



TOWN OF LOS GATOS
COMMUNITY DEVELOPMENT DEPARTMENT
PLANNING DIVISION
(408) 354-6872 Fax (408) 354-7593
planning@losgatosca.gov

CIVIC CENTER
110 E. MAIN STREET
LOS GATOS, CA 95030

March 18, 2024

Paul McDougall
State Department of Housing and Community Development
C/O Land Use and Planning Unit
2020 W. El Camino Avenue, Suite 500
Sacramento, CA 95833

Re: Town of Los Gatos Draft Revised 2023-2031 Housing Element

Dear Mr. McDougall,

This letter serves to transmit a formal resubmittal of the Town of Los Gatos' Draft Revised 2023-2031 Housing Element, implementing changes in response to comments in the findings/comment letter received by the Town on December 1, 2023, and subsequent Draft Preliminary Review Matrices provided by Jose Jauregui.

Draft Revisions

This Draft Revised Housing Element (dated March 2024) responds to the findings/comment letter received by the Town on December 1, 2023, and subsequent Draft Preliminary Review Matrices provided by HCD. The Town has made several modifications to the Housing Element, detailed in the "Staff Response" column of the attached HCD Second Informal Preliminary Review Matrix. Included in this formal resubmittal are the following documents:

- The Town's response memorandum to HCD's February 20, 2024, Second Informal Preliminary Review Matrix;
- A track changes copy of the Draft Revised Housing Element;
- A clean copy of the Draft Revised Housing Element;
- An electronic copy of the Sites Inventory Form; and
- Written comments submitted to the Town during the seven-day public review period, March 7, 2024, through March 14, 2024.

Public Review

Since receipt of the HCD findings/comment letter on December 1, 2023, the Town has continued to engage with the community for feedback on the Draft Housing Element. Starting at the December 20, 2023, Town Council meeting, direction was given to bring draft revisions to the Housing Element back to Town Council for review and consideration. On January 16, February 4, February 20, and March 5, 2024, Town Council met to discuss HCD comments and interim feedback, draft revisions, public comment, and future review processes. The revisions that have been made in this March 2024 draft reflect the direction and feedback that was heard, both from HCD and from the community, and go beyond just responding to comments received during the required seven-day comment period. For example, as a

result of the letter sent by SV@Home to both the Town and HCD on March 5, 2024, the Town Council directed staff to reduce the restrictions included in Implementation Programs J and AY so that there will be more flexibility and more areas of Town available when the small multi-unit housing regulations are developed.

Pursuant to Government Code 65585(b)(1), the Town has posted the modifications to the Town's Housing Element website and provided notification to all individuals and organizations that previously requested notices, as well as all parties on the Town's notification list, including those who have previously commented on the Housing Element. The Draft Revised Housing Element was posted on March 7, 2024, and the Town allowed submittal of public comments until 5:00 p.m. on March 14, 2024, prior to submittal of the Draft Revised Housing Element to HCD for review, consistent with AB 215 requirements.

Compliance with Government Code Section 65585:

The Town received correspondence from the Los Gatos Community Alliance (LGCA) and SummerHill Homes during the seven-day public comment period. The responses below have been provided to address the public comments received during the seven-day public comment period.

Response to Public Comments Received During the Seven-Day Public Comment Period:

During the seven-day public comment period, March 7, 2024, through March 14, 2024, the Town received a public comment letter from LGCA and SummerHill Homes. The following provides a response to each public comment submitted and includes how the comments were incorporated into the review, if appropriate.

- 1) LGCA Comment #1: Through the implementation of Programs J and AY, the Town will study and analyze a modification to the Zoning Code to allow small multi-unit housing in a variety of neighborhoods in certain low and medium density designations, except for in the Very High Fire Hazard Severity Zones, hillside residential zones, and historic districts. The quantified objective for Program J to increase the number of housing units can be achieved through the combination of single dwelling units, accessory dwelling units, prefabricated homes, clustered/cottage housing, duplexes, triplexes, fourplexes, courtyard apartments, cottage courts, townhomes, triplex stacked (vertical), and live-work spaces. Programs J and AY differ from the Land Use element of the 2040 General Plan in that they do not propose to allow small multi-unit housing in all low to medium density designations.
- 2) SummerHill Homes Comment #2: The Senate Bill 330 (SB 330) formal application filed for 50 Los Gatos Saratoga Road has not received project approval. In the event that the formal planning application has been approved, which creates a shortfall of units in the Town's Sites Inventory, the Town will need to comply with the State's "no net loss" provisions. The State "no net loss" law requires that, if and when a project is approved below the density described in the Town's Housing Element, the Town must rezone sufficient sites to make up the shortfall within six months of project approval. In other words, the "no net loss" provisions apply upon project approval. The Town intends to comply with the "no net loss" provisions if the project approval results in a shortfall.

The public comments provided during the seven-day public comment period above were considered and it was determined that no revisions were required to the Draft Revised 2023-2031 Housing Element (March 2024).

On behalf of the Town of Los Gatos, thank you for the review of the Town of Los Gatos' Draft Revised Housing Element. The Town looks forward to receiving HCD's findings/comment letter by May 17, 2024, and potentially receiving additional direction and feedback from HCD that would assist the Town in the evaluation and decision-making process to bring the Housing Element into a compliance status by or before the end of the 60-day review period. Questions or comments on the Housing Element may be directed to:

Joel Paulson, Community Development Director
jpaulson@losgatosca.gov
408-354-6879

Sincerely,



Joel Paulson
Community Development Department
Town of Los Gatos

Enclosures:

- Response Memorandum to HCD's February 20, 2024, Second Informal Preliminary Review Matrix
- Town of Los Gatos Draft Revised Housing Element, Track Changes Copy
- Town of Los Gatos Draft Revised Housing Element, Clean Copy
- Electronic Copy of the Sites Inventory Form
- Written comments submitted to the Town during the seven-day public review period, March 7, 2024, through March 14, 2024