



**TOWN OF LOS GATOS
PLANNING COMMISSION
REPORT**

**MINUTES OF THE PLANNING COMMISSION MEETING
MARCH 23, 2022**

The Planning Commission of the Town of Los Gatos conducted a Regular Meeting on Wednesday, March 23, 2022, at 7:00 p.m.

This meeting was conducted utilizing teleconferencing and electronic means consistent with Government Code Section 54953, as Amended by Assembly Bill 361, in response to the state of emergency relating to COVID-19 and enabling teleconferencing accommodations by suspending or waiving specified provisions in the Ralph M. Brown Act (Government Code § 54950 et seq.). Consistent with AB 361 and Town of Los Gatos Resolution 2021-044, all planning commissioners and staff participated from remote locations and all voting was conducted via roll call vote.

MEETING CALLED TO ORDER AT 7:00 PM

ROLL CALL

Present: Chair Melanie Hanssen, Vice Chair Jeffrey Barnett, Commissioner Kylie Clark, Commissioner Kathryn Janoff, Commissioner Steve Raspe, Commissioner Reza Tavana, and Commissioner Emily Thomas

Absent: None.

VERBAL COMMUNICATIONS

None.

CONSENT ITEMS (TO BE ACTED UPON BY A SINGLE MOTION)

1. Approval of Minutes – March 9, 2022

MOTION: Motion by Commissioner Tavana to approve adoption of the Consent Calendar. **Seconded by Commissioner Raspe.**

VOTE: Motion passed 6-0-1 with Vice Chair Barnett abstaining.

PUBLIC HEARINGS

2. 9 and 11 Montebello Way

Architecture and Site Application S-22-010

APN 529-01-006

Applicant: Montebello Market, LLC

Property Owner: Los Gatos Investments, LLC

Project Planner: Ryan Safty

Requesting Approval for Construction of a Roof Sign on Property Zoned C-2:LHP.

Ryan Safty, Associate Planner, presented the staff report.

Opened Public Comment.

Jim Foley (Applicant)

- The sign is appropriate for reasons stated in the letter and outlined by Ryan, and we request Planning Commission approval. The sign is unique, compatible, tasteful, and will identify the great amenity we are bringing to Los Gatos. We plan to open Montebello Market in three or four weeks, just enough time to install the sign.

Closed Public Comment.

Commissioners discussed the matter.

MOTION: **Motion by Vice Chair Barnett** to approve an Architecture and Site application for construction of a roof sign for 9 and 11 Montebello Way.
Seconded by Commissioner Tavana.

Vice Chair Barnett requested the motion be amended to include the required finding that a wall sign or suspended sign is not feasible for the reasons set forth in Exhibit 2.

The seconder of the motion accepted the amendment to the motion.

VOTE: **Motion passed unanimously.**

3. Public Hearing to Consider Amendments to Chapter 29 (Zoning Regulations – Tree Protection) of the Town Code.

Robert Schultz, Town Attorney, presented the staff report.

Opened Public Comment.

Dr. Weissman

- Staff's revisions have long been needed and I commend Town Attorney Schultz for a job well done. One area still of concern regards removed versus damaged. I suggest the Planning Commission approve this draft as is with Mr. Schultz's add-ons and send it to the Town Council, with the Planning Commission's requested changes and some of the inconsistencies being fixed between now and when this issue comes before the Town Council. This way, Mr. Schultz, who knows this ordinance well, but will be leaving his position as Town Attorney in May, would still be with the Town when Council takes up the draft in April.

Closed Public Comment.

Commissioners discussed the matter.

MOTION: **Motion by Commissioner Janoff** to adopt the amendments to Chapter 29 (Zoning Regulations – Tree Protection) of the Town Code, including changes recommended at this hearing with respect to penalties and other clarifications as noted in the record. **Seconded by Commissioner Thomas.**

Commissioners discussed the matter.

VOTE: **Motion passed unanimously.**

OTHER BUSINESS

REPORT FROM THE DIRECTOR OF COMMUNITY DEVELOPMENT AND PLANNING MANAGER

Jennifer Armer, Planning Manager

- With respect to the Draft 2040 General Plan update, the Final EIR will be published online on March 24, 2022. The Draft 2040 General Plan and EIR will go to the Planning Commission on April 13, 2022, for consideration. Staff will provide a list of documents for the Commissioners to review prior to the meeting.

Joel Paulson, Director of Community Development

- A Community Meeting will be held on March 31, 2022, showcasing the online Balancing Act tool, which the public can use to help the Town select sites for the sites inventory process that is part of the Housing Element. The information gathered from the public will be brought before the Housing Element Advisory Board at its April 21, 2022, meeting.

SUBCOMMITTEE REPORTS/COMMISSION MATTERS

Historic Preservation Committee

Commissioner Raspe

- HPC met on March 23, 2022, to consider seven matters: two requests to be removed from the inventory, one ground-up construction, and four requests for additions and changes.
- A member of the public encouraged Town staff to evaluate the impact of historic preservation districts and ordinances on SB 9 to see if it may impact Los Gatos' implementation of SB 9.

Historic Preservation Committee

Commissioner Clark

- At the March 23, 2022 meeting, a proposal to change window trim materials came forward because a new material called fiberglass-clad wood has become available. HPC will further discuss what it wants permitted in terms of materials, with more information on the specs of those materials, and with a possible in-person meeting to look at them.

Commission Matters

Chair Hanssen

- She and Commissioner Clark attended the Planning Commission's Academy in San Ramon last week and networked with planning commissioners from San Jose, Campbell, and other state jurisdictions.
- The important takeaway is to be very afraid of what is going on in Sacramento because there are hundreds of housing laws coming, all driven by the desperation of the State government to see additional housing built. It is critically important that Los Gatos do everything possible to ensure it make its RHINA numbers so the Town does not lose local control over how it builds housing.
- The Academy also had a session on SB 9 and said historic properties need not be subject to SB 9, but did say jurisdictions could always make it easier than the law states.

Commissioner Clark

- She attended the Planning Commission Academy with Chair Hanssen and did valuable in-person networking with other commissioners and staff from California.
- She attended sessions on: Planning Commission 101; Intro to CEQA; SB 9; Advanced CEQA; Streamlined Housing Laws; How to Prepare Findings and Conditions of Approval; City Finance and Upcoming Legislation; and two keynote sessions.
- Her main takeaway is the problems Los Gatos is facing are universal, with all other jurisdictions having the same struggles and asking the same questions, which demonstrates the value of talking to other communities.

ADJOURNMENT

The meeting adjourned at 8:33 p.m.

This is to certify that the foregoing is a true and correct copy of the minutes of the March 23, 2022, meeting as approved by the Planning Commission.

/s/ Vicki Blandin