etc)n*

4.4 Move 4.4 up under 4.1

*Note:*

*I still suggest moving 4.4 up under 4.1 or combining the two as follows:*

*Except for driveways to access surface parking lots or carports, surface parking lots and carports shall not be located between ~~the~~ a primary building frontage and the street.*

### **A.5 Parking Structure Access**

Add a standard for pedestrian access to a parking garage

### **A.6 Utilities**

6.3-Delete and separate ground and rooftop:

6.3 Views from the street of ground level utility cabinets, mechanical equipment, trash enclosures shall be screened from view.

- a. Screening shall be provided by landscaping, fencing or a wall.
- b. The screening shall be at least the same height as the utility being screened.  
*Comment:* Should they also be screened from within a site? Or at a minimum from common areas?

6.4 Rooftop mechanical equipment shall be screened from view from the street

- a. Solar equipment is exempt from this requirement

Consider a height exemption of the area required for an elevator shaft.

**Note:** I still think my comments under A.6, including screening utilities from within the site, are valid and should be incorporated.

### **A.7 Landscaping and Landscape Screening**

A.7.2.c *Comment:* Is there a requirement for planting between the trees?

**Note:** Suggest requiring shrubs between the trees X high at planting

### **A.10. Landscaping, Private, and Community Recreation Spaces**

A10.1. The following landscaped, private, and community recreation spaces shall be ~~are~~ required for all qualifying projects and ~~are~~ shall be calculated independent of each other:

### **A.11 Building Placement**

~~41.1.~~ 10.c. How shade is calculated needs to be more specific.

**Note:** Break this paragraph up into:

- Minimum dimensions.....
- % of to sky
- % shading

### **B.4 Facade Design and Articulation**

4.3 Change format consistent with the rest of the document

## **B. BUILDING DESIGN**

**B.1.3.e and Figure B.1.3..e**

**Comment:** I don't understand this one. The illustration does not fit my understanding of a courtyard. Is this intended to be private the private use of the dwelling units? Is this an illustration of B.1.3 (Townhouse)

**B.2.2** If the intent is to prevent full transparency into the structure, should there be a minimum as well as a maximum?

### **B.3 Roof Design**

Figure B.3.3 *Comment:* This figure looks more like the gable illustrated in Figure.3.1 than it looks like a dormer

### **B.4 Facade Design and Articulation**

B.4.3 Why change in format?

## Architect Comments with Staff Responses *(in italic font)*

### GENERAL

1. The Planning Dept needs to make sure the Planning Commissioners understand that these design guidelines/standards are not to be referred to or used at all when evaluating Discretionary Review projects that go through the normal DRC/PC approval process. The two processes are mutually exclusive, and Discretionary projects should be reviewed on their own merits. It must be understood and clearly stated that these “Standards” are not to be considered a standard that is compared to projects that do not apply for this streamlined process. These standards are not standards of excellence and should never be considered as such.
  - *Staff supports this recommendation and can include an additional statement when forwarding do Town Council.*
2. Could there be a tiered system for some of these requirements? Projects that are 3 units or 50 units or 500 units shouldn’t necessarily have the same standards.
  - *Although Objective Standards could be developed to differ depending on project size, the metric for most Standards has generally been applied to the street-facing façade. They have also been developed under the assumption that most projects will be 3-stories or less based on current height limits, and therefore significant differentiation may not be warranted.*

### KEY TERMS

3. Are community recreation space and landscaped areas mutually exclusive?
  - *Yes, per A.10.1, “the following landscaped, private, and community recreation spaces are required for all qualifying projects and are calculated independent of each other.”*
4. In community areas, is there a minimum size of such ap space? How big must it be to have it considered community space? Example: could a widened, paved node at a pathway intersection be considered community space? Like with a bench?
  - *Yes, minimum horizontal dimensions are 10’ by 6’ for each area.*
5. Does landscape area include pathways? A pathway is not included in the list of elements that are considered to not be a part of “Landscaping.” (additional site open space and/or maximum lot coverage standards exist in the Municipal Code.)
  - *If landscaping is proposed along the walkway, it would count towards the landscaped space requirement. A pathway/walkway without landscaping would not count.*

### A.10 LANDSCAPE, PRIVATE, AND COMMUNITY RECREATION SPACES

6. Does landscape area mean any and all planted areas, including planters and pots on every floor?
  - *Area used for landscaped, private, and community recreation spaces are calculated independent of each other with no area counted twice, additional clarity could be added.*

7. Private recreation space should be proportionally based on the size of the unit. The Palo Alto standards require just 50 SF for each unit regardless of which floor or unit size. We propose a requirement of 10% of the living area. A 500 SF studio should not be required to have a 10'x15' balcony. There could be a minimum as well, 50 SF, so that it must still be able to hold a couple of people comfortably.
  - *The private recreation space standard was included for consistency with Town Code Section 29.10.065. Section A.10.1 requires each new dwelling unit to have private recreation space: 200 square feet on the ground floor, and 120 square feet above the ground floor. If the Planning Commission recommends an adjustment to this requirement, staff recommends ensuring there are still minimum dimension requirements.*
8. Can the required recreation space be broken down into many smaller community spaces? If so, what are the minimum dimensions? (Refer back to key terms comment.)
  - *Yes, if each area is a minimum of 6' by 10' for both community and private recreation spaces (A.10.1).*

#### A.11 BUILDING PLACEMENT

9. Requirement 11.1 states that 75% of the ground floor of a building shall be placed within 5 feet of the front & street side setbacks. Does this mean all the buildings on site? Does this mean 75% of the entire street frontage must have a building on its frontage? Or only the buildings that abut the street when multiple buildings are on site? Will buildings be calculated individually? What about corner lots and corner open plazas?
  - *This draft standard is currently worded to apply only to proposed buildings. The requirement applies to the buildings, not the street frontage. This does not mean that 75 percent of the street frontage needs buildings along the front; instead, it means that 75 percent of the area of the primary building(s) proposed must be on the street frontage (see Figure A.11.1).*
10. Requirement 11.2 states that there must be between 15-30% of the street frontage area shall have site amenities. If a restaurant is at this ground floor, and they would like the whole frontage to be tables & chairs and landscaping, how can they meet the 30% max. Why is a maximum necessary?
  - *Staff agrees that the maximum percentage could be deleted. The maximum percentage was initially included to ensure visibility to ground floor commercial uses.*

#### B.1 BUILDING DESIGN - Massing & Scale

11. Do these options apply to each individual building that abuts the street separately? Does this apply to buildings on site that do not abut the street?
  - *Staff can clarify that this requirement applies to the combined area of all primary buildings that face and abut the street.*
12. Some of these options seem mutually exclusive. How would a continuous arcade, continuously vertical recessed entries and recessed courtyards all exist on the same building facade? How would any of these options work with the arcade?
  - *Staff agrees that the arcade (B.1.1.d) and recessed building entry (B.1.1.c) options could not be used together unless the "full height of the façade" requirement is removed from B.1.1.c. An additional option would be to remove the arcade option. Staff looks for direction from the Planning Commission.*

13. Longer buildings and corner buildings will look monotonous with a continuous arcade. And architecturally speaking not attractive unless in a very particular setting. Shouldn't this option be contingent on the length of the building? When over 80 or 100 ft long, a 2/3 arcade approach could apply? And special treatment for corner lots. What about open corner plazas?
- *If the Planning Commission agrees, staff can remove the arcade option (B.1.1.d) or include a limit when the building façade is over a certain length.*
14. There should be an entire section that deals with corner lots, with points awarded for an open plaza/public amenity at the corner, or a tower at a corner (with a height increase exception for the tower), or another creative way to highlight/celebrate a corner, etc. although maybe too complex for this cookie cutter approach document.
- *Though not currently included, these could be developed in the future.*
15. B.1.1c suggests entries should be recessed all the way up the entire building height, but it is not good practice to have uncovered entries. How will this option be beneficial? Would a roof/covered porch at these entries be allowed for this option? Especially when this conflicts directly with the recommendation for a 3' recessed entry per diagram B.4.6a. If any fenestration element needs an awning it's the entrance.
- *A covered awning or eave would be allowed as long as the wall plane for the entry is recessed. Staff can clarify that this requirement applies to the wall plane, and projections such as awnings beyond the wall plane would be allowed.*
16. Option B.1.1f offers pilasters as an option, but pilasters are much less about massing as they are about facade articulation. Shouldn't this be in section B.4?
- *The pilaster option was added here as it would break up massing, but could be relocated.*

### B.3 ROOF DESIGN

17. B.3 illustration has all pitched roofs This is not exemplary of most modern architecture and seems to show favor for sloped pitches. Offer more examples of flat roofs with eaves or parapets.
- *Staff recommends keeping the text of this standard, but deleting the graphic.*

### B.4 FACADE DESIGN & ARTICULATION

18. B.4.1d & f shows a continuous belly band and cornice. Do these bands have to be continuous and unbroken? The pop outs, recesses, and continuous pilasters suggested in the other options would not be very harmonious with these options. These also seem to conflict with the recessed courtyards and entries and recessed upper floors if the bands must be continuous. What about different roof heights? This option is not very compatible with many other design elements suggested.
- *Staff can remove the belly band option (B.4.1.d).*
19. B.4.1d - A 10" tall belly band is quite thick for a modern line. This suggests only a traditional style building will be allowed. Palo Alto objectives require 4" min, not 10" min.
- *Staff can remove the belly band option (B.4.1.d), or the standard can be revised to reflect Palo Alto's four-inch requirement.*

20. B.4.1f - Requiring a “floor to ceiling height” is a structural dimension that is measured in a cross section and cannot be perceived from the outside. The height between the top of the top windows and the top of the parapet is what is perceived. Is this what is supposed to be 24” + lower floor framing/ceiling assembly height? Interior finishes, such as dropped ceilings should not be part of this calculation as they are not perceived from the outside. How does a sloped interior ceiling height get calculated? It’s really the facade height, parapet height, etc that should be controlled.
- *Staff agrees and can work with the Consultant to update the standard to apply to the exterior façade height.*
21. B4.2 - When a building side facade is on the property line or within 5' of it, how can this requirement be fulfilled? Windows are not allowed. Further, expensive accent materials, that can enhance a street side facade will be wasted money on a side no one can see. This will prohibit small amounts of high end exterior materials from being used at all.
- *This section refers to window types, not windows in general. The Commission directed staff to include a 360-degree architecture requirement.*
22. B.4.3 - Almost all of the first listed architectural features are found in the previous section under B.4.1. These are redundant.
- *Section B.4.1 includes four items that are listed under B.4.3 (awnings, belly bands, balconies, and material changes); however, B.4.1 only applies to buildings greater than two stories, while B.4.1 applies to buildings greater than one-story. Due to the requirements in Section B.4.1, buildings greater than two-stories will already have implemented some of the requirements in B.4.3. Section B.4.3 is to ensure that buildings greater than one-story also include façade variations.*
23. B.4.3 - Who will determine if a particular architectural “solution”, aka decorative feature, will constitute points? Will one juliet balcony, or planter box mean the points are achieved? One chimney, one bay window? This points system lacks specificity and at the same time is entirely too specific about traditional style architectural features. Most of these features are entirely inappropriate on modern architecture. When we say “Bay Window”, can we add in “or Box Window”, and “angled Box Window”? The term Bay Window is too specific/limiting. And what about the unfortunate designer that decides “hey maybe I’ll take one of each thing on the menu?” One bay window, one planter, one awning, one pilaster, one arcade - oh wait maybe two, one balcony, one trellis, one braced overhang, one corbel, one scoop with sprinkles, and why don’t you just throw in a 10” thick caramel flavored belly band just for fun”. Are we making an ice cream sundae here? In my absurd example, the Town would have no choice but to approve it as long they scored the minimum 16 points” To quote their own language: “ . . . by incorporating any combination of the following architectural solution to achieve a minimum of 16 points” with no mention of any cohesive design theme, scale, proportion, repetition, cadence, architectural nuance, color, materials, etc.
- *Staff can either add greater specificity for certain items or remove this requirement. Staff looks for direction from the Planning Commission.*
24. B.4.5 - This illustration should be stricken of the “Architectural Features” pilasters. Not Good
- *The illustration showing the column or “architectural feature” was a specific request from a previous Planning Commission hearing, but it could be removed.*



25. B.4.6a - This requirement seems to conflict with the vertically continuously recessed entry option from section B.1.1c.
- *This section requires recessed entries or covered entries. Additionally, Section B.1.1.C refers to the wall plane, not an awning projection. Staff can clarify that B.1.1.c applies to the wall plane.*
26. B.4.6b - How about adding in another drawing that shows glass extending to the floor? Why say between 2 and 10 feet above the sidewalk? Why can't the glass extend to the sidewalk?
- *Glass can extend down to the grade, but it wouldn't count towards the 60 percent requirement between two and 10 feet.*
27. B.4.10 - Wouldn't it be more appropriate to have a setback to roof top decks and balconies, rather than prohibiting them entirely from a building? The building could be very large and deep. What about a daylight plane?
- *This change could be made if recommended by Planning Commission.*
28. B.4.11 - Why can't the balconies extend beyond the footprint if you can prove that views to residential uses are prevented?
- *As previously discussed, this is included as one method for objectively reducing privacy impacts.*
29. B.4.12 - Why is this even a section? Isn't this all covered in great detail in the previous sections?
- *This standard was developed from Planning Commission Subcommittee direction to restrict long, unarticulated buildings fronting the street.*

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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 Reza Tavana Emily Thomas
Town Manager:	Laurel Prevetti
Community Development Director:	Joel Paulson
Town Attorney:	Gabrielle Whelan
Transcribed by:	Vicki L. Blandin (619) 541-3405

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

4                   CHAIR HANSSEN: We can move on to the main item on  
5 our agenda for this evening, which is Item 3, which is the  
6 continuance of our review of the Draft Objective Standards,  
7 I will ask Ms. Armer if you would like to make a Staff  
8 Report or if one of the other Staff members would as well?  
9

10                  JENNIFER ARMER: Thank you, Chair. I will pass  
11 that off to Mr. Safty to make the Staff Report.

12                  RYAN SAFTY: Thank you. Before you tonight is the  
13 continued review of the Draft Objective Standards  
14 recommendation to the Town Council.

15                  On June 22<sup>nd</sup> the Planning Commission reviewed the  
16 first document and provided input to Staff on recommended  
17 modifications.

18                  Following that meeting, Staff and our consultant,  
19 M-Group, considered the direction from the Planning  
20 Commission and prepared a revised draft document.

21                  On August 24<sup>th</sup> the Planning Commission received  
22 public comment on the revised draft, including input from  
23 the local architect community. The discussion was continued  
24 to tonight's hearing to allow the architect community  
25 additional time to provide written comments to be reviewed.

1 The written comments from the architects are provided as  
2 Exhibit 16 with the Staff Report. Additional public  
3 comments and Commissioner comments were also included with  
4 that report.

5           Staff prepared written responses to the  
6 architects' comments, which were included as Exhibit 19 of  
7 yesterday's Addendum Report. The Addendum Report also  
8 includes additional public comment provided as Exhibit 20.

9           Staff, along with our consultant, look forward to  
10 the discussion this evening and are happy to answer any  
11 questions. Thank you.

12  
13           CHAIR HANSSEN: Do any Commissioners have  
14 questions for Staff? I don't see anyone with any questions.

15           We have a number of comments that we received  
16 from one of our Board members from the Housing Element  
17 Advisory Board, also from the Vice Chair, from Ms.  
18 Quintana, and then also the response to the architects'  
19 comments. Staff, you had some particular items that you  
20 wanted us to go over first?

21           JENNIFER ARMER: Thank you, Chair. I would  
22 recommend that we do open the public hearing and hear  
23 comments from the public, since there have been additional  
24 materials provided, and then we can go through.

1           We have provided some Staff guidance and feedback  
2 on the items that were provided by the architect community,  
3 and so if there are items there that the Commission wishes  
4 to include in their recommendation to Town Council we could  
5 go through those. We did number them in the attachment that  
6 includes Staff's responses, plus we did call out a few  
7 particular items in the Addendum Report in addition to what  
8 had been provided in your previous Staff Reports.

9  
10           CHAIR HANSEN: I think that's a good suggestion.  
11 This would be the verbal communications section for this  
12 particular item, and I'd like to find out if any members of  
13 the public would like to speak on this item, which is the  
14 Draft Objective Standards?

15           JENNIFER ARMER: If anyone would like to speak on  
16 this item, we'd invite you to raise your hand now. We'll  
17 give them just a moment just in case anyone does wish to  
18 speak. I am seeing a hand raised. All right, Ms. Quintana,  
19 you may speak. You have up to three minutes.

20           LEE QUINTANA: Thank you. I think there are some  
21 items that I may not have read already, but in any case I'd  
22 like to speak on three different items that I did not cover  
23 in my initial submission for the Addendum, and that covers  
24 illustrations, private and common open space and  
25 landscaping, and whether the one size fits all approach is

1 appropriate. I'm just going to be very brief, and if you  
2 have any questions you can ask me, or I will submit  
3 additional comments when I see the final draft that goes to  
4 the Council.

5           As far as illustration goes, I know that the  
6 architects say they're line drawings, however, the line  
7 drawings provided in the draft standards are at some points  
8 hard to understand by most people who aren't architects or  
9 planners and they tend to appear to be favoring very boxy  
10 construction.

11           I understand the difficulty with photos, however,  
12 this is my compromise suggestion: The City of Palo Alto has  
13 used line drawing, but the line drawings are limited to  
14 illustrating only the standard that's being stated, not an  
15 entire building, so that it's more neutral towards  
16 architecture and mass and scale.

17           As far as photos go, I think they are really  
18 helpful for the general public to understand, but I  
19 understand the problem with them, so my suggestion is that  
20 maybe there be a page that just has a collage of various  
21 different buildings, not one for every standard, but a  
22 group of buildings that Staff feels meets the intent of the  
23 standards. So that's my comments on that.  
24  
25

1           On the private and public open space, I'm a  
2 little confused there. If landscaping doesn't count for the  
3 common space and there is landscaping in that space, how  
4 does that work? I'm just confused.

5           Also, there seems to be a dichotomy of opinion  
6 from the group of architects and the other architect who  
7 commented on the size of private open space as well as  
8 common open space, and it seems to me that maybe they're  
9 talking about two different things. I think the architects  
10 want more leeway to appeal to the high end of the housing  
11 market, and I think the other architect may be actually  
12 addressing his remarks to smaller units, which is the  
13 intent of this whole process.

14           CHAIR HANSSEN: Ms. Quintana, Ms. Armer has her  
15 hand up and I suspect it's because your three minutes are  
16 up, but let me see if any Commissioners have questions for  
17 you. I do want to thank you on behalf of the Commission for  
18 submitting all the comments that you have already and  
19 helping to participate in this process to move this  
20 important item along. Do any Commissioners have questions  
21 for Ms. Quintana? I think some of the things you're  
22 bringing up are going to be discussed in any event, so we  
23 appreciate anything you've told us so far, and please  
24 continue to send in your comments to us as well.  
25



1           Is there anyone else that would like to speak on  
2 this item?

3           JENNIFER ARMER: If anyone else would like to  
4 speak on this item, please raise your hand now. I don't see  
5 any hands raised.

6           CHAIR HANSSEN: All right, so then I'm going to  
7 close public comments, and this would be the time where the  
8 Commission will discuss the items that have been brought up  
9 so far as comments and try to get some resolution so that  
10 we can make our recommendation to Town Council.  
11

12           I thought that it might be helpful to start with  
13 the Staff packet. They did provide some items that they  
14 wanted us to discuss, and we did discuss some of these  
15 before, but maybe we can close on them and hopefully use  
16 them as a recommendation to forward this document along.

17           I'm going by the Staff Report where they list  
18 Staff direction from the Planning Commission on the  
19 following, and the first one is a comprehensive standalone  
20 document. Staff's recommendation was in the past, and  
21 continues to be, instead of going through the massive  
22 effort that it would take to take all of the Objective  
23 Standards in every document that we have in town and put  
24 them in one, that instead to include a list of applicable  
25 documents, and so that's what they would like to do. I

1 wanted to see if any Commissioners had any thoughts or  
2 comments on this. Commissioner Raspe.

3           COMMISSIONER RASPE: Thank you, Chair. To me the  
4 Town Staff's position seems eminently logical and I can't  
5 think of a reason that we would want to attack it any  
6 differently, so unless somebody feels differently I would  
7 recommend to Town Council to follow Staff's recommendation  
8 on this issue.

9           CHAIR HANSSEN: Thank you for the input. Anyone  
10 else have any thoughts on that? That was my feeling as  
11 well, that we had talked about this before, and also in our  
12 preparatory meeting for this meeting we discussed it again,  
13 and it would be a very long and complex process to do that,  
14 especially with documents getting updated, so it's probably  
15 best to have references to the other documents.

16           If no one has any objection to going in that  
17 direction I'm going to say that we follow Staff's  
18 recommendation on that, and I don't see anyone saying let's  
19 not do that.

20           Item B is removal of the term "design" throughout  
21 the document. The public comment requests that text  
22 throughout be changed from "objective design standards" to  
23 "objective standards," and no explanation was given. So  
24  
25

1 Staff, I'm going to ask, does that mean that since there is  
2 no explanation you don't have a recommendation?

3 JENNIFER ARMER: Thank you, Chair. We would  
4 recommend continuing with the document being named and  
5 labeled as it currently is since we don't have a reason to  
6 change and remove the word "design."

7 CHAIR HANSSEN: I personally looked at this, and  
8 without an explanation of why it would make a big  
9 difference in the document, and knowing that it would be a  
10 lot of trouble to change it, my suggestion would be not to  
11 do that. Are there any Commissioners that have any  
12 comments? So then I will assume that that one is okay with  
13 everyone.  
14

15 Item C was decrease tree spacing. The public  
16 comment requests that the spacing between trees within  
17 parking lots be reduced. Right now the standard reads one  
18 tree between every ten consecutive parking stalls when  
19 there are more than 15 parking stalls, and the public  
20 comment requests to reduce the number of spaces below to  
21 ten, and Staff does not recommend this change. It was  
22 included with consistency for the Town Code, which I assume  
23 to mean that we would need to amend the Town Code as well.  
24 Are there any comments on this item?  
25

Commissioner Raspe.

1 COMMISSIONER RASPE: Thank you, Chair. I would  
2 agree again with Staff on this one for a couple of reasons.  
3 First being consistency throughout the Town documents, but  
4 also for the supplemental reason that I think we're all  
5 aware that water is becoming a bigger issue in California  
6 as every day goes by, and so to the extent that we call for  
7 less planting of trees perhaps, and maybe that's an issue  
8 that we should keep in our minds as we plan our town  
9 forward, so keeping the spacing at ten feet rather than  
10 closer together I think makes sense for a variety of  
11 reasons.  
12

13 CHAIR HANSSEN: Thank you for that comment. Any  
14 other comments from Commissioners on this item? If there  
15 are no objections, I will just assume that we're going to  
16 go with Staff's recommendations.

17 Let me just stop and ask Staff, do you need us to  
18 vote on these, or is it okay to go with consensus?

19 JENNIFER ARMER: No, consensus is fine in my  
20 opinion, but I will defer to the Town Attorney if she  
21 thinks otherwise.

22 ATTORNEY WHELAN: I agree, and then the  
23 Commission's decision will be reflected when you vote on  
24 making your recommendation to the Town Council.  
25

1 JENNIFER ARMER: And in particular, when the  
2 recommendation is for a change that the Commission is not  
3 making, then that's just fine; you're just not going to  
4 make that additional change.

5 CHAIR HANSSEN: Thank you for the clarification.  
6 We can move on to Item D, which is a format change for  
7 B.4.3, and the comment requests that the format be changed  
8 so it is consistent with the rest of the document.

9  
10 The Draft Objective Standards contain a menu of  
11 options of architectural solutions to achieve 16 points. We  
12 discussed this at the Subcommittee level. Vice Chair  
13 Barnett and I were on that Subcommittee and the Planning  
14 Commission previous discussion and it was received with  
15 support, but I believe the architects and maybe others  
16 commented that it might be too confusing.

17 In the first submission from Staff they did take  
18 some buildings in town and gave an example of how you can  
19 meet the 16-point standard. We should at least decide  
20 whether or not to go to a different approach or leave it  
21 the way it is, and Staff let me just check that I am  
22 characterizing this correctly in terms of the way you want  
23 input.

24  
25 RYAN SAFTY: That is correct. Thank you for the  
question. One thing to clarify: the architect community

1 didn't have concerns with the format of it; they had more  
2 concerns about the valuation and the different  
3 architectural details listed within that list.

4 CHAIR HANSSEN: Then was it the public comment  
5 that we got from someone else that said that the 16 point...

6 JENNIFER ARMER: That is correct, yes. Then there  
7 is further discussion of the 4.3 in what we numbered Item  
8 22 where we respond to the architects' comments.

9 CHAIR HANSSEN: We can come back to the  
10 specificity of it when we discuss the architects' comments  
11 then. The question on the table is whether or not we  
12 abandon the 16-point system and try to go for something  
13 else, so I'd like to get comments on that, and keeping in  
14 mind that this was recommended previously by the  
15 Subcommittee. Our previous discussion was that this was  
16 fine to move forward with, but if there is some new  
17 information or something that people would like to bring up  
18 right now, let's do that.

19 Commissioner Janoff.

20 COMMISSIONER JANOFF: Thank you. I'm comfortable  
21 with the format and look forward to discussing the  
22 architects' concerns when we get to that portion of the  
23 agenda, but I think it's a very helpful list, and the  
24 illustrations that Staff provided were also very helpful,  
25

1 and if those are intended to be continued in the draft that  
2 goes forward, I think that's a good approach.

3 CHAIR HANSSEN: Very good. So if there are no  
4 objections the proposal on the table is to leave the 16-  
5 point system as is, and then there might be the potential  
6 of modifying for clarity some of the actual things that are  
7 scored for points, and we'll discuss that later.

8  
9 Then we're going to return to the discussion  
10 about privacy that we had at the last meeting, and Vice  
11 Chair Barnett submitted some information from the Palo Alto  
12 Objective Standards that were included with our August 24<sup>th</sup>  
13 Addendum Report. The general consensus at the hearing was  
14 not to increase privacy standards, however, Vice Chair  
15 Barnett did submit additional comments to express concerns  
16 that the standard remains subjective, and what it says is,  
17 "Balconies facing Residential uses and abutting parcels are  
18 allowed when the design is proven to prevent views to  
19 Residential use," and the issue is whether or not this  
20 could really be an Objective Standard, because somebody  
21 would have to determine how it affected views to  
22 Residential use and it's not a use that everyone would  
23 agree on.

24  
25 I think this would be a good time to discuss this  
and see if we can come up with a direction that's

1 comfortable for the Commission for a recommendation, and  
2 Vice Chair Barnett did submit some additional comments. He  
3 has his hand up, so why don't you go ahead?

4 VICE CHAIR BARNETT: Thank you. I think my  
5 submission is clear, but I did think of one other  
6 possibility for us to handle it, which is to have no  
7 standard at all with respect to privacy from balconies as  
8 to adjacent residences and their lots, but submit that as a  
9 possibility for consideration. Otherwise, I think we have  
10 to not necessarily mirror what Palo Alto did, but follow  
11 something that is an impact objective. Thank you.

12 CHAIR HANSSEN: Commissioner Janoff.

13 COMMISSIONER JANOFF: Thank you. Vice Chair  
14 Barnett recommended that the Town Attorney weigh in as to  
15 an opinion whether this particular standard is objective,  
16 and so I'd like to hear from the Town Attorney.

17 ATTORNEY WHELAN: I do agree with Vice Chair  
18 Barnett's comment. The State is interpreting the term  
19 "Objective Standard" very, very narrowly. In my former  
20 jurisdiction there was a requirement for step-backs, and  
21 the court held that it was not sufficiently objective  
22 because the city didn't specify how long the step-back was  
23 supposed to be, so yes, to the extent that we can put  
24 numbers on it or talk about the angle of the balcony, or  
25



1 anything that will make it so that there's no argument that  
2 it's not an Objective Standard, I think that will make it  
3 more defensible.

4 COMMISSIONER JANOFF: I have a follow up, if I  
5 may?

6 CHAIR HANSSEN: Yes.

7 COMMISSIONER JANOFF: I was looking at Vice Chair  
8 Barnett's recommendations and I thought if in fact what we  
9 have in the current draft is not considered to be  
10 objective, as you state, then it seemed reasonable to me to  
11 include the first couple of his points that within 30 feet  
12 of residential windows, that's a specific number, and then  
13 Item (i), so I thought those looked like reasonable things  
14 to include.  
15

16 Then I thought the balance of the parenthetical  
17 items below the first point were a matter of how Staff  
18 would review the data to determine whether the standard had  
19 been met, so I didn't think that was necessary to include  
20 in this document, but if the other Commissioners would like  
21 to keep this item in the Draft Objectives, I think it's an  
22 important one to include. We have a lot of discussion  
23 around balconies and visibility, so I personally would like  
24 to see it included, and I think Vice Chair Barnett's  
25 sentence that talks about the 30 feet, and then the first

1 bullet underneath that, are reasonable to include as  
2 specific objectives that are measurable.

3 CHAIR HANSSEN: Very good. Thank you for that,  
4 Commissioner Janoff. Commissioner Raspe.

5 COMMISSIONER RASPE: Thank you, Chair. In  
6 reviewing this again, I agree with Vice Chair Barnett's  
7 point—and I think Staff supports it—that as currently  
8 drafted it interjects a level of subjectiveness into it,  
9 and so I think Commissioner Janoff suggested a reasonable  
10 solution.

11  
12 As I was looking at it, I had a simpler one, and  
13 again, maybe the Town Attorney can weigh in if it helps,  
14 but I think the problematic phrase seems to be, "The design  
15 is proven to prevent use." If we maybe simplify that to  
16 say, "When the design prevents use," doesn't that suddenly  
17 become objective rather than subjective and solve the  
18 problem, and maybe a simpler way to address the problem? I  
19 just throw it out for consideration by the Commission.

20 CHAIR HANSSEN: I think it would be good for the  
21 Town Attorney to weigh in on whether or not that would make  
22 it more objective.

23 ATTORNEY WHELAN: Given how the State and the  
24 courts are interpreting the term "objective," I would  
25 recommend that the Town adopt something more specific than

1 "prevents use," because I do think an argument could be  
2 made that that's in the eye of the beholder. Something  
3 like, "is not visible from the balcony," can't be argued  
4 about, it is not visible; that is objective. A standard  
5 that there's only one way to apply is what will work in the  
6 end. I hope that helps.

7 CHAIR HANSSEN: Yes, that helps. Commissioner  
8 Tavana has a comment as well.

9 COMMISSIONER TAVANA: Thank you, Chair. As I  
10 mentioned at the previous meeting discussing this topic, I  
11 do think privacy is a very tricky subject, because I  
12 believe it is inherently subjective in nature. I don't  
13 think you could put it on paper and say this is privacy,  
14 because to one person that's not private and to another  
15 person that could be private.

16 I didn't think of this possibility, but I do like  
17 Vice Chair Barnett's comment to maybe just remove the  
18 section altogether. I think that would clarify it and it  
19 could be on a case-by-case basis moving forward just to  
20 keep it simple, because I do think when these projects do  
21 come up it will crop up and be a point of contention in the  
22 process.

23 CHAIR HANSSEN: Thank you for that, Commissioner  
24 Tavana. Commissioner Thomas has a comment as well.

1           COMMISSIONER THOMAS: Thank you, Chair. I agree  
2 that it is really difficult to make an Objective Standard  
3 around privacy, because privacy is not inherently  
4 objective. I agree with some of Commissioner Tavana's  
5 sentiment that it is not something that we can maybe make  
6 an Objective Standard to guarantee privacy, so therefore  
7 should we put one in?

8           I also recognize that people in the Town value  
9 privacy, and I know that that is something that is  
10 important, and I think that we have been making our best  
11 effort and I am willing to attempt to adopt something, but  
12 I think that even if we adopt something that is specific,  
13 like 30 feet, I guess that gives some sort of standard, but  
14 I do think that there are still going to be people that  
15 argue that that's not private enough for them, and for me  
16 personally that is a major concern.

17           I know that in my short time here on the Planning  
18 Commission we have had a lot of people come to us with a  
19 lot of things that are related to privacy and privacy  
20 concerns, and that's connected back to how safe people  
21 feel, and I don't know if we can make an Objective Standard  
22 that the outcome will be that people feel that they have  
23 privacy and safety and feel safe because of that.  
24  
25

1 I am interested to hear what other Commissioners  
2 think, but at this point in time I'm not sure that we can  
3 come up with a standard that will be upheld in the courts  
4 and that can guarantee some level of what people will  
5 accept as being privacy.

6 CHAIR HANSSEN: Thank you for that, Commissioner  
7 Thomas. Our consultant, Mr. Ford, has his camera on, so I'm  
8 assuming that you are able to comment on this.

9 TOM FORD: Yes, thank you, Chair. I read Vice  
10 Chair Barnett's comments three weeks ago and I also read  
11 them this past weekend at the new submittal, and so I found  
12 it very interesting both times I went and looked at that  
13 specific Palo Alto ordinance. What I would recommend, and I  
14 did this and I think it showed up in the Staff Addendum, is  
15 to keep the standard B.4.1 but delete the sentence that has  
16 the potentially subjective clause in it, so you would  
17 delete "balcony spacing existing" all the way through  
18 "prevent views to residential use." That's what I would  
19 recommend.  
20

21 Then if you wanted to still approach and look  
22 into that Palo Alto ordinance, I found the little number 1  
23 really confusing, trying to draw these different view  
24 angles. One of them was at 45-degrees and one of them was  
25 parallel to the floor of the balcony, I thought that was

1 really confusing. I even tried to draw it, and I went to  
2 architecture school, and I couldn't figure out how to draw  
3 it in section.

4           However, little number 3 in that lists a very  
5 specific set of materials that you could demand be put on  
6 the railing of a balcony, which because of the nature of  
7 the material, whether it's opaque glass or perforated  
8 metal, it would obstruct, or certainly defuse, views from  
9 the balcony outward, so that might be a potential solution  
10 you could consider and I just wanted to throw that in  
11 there.  
12

13           CHAIR HANSSEN: Let me just ask a clarifying  
14 question before I go back to Commissioner Janoff. It sounds  
15 like you're recommending that it could be more objective  
16 simply by two stages of your recommendation. One was to  
17 delete the sentence that was too subjective and keep the  
18 standard, and then there's also the possibility of adopting  
19 part of Palo Alto's that was objective enough.

20           TOM FORD: Correct, that's part of what Vice  
21 Chair Barnett recommended three weeks ago and again for  
22 this meeting tonight.

23           CHAIR HANSSEN: Got it. I'm going to go back to  
24 Commissioner Janoff.  
25

1                   COMMISSIONER JANOFF: I like the compromise that  
2 Mr. Ford is recommending, because I do think we want  
3 something in here. If an architect says they can't figure  
4 it out, then I suspect that that's problematic, although if  
5 it's in Palo Alto's Objective Standards, then you would  
6 think that if it weren't workable that they would have had  
7 feedback and made a change.

8                   So if the Town Attorney recommends that the  
9 suggestion that Mr. Ford made is sufficiently objective,  
10 then I would say fine, let's leave it in. If we still need  
11 some numbers to support it, then the 30 feet is another  
12 number that's pretty easily measured, at least from a  
13 diagram of a proposed project, so looking forward to  
14 hearing from the Town Attorney.

15                   ATTORNEY WHELAN: What I would like to do is go  
16 to B.4.11 in the draft, and if the Commission likes, they  
17 could go on to the next topic while I look at how that  
18 standard would read without the last sentence.

19                   COMMISSIONER JANOFF: I think the sentence  
20 recommended for deletion is the middle sentence. I think we  
21 still want, "Balconies shall be without projections beyond  
22 the building footprint."

23                   ATTORNEY WHELAN: Okay, that is sufficiently  
24 objective then.  
25

1 COMMISSIONER JANOFF: Yes, I think it's the  
2 middle sentence.

3 ATTORNEY WHELAN: Yes, that works.

4 JENNIFER ARMER: If I could jump in a moment, I  
5 believe the reference to, "Balconies shall be without  
6 projections beyond the building footprint" is meant to only  
7 apply to balconies facing existing Residential uses on  
8 abutting parcels, and so it may be if you want to keep that  
9 meaning and have it not apply to the street-facing  
10 balconies, then we would actually keep the first half of  
11 the second sentence and then keep the last sentence.

12  
13 CHAIR HANSSEN: It sounds like we have a proposal  
14 on the table, and so the fundamental question, we have some  
15 Commissioners on the side of wanting to delete this  
16 entirely, because we could never reach the level of  
17 objectiveness; but I'm hearing that we have kind of a  
18 proposal that would take it to a better place, and so there  
19 are many other Commissioners that also want to keep this  
20 and try to improve it.

21 Commissioner Janoff.

22 COMMISSIONER JANOFF: Thank you. I just wanted to  
23 comment on a portion of Commissioner Tavana's comment. If  
24 we take this standard out, there won't be a case-by-case to  
25 be able to be evaluated. This is going to be outside the



1 realm of the Town being able to make a decision. This whole  
2 thing is intended for developers to just be able to boom,  
3 this is what we've got, so if we take balconies out, we  
4 don't have any say on balconies going forward if the  
5 developer meets the criteria that puts them into this set  
6 of Objective Standards, so I personally would recommend  
7 keeping this in so we have some Objective Standard to be  
8 able to have designers plan for, but I just wanted to make  
9 that comment.

10  
11 If we think that any topic, whether it's  
12 balconies, windows, or anything, can be decided on a case-  
13 by-case basis when a developer is coming through this  
14 process, I think that's not what's going to happen, and  
15 Staff could correct me if I'm wrong, but I just wanted to  
16 make that point.

17 CHAIR HANSSEN: Thank you for that.

18 I'm going to weigh in and say that I feel like we  
19 should try to keep it. What I'm hearing is our consultant  
20 has some ideas about how to make this more objective. Our  
21 Town Attorney agrees that we can make it more objective  
22 with a few ideas, and so it may not be perfect, but I also  
23 agree with Commissioner Janoff that if we take it off the  
24 table completely, then we won't have it, and so I think we  
25 should at least try to move forward and see if we can be

1 successful with this, especially since we know how  
2 important views are to so many of our residents with new  
3 construction.

4 Commissioner Thomas.

5 COMMISSIONER THOMAS: I completely agree and I  
6 think that removing the part that is subjective is good,  
7 and I do think that people care about this and balconies,  
8 so I'm happy with keeping it in.

9  
10 I do, however, want to make sure that if we take  
11 out the middle sentence we're still clarifying that  
12 balconies can't project beyond building footprints, only  
13 the ones that are facing the existing Residential uses on  
14 abutting parcels, right? We don't want it to say that we  
15 can't have any projections beyond the building footprint?

16 ATTORNEY WHELAN: I'll jump in. If we take out  
17 the middle sentence and it will say, "Balconies are allowed  
18 on facades facing the street and those facades facing  
19 existing non-Residential uses on abutting parcels. Such  
20 balconies shall be without any projections beyond the  
21 building footprint."

22 COMMISSIONER THOMAS: So we want to change that  
23 "such balconies." We want to specify that it's the  
24 abutting...the second...

25 ATTORNEY WHELAN: (Nods head yes.)

1 COMMISSIONER THOMAS: Okay. That's what I just  
2 wanted to clarify and make sure that that would be changed.

3 ATTORNEY WHELAN: Yes, that's a good  
4 clarification. So then it would say, "Balconies on facades  
5 facing existing non-Residential uses on abutting parcels  
6 shall be without any projections beyond the building  
7 footprint."

8 COMMISSIONER THOMAS: Yes, so the words we're  
9 actually taking out are "are allowed when," blah, blah,  
10 blah, "such balconies." So it's just going to read  
11 "abutting parcels shall be without." Okay, cool. I'm happy  
12 with that.  
13

14 CHAIR HANSSEN: Vice Chair Barnett.

15 VICE CHAIR BARNETT: I very much like Mr. Ford's  
16 suggestion that we look into the materials that might be  
17 opaque or somehow screening but not closed as the solution,  
18 and I think the next critical issue would be the height of  
19 the balcony railing together with them.

20 CHAIR HANSSEN: Commissioner Thomas.

21 COMMISSIONER THOMAS: I am wondering if Staff or  
22 maybe Mr. Ford knows, are there standards for how high or  
23 low the balcony railing has to be? I'm assuming that  
24 there's like a safety..  
25

1 JENNIFER ARMER: Correct. Building Code does have  
2 requirements for how tall a balcony railing needs to be,  
3 but I don't remember.

4 COMMISSIONER THOMAS: And does it have a maximum  
5 too for being able to get out, or no?

6 JOEL PAULSON: Thank you, Commissioner Thomas. I  
7 think what Ms. Armer was mentioning was there is a minimum.  
8 Depending on what floor it's on it could be a fire issue if  
9 that is an egress or if they have to get a ladder to it. I  
10 don't know that we have that specificity now, but there is  
11 definitely a minimum, and we can look into whether or not  
12 there's a maximum if this is something the Commission is  
13 interested in moving forward as part of their  
14 recommendation, and we'll get together with the building  
15 official and look into that prior to going to Town Council.

17 CHAIR HANSSEN: Just as a quick checkpoint, I'm  
18 not sure where Commissioner Tavana is at the moment;  
19 because he said basically take it out. Are there others  
20 that would object to keeping this in if we can improve it  
21 and make it more objective? Okay, so I think we should  
22 start with that. Then we have the suggestion from Mr. Ford,  
23 and Vice Chair Barnett concurred with that, and the Town  
24 Attorney had weighed in as well, so it sounds to me like we  
25 should take the range of suggestions that have been

1 submitted and see what is going to be the most objective  
2 that we can stay with in this document.

3 I don't know if what I said makes sense, but as  
4 far as moving forward I think we have a number of  
5 suggestions that we can use to make it more objective, so I  
6 would ask Staff, do you need specific direction on what to  
7 look into from here, or can you take the collective input  
8 that we have so far?

9  
10 JENNIFER ARMER: Thank you, Chair. Mr. Safty,  
11 would you like to take this first?

12 RYAN SAFTY: We'll see if we were about to say  
13 the same thing. I was going to say I do think we have  
14 enough information to move forward. We can work with the  
15 Town's consultant and come up with some sort of additional  
16 screening requirement on those balconies.

17 CHAIR HANSSEN: All right, I think that sounds  
18 like a good resolution, and I think that the majority of  
19 the Commission feels that this is worth pursuing but I  
20 think most everyone agrees it needs to be more objective,  
21 so I think that's a good way to move forward.

22 Then I will go on to Item 4, which is pictures.  
23 Ms. Quintana did refer to the pictures, and also Housing  
24 Element Board Member Mayer submitted a comment as well on  
25 the subject. The current Draft Objective Standards contain

1 design illustrations to demonstrate the intent of the draft  
2 standards. The general consensus at our last meeting on  
3 August 24<sup>th</sup> was to include pictures of existing development  
4 within the document for real world examples for some of the  
5 complicated design techniques to make it more user-  
6 friendly, and Staff is looking forward to additional  
7 discussion or recommendation from the Planning Commission.  
8

9 We did hear from Ms. Quintana tonight a  
10 suggestion to do something similar to what Staff did in our  
11 first Staff Report, which is to give examples of buildings  
12 and whether or not they would meet our standards.

13 I'd like to see what Commissioners think about  
14 the picture issue and where to go with it. Commissioner  
15 Thomas.

16 COMMISSIONER THOMAS: Thank you, Chair Hanssen. I  
17 would like to say that I know that we said that this  
18 document is for the public and the public is going to be  
19 looking at it, so everyone needs to be able to understand  
20 it, but I think that ultimately the people that are going  
21 to be using this document the most are going to be  
22 architects, and so I was glad that we got the public  
23 comment from Mr. Mayer, because I do think that the line  
24 drawings are more helpful and offer more of a blank slate  
25 with regard to creativity and aren't as prescriptive, but I

1 am curious to see if Staff thinks that they are able to  
2 find examples where enough of the standards are met.

3 My other compromise would be when we had  
4 examples. Maybe there could be examples at the end saying  
5 like here is an existing building, here are the points that  
6 they meant, and actually have a visual picture, and that  
7 might be like of a real building and include actual photos  
8 there instead of throughout the entire document, and have  
9 it be labeled a little bit in that way. I'm curious to see  
10 what other people think about that.

11  
12 CHAIR HANSSEN: Thank you for that, Commissioner  
13 Thomas. Commissioner Janoff has her hand up.

14 COMMISSIONER JANOFF: Thank you. I was an  
15 advocate of including illustrations, not necessarily  
16 throughout but just in general, but having heard from the  
17 architects, the group of architects didn't say much except  
18 what they did in the initial set of comments last meeting  
19 where they didn't like the line drawings, but given the  
20 remarks from Mr. Mayer, I think it's a good point.

21 I do agree with Commissioner Thomas. This really  
22 is a document that's for the design team and the architects  
23 more than it is a homeowner; it's not the Residential  
24 Design Guidelines, for instance.  
25

1           Having said that, a question for Staff. I'm in  
2 favor of keeping the line drawings as is, and maybe not  
3 including illustrations throughout. But in our last draft  
4 Section B, that includes the evaluation of existing  
5 developments, and my question is, is that intended to be  
6 included as part of the design standards for illustration,  
7 or is that just for the Planning Commission?

8           RYAN SAFTY: Thank you for the question. That was  
9 initially intended just for the Planning Commission. There  
10 were Commissioners that had specific questions on if these  
11 could actually be implemented in the real world, so those  
12 were examples on how they could. That being said, we're  
13 happy to do whatever the Planning Commission recommends.

14           COMMISSIONER JANOFF: I ask because it was a nice  
15 small compilation of some reasonably well designed  
16 buildings in town, and so I think it's a reasonable thing  
17 to include. It sort of satisfies both itches. It gives you  
18 some illustrations of how structures are meeting the  
19 requirements, but it doesn't muddy up the document Section  
20 A, so I would be in favor of including B for illustrative  
21 purposes, and keeping line drawings in the balance of the  
22 section.  
23

24           CHAIR HANSSEN: Thank you for that. My thinking  
25 on this after reading all the comments and hearing the



1 additional feedback, although I think that the target  
2 market for this is architects that are going to be  
3 designing these buildings, I also think that our public is  
4 a very close watchdog on a lot of these projects, and since  
5 they're going to be some of the bigger ones, I think just  
6 for the benefit of public transparency it wouldn't be a bad  
7 idea to include some generalized pictures as discussed,  
8 versus one on every standard, for the benefit of the people  
9 in the public that might happen to go look at this document  
10 and are like what is the Town doing to make sure that we're  
11 taken care of? And it would probably be more illustrative  
12 to them to have photos, and I would just keep it fairly  
13 general, as we were discussing.

14  
15           So that's what my thoughts are on it, but I'd  
16 like to hear what others think as well. Commissioner Raspe.

17           COMMISSIONER RASPE: Thank you, Chair. I think  
18 I'm of the view largely in accord with Commissioner Janoff  
19 in that it's my sense, and the architects who opined, that  
20 the line drawings should be the primary reference tool in  
21 the document, but I see that there is some added benefit to  
22 the public and maybe for some clarifying in having pictures  
23 as you indicate, Chair.

24           So the notion of having the line drawings the  
25 predominant feature throughout the document, and perhaps an

1 appendix or closing section that has some prominent  
2 approved features that the Town has signed off on in the  
3 past, and then perhaps some language somewhere in the  
4 document—because we wouldn't want to muddy the waters—that  
5 essentially says the line drawings are the rule and that  
6 the photos are there for illustrative purpose only, and it  
7 wouldn't overrule or somehow overwrite our other written  
8 rules. Something along those lines I think maybe satisfies  
9 both camps.

10  
11 CHAIR HANSSEN: I think that makes a lot of  
12 sense. Other comments? Vice Chair Barnett.

13 VICE CHAIR BARNETT: I support Commissioner  
14 Raspe's idea, but I wanted to bounce off the Town Attorney  
15 whether she thinks that inserting photos in the Objective  
16 Standards would create a problem, because the photos are  
17 not in and of themselves objective?

18 ATTORNEY WHELAN: No, I don't think that would  
19 pose a problem, because the photos are intended to depict  
20 what is described in the wording, so I think that would be  
21 fine.

22 CHAIR HANSSEN: I like the comments by  
23 Commissioner Janoff and Commissioner Raspe, and I think we  
24 should proceed in that way and only use photos as a  
25

1 generalized thing and be very clear that the line drawings  
2 are the Objective Standard.

3 Any other thoughts or comments, or any objections  
4 to going in that direction? Commissioner Thomas.

5 COMMISSIONER THOMAS: I would just like some  
6 clarification from Commissioners Janoff and Raspe about—I  
7 know Commissioner Raspe said this—do you feel like this is  
8 an appendix at the end, because that's how I feel it should  
9 be, like given as different examples. If you need further  
10 details on what this looks like in real life, go to this  
11 appendix at the end. Is that what you're thinking,  
12 Commissioner Janoff?  
13

14 COMMISSIONER JANOFF: Yes, essentially we've got  
15 that section which reads as an appendix now as  
16 illustrations of how the standards have been met, and I  
17 think the clarifying language that Commissioner Raspe is  
18 suggesting is a good idea to include just to note that  
19 these are examples and they may or may not meet other  
20 criteria, so we don't confuse anyone in saying these must  
21 be followed this way, but I agree that this could serve as  
22 a type of appendix that Commissioner Raspe is recommending.  
23

24 CHAIR HANSSEN: If that answers your question,  
25 Commissioner Thomas, are you good with the proposal? All  
right, so I think we're good to move off of this. That was

1 the generalized questions that were in the Staff Report, so  
2 I was going to go to the Addendum, because the Staff did  
3 comment on Housing Element Advisory Board Member Mayer's  
4 comments as well as the architects' comments.

5 I'm pulling up the Addendum right now, and there  
6 were ten items that Staff wanted the Planning Commission to  
7 discuss further, and I just want to ask a clarifying  
8 question of Staff that you responded to, and I know you  
9 worked very hard on your response.

10  
11 You responded to everything, and a lot of the  
12 things that were in the architects' document were in fact  
13 questions that needed clarification as opposed to  
14 recommended changes, so I'm assuming that as long as we  
15 answer the question that you had, like Comment 9, 10, 11,  
16 12 and so on, those are the things that you wanted us to  
17 have further discussion, and then we could ask the  
18 Commission if they felt like the rest of your answers or  
19 suggestions about whether to do or not do were good, and  
20 maybe do that as a group, or do you want us to discuss all  
21 of them?

22 RYAN SAFTY: Thank you for the question. Yes,  
23 that's exactly how we intended this to be. If we could go  
24 through, give recommendations on the individual comments in  
25 the Addendum Report, and then if there was something in the

1 items that weren't covered in the Addendum where Staff felt  
2 pretty confident about that any of the Planning  
3 Commissioners disagree with, please let us know.

4 CHAIR HANSSEN: That sounds good. I'm going to go  
5 by Comment 9, and just to refresh everyone's memory, it  
6 relates to the continuous streetscape requirement in  
7 A.11.1, which requires development in a Community Growth  
8 District to place at least 75% of the ground floor within  
9 5' of street-facing property lines. The comment was about  
10 whether or not it applies to only the building or the  
11 entire length of the property line, and the draft standard  
12 is currently were it to apply only to the proposed  
13 buildings. I'm assuming that the discussion that Staff  
14 wants us to have is whether that is what we intended?

16 RYAN SAFTY: Exactly

17 JENNIFER ARMER: Or if additional clarification  
18 is needed.

19 CHAIR HANSSEN: Okay, since people were asking  
20 the question. Commissioner Thomas.

21 COMMISSIONER THOMAS: I'm sorry, can you repeat  
22 which section of the draft it is so I can scroll up to it?

24 CHAIR HANSSEN: A.11.1.

25 COMMISSIONER THOMAS: Okay, thank you.

1 CHAIR HANSSEN: I know Commissioner Janoff and I  
2 were on the General Plan Committee, and you were as well,  
3 Commissioner Thomas. I think this got started during the  
4 discussion of the Community Growth Districts that we had  
5 and wanting to not have the parking lot in front and the  
6 building behind, which is kind of the old version of how we  
7 do these kind of developments, and we wanted to basically  
8 bring the street forward to the buildings in place and  
9 stuff, so I guess the question would be whether there's a  
10 reason to do something else besides the building, or if  
11 there is something else to consider?  
12

13 Vice Chair Barnett.

14 VICE CHAIR BARNETT: My thought on this is that  
15 the last sentence of the draft standard is currently worded  
16 only applies to the proposed buildings. I think that's how  
17 it should be written. Thank you.

18 CHAIR HANSSEN: Commissioner Thomas.

19 COMMISSIONER THOMAS: I agree.

20 CHAIR HANSSEN: I don't know how you would do it  
21 any other way, because what they're asking to do is build a  
22 building, so I think that's probably the clearest, most  
23 objective thing that we can do. Any other thoughts? I think  
24 as long as it's clear that it applies to the proposed  
25 building we can leave it to Staff whether or not you think

1 that we should make the language clearer in the standard,  
2 but that is clearly the intent.

3           Comment 10 questions why Section A.11.2 has a  
4 maximum percentage for site amenities in front of the front  
5 façade. The maximum percentage was originally included to  
6 ensure visibility to the ground floor uses, however, in the  
7 case of restaurant uses it might be overly restrictive, and  
8 so the standard could be modified to include a minimum but  
9 no maximum. So it sounds like that might be the proposal,  
10 which is to take away the maximum.

11           Commissioner Janoff.

12           COMMISSIONER JANOFF: Agreed. I thought that was  
13 an excellent point.  
14

15           CHAIR HANSSEN: It made sense to me as well.  
16 Other comments on Comment 10? I'm going to assume that  
17 since there are no other comments that we all agree.

18           Comment 12 questions how the arcade in B.1.1d and  
19 the recessed building entry B.1.1c standards could be  
20 incorporated into the same building. The Planning  
21 Commission could consider removing the full height of the  
22 façade requirement from B.1.1c or removing the arcade  
23 option from B.1.1d in its entirety to remedy his concern.  
24 Any thoughts?

25           Vice Chair Barnett.

1 VICE CHAIR BARNETT: I'm interested in whether  
2 the Staff had a position on this, but to me it seems like  
3 the full length of the façade is a standard that we don't  
4 want to lose.

5 CHAIR HANSSEN: Staff, do you have a comment?

6 RYAN SAFTY: Yes, certainly. Thank you. Staff's  
7 initial recommendation was that it does seem like that  
8 would be the cleanest resolution, and that way we're still  
9 holding onto the arcade standard.  
10

11 CHAIR HANSSEN: Okay, so that sounds like the  
12 easiest way to go, and Vice Chair Barnett has made that  
13 recommendation. Other Commissioners have any other thoughts  
14 on that? The proposal is to remove the language "full  
15 height of the façade" from B.1.1c to solve the problem.  
16 Sounds like we're good to go.

17 Comment 13, also related to the arcade action in  
18 B.1.1d, states that longer buildings would look monotonous  
19 with the continuous arcade. The arcade option could either  
20 be removed or a limit to the required arcade length could  
21 be added. That's on Comment 13.

22 Commissioner Tavana.

23 COMMISSIONER TAVANA: Thank you, Chair. In  
24 general I think a limit would make the most sense to me. I  
25



1 don't know what that limit would be necessarily, but I  
2 don't think we should remove it altogether.

3 CHAIR HANSSEN: Thank you for that, and I'm  
4 pretty darned sure when we were on the Subcommittee we  
5 spent lots and lots of time on how to make sure that we  
6 didn't have big blank walls of buildings that were without  
7 architectural detail, so that is why there are so many of  
8 these things in the document right now.

9 Commissioner Raspe.

10 COMMISSIONER RASPE: Thank you, Chair. I agree  
11 with Commissioner Tavana. I think we should retain the  
12 arcade design feature, and I don't have a specific figure  
13 in mind either. It seems to me though that the notion  
14 should be that the arcade should predominate the front, it  
15 should be the predominant design feature, and so I'll just  
16 throw out as a point for discussion, perhaps it should  
17 cover 75% of the frontage, or some percentage greater than  
18 50%, so it becomes the predominant design feature of the  
19 building.  
20

21 CHAIR HANSSEN: Thank you for that input. We have  
22 a comment from Mr. Safty.

23 RYAN SAFTY: Thank you. Sorry for interjecting. I  
24 just wanted to point out that the architects did provide  
25 specific numbers for that if the Commission is struggling

1 to come up with exactly how to define that; there was a  
2 recommendation made by the architects.

3 CHAIR HANSSEN: Could you tell it to us, just  
4 because there are so many documents in play?

5 RYAN SAFTY: Of course. The suggestion was when  
6 over 80' or 100' long a two-third arcade approach could  
7 apply, so if we want to go with clean numbers, over 100',  
8 then two-thirds of that façade needs to have arcades.

9 CHAIR HANSSEN: And if it were less than 80' to  
10 100', what would it be then?

11 RYAN SAFTY: If it were less, then it would be a  
12 continuous arcade.

13 CHAIR HANSSEN: It would be continuous across the  
14 entire versus not the whole thing, but two-thirds. Okay.  
15 Commissioner Janoff.

16 COMMISSIONER JANOFF: I was going to point to the  
17 same recommendation from the architects, but I wonder, Mr.  
18 Safty, why we would go with the upper number of 100' when  
19 an 80' long building might read pretty long and the  
20 architects put that range in there. I'm just thinking over  
21 80' might be better than over 100', but I would defer to  
22 Staff and the architects. This is really a design  
23 aesthetic, so I would choose one number, but whatever you  
24 think is the better design number.  
25

1           RYAN SAFTY: Thank you. I actually would defer to  
2 Mr. Ford, our consultant, since he is more familiar with  
3 these. I just happen to choose the cleaner number as an  
4 example.

5           CHAIR HANSSEN: And Mr. Ford has his camera on,  
6 so please go ahead.

7           TOM FORD: Thank you, Chair. I'm also thinking of  
8 specifically the Los Gatos context and maybe the typical  
9 frontage link that you'll be seeing, so I would go with the  
10 smaller number of 80', or maybe even less, and put that for  
11 the parameter where you make a jump.

12           Therefore, if a frontage is longer than 80', then  
13 two-thirds of that frontage needs to have an arcade in  
14 order to qualify for this point system, and if it's less  
15 than 80' you might consider something less than 100' but  
16 more than two-thirds, because I think if you look at the  
17 architects' full submittal they discuss the arcade quite a  
18 bit and how imposing it upon the whole frontage could tend  
19 to be kind of cumbersome, so I think we could come up with  
20 one standard for less than 80' and a different percentage  
21 for over 80'.

22           CHAIR HANSSEN: Neither of which would be 100'?

23           TOM FORD: That's what I'm suggesting, but you  
24 may disagree with me.  
25

1 CHAIR HANSSEN: No, I just wanted to make sure I  
2 understood your suggestion. Commissioner Tavana.

3 COMMISSIONER TAVANA: Thank you. In general I do  
4 think that any continuous arcade would be monotonous  
5 inherently. Maybe we could adopt a two-thirds approach  
6 across the board, because if it's 50', 60', whatever, I  
7 still think it would be monotonous, so I think two-thirds  
8 in general, no matter how long it may be, would be a good  
9 approach to consider.

10 CHAIR HANSSEN: Thank you for that. Other  
11 thoughts on this? Commissioner Janoff.

12 COMMISSIONER JANOFF: Do we have any buildings  
13 with arcades in town? I can't think of one. Staff, do we  
14 have any examples? I'm thinking, to Commissioner Tavana's  
15 point, that that's an interesting concept, but if it's a  
16 very small building, if it's only 40'-50' wide, then having  
17 an arcade not across the entirety of it might look odd.

18 I think this is really something that I  
19 personally would defer to the architects on a team and go  
20 with that. But if there's an example in town that shows  
21 like a truncated arcade across the front of the building,  
22 I'd like to know if we have one.

23 CHAIR HANSSEN: I'm going to go back to Mr. Ford,  
24 and then to Commissioner Thomas.

1 TOM FORD: Thank you, and following on what  
2 Commissioner Janoff is talking about, it could be that you  
3 don't actually see this try to be implemented that often,  
4 because if you think of an infill situation, putting an  
5 arcade on front of a building arcade on front of a  
6 building, it's really going to be impacted by what is on  
7 either side, because it's basically an interior sidewalk,  
8 so what's the point of having an interior sidewalk if you  
9 run into the wall at the adjacent building?  
10

11 Arcades tend to happen in a situation where it's  
12 more of a comprehensive development, the way the town  
13 developed, let's say, Old Sacramento, New Orleans, things  
14 like that, so I don't think you're going to be seeing it  
15 that often, but I think by keeping the amount of the façade  
16 that's covered by the arcade it will help with the infill  
17 situation if it is implemented.

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

20 COMMISSIONER THOMAS: The two examples that I can  
21 think of are one, the King's Court Shopping Center. Isn't  
22 there an arcade across in front of the bank and all of  
23 that, and part of that area? It's not architecturally  
24 beautiful, but that's an arcade. And then two, the post  
25 office downtown.

1 But I do agree that it would be helpful to put a  
2 maximum in just because these are Objective Standards, but  
3 I also agree that we're not the experts to decide that, so  
4 I'm very happy to defer to Staff to talk to our consultants  
5 and go with whatever maximum visually makes sense,  
6 especially because this is probably not going to be  
7 utilized very often, like Mr. Ford just said.

8 CHAIR HANSSEN: I'm going to say that it sounds  
9 reasonable to have a standard, as recommended by the  
10 consultants, to have less of the façade if it's of a  
11 certain distance, and then more of the façade in terms of  
12 percentage if it's less than a certain distance.

14 I completely agree with the other Commissioners  
15 that we're not in a position as Planning Commissioners to  
16 really be able to judge that the best way, so I would like  
17 to maybe give direction to Staff that let's go down the  
18 path of having different standards for different lengths,  
19 but keep it simple and have the number assigned to it and  
20 take the input of the architect community to come up with  
21 the right number. Does that sound reasonable? All right, so  
22 let's do that.

23 Vice Chair Barnett.

24 VICE CHAIR BARNETT: My understanding is that  
25 we're trying to finalize this Objective Standards tonight,

1 so my idea would be to refer this issue to the Council with  
2 any input that might be provided by Staff after the  
3 meeting.

4 CHAIR HANSSEN: Right. Maybe my suggestion was  
5 not clear enough, but it was that we would go ahead with  
6 that approach and that the number would be filled in  
7 somewhere in the near future by Staff with input from  
8 people that have more expertise, so I think we're going to  
9 keep it with that.

10  
11 Then we can go on to Comment 14, which is  
12 requesting an additional section be added to deal with  
13 corner lots, and although it does not currently exist, this  
14 could be developed in the future, and I think what Staff  
15 was saying in a nice way is it would be a lot of trouble to  
16 add that in, and since we're so far behind schedule that  
17 that might be a nice add-on at a later point, but it could  
18 hold up the document. Am I characterizing that correctly,  
19 Staff?

20 JENNIFER ARMER: Yes, that's correct.

21 CHAIR HANSSEN: So Commissioners, are there  
22 thoughts about whether or not it's important to have that  
23 in this version of the document? Commissioner Raspe.

24 COMMISSIONER RASPE: Thanks, Chair. I agree with  
25 Staff. At some point I would like to see this incorporated

1 into the document, but given where we are in the process,  
2 let's proceed without it for now.

3           As an additional note, I think corner lot  
4 developments are probably going to be the minority of  
5 developments we see. It will be largely more infill type  
6 projects, and so it probably is going to be the least  
7 impactful section, so let's proceed without it for now, but  
8 with a notation that we'd like to see it developed on the  
9 next round if possible.

10  
11           CHAIR HANSSEN: Very good, thank you for that.  
12 Commissioner Janoff.

13           COMMISSIONER JANOFF: I agree. There is a  
14 specific bullet point from the architects that say we  
15 should have a section on corners, but it struck me that it  
16 was a follow-on to the previous bullet where they were  
17 going on about what happens if this and that and the other  
18 and then now that we're talking about corners, let's go  
19 there, so I didn't get the sense that that was the same  
20 level of importance, and so I would agree, let's stay the  
21 course on what we have, and if it looks like we need more  
22 specificity on corners, if things are going crazy on all of  
23 these great developments that are going to come our way,  
24 then take another look at making something more specific  
25 then.



1 CHAIR HANSSEN: Very good, thank you for that. So  
2 I think we're going to go with that recommendation that we  
3 should try to add that in a future version of the document,  
4 but not hold up the progress of this document.

5 The next one is Comments 18 and 19 that are  
6 related to the belly band option in B.4.1d. Based on the  
7 reasoning provided, Commissioners can consider removing  
8 this option, because there are multiple documents out  
9 there, and maybe not everyone has them all up at the same  
10 time, that wanted us to remove the belly bank option  
11 entirely, or I thought I saw something there about reducing  
12 the size of it. Can you maybe give us some clarification  
13 about what specifically the architects were looking for?  
14

15 RYAN SAFTY: Certainly. The first one, Comment  
16 18, basically is belly bands don't always work, especially  
17 not a continuous belly band, especially if you have pop-  
18 outs, recesses, pilasters, and what not.

19 The second, Comment 19, was specifically about  
20 the width or the height of the belly band, pointing out  
21 that we require ten and Palo Alto requires four.

22 CHAIR HANSSEN: So that's about that from the  
23 Commission. Commissioner Janoff.

24 COMMISSIONER JANOFF: I would remove it.

25 CHAIR HANSSEN: The B.4.1d?

1 COMMISSIONER JANOFF: Yes.

2 CHAIR HANSSEN: Commissioner Raspe.

3 COMMISSIONER RASPE: Yes, I agree. I don't find  
4 the belly band a particularly effective device for breaking  
5 up a façade, and going to a smaller belly band seems to me  
6 to even exacerbate the problem, so I would agree, I would  
7 (inaudible).

8 CHAIR HANSSEN: Any other thoughts, or a  
9 different direction? Otherwise, we are going to recommend  
10 removing it. Sounds like we are agreed.

11  
12 So then we can move on to Comment 23, which  
13 questions how B.4.3 would be applied. For example, if a  
14 single bay window would be sufficient to qualify for the  
15 points listed. Staff can either add greater specificity for  
16 certain items, or remove this requirement, and they are  
17 looking for direction from the Planning Commission.

18 Commissioner Janoff, and then Vice Chair Barnett.

19 COMMISSIONER JANOFF: This was an interesting  
20 comment. I can't imagine an architect coming forward with a  
21 mish-mash of balconies and no balconies. That just seemed  
22 to me to be taking the point a little bit too far, but if  
23 Staff has a way to insert language that talks about the—I  
24 can't remember the exact term—integrity of design or  
25 something, which is completely not objective, so that won't

1 work, but if there is some language that could be inserted  
2 that would clarify what they're talking about in terms of a  
3 whole bunch of different elements just to rack up points,  
4 I'm not sure how that could be done, but what they propose  
5 could happen sort of like gaming the point system. I guess  
6 it could happen, but how do we make sure it doesn't?

7 CHAIR HANSSEN: Mr. Ford, could you comment on  
8 that? You helped us develop this thing, and I think you've  
9 had experience with other jurisdictions. What are your  
10 thoughts on this particular issue?

11 TOM FORD: Thank you, Chair. If the Commission  
12 prefers to keep this B.4.3 I think it's possible to go in  
13 and add greater specificity. I read the architects'  
14 comments and I thought that's interesting, somebody put one  
15 Juliet balcony, so therefore they get the points. I don't  
16 know if anyone has packet page 225, you see page B.4.3,  
17 each of those lines would probably get longer, because we  
18 would add some specificity, and I wouldn't say Juliets on  
19 100% of the windows. Let the designer have a little bit of  
20 flexibility and maybe pull out a massing piece, so you  
21 might say Juliets applied to 40% of the fenestration, or  
22 60% or something, and you might say one chimney is enough,  
23 and you might say a certain number of balconies. So I think  
24  
25

1 we can provide greater specificity if you want to keep  
2 B.4.3.

3 CHAIR HANSSEN: I think we already discussed that  
4 we wanted to keep B.4.3, but we have several Commissioners  
5 with their hands up. Vice Chair Barnett, and then  
6 Commissioner Tavana, and then Commissioner Clark.

7 VICE CHAIR BARNETT: Thank you, Chair. I share  
8 exactly Mr. Ford's thinking. I think that the architects  
9 may have overstated the possibility and made it a  
10 ridiculous hypothesis, but nevertheless there's a lot of  
11 room for clarification that I think should be made before  
12 this is sent to the Council, or in the process of  
13 submitting it to the Council that we have further  
14 specification. Thank you.

16 CHAIR HANSSEN: Thank you for that. Commissioner  
17 Tavana.

18 COMMISSIONER TAVANA: Thank you. I agree with  
19 Vice Chair Barnett in the sense that any specificity could  
20 help, but in the examples given there was a single bay  
21 window, but in the Objective Standards—I don't know if this  
22 matters or not—it clearly states bay windows, not just one,  
23 so it is plural and a lot of these are plural, and that  
24 would alleviate some of the issues, but adding specificity  
25 definitely would help.

1 CHAIR HANSSEN: Thank you. Commissioner Clark.

2 COMMISSIONER CLARK: Thank you. Sorry I haven't  
3 been participating more. I'm very under the weather, but  
4 I've been appreciating all of the comments and I promised I  
5 would say something if I disagreed with any decisions that  
6 were being made.

7 For this one I definitely agree that I want to  
8 see it kept in, and I think having the minimum of 16 points  
9 needed would hopefully keep people from going too crazy,  
10 like gaming it and trying to add as many features as  
11 possible and stuff, but I do think that it would be a  
12 problem if someone decided to get their points using like  
13 the three point ones or something, because it would become  
14 pretty clunky, so I agree first that we need more  
15 specificity.

17 Then I was thinking, I don't know if there's a  
18 way to say get at least this many points from these ones or  
19 something, like making sure that they use at least one of  
20 the eight point ones or something, but we might want to do  
21 something like that just to make sure that nobody just uses  
22 all of the three pointers and gets some really clunky  
23 looking design.

24 CHAIR HANSSEN: Great. I think that's a good  
25 suggestion. Staff, I think what I'm hearing is that more

1 specificity would be good, that we like the system, and  
2 just to maybe try to put a little bit more specificity in  
3 to help avoid gaming the system. I think Commissioner Clark  
4 had an idea about maybe you have to use some of this versus  
5 a bunch of the lower point things, or something like that.  
6 Is that enough for you guys to go on?

7  
8 RYAN SAFTY: I believe so. I'll defer to Mr.  
9 Ford, since you're going to be the one helping us with  
10 this.

11 TOM FORD: Yes, that's great input.

12 CHAIR HANSSEN: Okay, great. Comment 24 suggests  
13 that the illustration of pilasters should be removed. The  
14 illustration was a specific request from a previous  
15 hearing, but it could be removed.

16 Commissioner Janoff.

17 COMMISSIONER JANOFF: There are two different  
18 figures that include pilasters, and I think the  
19 illustration that is being objected to is 4.5, which is on  
20 page 26 of 29, and I agree that pilasters in this  
21 particular example would be highly unlikely, so it seems to  
22 be a highly unlikely design element to have in there, and  
23 it doesn't particularly illustrate the change in materials  
24 concept that this item is speaking to, so I think in this  
25

1 case I would be in favor of removing the pilasters in this  
2 particular illustration.

3 But on page 16 of 29, whichever section that is,  
4 there's an illustration that includes them on that line  
5 drawing, and those should be kept, so just to clarify which  
6 drawing we're talking about.

7 CHAIR HANSSEN: Thank you for bringing that up.  
8 So there are two illustrations and you're saying keep the  
9 one and not the other. That sounds like a very good  
10 recommendation. Other comments from Commissioners? Mr.  
11 Ford.

12 TOM FORD: Thank you. Also, just so you're not  
13 surprised later by taking out the pilasters from Figure  
14 B.4.5, I think we will also help you by making an edit to  
15 the text of Standard 4.5, "Changes in building materials  
16 shall occur at inside corners." I think what we'll do is  
17 we'll delete the reference in the text standard about  
18 architectural features. I think that's what led us astray  
19 on this issue.

20 CHAIR HANSSEN: So it sounds like this problem is  
21 solved. The last one that we were asked for input on was  
22 Comment 27 suggesting that rather than prohibiting rooftop  
23 and upper floor terraces and decks that they could be  
24 allowed, given certain controls.

1 Commissioner Janoff.

2 COMMISSIONER JANOFF: I strongly agree with this  
3 recommendation. It seems like we might want to be using  
4 rooftops of these buildings for gathering spaces. It's done  
5 all over, including having green rooftops or green gardens  
6 or green space, or that could be the common space. It could  
7 be used really creatively and beautifully, so I would  
8 recommend looking at this one to change it and include that  
9 as a potential feature perhaps.  
10

11 CHAIR HANSSEN: That's great. Commissioner  
12 Thomas.

13 COMMISSIONER THOMAS: I agree Commissioner with  
14 Janoff's comments, and I also thought that rooftops are an  
15 opportunity to create additional green space, especially  
16 since green space can sometimes be lost when going to  
17 higher density housing, and I know that's something we  
18 don't want to do for the Town.

19 I think that the intent of this is to ensure  
20 privacy, and I think there are ways that we can still make  
21 sure that there is privacy on rooftops, even if they are  
22 accessible to people and used as part of the built space,  
23 and I think that it's a good opportunity, so I'm supportive  
24 of it too.  
25

CHAIR HANSSEN: Great. Vice Chair Barnett.



1           VICE CHAIR BARNETT: I've seen rooftop spaces be  
2 used for social gatherings and barbeques and whatnot, and I  
3 think it's an excellent amenity for people in high-rise  
4 developments that don't have a lot of space to meet; they  
5 can have parties out there and whatnot.

6           I've also seen it used as private deck space for  
7 the owners who are adjacent. This is a little unusual, but  
8 there was a parapet wall and there were units that faced  
9 the roof, and they were able to divide it into exclusive  
10 use areas, so I think in short the idea of setbacks for  
11 privacy makes sense, but also the utility of using the  
12 space is important to retain in the Objective Standards.

13           CHAIR HANSSEN: Great. I think that's a good  
14 suggestion. Any other comments on this? It sounds like we  
15 should definitely keep this, and there were some  
16 suggestions of how to make it clearer and have more  
17 control. Anything else you need from us on this particular  
18 one, Staff? Ms. Armer.

19           JENNIFER ARMER: Thank you, Chair. I would  
20 suggest if the Planning Commission has any direction on  
21 particular things, for example, setback from the edge of  
22 the building, that you would support as those additional  
23 privacy controls that that discussion would be helpful in  
24  
25

1 guiding Staff in drafting something to take to Town  
2 Council.

3 CHAIR HANSSEN: Got it. Looks like we have a  
4 couple hands up. Commissioner Janoff.

5 VICE CHAIR BARNETT: Thank you. The architects  
6 did recommend a setback, and they also talk about a  
7 daylight plane. I don't know what the daylight plane might  
8 be. I haven't heard that term, so I don't know what that  
9 is, but presumably it's some sort of a sight line, but they  
10 do offer the concept of setback and I think there should be  
11 a setback, unless somehow it's a completely green space  
12 right at the edge where you could plant the setback, but I  
13 would make sure that the gathering space for individuals  
14 would be inside a setback.  
15

16 CHAIR HANSSEN: Sounds good. Commissioner Thomas.

17 COMMISSIONER THOMAS: I agree. I feel like  
18 hopefully we can find a standard setback that exists  
19 somewhere else that we know is appropriate. I also am happy  
20 to say—I think this is still objective—but it either needs  
21 to be a setback or there needs to be some sort of  
22 screening. Like one setback if you can see out, and another  
23 setback if you can't see out, because I feel like the  
24 setback is only necessary for the privacy or for safety  
25 purposes, but if there is some sort of screening, I don't

1 know what is considered a rooftop, if there's a specific  
2 wall, but I'm assuming it's the top of the building that's  
3 open to the sky, so I'm curious to know what Commissioners  
4 think of that.

5 CHAIR HANSSEN: Other comments? Commissioner  
6 Raspe.

7 COMMISSIONER RASPE: I also thought about  
8 screening, and my concern with that is depending on the  
9 design and style. Unless the screening is also set back it  
10 can add to the massing of the building, especially if it's  
11 going to be a 6' barrier, for instance. We're adding 6' of  
12 height to our building, so unless it's set back  
13 significantly from the existing frontage of the building or  
14 it's somehow distinguished in material, my concern would be  
15 that adding a lot of shielding would overly complicate  
16 things.  
17

18 That being said, I fully support a rooftop  
19 situation and I think setback is probably the preferred  
20 method of doing it, with maybe a secondary lower shielding  
21 if that's the only solution possible.

22 CHAIR HANSSEN: I think that's a good suggestion  
23 as well. Staff, what more can we do to help on this?  
24

25 JENNIFER ARMER: Thank you, Chair. I think based  
on the direction that we've heard from the Commission this

1 evening we will develop a recommendation for a setback from  
2 the edge of the roof for buildings that abut Single-Family  
3 zoning districts on the side of the building that abuts  
4 them, and provide that as a recommendation on your behalf  
5 to Town Council.

6 CHAIR HANSSEN: That sounds good. Vice Chair  
7 Barnett.

8 VICE CHAIR BARNETT: Yes, thank you. In Item 27  
9 in the architects' comments when the Staff responds to the  
10 architects they say, "Wouldn't it be more appropriate to  
11 have a setback to rooftop decks and balconies?" and I  
12 wasn't sure what rooftop balconies would be. Maybe that  
13 could be clarified or removed.

14 CHAIR HANSSEN: Is that in the document now? No,  
15 that's in the comments for the architects, right?

16 VICE CHAIR BARNETT: You're correct; it's in the  
17 comments from the architects.

18 JENNIFER ARMER: Through the Chair, when we're  
19 looking at 4.10 it references rooftop and upper floor  
20 terraces and decks, so not balconies.

21 CHAIR HANSSEN: So then we have the information  
22 we need in terms of controls, because we don't have a  
23 conflict basically because a rooftop balcony would be kind  
24 of strange. Are we good on Comment 27? Okay.

1 I'll just continue to go through the Addendum,  
2 which was very helpful, by the way, Staff, that you went  
3 through all the comments and gave us some feedback on that,  
4 and it helps make our discussion more efficient.

5 You also brought out your comments on the  
6 submission from Mr. Mayer from the Housing Element Board,  
7 and who is also an architect, and I don't think we need to  
8 discuss the first one he brought up about real world photo  
9 examples, because we already discussed that earlier.

10 But he did have some other specific suggestions,  
11 one of which was that the parking structure entry gate  
12 setback be reduced to under 25', and he did go into detail  
13 about with a dense kind of building trying to create a 25'  
14 setback would be an awfully big ask for them to do that.  
15 Staff, you want us to comment about whether we should  
16 include that or not? You didn't recommend one way or the  
17 other.  
18

19 JENNIFER ARMER: I'll start, and then Mr. Safty  
20 may have something to add. With any of these where a change  
21 is being recommended we called out if we had a significant  
22 concern, but would be looking to see if the Commission  
23 supports making the change. In this case we do want to have  
24 some setback so that we avoid queuing in the street, and  
25 often the gate for a parking garage is actually set back

1 farther within the building façade, so it doesn't mean that  
2 the front wall of the building needs to be set back. Mr.  
3 Safty, did you have anything else add on that one?

4 RYAN SAFTY: You basically said what I was about  
5 to. The one thing I would add is the only thing we do have  
6 in the Town Code right now is it requires 18' from any sort  
7 of vehicle gate to the edge of the street, so if the  
8 Planning Commission does want to reduce below 25' I would  
9 recommend ensuring that we still do have the 18'.  
10

11 CHAIR HANSSEN: So that we don't just remove the  
12 requirement entirely. Commissioner Raspe.

13 COMMISSIONER RASPE: Thank you, Chair. I would  
14 argue against removing this section. I think it is  
15 important for pedestrian safety to avoid a situation where  
16 we have queuing. It seems to me that ideally maybe what you  
17 want is whatever the length of two cars is, because  
18 essentially that's going to be a most common scenario, I  
19 think, where you would run into problems, so if that's 18',  
20 that's 18', if it's 20', it's 20'. I don't know what that  
21 number is, but it seems to me whatever the length of two  
22 average cars would be is probably be adequate for our  
23 purposes.  
24

25 CHAIR HANSSEN: Thank you for that. Commissioner  
Janoff, and Commissioner Thomas.

1 COMMISSIONER JANOFF: Thank you. I agree we  
2 shouldn't remove this section amended to be much less than  
3 25'. I would go back to the architects and ask what much  
4 less looks like. It may be that the 18' is also untenable.  
5 I don't know, so I would say keep it, but see if you can  
6 get some input from the architects specifically regarding  
7 these kinds of structures.

8 CHAIR HANSSEN: You mean in addition to Mr.  
9 Mayer?

10 COMMISSIONER JANOFF: Yes. Well, go back to Mr.  
11 Mayer. He's making the comment and he's asking for a  
12 significant reduction, and he seems to be speaking from  
13 experience. We could guess at this number, we could go with  
14 the 18', but that might still not be workable, so my  
15 suggestion is to go back to the architects and see if we  
16 can find something, keeping in mind that what we're trying  
17 to do is keep these things objective, but also we want  
18 these buildings to be built, so if we put too many  
19 constraints that makes just breaking ground not workable,  
20 then we've sort of killed something from the outset, so I'd  
21 look to get some input from the experts on this one.  
22

23 CHAIR HANSSEN: That sounds reasonable, and what  
24 I'm hearing loud and clear though is that we don't want to  
25

1 remove this, but let's see what Commissioner Thomas has to  
2 say.

3 COMMISSIONER THOMAS: I agree that we do not want  
4 to remove this for the safety concerns, but however I do  
5 want to ensure that we are highly, highly encouraging below  
6 ground parking, because we know that that is a huge  
7 priority for us to achieve some of our higher density  
8 projects that we want. I know that it also makes it more  
9 expensive for developers, but I think that we need to make  
10 sure that we're not putting a number on here that is not  
11 possible.  
12

13 When we say a minimum of 25' between the gate and  
14 the back of the sidewalk, we are saying the length? It's  
15 not like a bird's eye view, right? It's the length of the  
16 actual driveway has to be 25' so that could curve or turn,  
17 correct, Staff?

18 JENNIFER ARMER: (Nods head yes.)

19 COMMISSIONER THOMAS: Okay. I do know there are  
20 gates that exist like this out here; most parking garages  
21 with below ground parking have the gate below... I don't  
22 know, I guess my question is 25' doesn't seem that  
23 unreasonable to me, but obviously I'm not an architect, but  
24 if I'm thinking about like how far is the distance if we  
25 were to put a gate at the bottom of some of the park... I



1 guess all of our below ground parking in town doesn't have  
2 a top, I don't know. I was trying to think of in downtown.  
3 We want to encourage below ground parking, so we need to  
4 make sure that the number that is chosen is specific, so  
5 its objective, but it also ensures that we can still get a  
6 lot of below ground parking.

7 CHAIR HANSSEN: So what I'm hearing is we want to  
8 keep this requirement in here, but we don't feel like we  
9 have enough expertise to specify. I did hear from Staff  
10 that we have already a requirement for 18', so can Staff  
11 check with some of the architects to see if this really is  
12 a big problem and that that would necessitate it being less  
13 than even 18', because I don't think that any of us have  
14 enough (inaudible) of experience with this particular  
15 requirement. Is that enough direction?

17 JENNIFER ARMER: Thank you, Chair. Yes, I think  
18 we can proceed with that. In order to give the Planning  
19 Commission a little more context, our current standard for  
20 parking, if you have a two-car garage you're going to be  
21 required to do 20'x20' clear on the inside, so that's 20'  
22 deep for each of the two cars. If you're looking at the  
23 distance from the face of a garage, even if the required  
24 building setback is less, then we require the 18', but in  
25 many cases the front setback that governs the distance to a

1 garage is actually 25', so this isn't inconsistent with a  
2 lot of the other circumstances where you have enough space  
3 for a car to park in the front of a garage and not be  
4 overlapping with the sidewalk.

5 CHAIR HANSSEN: And also it was my understanding  
6 when we were going through this whole process as the  
7 Subcommittee before the document was drafted that our  
8 consultant's had substantial experience working with many  
9 jurisdictions on this stuff, so we were relying pretty  
10 heavily on them to work with our Staff to come up with the  
11 right numbers for this step, so I guess what I'm hearing is  
12 it's probably worth checking with some people, but we don't  
13 want to wholesale remove things that were recommended.  
14

15 Mr. Ford.

16 TOM FORD: Thank you. Yes, you're correct. We can  
17 look into this further.

18 CHAIR HANSSEN: All right, great. So let's go on.  
19 The next one was similar. It was about vehicular entry  
20 gates, and there's a 6' height limit for those, and he  
21 wanted those to be increased, because he was talking about  
22 parking situations and that it wasn't going to be high  
23 enough.  
24

25 Commissioner Janoff.

1 COMMISSIONER JANOFF: Thank you. He makes a good  
2 point, but I think we can correct the concept by inserting,  
3 "Vehicular entry gates and pedestrian entry gates located  
4 in perimeter fencing shall have a maximum of 6'." I think  
5 that's what we're talking about. We're not talking about  
6 entrances that are in a building face, right?

7 CHAIR HANSSEN: Right.

8 COMMISSIONER JANOFF: It's in the fencing or in  
9 some sort of perimeter barrier.  
10

11 CHAIR HANSSEN: That sounds reasonable.

12 COMMISSIONER JANOFF: I certainly wouldn't want  
13 to increase it to 8' across the board, because then you  
14 wind up with 8' fences at the perimeter, right? So I think  
15 that would solve the problem.

16 CHAIR HANSSEN: I like that suggestion. Any other  
17 thoughts on this one? All right, let's see, we don't have  
18 too much more to go through.

19 Their public comment question whether landscapers  
20 can count toward landscaping requirements in Standard  
21 A.10.1a and whether 20% is too high, 20% being that 20% of  
22 the total square footage has to be landscaped and whether  
23 or not landscapers could count for that, because it might  
24 be too much.  
25

1 Commissioner Janoff, and then Commissioner  
2 Thomas.

3 COMMISSIONER JANOFF: I think based on our  
4 previous conversation we should allow landscaped rooftops  
5 to be counted, but not everybody is going to do a  
6 landscaped roof, so if that 20% still seems high then there  
7 should be an if/then term included so it will be such-and-  
8 such a percent unless there's a rooftop and the rooftop can  
9 count toward that percent, but yes, I think that that  
10 number...  
11

12 And maybe it should be arranged that the  
13 following point has to do with how large balconies or  
14 common space or community recreation space are, and there's  
15 a recommendation that it would be a certain size for a  
16 certain size building, and a certain size for certain other  
17 size buildings, so I think maybe this is another one where  
18 there could be a range if the landscaped space at 20% seems  
19 onerous, but definitely count rooftop.

20 CHAIR HANSSEN: I know his concern was that the  
21 landscaping requirement being that high could defer High-  
22 Density housing.

23 Commissioner Thomas.

24 COMMISSIONER THOMAS: I agree that we should  
25 definitely count landscaped roofs toward the 20%, so I

1 think that should be added. I also know that people value  
2 green space in town and are afraid of really High-Density  
3 housing, so I can see maybe why this 20% was initially  
4 chosen as the number, but I'm happy to hear what other  
5 cities have decided to do, because I'm open to reducing.

6 CHAIR HANSSEN: You started going in the  
7 direction that I wanted to make sure we reminded ourselves  
8 of, that this document is intended to comply with certain  
9 laws that have been handed down by the State of California  
10 and that it's separate and aside from the discretionary  
11 approval process that we already have, and so there's  
12 always the possibility where they bring in a project and  
13 they want to take advantage of the streamlined processing  
14 procedure and they decide that it doesn't work for them  
15 they can still go through the discretionary process that we  
16 have. This is just to take advantage of the streamlined  
17 process.  
18

19 I know that when we heard the North Forty and the  
20 North Forty Specific Plan had a 30% open space requirement  
21 and 20% had to be green—I think the numbers might be wrong,  
22 off by that—but that was a big deal for everyone, and they  
23 did find a way to meet it, and so I think we'd have to  
24 think long and hard about taking that off the table,  
25 because we're basically taking away the discretionary

1 approval process with this document and we want to make  
2 sure that it turns out the way that we're hoping for.

3 Commissioner Janoff.

4 COMMISSIONER JANOFF: I just wanted to make a  
5 clarification that the landscaped rooftop could count  
6 toward the 20% as long as it's accessible by all residents.  
7 It can't be like a private rooftop garden for the  
8 penthouses, right?

9 CHAIR HANSSEN: Yes.

10 COMMISSIONER JANOFF: So make sure that that's  
11 also included.

12 CHAIR HANSSEN: Maybe I didn't read this thing  
13 right, but I thought that the landscaper thing was kind of  
14 like the lesser of the two issues, that 20% was the issue  
15 and that it might be too high and prevent High-Density  
16 housing, but I think we've already heard from a couple of  
17 Commissioners that we know that our residents are really  
18 concerned about that, so I think it would be a hard ask to  
19 take it down below 20%.

20 Commissioner Thomas.

21 COMMISSIONER THOMAS: I guess I do have a  
22 clarification, but I do agree that this should be  
23 accessible to everyone, but the current way it's written,  
24  
25

1 is landscaped area considered like all 20% of that has to  
2 be accessible to all residents?

3 CHAIR HANSSEN: Question for Staff.

4 RYAN SAFTY: Give me one second just to triple  
5 check.

6 JOEL PAULSON: I can go ahead and jump in.  
7 Commissioner Janoff's comments, I think, were specific to  
8 the rooftop deck and that the residents of that community  
9 had access to that, not just the penthouses, for instance,  
10 so it's an amenity for those folks, not an amenity for the  
11 entire public, so it's just for that specific site, and  
12 it's not specified in there, so that's something that we'll  
13 look at adding specificity.  
14

15 COMMISSIONER THOMAS: Because it just says right  
16 now, "A minimum of 20% of the site area shall be  
17 landscaped," but that doesn't have to be that whole 20%.  
18 The way it's written right now it does not have to be  
19 accessible to everyone, because this is like a completely  
20 separate thing from the 60% of the community space shall be  
21 open to the sky, etc.? I'm just trying to interpret the  
22 rule.  
23

24 CHAIR HANSSEN: Mr. Safty, you had your hand up.  
25 I'm going to ask you before I go back to the other  
Commissioners.

1           RYAN SAFTY: Thank you, I'll try to take a stab  
2 at answering that. Just a reminder, all of those three  
3 areas, the landscaped area, community open space, and  
4 recreation open space, they're all calculated separately.  
5 Previously there was mentioned about using, let's say, a  
6 rooftop deck towards the landscaping requirement, and,  
7 let's say, a community open space requirement. As the  
8 document is written right now, you would not be able to use  
9 them both. Landscaping is really just intended to add  
10 greenery to the site; that's how it was drafted.

11  
12           CHAIR HANSSEN: Ms. Armer.

13           JENNIFER ARMER: I wanted to add the suggestion  
14 that under Key Terms at the beginning of the document we  
15 have a definition of landscaping, and so considering if  
16 there are details that should be added to that definition  
17 of landscaping is probably where this would be, whether  
18 landscaping could potentially include a rooftop deck if  
19 accessible to all residents, or similar language.

20           CHAIR HANSSEN: That makes a lot of sense, and  
21 I'm glad Commissioner Janoff brought that up, because not  
22 that super High-Density housing could have penthouses, but  
23 you wouldn't want it to be private, because that kind of  
24 defeats the purpose of what we're trying to accomplish.  
25



1           Let's see, several Commissioners have their hands  
2 up. Commissioner Janoff, and then Vice Chair Barnett, and  
3 then Commissioner Thomas.

4           COMMISSIONER JANOFF: Just a quick clarification.  
5 The 20% doesn't need to be contiguous land, right? They can  
6 count pockets and so on, right? My comment about  
7 residential access to a rooftop would be like let's make  
8 sure if that's the only 20% set aside that everybody has  
9 access to it, but if it's in fact in addition to a bunch of  
10 other little pockets, then it counts as an aggregate, if  
11 that's clear?  
12

13           RYAN SAFTY: Yes, the landscaped areas can be in  
14 multiple different locations, for example, shrubbery along  
15 a walkway. The point I want to clarify one more time, the  
16 idea of a rooftop deck with landscaping, let's say Camino  
17 Garden, the would count towards the community recreation  
18 space, which then would not count towards landscaping  
19 unless we removed the term saying that they are calculated  
20 mutually exclusive from each other.

21           COMMISSIONER JANOFF: Through the Chair, if we  
22 could just think about that a little bit more critically as  
23 you go through in your mind how those might be in conflict,  
24 when we could create some really beautiful community space  
25 that is partially land... Just think about whether that is

1 asking too much, and I'd say depending upon the design, and  
2 of course that's subjective, it should count as the same.  
3 It shouldn't be counted separately.

4 CHAIR HANSSEN: Do other Commissioners have  
5 thoughts? Vice Chair Barnett.

6 VICE CHAIR BARNETT: Yes, thank you, Chair. Ms.  
7 Armer brought up the landscaping definition under Key  
8 Terms, and I'm happy with the 20%, but I am concerned about  
9 landscaping as it's described in the Key Terms because of  
10 the drought situation and the need to conserve water, and  
11 it seems to primarily, if not exclusively, require  
12 greenery, so I think that's something that we ought to look  
13 at as part of the whole picture.  
14

15 CHAIR HANSSEN: Commissioner Thomas, and then  
16 Commissioner Tavana.

17 COMMISSIONER THOMAS: I agree that we do need to  
18 be conscious about the water use, and I also think that we  
19 need some clarification and need to rethink the differences  
20 between the landscaped private recreation space and  
21 community recreation space. I do think that if something  
22 qualifies separately as landscaped and it also could serve  
23 as a community recreation space, for example, a communal  
24 garden, I would be happy with that being able to be counted  
25 in both spaces.

1 I think that being able to double dip in that  
2 area is going to provide for more creativity from an  
3 architecture standpoint and more creativity with the use of  
4 space, so I'm happy with that being able to be double  
5 dipped, and then I think that also allows for more  
6 flexibility with respect to the 20% doesn't just have to be  
7 like green for looking at, it could be usable space also,  
8 which I think is the more important part, and also like  
9 drought... It can just be more usable space that we benefit  
10 more from than just like existing, so I do think that that  
11 is a change that we should definitely consider.

13 I also don't think that the way that we have it  
14 written right now, landscaped space all needs to be  
15 publicly accessible, but again, if it's counting as both  
16 community recreation space and landscaped space, then it  
17 should be, if that makes sense.

18 My last thing is that if a rooftop is going to be  
19 used either for community recreation space, or I guess as  
20 landscape space, if we're counting at 20% minimum, I guess  
21 my question is right now it says 20% of the site area. The  
22 rooftop basically should be like free bonus area? It  
23 shouldn't be considered in the total area, it's not  
24 additional area, if that makes sense? I don't know how we  
25 consider that though then in the 20%, because we're not

1 mandating that anyone put anything on the rooftop. Do other  
2 people understand how we could create conflict? No, okay.

3           So if we are requiring a minimum 20% of the site  
4 that should be landscaped, and then we say you can use the  
5 rooftop for that, we need to decide if we are counting then  
6 does the rooftop count to the total area that we are  
7 considering? Like is it our denominator, or not? I think it  
8 should be not ever included in the denominator; it's just  
9 like an optional bonus area that you could use and utilize.  
10

11           CHAIR HANSSEN: Ms. Armer, and then Commissioner  
12 Janoff.

13           JENNIFER ARMER: Thank you. Just to help with the  
14 clarification of what Commissioner Thomas was trying to  
15 describe, I think one question is when we talk about 20% of  
16 the site area, whether that is being understood as the open  
17 parts of the site versus the site area as a whole before  
18 it's been developed. So if you're saying 20% of the site  
19 area, then that is of the entire property before it is  
20 developed, and so some of that 20% could be on the roof.

21           CHAIR HANSSEN: Commissioner Janoff.

22           COMMISSIONER JANOFF: My assumption is that the  
23 20% is of the whole site before anything is built, right?  
24 Then build your building as large or as small you can, and  
25 you've got 20% remaining on the ground, and then take that

1 amount and apply that to the roof instead. So you  
2 (inaudible) can make a bigger building and use your  
3 rooftop, but it is the whole site and then the developer  
4 gets to decide whether they're going to keep ground-level  
5 green space community or whatever, or rooftop, or a  
6 combination.

7 CHAIR HANSSEN: There are a lot of people that  
8 aren't happy with the North Forty, but I particularly did  
9 like the open space requirement in the North Forty Specific  
10 Plan, and so my thoughts were that I wouldn't want all that  
11 stuff to be counted separately. I kind of like the North  
12 Forty Specific Plan, because it had the idea that you had a  
13 number of different ways to get at open space and then it  
14 was up to the creativity of those, and then there was a  
15 minimum for green open space, so you knew there would be  
16 some of that, it wouldn't just all be hardscape pathways or  
17 things like that.

18 Commissioner Tavana.

19 COMMISSIONER TAVANA: Thank you, Chair. My  
20 concern would be just seeing hardscape, as a person walking  
21 by the property, being developed if we were to count the  
22 20% save for the landscaped roof, so I would like to see it  
23 as written, 20% of the area shall be landscaped with the  
24  
25

1 roof not counting toward total percentage, my personal  
2 opinion.

3 CHAIR HANSSEN: I'm trying to decide where we are  
4 on this one. There is a lot of really good input.

5 Mr. Ford, and then I'll go to Commissioner  
6 Janoff.

7 TOM FORD: Thank you. You could do something  
8 where you still have the 20% of the site needs to be  
9 landscaping, and then allow a certain percentage of the  
10 community recreation space to contribute to that, because  
11 if someone has a really nice roof deck they've probably  
12 built a larger footprint to do that, so you wouldn't want  
13 to penalize them by saying you still have to have your 20%  
14 site coverage of landscaping. You might want to allow them  
15 to use some of that community recreation space up on the  
16 roof towards their landscaping requirement.

17  
18 Back to an earlier—I think Vice Chair Barnett  
19 might have mentioned this—we can put lawn farther down the  
20 list, but also whether someone comes in a discretionary  
21 process or a ministerial process, they're still going to  
22 have to meet C-3 requirements for water use and how their  
23 irrigation plan is using water, so there are certain  
24 requirements that they're going to... They can't just put in  
25 a lawn over 20% of the site and water it, so that's already

1 going to be restricted and that's going to lead them  
2 towards native plantings, drought tolerant plantings and  
3 such for that 20% landscaping.

4 CHAIR HANSSEN: Thank you for that. Commissioner  
5 Janoff.

6 COMMISSIONER JANOFF: Thank you, and I think Mr.  
7 Ford's suggestion is an excellent one. It speaks to being  
8 able to count the rooftop as quality space for residents  
9 without completely losing some form of landscaping or  
10 greenery to Commissioner Tavana's point, so whatever  
11 percentage that might be, I would say Staff can figure that  
12 out, but at least retain a portion of green space at  
13 pedestrian level.  
14

15 CHAIR HANSSEN: Commissioner Tavana.

16 COMMISSIONER TAVANA: Thank you. Yes, I do really  
17 appreciate Mr. Ford's comment, so if I were to throw a  
18 percentage out there, I would say no more than 5% to be  
19 counted towards the 20% if they do have a living or a  
20 rooftop landscaped.

21 CHAIR HANSSEN: I think that is a good idea to  
22 put out there, and so I'm going to ask Staff if you have  
23 enough to go on with this.

24 Commissioner Thomas.  
25

1           COMMISSIONER THOMAS: I would like to add,  
2 because I know that I made multiple comments and we went  
3 really in on one of them, but I just wanted to also see if  
4 we agreed that we should be able to double count, like  
5 overlap landscape space with community recreation space,  
6 because I think that those can be counted in the same way,  
7 and Staff, you can clarify if that would create too much  
8 confusion.

9  
10           CHAIR HANSSEN: I had the same question, but that  
11 made a lot of sense to me and that's where I was going with  
12 my comments.

13           RYAN SAFTY: Thank you, that was actually  
14 something I was just thinking about as well. It would make  
15 perfect sense, for example, if they put in a grassed  
16 volleyball court, why not be able to count that both  
17 towards landscaping and community recreation space? Mr.  
18 Ford, I don't see an issue with that in terms of drafting  
19 the standards, but I'll defer to you if you see any red  
20 flags.

21           TOM FORD: Yes, thank you. As Commissioner Thomas  
22 was saying that I was putting on my devil's advocate hat,  
23 and I think you just want to be careful. Most architects  
24 and landscape architects have a really hard job making that  
25 number meet when they're trying to do their site plan, so a



1 lot of the landscaping tends to look really beautiful, but  
2 it's 10 square feet there and 20 square feet here and 100  
3 square feet there, so you have to make sure that if you're  
4 going to double count it that it's actually usable as a  
5 community recreation space. So again, it might be a maximum  
6 percentage or something that could be double counted, but  
7 I'd be care to allow all of landscaping to be counted,  
8 because it may not be usable in the sense of a recreation  
9 space.  
10

11 CHAIR HANSSEN: So, Commissioner Thomas, given  
12 what he just said, does that change how you feel about it?

13 COMMISSIONER THOMAS: Yes, I think that I do  
14 agree that we want to be careful. We don't want this  
15 community recreation space to be like a little tiny couple  
16 of square feet here and there. I don't know if this is too  
17 specific as far as Objective Standards go, or if we can be  
18 specific enough, but maybe the space has to be designated  
19 for a specific use, like a volleyball court, or a play  
20 area, or a barbequing picnic site, or community garden,  
21 something that I would assume that a Planned Development  
22 would have a specific use for. I don't know if that's legal  
23 or allowed or we can write that into Objective Standards,  
24 but that would be a way that I would see a way around the  
25 issue of just divving into that everywhere.

1 CHAIR HANSSEN: Mr. Safty, and then Mr. Ford.

2 RYAN SAFTY: Thank you. I'd like just to chime  
3 in. We actually are covered on that already. In Section  
4 8.10.1c there is a requirement, the minimum dimensions of  
5 community recreation space, and that's each individual  
6 community recreation space used to come up with a total has  
7 to be 10'x6', so there's not going to be little pockets  
8 that people are using towards that.

9  
10 Additionally, there are allowances for  
11 landscaping within the community recreation space, so based  
12 on the suggestions I'm hearing I do think that it would be  
13 a fairly simple fix for Staff.

14 CHAIR HANSSEN: To combine those? Yes. You are  
15 dovetailing into the last comment that you called out from  
16 him, which was the size of the community recreation space  
17 to be reduced or based on the overall size of the property.

18 But I'll go to Mr. Ford.

19 TOM FORD: Thank you. I was just going to follow  
20 on Mr. Safty in responding to Commissioner Thomas. In order  
21 to stay objective I would try to stay away from a laundry  
22 list of what qualifies as community recreation space and  
23 instead try to stick with a metric of a minimum percentage,  
24 maximum percentage, something like that that is just easy  
25 for the developer to put on their drawing and it's easy for

1 the Staff member to verify when they see it and just stay  
2 with the metric, if possible.

3 CHAIR HANSSEN: To that point, I'm going to ask  
4 the question, because that's the other comment that we have  
5 to discuss from this. The 60 square feet was "huge," I  
6 think was the word that was used in the comment, if you're  
7 talking about certain size properties, so is it better to  
8 do a percent or, say something like 10'x6'?

9 Commissioner Thomas.

10 COMMISSIONER THOMAS: I think that the comment  
11 was about the private space, and we were just discussing  
12 the community recreation space.

13 CHAIR HANSSEN: Fair enough. But I think even  
14 with that he was just saying what we had in there was too  
15 high.

16 COMMISSIONER THOMAS: Yes, for that next part, it  
17 was, yes.

18 CHAIR HANSSEN: But we should close on the  
19 landscaping. What I heard though is that because we already  
20 have protections in there about it being large enough that  
21 we could go down the path of combining the community  
22 recreation space and landscaping in terms of meeting the  
23 overall requirement. Yes? Okay, all right, good.

1 I think I heard that most of the Commissioners  
2 think that's okay and we just don't want too high of a  
3 percentage of a landscaped roof per Commissioner Tavana's  
4 comment to be considered meeting that requirement.

5 But Commissioner Janoff still has another  
6 comment.

7 COMMISSIONER JANOFF: Is this horse dead yet? Mr.  
8 Mayer raises a couple of other good points and they're  
9 related to the private balcony as well as the con space  
10 having to do with it being a percentage. He doesn't say  
11 this, but it may make sense to do a percentage or a minimum  
12 for certain sizes or certain size of a community.  
13

14 As I say often, they're the experts in this area  
15 and we want living space, we want recreational space, we  
16 want landscaping space that makes sense, but if a 6'x10' is  
17 a gigantic balcony for a Multi-Family unit, then let's  
18 listen to the architects and bring it down, but maybe we're  
19 bringing it down only for the smaller units he says, on the  
20 community space just flipping back and forth. Maybe we want  
21 a different standard for a small building unit, say 10-12  
22 units versus one that has 20 or more units, so I think sort  
23 of a sliding scale makes sense, and whether that's  
24 different sizes or different percentages, I would leave it  
25 up to Staff and Mr. Ford to come up with those numbers, but

1 I think there's some reasonability in having something  
2 that's differently sized depending upon the size of the  
3 overall project.

4 CHAIR HANSSEN: Sounds good. Commissioner Thomas,  
5 and then Commissioner Raspe.

6 COMMISSIONER THOMAS: I'll let Commissioner Raspe  
7 go first, because I agree with Commissioner Janoff's  
8 comments and my question is to do with something else.

9 CHAIR HANSSEN: Okay. Commissioner Raspe.

10 COMMISSIONER RASPE: Thank you, Chair. I just  
11 wanted to follow up on Commissioner Janoff's point, and  
12 specifically on the size of projects and the notion of  
13 community recreation space.

14 I know during our discussions during the General  
15 Plan we put a lot of emphasis on missing middle housing,  
16 and it seems to me that those are precisely the type of  
17 project where if we force a large either percentage or  
18 square footage requirement of community space we're going  
19 to lose the opportunity to put adequate housing in those  
20 spaces, so I would encourage Staff to come up with a  
21 minimum number of units before a threshold community space  
22 requirement is implemented. I don't know if it's 24 units,  
23 I don't know what that number is. Again, as Commissioner  
24 Janoff has indicated several times now, you guys are the  
25

1 experts and we'll look to you, but I think that notion  
2 makes sense to me.

3 CHAIR HANSSEN: Very good. Commissioner Thomas.

4 COMMISSIONER THOMAS: I would like some  
5 clarification, because I thought Commissioner Janoff was  
6 just talking about... Are you talking fully about community  
7 recreation space, or were you specifically talking about  
8 the private recreation space?

9 COMMISSIONER JANOFF: I was speaking to both.

10 COMMISSIONER THOMAS: To both, okay.

11 COMMISSIONER JANOFF: When the architect says  
12 6'x10' is a gigantic balcony for a Multi-Family unit, you  
13 kind of want to listen to that.

14 COMMISSIONER THOMAS: Yes, but then I just heard  
15 Commissioner Raspe mentioning more about community  
16 recreation space, not necessarily the private recreation  
17 space. I understand that you're raising issues with both,  
18 but I just wanted clarification on that.

19 COMMISSIONER JANOFF: My thinking was, through  
20 the Chair, that if we had a notion of smaller for smaller  
21 and larger for larger in both private and community  
22 recreation space, that makes sense to me. But what those  
23 percentages or square footages might be, I'm not even going  
24  
25

1 to go there, but I think it may make sense to have two  
2 different numbers.

3 CHAIR HANSSEN: I like your suggestion of a  
4 sliding scale, because I think that when you have higher  
5 density properties you're not going to have the luxury of  
6 this much space, but you want to make sure there's a  
7 minimum, but that minimum might not be the same one that  
8 you have for a single-family home of course.

9  
10 I don't know if Staff is comfortable going with  
11 that kind of feedback, because I don't think we have the  
12 ability to put numbers out there for this right now. And  
13 how much trouble would it be to have a sliding scale?

14 JENNIFER ARMER: Thank you, Chair. I'll start by  
15 saying just a reminder that this really is going to be  
16 applying to larger developments, not so much the missing  
17 middle developments. In most cases it really is going to be  
18 people who are coming in under one of those special state  
19 laws, and so we do, as Mr. Ford has mentioned, want to try  
20 to keep these straightforward and not too complicated.

21 We can look at reducing or modifying some of  
22 these numbers if that is the will of the Planning  
23 Commission. We've started with these particular  
24 requirements, for example, the private recreation space.  
25 That is based on what we currently have in Town Code, but,

1 for example, for some of these larger developments, or if  
2 it was different sized units or more units, if the  
3 Commission felt that having a different threshold based on  
4 one of those criteria, I think we could look into it.

5 I might check in with Mr. Ford to see if he had  
6 additional questions or clarification that might help us in  
7 that endeavor.

8 CHAIR HANSSEN: Mr. Ford.

9  
10 TOM FORD: Thank you, Chair. No, I don't. I would  
11 take my lead from you folks partly because I'm willing to  
12 come up with new numbers, but you guys are the folks that  
13 are going to have to be willing to update your Zoning Code,  
14 because as I understand it, I think your Zoning Ordinance  
15 is already pretty clear about the minimum size of a  
16 balcony, so I don't have a problem with changing that.

17 But also, if you have a two-bedroom unit in an  
18 eight-unit building, or two-bedroom unit in a 30-unit  
19 building, what's the difference? Shouldn't it be the same  
20 balcony? It's a two-bedroom unit. So I don't know if the  
21 controlling metric would be the development size, the unit  
22 count, or as the architects pointed out in their letter, a  
23 studio might have a certain size of balcony, a one-bedroom  
24 might have a certain size. I don't want to create Zoning  
25



1 Code work for the Town Staff have to go back and have to  
2 back pedal, but I'm perfectly willing to look at it.

3 CHAIR HANSSEN: Gosh, there are a lot of ways you  
4 can look at this. It could be that our Zoning Code is not  
5 thinking about Multi-Family, but on the other hand going in  
6 and modifying the Zoning Code is going to be a whole other  
7 process, and we do have that situation where this is for  
8 specific kinds of projects, so with that in mind hopefully  
9 we can come up with a resolution.

10  
11 Several Commissioners have comments. Commissioner  
12 Thomas, Commissioner Janoff, and Commissioner Tavana.

13 COMMISSIONER THOMAS: I agree with Mr. Ford that  
14 it should be based on the square footage of the unit versus  
15 the number of overall units with regard to a sliding scale.  
16 If we do that I completely defer to Staff about updating  
17 our Zoning Code.

18 My last comment is really a question, through the  
19 Chair if it's allowed, to Commissioner Tavana. I'm just  
20 wondering about your feeling about recreation space. Is it  
21 the same with regard to the landscape space or do you feel  
22 like recreation space, all of it, could be on the rooftop  
23 if it's allowed, if it's community space for everyone?

24 CHAIR HANSSEN: You know what? Even though  
25 Commissioner Janoff had her hand up, I'll go to

1 Commissioner Tavana just so he can answer your question,  
2 and if he has an additional comment, and then I'll go back  
3 to Commissioner Janoff.

4 COMMISSIONER TAVANA: Thank you, Chair. To answer  
5 your question, Commissioner Thomas, no, I personally think  
6 it should be separated for a variety of reasons, but just  
7 on this space I don't see them being the same. I see  
8 landscaping as landscaping, and I do see recreation space  
9 being separated, so that's my personal point of view.  
10

11 I want to just chime in here. With all due  
12 respect, I disagree with Mr. Mayer and his approach to his  
13 comments and the section for the private recreation space  
14 and the community recreation space. I have no issue with  
15 the way it's currently proposed in the Draft Objective  
16 Standards, and I'd be willing to support it tonight if  
17 that's the direction we want to go.

18 CHAIR HANSSEN: Sounds good. Commissioner Janoff.

19 COMMISSIONER JANOFF: I think someone made a  
20 comment earlier that most of the Town Code is really  
21 written around residential or low-slung buildings of one or  
22 maybe two stories, so we're talking about a whole different  
23 category of structure than we're used to planning around,  
24 so I wanted to make a couple of comments.  
25

1           When we talk about private recreation space, in  
2 my mind there's a difference between ground level  
3 recreation space and balcony recreation space, and there  
4 could be a different size standard for those.

5           Number two, regarding a different size balcony  
6 for different sized units, if you think about what that  
7 would look like on the outside looking at the building, I  
8 think you'd be disappointed when you had a whole bunch of  
9 tiny little balconies for your small units and then bigger  
10 balconies. It could look visually confusing if you do it  
11 that way, so I don't know that that's the best approach.  
12 When you look at buildings that are multi-story, the  
13 balconies are all pretty much the same size. That's just  
14 the way it looks when you're looking at the building, and I  
15 would let the architects define that, but give a minimum,  
16 and maybe 6'x10' is too large, maybe it's smaller; I don't  
17 know what that number is.

18           Then the same thing for community recreation.  
19 We've been thinking pretty conventionally about ground  
20 level gathering spaces, and so these concepts of using the  
21 rooftop and other areas, it could be big, it could be much  
22 larger than 200 square feet if we're going to the rooftops.  
23

24           I think the architects have given us a lot to  
25 think about, but given all our comments I think we have to

1 think about making two different kinds of standards. We  
2 don't say in here that this is limited to structures that  
3 are proposed to be 20 units or more, we don't say that this  
4 doesn't apply to a missing middle situation, so if we do  
5 intend to have different standards for different types,  
6 then we should probably define those.

7           I know that that's more work than Staff might  
8 want, but the recreational space, the landscape space, the  
9 community gathering space, those are really important  
10 features, but they're hard to get in if you don't have the  
11 space and you're trying to create as many units as  
12 possible. It's really kind of a tough problem, but again,  
13 thinking about what we can do to encourage architects and  
14 developers to make those possible without too many  
15 encumbrances, and keeping the green space for landscaping,  
16 and counting the private space differently.

18           There might also be something in here. I hate to  
19 complicate things further, but if a development is within X  
20 number of feet or miles, a half mile, of a community park,  
21 an established park, maybe you can count or deduct some of  
22 your community recreation space if you are next to a park.  
23 There could be some creative ways to make this work for  
24 developers as well as the community that they're building  
25 for.

1           CHAIR HANSSEN: I'm going to be the devil's  
2 advocate though and say that I don't want to load up Staff  
3 or our consultants with too many things. This is important,  
4 but on the other hand, my understanding, and we had this  
5 discussion with Staff in our pre-meeting, is because the  
6 architects came right out with this only applies to these  
7 kinds of projects and not the kind that we do, and that was  
8 verified to be the case in talking with Staff that this is  
9 for specific projects that come under specific laws from  
10 the State of California, I would be a little bit reluctant  
11 to start to make it more complicated. Maybe the one thing  
12 that might be worth pursuing is deciding if the balcony  
13 size of 10'x6' is too much, but I think it would be a  
14 slippery slope towards finishing this thing to add in a lot  
15 of complexity.  
16

17           I'll go back to you, Commissioner Janoff.

18           COMMISSIONER JANOFF: I agree, and I do agree  
19 with Commissioner Tavana. If it were to remain as written I  
20 would personally be comfortable with it, but I'd also  
21 suggest just an easy check might be the Palo Alto code Vice  
22 Chair Barnett has referred many times. Just do a quick  
23 check of communities that are building multi-story or  
24 multi-residential units, look and see what their standards  
25 are and choose that number, and if it's 6'x10', yay, we got

1 it right, and if it's smaller or a minimum or a percentage,  
2 maybe that's a better way to go. But I'm sure that there  
3 are specific numbers, and I'm not suggesting we make a  
4 research project out of this, but get a reasonable number  
5 that other municipalities are using. Santa Clara is  
6 building a ton of high-rise buildings. I'm not saying  
7 they're all beautiful, but they probably have a minimum  
8 balcony standard, for instance, or a minimum private space.  
9 Just see what they have, and if it's the same as what we  
10 have, leave ours as is.

11  
12 CHAIR HANSSEN: I think that sounds like a good  
13 thing, so maybe just a sanity check to make sure that we're  
14 not overstepping this thing based on having our standards  
15 built around single-family homes.

16 Vice Chair Barnett.

17 VICE CHAIR BARNETT: Thank you. I need some  
18 clarification. This is on page 209 of the package where it  
19 talks about the size of the private open space. So we know  
20 that the deck dimension is 10'x6', but then it goes down to  
21 subparagraph (ii) and it says that, "The above dwelling  
22 units above the ground floor shall have 120 square feet,"  
23 so I'm not sure how to compare the 120 and the 160, and I  
24 know I'm missing something here.

25 CHAIR HANSSEN: Can you take that one, Staff?

1 JENNIFER ARMER: Sure, thank you. There are  
2 minimum dimensions trying to make sure that the size of the  
3 balcony is a usable space rather than, say, something that  
4 is only 2' deep and really long. Then you have the overall  
5 size, so if you're on the ground floor, as Commissioner  
6 Janoff was suggesting, it is a 200 square foot size  
7 requirement, whereas if it's above it's a different  
8 requirement, it's only 120 square feet, but that 120 square  
9 feet needs to be laid out in a way that you have at least a  
10 10'x6' dimension. It will be bigger than that because  
11 that's only 60 of the 120 square feet. Did that help to  
12 clarify? You've got a certain amount of area that's  
13 required, and then also the dimensions need to be at least  
14 10'x6' so that it is a usable space.

16 CHAIR HANSSEN: Does that answer your question,  
17 Vice Chair Barnett?

18 VICE CHAIR BARNETT: Yes, thank you for the  
19 clarification.

20 CHAIR HANSSEN: Commissioner Janoff.

21 COMMISSIONER JANOFF: Thanks for bringing us to  
22 this particular page, Vice Chair Barnett. Maybe this is  
23 where the problem lies, because an above ground unit with  
24 a, let's say, 10'x12' square foot balcony is huge, and  
25 maybe that should be the 6'x10' rather than 120 square

1 feet. I'm thinking about what a 6'x10' balcony, or a 120  
2 square foot balcony, might look like. That's huge. That's  
3 really, really big for a balcony, even though you're only  
4 required to have 10'x6'.

5 CHAIR HANSSEN: That's as big as a lot of  
6 people's bedrooms in their homes.

7 COMMISSIONER JANOFF: Yes, so maybe what we  
8 should do is reduce that 120 square feet and just restate  
9 the 6'x10', or just say 60 square feet. I like the  
10 dimensions because, you're right, Ms. Armer, you wouldn't  
11 want it 2'x20' long. Well, then you're looking like a  
12 really fat belly band, so that wouldn't work. But yes, I  
13 think that could be part of the problem.

14 CHAIR HANSSEN: Mr. Ford has his hand up.

15 TOM FORD: Another way to look at that and how  
16 (ii) is, basically what you're seeing there is there are  
17 two balconies, so a unit has two balconies. Maybe it has  
18 one that's off the living room and one that's off one of  
19 the bedrooms; that's a potential way to do it too. You  
20 don't have to have one big, huge balcony; you could have  
21 two, so long as each of them is a minimum size.

22 CHAIR HANSSEN: Director Paulson.

23 JOEL PAULSON: Thank you, Chair. Obviously we're  
24 hearing a lot of good conversation around a number of  
25



1 topics. I think ultimately what you heard from the  
2 architects was the 200 square feet for a ground floor might  
3 be too big, and so you have this dimension versus square  
4 foot conversation that could be addressed, as Mr. Ford  
5 mentioned, in a number of different ways. We can look at  
6 other opportunities for how that is expressed in the  
7 Objective Standards and come up with two or three different  
8 options for the Council to consider should this move  
9 forward today.

10  
11 In addition to that, there's been a lot of  
12 conversation around community space and landscape space.  
13 Can one count for both? Are they exclusive? Should we  
14 exclude rooftop decks? I think we can kind of get our arms  
15 around all those varied topics and see if we can come up  
16 with some other options for consideration, whether that's,  
17 again, additional consideration from the Commission or  
18 additional consideration from the Town Council, in addition  
19 to reaching out to both architects groups that we heard  
20 from, as well the HEAB member who is also an architect, to  
21 get their further input on what they've heard tonight,  
22 because I know at least two of them are in the audience, so  
23 they've been hearing a lot of this conversation as well,  
24 and so they will probably have additional thoughts once  
25 this moves forward to Council.

1 CHAIR HANSSEN: I think what I'm hearing, and I'm  
2 going to give this direction to the Planning Commission, is  
3 that we don't want to continue this again. From our last  
4 meeting, we have been working on this for well over a year.  
5 We needed to have this thing done months and months ago and  
6 we don't, and so I'm reluctant to do anything where the  
7 Staff would have to come back to us.

8 On the devil's advocate side of that, we don't  
9 want to dump a pile of stuff on our Town Council either,  
10 because they expect us to ferret the stuff out and make a  
11 good recommendation to them.

12 But I do think that it would make sense to at  
13 least have a sanity check on the size of the balconies  
14 relative to other jurisdiction's standards to make sure  
15 that we're on target, or check with the architects, because  
16 I think the Commission doesn't have the right number for  
17 you. That's got to come from architects and others.

18 Does that sound like a way we can go forward?  
19 Because what I heard is there are a couple of things we may  
20 need to look into, or think we gave some feedback on the  
21 comments.

22 Ms. Armer.

23 JENNIFER ARMER: Thank you, Chair. I just was  
24 going to take what you were saying and clarify how it would  
25

1 likely be presented to Town Council to show that it isn't  
2 just leaving it up to them, but that it would be providing  
3 the language that is there as well as the different issues  
4 that were considered and discussed by the Planning  
5 Commission as important topics for consideration by the  
6 Town Council. I think it could be presented to them in a  
7 way that this was identified as an issue that the Planning  
8 Commission recommended they consider closely with several  
9 options based on other examples or additional feedback from  
10 the architect community.

11  
12 CHAIR HANSSEN: That sounds okay with me. How  
13 does the rest of the Commission feel? Vice Chair Barnett.

14 VICE CHAIR BARNETT: I would put an addition to  
15 Ms. Armer's comments, and that is before it's presented to  
16 Council that the Staff and consultants be involved in this  
17 process of producing other alternatives for recommendations  
18 so that the same discussion doesn't occur at the Council  
19 level.

20 CHAIR HANSSEN: So that we're not like spinning  
21 our wheels. Let's go ahead and move on.

22 Staff had a comment on Exhibit 20, which was  
23 relative to the other public comments, and it says the  
24 public comment in Exhibit 20 also expresses support with  
25 the information provided in Exhibits 16, 17, and 18, and

1 additional suggestions through the Purpose and  
2 Applicability section. The bottom line is Staff is  
3 supportive of these recommendations and can incorporate  
4 them when forwarding the revised document to Town Council.

5 I did look at the additional comments and I  
6 thought that they were reasonable, and since I'm hearing  
7 Staff thinks it's okay I feel like we don't need to go  
8 through those comments specifically, but let me throw it  
9 out if any Commissioners want to discuss any of the other  
10 public comments, and I'm going to come back to the  
11 architects' comments after this question.  
12

13 Commissioner Janoff.

14 COMMISSIONER JANOFF: I'm very comfortable with  
15 following Staff's recommendations for this set of concerns.

16 CHAIR HANSSEN: Good. I feel the same way. All  
17 right.

18 On the architects' comments, they had quite a  
19 number of comments, and later on in the Addendum Staff did  
20 go through every single one of those comments and gave  
21 feedback. As mentioned earlier, a lot of the architects'  
22 comments were in fact questions asking for clarification  
23 from the document. Staff answered all of those questions.  
24 There were also some recommendations they made that they  
25 didn't feel like they needed specific feedback from the

1 Planning Commission, so my suggestion would be that unless  
2 any Commissioners have any objection to that approach that  
3 we just adopt Staff's recommendation and say that yes,  
4 you've answered the questions and any of those minor  
5 changes that they didn't need our feedback on, we don't  
6 need to discuss them.

7           But I want to put it out for Commissioners if  
8 there's anything else in the Addendum that Staff commented  
9 on relative to the architects' comments since we did  
10 continue this meeting primarily because of their input. Is  
11 there anything else that the Commissioners feel that we  
12 need to discuss? Good, I'm not hearing that. And like I  
13 said, I read through everything that Staff wrote and I  
14 thought it was fine, but I want to make sure that we had a  
15 chance to comment.

17           But it is almost 10:00 o'clock, so I wanted to  
18 see if we couldn't wrap this up soon.

19           The only other comments were the additional ones  
20 that came from Ms. Quintana tonight in public comments, but  
21 I think most of the stuff she covered were things that  
22 we've been talking about tonight, so if that's the case,  
23 then can I get a motion from a Commissioner to recommend  
24 the Draft Objective Standards to Town Council with all of  
25 the changes and recommendations we've made tonight?

1 Commissioner Janoff.

2 COMMISSIONER JANOFF: I move to forward the Draft  
3 Objective Standards to Town Council given the additions and  
4 changes that the Planning Commission has recommended to  
5 Staff this evening.

6 CHAIR HANSSEN: Sounds good. Is there a second?  
7 Commissioner Tavana.

8 COMMISSIONER TAVANA: I second the motion.

9 CHAIR HANSSEN: Very good. I think we had a very  
10 good discussion and I wanted to make a special point of  
11 saying that I appreciate all the great comments and  
12 feedback that have come from every member of this  
13 Commission.  
14

15 I will go ahead and call the question, and I'll  
16 start with Commissioner Tavana.

17 COMMISSIONER TAVANA: Yes.

18 CHAIR HANSSEN: Commissioner Thomas.

19 COMMISSIONER THOMAS: Yes.

20 CHAIR HANSSEN: Commissioner Raspe.

21 COMMISSIONER RASPE: Yes.

22 CHAIR HANSSEN: Commissioner Janoff.

23 COMMISSIONER JANOFF: Yes.

24 CHAIR HANSSEN: Commissioner Clark.

25 COMMISSIONER CLARK: Yes.

1 CHAIR HANSSEN: Vice Chair Barnett.

2 VICE CHAIR BARNETT: Yes, but I thought Ms.  
3 Quintana had a good point about the organization section  
4 where it said, "The following objective design standards  
5 are organized," and I think we're dealing with more than  
6 design standards. I think she has a good point on that.  
7 It's just a suggestion from me, otherwise I do agree with  
8 the proposed motion.

9 CHAIR HANSSEN: I think that Staff said that they  
10 concurred with her comments on that front and that's part  
11 of our recommendation. Did I miss something? That was what  
12 was in Exhibit 20, and Staff said we're supportive of these  
13 recommendations and can incorporate them when forwarding  
14 the revised document to Town Council. So to me I thought  
15 that was included.

17 VICE CHAIR BARNETT: Thank you.

18 CHAIR HANSSEN: All right, so you're a Yes then?

19 VICE CHAIR BARNETT: Yes.

20 CHAIR HANSSEN: And I vote yes as well, so it  
21 passes unanimously, and I will ask Staff for clarification.  
22 There are no appeal rights for this issue, because it's a  
23 recommendation?

24 JENNIFER ARMER: That is correct.  
25

1 CHAIR HANSSEN: So thank you everyone for the  
2 great discussion on this item.

3 (END)

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Hi Planning Staff,

Thanks for the thoughtful discussion this evening with the Planning Commission. I caught most of the discussion about my comments and just wanted to make a few subsequent comments on the Commission discussion

First of all, my intent was not to hold up the process or create more work for you guys. I think underlying most of my comments below is a concern that the Site Standards of the Draft Objective Standards seem to be written as geared toward larger multi-family and mixed-use developments (like the North 40 or some of the sites on Los Gatos Boulevard that are in the Housing Element Site Inventory) and could potentially hinder smaller infill and "missing middle" type of multi-family housing.

This runs the risk of Los Gatos having a "barbell" distribution of housing types in the future - either detached single-family houses or apartment/condo units in large (20+ units) multi-family developments and nothing in-between.

With that said, see my comments based on the Planning Commission discussion below in **red**

On Wed, Sep 7, 2022 at 11:53 PM Adam Mayer <[REDACTED]> wrote:  
Hello Los Gatos Planning Staff,

This is Adam Mayer, local architect and current member of the Housing Element Advisory Board.

I just wanted to make a few comments piggybacking on the issues brought up by the group of architects represented by Ms. Bess Wiersema at the last Planning Commission meeting. Although I am not part of that group, I too have some overlapping concerns about the Objective Standards as they are currently drafted.

Generally I agree with the intent of the Objective Standards and think that the State is doing the right thing by trying to streamline housing development. The potential downside, as was noted by the group of architects in the previous meeting, is that these standards could end up stifling the architect's creativity by being overly prescriptive, resulting in mediocre cookie-cutter design.

To be sure, this is a delicate balance to walk and I think Town Staff has done a fairly good job of walking this tight-rope so far.

For instance, one point of discussion in the last Planning Commission meeting was about including pictures of real-life examples, but my personal opinion here is that I prefer the more abstract line drawings that are currently used in the Draft document. For Design Guidelines, real world photo examples might make sense but I think the abstract line drawings are better (and potentially less restricting from a design point-of-view) for the Objective Standards.

Now onto the specific parts of the Draft Objective Standards where I have some comments (primarily on the Site Standards, the Building Design Standards look fine for the most part):

#### **Section A5.1**

*Any automobile entry gate to a parking structure shall be located to allow a minimum of 25 feet between the gate and the back of the sidewalk to minimize conflicts between sidewalks and vehicle queuing.*

**Comment:** Imagine a scenario where there is a new multi-story, multi-family residential building on a tight lot with an underground parking garage. There is no way you are going to fit a ramp on the site that starts 25' away from the sidewalk that has enough run to get a full story below grade. Furthermore, on a project where you have only residential (no commercial) you are very unlikely to ever have a scenario where vehicles are going to be backed up in a queue. I'd remove this section or amend it to be much less than 25' **I would be ok with changing this to the current zoning requirement of 18'-0" rather than 25'-0"**

### **Section A8.3**

*Vehicular entry gates and pedestrian entry gates shall have a maximum height of six feet.*

**Comment:** Does this include entry gates that enter into a below-grade parking garage? Typically these are full height (because the retract up into the ceiling) with a minimum height clearance of 6'-8"

### **Section A10.1a**

*Landscaped space: A minimum of 20 percent of the site area shall be landscaped.*

**Comment:** 20% seem unnecessarily high for an infill building. Can a landscaped roof count toward the 20%? **I think if landscaped roof space and landscape within the setbacks can count toward the 20% then it is reasonable.**

### **Section A10.1b**

*Private recreation space: The minimum horizontal dimensions are 10 feet by six feet. The minimum vertical clearance required is eight feet. Private recreation space shall be directly accessible from the residential unit.*

**Comment:** 6 ft. x 10 ft. is a gigantic balcony for a multi-family unit, even for luxury condos. 120 square feet is absurd. **Perhpas there is a sliding scale here. Maybe a smaller requiriement for units under 500 sq. ft., another slightly larger for units that are 500 sq. ft. - 800 sq. ft., another slightly larger for 800 sq. ft. - 1,200 sq. ft and then one for units above 1,200 sq. ft.**

### **Section A10.1c**

*Community recreation space shall be provided in multi-family residential development projects at a minimum of 200 square feet per residential unit.*

**Comment:** Like the private recreation space, this is way too much. For smaller multi-family residential buildings under a certain size (say 10-12 units) I would say that "community recreation space" is unnecessary and would be a huge obstacle in getting these sort of mid-tier boutique multi-family projects built. "Community Recreation Space" makes more sense in larger multi-family developments (like 20 - 100 units) **I do think there should be a minimum unit count for a project to be required to provide Community Recreation space. It really doesn't make sense for a development that is 10-12 units or under and especially doesn't make sense for missing middle.**

Thanks for considering my comments and happy to answer any questions.

Best,  
Adam

Joel,

I wanted to follow up with you regarding a particular item that was discussed at the Planning Commission meeting. It was late and towards the end of the meeting when commissioners were discussing community, private and landscape areas. I appreciated the discussion as I think it yielded some necessary clarification. We would like to see where we are with the standards and if there is an updated version.

Just to clarify, our letter from our architects group objects to the 120SF & 200SF of required private space. We do not object to the 6' or 10' dimensions. If more units and density is what the Town is looking for, than the 120/200SF is far, far too much. Palo Alto code required only 50SF (5' x 10'), that's it.

We realize that this is something that is written into town code right now, but this should be changed and is completely out of step from other jurisdictions and just about every example of currently built apartment buildings. Has anyone ever lived in an apartment with a private balcony that big?

We are happy to participate in any further conversations, and help Mr. Barnett with flushing out the last items left to be refined per planning commission's recommendation.

Jaclyn Greenmyer

KOHLSAAT & ASSOCIATES  
ARCHITECTURE

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**TOWN OF LOS GATOS  
COUNCIL AGENDA REPORT**

MEETING DATE: 11/15/2022

ITEM NO: 11

DESK ITEM

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DATE: November 15, 2022  
TO: Mayor and Town Council  
FROM: Laurel Prevetti, Town Manager  
SUBJECT: Consider Adoption of a Resolution Establishing Objective Standards for Qualifying Multi-Family and Residential Mixed-Use Developments.  
Location: Town-wide. Applicant: Town of Los Gatos.

**REMARKS:**

One Councilmember asked a couple of questions. Responses to each question are provided below in italics:

- Page 4 of 33 - Bicycle Access: Was there much discussion about how bike parking will be accommodated and is there any flexibility on how it looks or how it can be "broken up"?  
*The Planning Commission did not discuss specifics of how bicycle parking would be provided, except to include the requirement that it be located within 50 feet of one of the primary building entrances. Given that the number of parking spaces is only other aspect that was addressed, there would be flexibility on how it looks or where it would be provided.*
- Page 9 of 33 - Private recreation space versus community recreation space: I noticed in the redlined version that the private recreation space was decreased from 200 to 120 and the community recreation space from 200 to 100. Is 120 what is required for the N40? I need a visual example of how much space that is for a unit.  
*The Planning Commission provided direction that the requirements for both of these should be reduced, in response to public comments received from the local Architects. The requirements in the N40 Specific Plan include 100 square feet of common open space per condominium, and 200 square feet per unit for other types of multi-family residential. Town Code Sections 29.10.065 includes the following for*

**PREPARED BY:** Sean Mullin, AICP  
Senior Planner

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Reviewed by: Town Manager, Assistant Town Manager, Town Attorney, Community Development Director, and Finance Director

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REMARKS (continued):

*residential condominiums: 200 square feet of private open space for ground floor units and 120 square feet for above the ground floor, plus at least 100 square feet of community recreation space per dwelling unit.*

- Page 16 of 27 - Townhomes or rowhouses shall have no more than six contiguous units in any single building: Was the intent of this standard to limit the actual number of units or to minimize mass? There may be instances where you have 2 separate units - one upstairs and one downstairs In what may be the mass of 1 single townhome and I would have to prevent that from being built if massing is the primary concern.

*This standard was developed from an existing standard in the Affordable Housing Design Guidelines for Townhouses. During the subcommittee review of existing standards and guidelines, this guideline was identified as one that should be made objective and included in the draft Objective Standards. The intent is to address massing and articulation.*

*An excerpt from the Affordable Housing Design Guidelines is on the next page.*

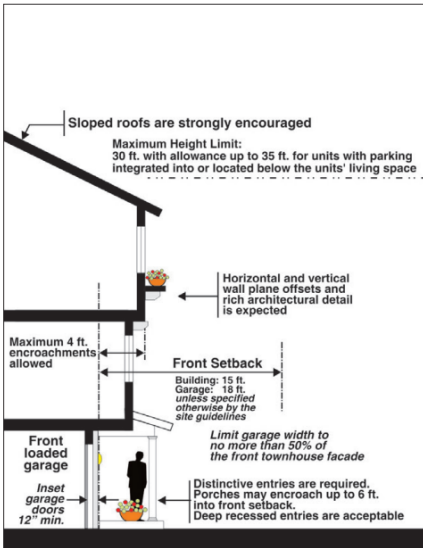
REMARKS (continued):

Town of Los Gatos

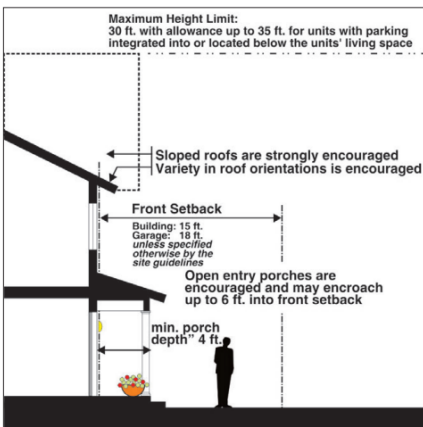
## DESIGN GUIDELINES

## TOWNHOUSES

2



Townhouse with ground floor garage standards and guidelines



Townhouse frontage standards and guidelines

## DESIGN STANDARDS AND GUIDELINES

## Site Development

1. Orient unit entries to streets and common open spaces rather than parking courtyards to the maximum extent possible.
2. Avoid turning unit back elevations and patio walls to public streets.
3. Minimize the number of curb cuts and street-facing garages.
4. Orient living space windows to overlook streets and common open spaces.
5. If parking is not attached to the units, utilize small parking areas reasonably close to the living units. Large parking areas shall be broken into smaller segments with substantial landscaping.

## Massing and Articulation

1. Construct a maximum of 6 attached units in a row. Approval of more than 6 attached units may be considered, but will only be granted for projects with extraordinarily high design quality.
2. The individuality of each townhouse unit shall be emphasized with well defined limits and individual entries and details.
3. Elevations should be mixed within a development to avoid repetition of identical facades and roof lines.
4. Houses on corner lots shall be required to provide one or more 1-story elements and/or projecting second story bay windows or other decorative architectural features to avoid tall exterior walls without design articulation facing streets, open spaces and pedestrian ways.
5. Design front elevations to emphasize entries, porches or other living areas and de-emphasize garages. No more than 50 percent of the front elevation of a house shall consist of garage area.
6. Front-facing garages should be recessed a minimum of 12 inches from the front facade of the living space.
7. Carports and garages separated from the townhouse units should be substantial in appearance, and should match the residential units in terms of roof pitches, materials and construction.
8. A minimum of 50% of all two-story houses should have a minimum 3-foot horizontal offset in plan.
9. Add variety to second floors with varied eave heights, windows and ridge line variations.

Attachment 17 includes additional Councilmember comments. Attachment 18 includes additional public comments received between 11:01 a.m., Thursday, November 10, 2022, and 11:00 a.m., Tuesday, November 15, 2022.

ATTACHMENTS:

Attachments previously with November 15, 2022 Staff Report:

1. Draft Objective Standards
2. Draft Objective Standards with Changes Red-Lined
3. Appendix for Draft Objective Standards – Evaluation of Existing Developments
4. Draft Resolution with Exhibit 1
5. June 22, 2022 Planning Commission Staff Report with Exhibits 1-4
6. June 22, 2022 Planning Commission Addendum Report with Exhibits 5-7
7. June 22, 2022 Planning Commission Desk Item Report with Exhibit 8
8. June 22, 2022 Planning Commission Verbatim Minutes
9. August 24, 2022 Planning Commission Staff Report with Exhibits 9-12
10. August 24, 2022 Planning Commission Addendum Report with Exhibit 13
11. August 24, 2022 Planning Commission Desk Item Report with Exhibits 14-15
12. August 24, 2022 Planning Commission Verbatim Minutes
13. September 14, 2022 Planning Commission Staff Report with Exhibits 16-18
14. September 14, 2022 Planning Commission Addendum Report with Exhibits 19-20
15. September 14, 2022 Planning Commission Verbatim Minutes
16. Public Comment received between 11:01 a.m., Wednesday, September 14, 2022, and 11:00 a.m., Thursday, November 10, 2022

Attachments with this Desk Item:

17. Councilmember Comments
18. Public comments received between 11:01 a.m., Thursday, November 10, 2022, and 11:00 a.m., Tuesday, November 15, 2022



**From:** Maria Ristow <[MRistow@losgatosca.gov](mailto:MRistow@losgatosca.gov)>

**Sent:** Monday, November 14, 2022 4:36 PM

**To:** Laurel Prevetti <[LPrevetti@losgatosca.gov](mailto:LPrevetti@losgatosca.gov)>; Joel Paulson <[jpaulson@losgatosca.gov](mailto:jpaulson@losgatosca.gov)>; Nicolle Burnham <[NBurnham@losgatosca.gov](mailto:NBurnham@losgatosca.gov)>

**Subject:** Objective standards and bike parking

Good afternoon,

First of all, I am hugely appreciative of the strong collaboration between the consultants, staff, planning commission, residents and architects to produce the objective standards we are preparing to review tomorrow night. So many different areas have been discussed, refined and improved. I think the extra time taken by the planning commission to get more input has been worth it.

That said, there is one area I think was left open and could lead to unintended consequences. Bike parking is too vague and could possibly lead to large areas of empty bike racks.

Without specifying high-quality bike racks and protected bike parking, we could end up with a tract of 50 mostly empty bike racks for a 50-unit building.

Looking at the bike parking for new multifamily construction, both Santa Cruz and Palo Alto have similar requirements, and spell out the type of bike parking that will lead to safe, secure, usable bike parking. Allowing a builder to just put in front-wheel bike racks will force residents to keep their bikes in their condos or apartments, defeating the point of the mandated bike parking.

I really like the Santa Cruz requirements below.

<https://www.cityofsantacruz.com/home/showpublisheddocument/82030/637383695642570000>

From Santa Cruz:

24.12.250 BIKE PARKING REQUIREMENTS.

1. Bicycle parking facilities shall be provided for any new building, addition or enlargement of an existing building, or for any change in the occupancy, except when the project property is located within the Parking District Number 1.

2. Bike Spaces and Type Required.

Bicycle parking facilities' quantity and type shall be provided in accordance with the following schedule, with fractional quantity requirements for bike parking over one-half to be rounded up.

Each bicycle parking space shall be no less than six feet long by two feet wide and shall have a bicycle rack system in compliance with the bike rack classifications listed in subsection (3). Fractional amounts of the type of parking facilities may be shifted as desired: Number of Bicycle Parking Spaces Required

Classification	Number of Bicycle Parking Spaces Required
Multifamily residential (3 or more units)	
• 1 space per unit 100% Class 1 garages or secure accessible indoor areas count	
• One space per four units Class 2	

Multifamily residential (3 or more units)

- 1 space per unit 100% Class 1 garages or secure accessible indoor areas count
- One space per four units Class 2

ORDINANCE NO. [2020-21 9](#)

- a. “Class 1 bicycle facility” means a locker, individually locked enclosure or supervised area within a building providing protection for each bicycle therein from theft, vandalism and weather.
- b. “Class 2 bicycle facility” means a stand or other device constructed so as to enable the user to secure by locking the frame and one wheel of each bicycle parked therein.
- Racks must be easily usable with both U-locks and cable locks. Racks should support the bikes in a stable upright position so that a bike, if bumped, will not fall or roll down. Racks that support a bike primarily by a wheel, such as standard “wire racks,” are damaging to wheels and thus are not acceptable. (See Bikes are Good Business design guidelines.)

#### 4. Location and Design of Facilities.

- a. Bicycle parking should be located in close proximity to the building’s entrance and clustered in lots not to exceed sixteen spaces each.
- b. Bicycle parking facilities shall support bicycles in a stable position without damage to wheels, frame or other components.
- c. Bicycle parking facilities should be located in highly visible, well-lighted areas to minimize theft and vandalism.
- d. Bicycle parking facilities shall be securely anchored to the lot surface so they cannot be easily removed and shall be of sufficient strength to resist vandalism and theft.
- e. Bicycle parking facilities shall not impede pedestrian or vehicular circulation, and should be harmonious with their environment both in color and design. Parking facilities should be incorporated whenever possible into building design or street furniture.
- f. Racks must not be placed close enough to a wall or other obstruction so as to make use difficult. There must be sufficient space (at least twenty-four inches) beside each parked bike that allows access. This access may be shared by adjacent bicycles. An aisle or other space shall be provided to bicycles to enter and leave the facility. This aisle shall have a width of at least six feet to the front or rear of a bike parked in the facility.
- g. Paving is not required, but the outside ground surface shall be finished or planted in a way that avoids mud and dust.
- h. Bike parking facilities within auto parking areas shall be separated by a physical barrier to protect bicycles from damage by cars, such as curbs, wheel stops, poles or other similar features.

Thank you,  
Maria

**Maria Ristow**

Vice Mayor, Los Gatos Town Council

November 14, 2022

From: Lee Quintana  
To: Mayor Rennie and Town Councilmembers  
Re: Desk Item for Agenda Item #11: Draft Objective Standards

Mayor and Town Council.

The following are my comments on the much improved version of the Draft Objective Standards

**Comments:**

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**B4.12.c:** What is the a minimum square footage requirement for the common open space

Thank you for your consideration.

**From:** Maria Ristow <[MRistow@losgatosca.gov](mailto:MRistow@losgatosca.gov)>

**Sent:** Monday, November 14, 2022 4:36 PM

**To:** Laurel Prevetti <[LPrevetti@losgatosca.gov](mailto:LPrevetti@losgatosca.gov)>; Joel Paulson <[jpaulson@losgatosca.gov](mailto:jpaulson@losgatosca.gov)>; Nicolle Burnham <[NBurnham@losgatosca.gov](mailto:NBurnham@losgatosca.gov)>

**Subject:** Objective standards and bike parking

Good afternoon,

First of all, I am hugely appreciative of the strong collaboration between the consultants, staff, planning commission, residents and architects to produce the objective standards we are preparing to review tomorrow night. So many different areas have been discussed, refined and improved. I think the extra time taken by the planning commission to get more input has been worth it.

That said, there is one area I think was left open and could lead to unintended consequences. Bike parking is too vague and could possibly lead to large areas of empty bike racks.

Without specifying high-quality bike racks and protected bike parking, we could end up with a tract of 50 mostly empty bike racks for a 50-unit building.

Looking at the bike parking for new multifamily construction, both Santa Cruz and Palo Alto have similar requirements, and spell out the type of bike parking that will lead to safe, secure, usable bike parking. Allowing a builder to just put in front-wheel bike racks will force residents to keep their bikes in their condos or apartments, defeating the point of the mandated bike parking.

I really like the Santa Cruz requirements below.

<https://www.cityofsantacruz.com/home/showpublisheddocument/82030/637383695642570000>

From Santa Cruz:

#### 24.12.250 BIKE PARKING REQUIREMENTS.

1. Bicycle parking facilities shall be provided for any new building, addition or enlargement of an existing building, or for any change in the occupancy, except when the project property is located within the Parking District Number 1.

#### 2. Bike Spaces and Type Required.

Bicycle parking facilities' quantity and type shall be provided in accordance with the following schedule, with fractional quantity requirements for bike parking over one-half to be rounded up.

Each bicycle parking space shall be no less than six feet long by two feet wide and shall have a bicycle rack system in compliance with the bike rack classifications listed in subsection (3). Fractional amounts of the type of parking facilities may be shifted as desired: Number of Bicycle Parking Spaces Required

Classification	Number of Bicycle Parking Spaces Required
Multifamily residential (3 or more units)	
• 1 space per unit 100% Class 1 garages or secure accessible indoor areas count	
• One space per four units Class 2	

Multifamily residential (3 or more units)

- 1 space per unit 100% Class 1 garages or secure accessible indoor areas count
- One space per four units Class 2

ORDINANCE NO. [2020-21 9](#)

- a. “Class 1 bicycle facility” means a locker, individually locked enclosure or supervised area within a building providing protection for each bicycle therein from theft, vandalism and weather.
- b. “Class 2 bicycle facility” means a stand or other device constructed so as to enable the user to secure by locking the frame and one wheel of each bicycle parked therein.
- Racks must be easily usable with both U-locks and cable locks. Racks should support the bikes in a stable upright position so that a bike, if bumped, will not fall or roll down. Racks that support a bike primarily by a wheel, such as standard “wire racks,” are damaging to wheels and thus are not acceptable. (See Bikes are Good Business design guidelines.)

#### 4. Location and Design of Facilities.

- a. Bicycle parking should be located in close proximity to the building’s entrance and clustered in lots not to exceed sixteen spaces each.
- b. Bicycle parking facilities shall support bicycles in a stable position without damage to wheels, frame or other components.
- c. Bicycle parking facilities should be located in highly visible, well-lighted areas to minimize theft and vandalism.
- d. Bicycle parking facilities shall be securely anchored to the lot surface so they cannot be easily removed and shall be of sufficient strength to resist vandalism and theft.
- e. Bicycle parking facilities shall not impede pedestrian or vehicular circulation, and should be harmonious with their environment both in color and design. Parking facilities should be incorporated whenever possible into building design or street furniture.
- f. Racks must not be placed close enough to a wall or other obstruction so as to make use difficult. There must be sufficient space (at least twenty-four inches) beside each parked bike that allows access. This access may be shared by adjacent bicycles. An aisle or other space shall be provided to bicycles to enter and leave the facility. This aisle shall have a width of at least six feet to the front or rear of a bike parked in the facility.
- g. Paving is not required, but the outside ground surface shall be finished or planted in a way that avoids mud and dust.
- h. Bike parking facilities within auto parking areas shall be separated by a physical barrier to protect bicycles from damage by cars, such as curbs, wheel stops, poles or other similar features.

Thank you,  
Maria

**Maria Ristow**

Vice Mayor, Los Gatos Town Council

November 14, 2022

From: Lee Quintana  
To: Mayor Rennie and Town Councilmembers  
Re: Desk Item for Agenda Item #11: Draft Objective Standards

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