# TOWN OF LOS GATOS
# SPECIAL MEETING OF THE TOWN COUNCIL AGENDA
# JUNE 20, 2022
# TELECONFERENCE
# 7:00 P.M.

*Rob Rennie, Mayor*
*Maria Ristow, Vice Mayor*
*Mary Badame, Council Member*
*Matthew Hudes, Council Member*
*Marico Sayoc, Council Member*

## PARTICIPATION IN THE PUBLIC PROCESS

How to participate: The Town of Los Gatos strongly encourages your active participation in the public process, which is the cornerstone of democracy. If you wish to speak to an item on the agenda, please follow the participation instructions on page 2 of this agenda. If you wish to speak to an item NOT on the agenda, you may do so during the "Verbal Communications" period, by following the participation instructions on page 2 of this agenda. The time allocated to speakers may change to better facilitate the Town Council meeting.

Effective Proceedings: The purpose of the Town Council meeting is to conduct the business of the community in an effective and efficient manner. For the benefit of the community, the Town of Los Gatos asks that you follow the Town's meeting guidelines while attending Town Council meetings and treat everyone with respect and dignity. This is done by following meeting guidelines set forth in State law and in the Town Code. Disruptive conduct is not tolerated, including but not limited to: addressing the Town Council without first being recognized; interrupting speakers, Town Council or Town staff; continuing to speak after the allotted time has expired; failing to relinquish the podium when directed to do so; and repetitiously addressing the same subject. Disruption of the meeting may result in a violation of Penal Code 403.

Deadlines for Public Comment and Presentations are as follows:

- Persons wishing to make an audio/visual presentation on any agenda item must submit the presentation electronically, either in person or via email, to the Clerk's Office no later than 3:00 p.m. on the day of the Council meeting.
- Persons wishing to submit written comments to be included in the materials provided to Town Council must provide the comments as follows:
  - For inclusion in the regular packet: by 11:00 a.m. the Thursday before the Council meeting
  - For inclusion in any Addendum: by 11:00 a.m. the Monday before the Council meeting
  - For inclusion in any Desk Item: by 11:00 a.m. on the day of the Council Meeting

***Town Council Meetings Broadcast Live on KCAT, Channel 15 (on Comcast) on the 1st and 3rd Tuesdays at 7:00 p.m.***
***Rebroadcast of Town Council Meetings on the 2nd and 4th Mondays at 7:00 p.m.***
***Live & Archived Council Meetings can be viewed by going to:***
***www.LosGatosCA.gov/TownYouTube***

***IN COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT, IF YOU NEED SPECIAL ASSISTANCE TO PARTICIPATE IN THIS MEETING, PLEASE CONTACT THE CLERK DEPARTMENT AT (408) 354-6834. NOTIFICATION 48 HOURS BEFORE THE MEETING WILL ENABLE THE TOWN TO MAKE REASONABLE ARRANGEMENTS TO ENSURE ACCESSIBILITY TO THIS MEETING [28 CFR §35.102-35.104]***

**TOWN OF LOS GATOS**
**SPECIAL MEETING OF THE TOWN COUNCIL AGENDA**
**JUNE 20, 2022**
**7:00 PM**

## IMPORTANT NOTICE

This meeting is being 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, this meeting will not be physically open to the public and the Council will be teleconferencing from remote locations. Members of the public can only participate in the meeting by joining the Zoom webinar (log in information provided below).

## PARTICIPATION

To provide oral comments in real-time during the meeting:

- **Zoom webinar**: Join from a PC, Mac, iPad, iPhone or Android device: Please click this URL to join: https://losgatosca-gov.zoom.us/j/88004227157?pwd=ZG1pc3pscTZwZXdCWjc2SkM3b2Nzdz09. Passcode: 320795. You can also type in 880 0422 7157 in the "Join a Meeting" page on the Zoom website at https://zoom.us/join.
- **Join by telephone**: Join by Telephone: Dial: USA 877 336 1839 US Toll-free or 636-651-0008 US Toll. Conference code: 969184

When the Mayor announces the item for which you wish to speak, click the "raise hand" feature in Zoom. If you are participating by phone on the Zoom app, press *9 on your telephone keypad to raise your hand. If you are participating by calling in, press #2 on your telephone keypad to raise your hand.

When called to speak, you will be asked to provide your full name and your town/city of residence. This identifying information is optional and not a requirement for participation. Please limit your comments to three (3) minutes, or such other time as the Mayor may decide, consistent with the time limit for speakers at a Council meeting.
If you wish to speak to an item or items on the Consent Calendar, please state which item number(s) you are commenting on at the beginning of your time.

If you are unable to participate in real-time, you may email to PublicComment@losgatosca.gov the subject line "Public Comment Item #__ " (insert the item number relevant to your comment) or "Verbal Communications – Non-Agenda Item." Comments received by 11:00 a.m. the day of the meeting will be reviewed and distributed before the meeting. All comments received will become part of the record.

**REMOTE LOCATION PARTICIPANTS** *The following Council Members are listed to permit them to appear electronically or telephonically at the Town Council meeting: MAYOR ROB RENNIE, VICE MAYOR MARIA RISTOW, COUNCIL MEMBER MARY BADAME, COUNCIL MEMBER MATTHEW HUDES, and COUNCIL MEMBER MARICO SAYOC. All votes during the teleconferencing session will be conducted by roll call vote.*

**RULES OF DECORUM AND CIVILITY**
To conduct the business of the community in an effective and efficient manner, please follow the meeting guidelines set forth in the Town Code and State law.

The Town does not tolerate disruptive conduct, which includes but is not limited to:

- addressing the town Council without first being recognized;
- interrupting speakers, Town Council, or Town staff;
- continuing to speak after the allotted time has expired;
- failing to relinquish the microphone when directed to do so;
- repetitiously addressing the same subject.

Town Policy does not allow speakers to cede their commenting time to another speaker. Disruption of the meeting may result in a violation of Penal Code 403.

**MEETING CALL TO ORDER**

**ROLL CALL**

**VERBAL COMMUNICATIONS** *(Members of the public may address the Town Council on the any matter listed on the agenda by following the Participation Instructions contained on page 2 of this agenda. Unless additional time is authorized by the Mayor, remarks shall be limited to three minutes.)*

**PUBLIC HEARINGS** *(Applicants/Appellants and their representatives may be allotted up to a total of five minutes maximum for opening statements. Members of the public may be allotted up to three minutes to comment on any public hearing item. Applicants/Appellants and their representatives may be allotted up to a total of three minutes maximum for closing statements. Items requested/recommended for continuance are subject to Council's consent at the meeting.)*

1. Conduct a Public Hearing, Review the Planning Commission Recommendations, Determine Any Additional Modifications, Adopt the Draft 2040 General Plan, and Certify the Final Environmental Impact Report.

**ADJOURNMENT** *(Council policy is to adjourn no later than midnight unless a majority of Council votes for an extension of time).*

***Writings related to an item on the Town Council meeting agenda distributed to members of the Council within 72 hours of the meeting are available for public inspection at the front desk of the Los Gatos Town Library, located at 100 Villa Avenue, and are also available for review on the official Town of Los Gatos website.***

***Note: The Town of Los Gatos has adopted the provisions of Code of Civil Procedure §1094.6; litigation challenging a decision of the Town Council must be brought within 90 days after the decision is announced unless a shorter time is required by State or Federal law.***

DATE: June 15, 2022

TO: Mayor and Town Council

FROM: Laurel Prevetti, Town Manager

SUBJECT: Conduct a Public Hearing, Review the Planning Commission Recommendations, Determine Any Additional Modifications, Adopt the Draft 2040 General Plan, and Certify the Final Environmental Impact Report.

RECOMMENDATION:

Conduct a public hearing, review the Planning Commission recommendations, determine any additional modifications, adopt the Draft 2040 General Plan (Attachment 6), and certify the Final Environmental Impact Report (Final EIR) (Attachment 5).

EXECUTIVE SUMMARY:

The Draft 2040 General Plan is a result of the Town Council's direction to update the existing 2020 General Plan to address emerging trends and recent State laws, and consider new issues relevant to the Town.

Over the course of two and a half years and 35 meetings, the General Plan Advisory Committee (GPAC) worked with staff and consultants to create an updated General Plan. The GPAC reviewed each General Plan Element to ensure a forward-looking document that is consistent and accessible. The Draft 2040 General Plan is the result of extensive work and outreach as described in this report.

After the completion of the environmental review process, the Planning Commission conducted four meetings on April 13, April 25, April 27, and May 2, 2022, for consideration of the Draft 2040 General Plan. It unanimously recommended that the Town Council adopt the Draft 2040 General Plan with modifications and adopt the Final EIR.

PREPARED BY: Jennifer Armer, AICP
Planning Manager

Reviewed by: Town Manager, Assistant Town Manager, Town Attorney, Community Development Director, and Finance Director

EXECUTIVE SUMMARY (continued):

The Town Council is the final decision-making body for both the Final EIR and the Draft 2040 General Plan. The Town Council has full discretion to modify the Draft 2040 General Plan, including and not limited to its goals, policies, implementation programs, and housing numbers.

After listening to public testimony, the Council may wish to work through the Planning Commission recommendations (Attachment 7) to provide structure for its deliberations. This would involve considering modifications to the Vision and Guiding Principles and working through individual Elements, leaving the Land Use and Community Design Elements last.

BACKGROUND:

On February 6, 2018, Town Council began the process of updating the 2020 General Plan with a discussion of the scope and process for the General Plan update. At that meeting, the Town Council indicated that the General Plan is serving the community well, and an update provides the opportunity to refine the General Plan, address emerging trends and recent State laws, and consider new issues.

Over the following four years, the General Plan update process has included multiple community engagement opportunities, meetings with the Planning Commission and Town Council, and the following key milestones:

- On April 17, 2018, the Town Council established the General Plan Update Advisory Committee (GPAC) and identified initial guiding principles to support their work.
- On July 9, 2018, after approval by the Town Council, the Town Manager executed an agreement with Mintier Harnish Planning Consultants for preparation of the General Plan update and Draft EIR.
- On October 30, 2018, the GPAC held its first meeting.
- On March 15, 2019, the Background Report (available online here: http://losgatos2040.com/documents.html) was released.
- On June 20, 2019, the GPAC reviewed the Issues, Opportunities, and Constraints Report (available online here: http://losgatos2040.com/documents.html).
- On August 20, 2019, the Town Council adopted the General Plan Vision and Guiding Principles (available online here: http://losgatos2040.com/documents.html).
- In December 2019, the Land Use Alternatives Report (available online here: http://losgatos2040.com/documents.html) was released.
- On March 3, 2020, the GPAC started review and discussion of the initial drafts of individual elements of the General Plan.
- On April 7, 2020, the Town Council approved the Preferred Land Use Alternatives Framework (available online here: http://losgatos2040.com/documents.html).

BACKGROUND (continued):

- On November 17, 2020, the Town Council discussed and provided direction on the Draft Land Use and Community Design Elements.
- On May 6, 2021, the GPAC recommended approval of the Draft 2040 General Plan (available online here: http://losgatos2040.com/documents.html).
- On June 18, 2021, the Draft 2040 General Plan was released for public review.
- On July 31, 2021, the Draft EIR (available online here: http://losgatos2040.com/documents.html) was released for public review. The public comment period ended on September 13, 2021.
- On September 20, 2021, the Town Council and Planning Commission held a Joint Study Session for discussion of the Draft 2040 General Plan.
- On November 19, 2021, the revised Notice of Completion and Availability was reissued along with a revised Chapter 4.15, Transportation, and Executive Summary of the Draft EIR (available online here: http://losgatos2040.com/documents.html) for a reopened public review period which ended on January 8, 2022.
- On December 7, 2021, the Town Council held a Study Session for discussion of housing growth options and related analyses for Planning Commission and Town Council consideration of the Draft 2040 General Plan.
- On March 24, 2022, the Final EIR was published online (available here: http://losgatos2040.com/documents.html).
- On April 13, April 25, April 27, and May 2, 2022 Planning Commission considered and recommended approval of the Draft 2040 General Plan with modifications and certification of the Final EIR (staff report materials, meeting minutes, and a summary of recommendation available here: http://losgatos2040.com/participate/general.html).

Over the course of two and a half years and 35 meetings, the GPAC worked with staff and the consultants to create an updated General Plan. The GPAC reviewed each General Plan Element to ensure a forward-looking document that is consistent and accessible. Each Element was considered over multiple meetings (between two and five GPAC meetings per Element) with the GPAC providing comments to staff and the consultant, and then further review and direction on the implementation of those comments in a revised draft of each Element. The Draft 2040 General Plan (previously provided and referenced here as Attachment 1) is the result of this extensive work and outreach.

Additional outreach activities conducted throughout the process have included: the Town's website and weekly newsletter; social media posts; online engagement activities; newsletters; two in-person community workshops; numerous in-person and online community meetings; handouts and posters at the Library; information on the Town's webpage; information in the email signature of Planning Division staff; a Town-wide mailer; and informational booths at the farmers market, the Library, Spring into Green, and Music in the Park.

BACKGROUND (continued):

On April 13, 2022, the Planning Commission received public comments on the Draft 2040 General Plan and Final EIR, and began the review of the Draft 2040 General Plan. The April 13, 2022 staff report (Attachment 8) included information on the GPAC recommendation, all written public comments received after the final meeting of the GPAC, as well as the following topics, as requested by Town Council:

- Housing units;
- Community engagement;
- Missing Middle Housing;
- Senate Bill 9;
- Plan timeframe;
- Declining California population;
- Suggestions from public comments; and
- Additional changes recommended by staff and the California Board of Forestry.

The review of the Draft 2040 General Plan and consideration of the Final EIR continued on April 25, April 27, and May 2, 2022, for a total of 14 and a half hours of deliberations. At the May 2, 2022 meeting, the Planning Commission unanimously recommended approval of the Draft 2040 General Plan with modifications, and recommended certification of the Final EIR.

DISCUSSION:

A. General Plan Update Advisory Committee

On May 6, 2021, the GPAC recommended approval of the Draft 2040 General Plan. The discussion at this meeting also included a recommendation for some modifications to the Vision and Guiding Principles to better reflect the direction developed over the previous years' work. These changes are shown in Attachment 8, Exhibit 6 and summarized in Attachment 8, Exhibit 7. Planning Commission's recommendation supported these modifications.

B. Planning Commission

The Planning Commission's deliberations on the Draft 2040 General Plan and Final EIR occurred on April 13, April 25, April 27, and May 2, 2022, and were based on the materials provided in the staff reports (Attachments 8, 9, 10, 12, 13, 15, 17, and 18), particularly Exhibit 7 to the April 13, 2022 Planning Commission staff report. Verbatim minutes are included as Attachments 11, 14, 16, and 19.

DISCUSSION (continued):

On Monday, May 2, 2022, the Planning Commission completed its 14 and a half hours of deliberations on the Draft 2040 General Plan and Final EIR with a unanimous recommendation to the Town Council to adopt the Draft 2040 General Plan with modifications and certify the Final EIR. The bulk of the Planning Commission's discussion was spent working towards a consensus on housing numbers. An informational memorandum (Attachment 20) was prepared, provided to the Town Council, and posted online in May that summarized the Commission's recommendations. Attachment 7 is a full description of the modifications recommended by Planning Commission, without the references to Planning Commission's Exhibit 7 that were part of the original motions, and with suggested wording for the new definitions that Planning Commission recommended be included.

C. Potential Housing Buildout

As a result of the recommended modifications to the residential densities in the Land Use Element, the General Plan Residential Buildout table (Table 3-1 on page 3-4 of the Draft 2040 General Plan, available: www.losgatos2040.com) would be modified as follows:

| Land Use Designation | | Density Range (du/ac) | Typical Density (du/ac) | Assumed Redevelopment | New Housing (Vacant Land) | New Housing (Redevelopment) |
|---|---|---|---|---|---|---|
| LDR | Low Density Residential | 1 to 10 | 10 | 5% | 230 | 56 |
| MDR | Medium Density Residential | 14 to 22 | 18 | 10% | 201 | 302 |
| HDR | High Density Residential | 30 to 40 | 36 | 15% | 110 | 268 |
| NC | Neighborhood Commercial | 10 to 20 | 18 | 10% | 26 | 91 |
| CC | Community Commercial | 20 to 30 | 26 | 15% | 0 | 156 |
| MU | Mixed-Use | 30 to 40 | 36 | 20% | 126 | 605 |
| CBD | Central Business District | 20 to 30 | 26 | 15% | 21 | 113 |
| | Subtotal | | | | 714 | 1,591 |
| | **Housing Units, New and Redeveloped** | | | | | **2,305** |
| | Housing Units, ADUs | | | | | 500 |
| | Housing Units, Existing Projects | | | | | 475 |
| | **TOTAL NEW THROUGH 2040** | | | | | **3,280** |

DISCUSSION (continued):

As noted in the April 13, 2022 Planning Commission staff report, the Town's Regional Housing Needs Allocation (RHNA) is 1,993 dwelling units plus a recommended 15 percent buffer, resulting in 2,292 units for the eight-year Housing Element. If one were interested to understand the contribution of accessory dwelling units (ADUs) and existing projects towards the eight-year RHNA, then at a minimum, 300 ADUs and 400 units of Existing Projects should be removed prior to making a comparison. As a result, the potential residential buildout for the eight-year period based on the Planning Commission recommendation would be 2,580 units, which is 288 housing units above the RHNA plus buffer, instead of the 746 excess units noted in the April 13, 2022 staff report for the Draft 2040 General Plan recommended by the GPAC. This reduces the excess units by more than half.

Please note that the table does not include the potential for growth through new homes on properties in the Hillside Residential designation because the 116 units noted in previous documents is based on acreage of undeveloped lots, with no consideration of land slope or other constraints, and the Draft 2040 General Plan does not include any changes to the current regulations in this designation.

Please note the calculations have not taken into consideration that the Town's zoning regulations do currently allow housing as part of a mixed-use project in the Office zone through a Conditional Use Permit, even though the Office Professional General Plan designation does not specify if housing is allowed or not. It is therefore not yet been determined whether residential could now be prohibited in these zones, due to constraints imposed by Senate Bill 330. If residential has to continue to be allowed in the Office zone, an additional 114 units would be added back based on an existing typical density of 18 dwelling units per acre.

The Town Council has full discretion to modify the Draft 2040 General Plan, including and not limited to its goals, policies, implementation programs, and housing numbers. If the Council wishes to reduce the housing capacity of the Draft 2040 General Plan further, please refer to Attachment 8 page 6 which details additional reduction options.

PUBLIC COMMENT:

Written comments received since the completion of the work by the GPAC are included as attachments to this report, as described here:

- Written comments received between 11:01 a.m., Thursday, May 6, 2021, and 11:00 a.m., Monday, September 20, 2021, were provided with the written staff report materials for the September 20, 2021 Town Council and Planning Commission Joint Study Session, and are provided again here as Attachment 8, Exhibit 9.

PUBLIC COMMENT (continued):

- Written comments received on the Draft EIR are included, with responses to comments, in the Final EIR, and referenced here as Attachment 4.
- Written comments received between 11:01 a.m., Monday, September 20, 2021, and 11:00 a.m., Thursday, April 7, 2022, are included as Attachment 8, Exhibit 10.
- Written comments received between 11:01 a.m., Thursday, April 7, 2022, and 11:00 a.m., Monday, April 11, 2022, are included as Attachment 9, Exhibit 11.
- Written comments received between 11:01 a.m., Monday, April 11, 2022, and 11:00 a.m., Wednesday, April 13, 2022, are included as Attachment 10, Exhibit 13.
- Written comments received between 11:01 a.m., Wednesday, April 13, 2022, and 11:00 a.m., Friday, April 22, 2022, are included as Attachment 12, Exhibit 15.
- Written comments received between 11:01 a.m., Friday, April 22, 2022, and 11:00 a.m., Monday, April 25, 2022, are included as Attachment 13, Exhibit 16.
- Written comments received between 11:01 a.m., Monday, April 25, 2022, and 11:00 a.m., Monday, May 2, 2022, are included as Attachment 18, Exhibit 18.
- Written comments received between 11:01 a.m., Monday, May 2, 2022, and 11:00 a.m., Wednesday, June 15, 2022, are provided as Attachment 23.

As requested by Town Council, a summary of the questions asked at the September 20, 2021, and December 7, 2021, Study Sessions is included as Attachment 21 with responses.

A collection of all of the Breaking It Down Series published between July 30, 2021, and March 11, 2022, to respond to questions and increase awareness of the content of the Draft 2040 General Plan is included as Attachment 22.

ENVIRONMENTAL ASSESSMENT:

A Notice of Completion and Availability of the Draft EIR (previously provided and referenced here as Exhibit 2) for the project was circulated for 45 days commencing on July 30, 2021, and concluding on September 13, 2021 at 5:00 p.m. Written comments were received by the Community Development Department. A Planning Commission public hearing to receive oral comments was held during the review period on September 8, 2021.

During the review of comments and the preparation of the Final EIR, the Town became aware of a procedural error in the original Notice of Completion and Availability and also noted that Appendix C erroneously included a draft rather than a final Transportation Analysis.

Additionally, Chapter 4.15, Transportation, of the EIR was revised to elaborate on transit impacts and cumulative VMT impacts. Even though the content changes were minor, the Town believed to provide maximum clarity, it was important to recirculate the Transportation Analysis of the Draft EIR and its Appendix, as well as the Executive Summary which includes a

ENVIRONMENTAL ASSESSMENT (continued):

summary of transportation impacts (previously provided and referenced here as Exhibit 3). Accordingly, the Town of Los Gatos reissued the Notice of Completion and Availability of the Draft EIR, and formally recirculated Chapter 4.15, Transportation and Appendix C, Transportation Analysis for the Draft EIR, as well as the Executive Summary.

The reopened public review period ran from Friday, November 19, 2021, to at 5:00 p.m. on Friday, January 7, 2022. A public hearing to receive comments on the revised Draft EIR was held on December 8, 2021. During this additional 45-day public review period, written comments were received and are included, along with response to all comments from the initial comment period, in the Final EIR (previously provided and referenced here as Exhibit 3).

The analysis of the Draft EIR identified significant and potentially significant impacts in the following environmental issue areas:

- Air Quality;
- Cultural Resources;
- Geology and Soils;
- Greenhouse Gas Emissions;
- Noise; and
- Transportation.

Mitigation measures are proposed in all of these subject areas. Not all of the potential impacts could be mitigated to a less than significant level and therefore, the following topic areas were found to have significant unavoidable impacts: Greenhouse Gas Emissions; and Transportation.

The Town is the Lead Agency under the California Environmental Quality Act (CEQA) for the environmental review process for the projects, including the Draft 2040 General Plan, that are proposed within its jurisdiction. When a Lead Agency finds that there are impacts that are significant and unavoidable, CEQA requires preparation of Findings of Fact and a Statement of Overriding Considerations (Attachment 5, Exhibit A). The Town Council is the deciding body on both the Final EIR and the Draft 2040 General Plan.

CONCLUSION:

The Draft 2040 General Plan is a result of the Town Council's direction to update the existing 2020 General Plan to address emerging trends and recent State laws, and consider new issues relevant to the Town. Over the course of two and a half years and 35 meetings, the GPAC worked with staff and the consultant to create an updated General Plan. The GPAC reviewed each General Plan Element to ensure a forward-looking document that is consistent and

CONCLUSION (continued):

accessible. The Draft 2040 General Plan is the result of extensive work and outreach as described in this report.

All additional comments received on the Draft 2040 General Plan are included as Attachments as described in this report. The Final EIR, which includes all comments received on the Draft EIR as well as the responses to the comments and any changes to the EIR is contained in Attachment 4.

After the completion of the environmental review process, the Planning Commission conducted four meetings on April 13, April 25, April 27, and May 2, 2022, for consideration of the Draft 2040 General Plan. It unanimously recommended that the Town Council adopt the Draft 2040 General Plan with modifications and adopt the FEIR.

In conclusion, based on the GPAC and Planning Commission's recommendations, staff recommends that the Town Council:

- Receive public comments;
- Review the Draft 2040 General Plan (Attachment 1) and recommended modifications from the Planning Commission (Attachment 7);
- Consider additional modifications or changes to the Planning Commission's recommendations;
- Consider the Final EIR (Attachments 2 through 4) and Findings of Fact and a Statement of Overriding Considerations (Attachment 5, Exhibit A); and
- Adopt a resolution (Attachment 5) to certify the Final EIR; and
- Adopt a resolution (Attachment 6) to adopt the Draft 2040 General Plan.

ALTERNATIVES:

Alternatively, the Town Council may:

1. Certify the Final EIR and adopt the Draft 2040 General Plan with additional or different modifications; or
2. Continue consideration of the Draft 2040 General Plan to a date certain with specific direction.

COORDINATION:

The preparation of the Draft 2040 General Plan involved all Town Departments and most Town Commissions. The Community Development Department coordinated with the Town

COORDINATION (continued):

Attorney's Office, Parks and Public Works Department, and the Santa Clara County Fire Department in the review of the final recommendation from Planning Commission.

FISCAL IMPACT:

Funding for the General Plan update comes from the General Plan update fund.

ATTACHMENTS:

Attachments previously received under separate cover:
(available online here: http://losgatos2040.com/documents.html)

1. Draft 2040 General Plan
2. Draft EIR
3. Revised NOA and Transportation Section
4. Final EIR

Attachments with this Staff Report:

5. Draft Resolution Certifying the EIR for the 2040 General Plan, with Exhibit A Draft Findings of Fact and Statement of Overriding Considerations
6. Draft Resolution Approving the 2040 General Plan
7. Planning Commission Recommendation
8. April 13, 2022 Planning Commission Staff Report, with Exhibits 5-10
9. April 13, 2022 Planning Commission Addendum Report, with Exhibit 11
10. April 13, 2022 Planning Commission Desk Item Report, with Exhibits 12-13
11. April 13, 2022 Planning Commission Verbatim Minutes
12. April 25, 2022 Planning Commission Staff Report, with Exhibits 14-15
13. April 25, 2022 Planning Commission Desk Item Report, with Exhibits 16
14. April 25, 2022 Planning Commission Verbatim Minutes
15. April 27, 2022 Planning Commission Desk Item Report, with Exhibits 17
16. April 27, 2022 Planning Commission Verbatim Minutes
17. May 2, 2022 Planning Commission Staff Report
18. May 2, 2022 Planning Commission Desk Item Report, with Exhibits 18
19. May 2, 2022 Planning Commission Verbatim Minutes
20. Planning Commission Recommendation Informational Memo
21. Study Session Questions and Responses
22. Breaking it Down Series
23. Public Comment received between 11:01 a.m., Monday, May 2, 2022, and 11:00 a.m., Wednesday, June 15, 2022

Draft Resolution to be modified by Town Council deliberations and direction.

**RESOLUTION NO.**

**RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOS GATOS CERTIFYING A FINAL ENVIRONMENTAL IMPACT REPORT FOR THE 2040 GENERAL PLAN**

**WHEREAS,** the Town of Los Gatos has prepared the 2040 General Plan to update and enhance the 2020 General Plan, along with the Final Environmental Impact Report (EIR); and

**WHEREAS,** the Town circulated a Notice of Preparation of an EIR for the 2040 General Plan update for 30 days commencing on July 9, 2020, and concluding on August 10, 2020;

**WHEREAS,** the comments received in response to the Notice of Preparation were included in the Draft EIR;

**WHEREAS,** the Town circulated a Notice of Completion and Availability of the Draft EIR for the project for 45 days commencing on July 30, 2021, and concluding on September 13, 2021;

**WHEREAS,** a Planning Commission public hearing to receive oral comments was held during the review period on September 8, 2021;

**WHEREAS,** the Town became aware of a procedural error in the original Notice of Completion and Availability during the review of commentary and the preparation of the Final EIR;

**WHEREAS,** the Town believed to provide maximum clarity, it was important to recirculate the Transportation Analysis of the Draft EIR and its Appendix, as well as the Executive Summary which includes a summary of transportation impacts, because Appendix C erroneously included a draft rather than a final Transportation Analysis, and Chapter 4.15, Transportation, of the EIR was revised to elaborate on transit impacts and cumulative VMT impacts;

**WHEREAS,** the Town reissued the Notice of Completion and Availability of the Draft EIR, and formally recirculated Chapter 4.15, Transportation and Appendix C, Transportation Analysis for the Draft EIR, as well as the Executive Summary, and reopening the public review period for 45 days commencing on Friday, November 19, 2021, and concluding on Friday, January 7, 2022;

**WHEREAS,** a Planning Commission public hearing to receive oral comments was held during the review period on December 8, 2021;

**WHEREAS,** under the provisions of the California Environmental Quality Act (CEQA) and the CEQA Guidelines, the Town of Los Gatos prepared responses to comments on environmental issues, which responses clarify or correct information contained in the Draft EIR, providing good-faith reasoned analysis supported by factual information, and the comments and responses thereto were prepared and published in a Final EIR; and

**WHEREAS,** under the provisions of the Government Code and CEQA, the Planning Commission conducted duly noticed public hearings regarding certification of the Final EIR and adoption of the 2040 General Plan on April 13, April 25, April 27, and May 2, 2022, and recommended that the Los Gatos Town Council certify the Final EIR and adopt the 2040 General Plan with modifications; and

**WHEREAS,** the Planning Commission recommended adoption of the 2040 General Plan, and the Los Gatos Town Council considered all recommendations made by the Planning Commission; and

**WHEREAS,** the Los Gatos Town Council conducted duly noticed public hearings and received public testimony about the 2040 General Plan and the EIR on June 20 and _____, 2022; and

**WHEREAS,** on _____, 2022, the Los Gatos Town Council found that the Final EIR for the 2040 General Plan as recommended for certification by the Planning Commission, was prepared in compliance with the California Environmental Quality Act and guidelines and is complete;

**NOW THEREFORE, BE IT RESOLVED,** the Los Gatos Town Council certifies the Final EIR subject to the Findings of Fact and Statement of Overriding Considerations in Exhibit A, attached hereto.

**PASSED AND ADOPTED** at a special meeting of the Town Council of the Town of Los Gatos, California, held on the __th day of June, 2022 by the following vote:

COUNCIL MEMBERS:

AYES:

NAYS:

ABSENT:

ABSTAIN:

SIGNED:

MAYOR OF THE TOWN OF LOS GATOS

LOS GATOS, CALIFORNIA

DATE: _____

ATTEST:

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# 2040 General Plan

## Draft Findings of Fact and Statement of Overriding Considerations


*prepared by*

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# 1 Introduction

A Draft Environmental Impact Report (Draft EIR) was prepared for the 2040 General Plan (project), was made available for public review on July 30, 2021, and was distributed to local and State agencies. Copies of the Notice of Availability of the Draft EIR were mailed to a list of interested parties, groups, and public agencies. The Draft EIR and an announcement of its availability were posted electronically on the Town's website, and a paper copy was available for public review at the Los Gatos Public Library. The Notice of Availability of the Draft EIR was also posted at the office of the Santa Clara County Clerk.

After the close of the first comment period on the Draft EIR, the Town became aware of a procedural error in the original Notice of Completion and Availability and noted that Appendix C erroneously included a draft rather than a final Transportation Analysis. The Town reopened the public comment period on the Draft EIR for an additional 45-day period and provided an updated Notice of Availability with the statutory language required under California Environmental Quality Act (CEQA) Guidelines section 15087. As part of this reopened comment period, Chapter 4.15, *Transportation*, of the Draft EIR was revised to elaborate on transit impacts and cumulative Vehicle Miles Traveled (VMT) impacts. The Town recirculated the revised Transportation section and its Appendix, as well as the Executive Summary which includes a summary of transportation impacts. No other sections of the Draft EIR were revised. This second comment period extended from November 15, 2021, to January 7, 2022.

After close of the Recirculated Draft EIR public review and comment period, a Final EIR consisting of responses to comments and changes to the Draft EIR was completed, which was released to the public on March24, 2022. The Planning Commission held public hearings on April 13, April 25, April 27, and May 2, 2022, and prepared a recommendation to the Town Council regarding certification of the Final EIR and action on the project, and the Town Council held a public hearing on _____ and determined to certify the Final EIR and to approve the project.

The Findings of Fact (Findings) and Statement of Overriding Considerations (SOC) presented herein address the environmental effects associated with the project that are described and analyzed within the Final EIR, reflecting the Council's determinations about feasible mitigation measures, the adequacy of the Final EIR, and about the project. These Findings have been made pursuant to CEQA (California Public Resources Code Section 21000 et seq.), specifically Public Resources code Section 21081 and 21081.6, as well as the CEQA Guidelines (14 CCR 15000 et seq.) Sections 15091 and 15093.

Public Resources Code Section 21081 and CEQA Guidelines Section 15091 require that the Town of Los Gatos (Town) as the Lead Agency for this project, prepare written findings for any identified significant environmental effects along with a brief explanation of the rationale for each finding. Specific findings under CEQA Guidelines Section 15091(a) are:

(1) Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effects as identified in the Final EIR.

(2) Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.

(3) Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the Final EIR.

Further, in accordance with Public Resources Code Section 21081 and CEQA Guidelines Section 15093, whenever significant effects cannot be mitigated to below a level of significance, the Town as the decision-making agency is required to balance, as applicable, the benefits of the project against its unavoidable environmental risks when determining whether to approve the project. If the benefits of a project outweigh the unavoidable adverse environmental effects, the adverse effects may be considered "acceptable," in which case the Lead Agency must adopt a formal SOC.

The Final EIR identified potentially significant environmental effects that could result from the project, but could be reduced to a less-than-significant level through implementation of mitigation measures. Those effects were related to air quality (impacts related to construction air pollutants and odors), cultural and tribal cultural resources (potential for impacts on previously unidentified historical and archaeological resources), geology and soils (potential for a paleontological impacts), and noise (impacts related to project construction noise and vibration). A significant and unavoidable (unmitigable) cumulative impact associated with greenhouse gas emissions and transportation (impacts related to transit and VMT) were identified due to lack of feasible mitigation measures, and thus a SOC is required.

# 2 Project Description

The 2040 General Plan is a comprehensive update of the Town's 2020 General Plan and establishes the community's vision for future development of the Town over the next 20 years. As part of the General Plan update process, the 2040 General Plan has been reorganized and reformatted, with updated goals and policies that reflect the community's vision of Los Gatos. The Town's General Plan Land Use Map has also been updated to reflect the community's vision and three themes that thread through the 2040 General Plan: growth management; sustainability and resiliency; and community health and well-being.

State law (Government Code Sections 65300 through 65303.4) sets forth the requirement for each municipality to adopt and periodically update its General Plan and sets the requirement that a General Plan include the following eight mandatory subject areas, or "elements": Land Use; Circulation; Housing; Open Space; Conservation; Noise; Safety; and Environmental Justice. State law also allows for optional elements that can be organized or combined at the Town's discretion. As described below, the 2040 General Plan has been organized into the following eight updated elements: Community Design; Environment and Sustainability; Hazards and Safety; Land Use; Mobility; Open Space, Parks, and Recreation; Public Facilities, Services, and Infrastructure; and Racial, Social, and Environmental Justice. Together, these elements, along with the 2015-2023 Housing Element, cover all topics required to be included in a General Plan under State law, as described above. Each element describes the existing conditions and context for its related topic areas, followed by goals, policies, and implementation programs to guide the Town's management and development through 2040.

The 2040 General Plan would emphasize infill and reuse development within the Town limits with a focus on increasing opportunities for housing development in key areas of the Town through increased density and mixed-use projects where appropriate. New development would occur primarily where existing roads, water, and sewer are in place and in a manner that would minimize the impact of development on existing infrastructure and services.

The 2040 General Plan also provides the policy framework to guide future development toward land uses that support walking and biking. The 2040 General Plan places a greater emphasis on reestablishing more complete neighborhood areas that meet the daily needs of residents to be located within a one-mile distance. Focus areas for growth in Los Gatos, called Community Place Districts, include Pollard Road,

Winchester Boulevard, Lark Avenue, Los Gatos Boulevard, Union Avenue, Harwood Road, North Santa Cruz Avenue, and Downtown.

# 3 Project Objectives

The 2040 General Plan presents a vision for the future of Los Gatos and a set of guiding principles for how the Town will achieve that vision. This vision and guiding principles capture the Town's key values and aspirations for the future. They reflect the collective ideas from community members and Town leaders that provided input to help shape the 2040 General Plan.

Among the central objectives of the 2040 General Plan are to achieve the Regional Housing Needs Allocation (RHNA) goal of approximately 2,000 additional dwelling units developed by the Association of Bay Area Governments. Accordingly, Los Gatos used the RHNA numbers as a predictor of the housing needed to meet future demands. This focused the Town to reevaluate and plan for a more diverse housing mix for a changing population. Proactively planning for the anticipated land use changes and ensuring growth is sustainable over the next 20 years is a priority of this General Plan and the community.

The 2040 General Plan vision for the future is as follows:

> *The Town of Los Gatos is a welcoming, family-oriented, and safe community nestled in the beautiful foothills of the Santa Cruz Mountains. The Town is a sustainable community that takes pride in its small-town character and provides a range of housing opportunities, historic neighborhoods, local culture and arts, excellent schools, and a lively and accessible downtown. Los Gatos offers a choice of mobility options, superior public facilities and services, and an open and responsive local government that is fiscally sound. Los Gatos has a dynamic and thriving economy that includes a mix of businesses throughout Town that serves all residents, workers, and visitors.*

The 2040 General Plan guiding principles are contained in the 2040 General Plan Introduction and listed below:

- **Community Vitality.** Invigorate downtown Los Gatos as a special place for community gathering, commerce, and other activities for residents and visitors. Foster the economic vitality of all Los Gatos business locations. Preserve and enhance the Town's historic resources and character while guiding the community into the future.
- **Diverse Neighborhoods.** Foster appropriate investments to maintain and enhance diverse neighborhoods, housing opportunities, and infrastructure to meet the needs of all current and future residents.
- **Fiscal Stability / Responsibility.** Provide high quality municipal services to the Los Gatos community while sustaining the Town's long-term fiscal health.
- **Government Transparency.** Conduct governmental processes in an open manner and encourage public involvement in Town governance.
- **Inclusivity.** Recognize the importance of and promote ethnic, cultural, and socio-economic diversity and equity to enhance the quality of life in Los Gatos.
- **Mobility.** Provide a well-connected transportation system that enables safe access for all transportation modes, including pedestrians, bicyclists, motorists, and transit riders of all ages and abilities.

- **Promote Public Safety.** Maintain and enhance Los Gatos as a safe community through preparation and planning, education, and community design that is responsive to the full range of potential natural and man-made hazards and safety issues.
- **Protect Natural Resources.** Protect the natural resources and scenic assets that define Los Gatos, including open space preserves, recreational trails, surrounding hillsides, and natural waterways.
- **Sustainability.** Manage, conserve, and preserve Los Gatos' natural environment for present and future generations. Identify and provide opportunities to enhance the Town' s sustainability policies and practices.

These objectives have been considered in preparing the findings and statement of overriding considerations contained herein.

# 4 Findings of Fact

Having received, reviewed, and considered the information in the Final EIR for this project, as well as the supporting administrative record, the Town of Los Gatos makes findings pursuant to, and in accordance with, Sections 21081, 21081.5, and 21081.6 of the Public Resources Code.

## 4.1 Environmental Effects Found Not to be Significant

Through project scoping and the environmental analysis contained within the Final EIR, it was determined that the project would not result in potentially significant effects on the environment with respect to aesthetics, agricultural and forestry resources, energy, hazards and hazardous materials, hydrology and water quality, land use and planning, mineral resources, population and housing, public services, recreation, utilities and service systems, and wildfire. No further findings are required for these subject areas.

## 4.2 Findings for Significant but Mitigated Effects

The following findings are hereby made by the Town of Los Gatos Town Council for the significant environmental effects identified in the EIR related to air quality (impacts related to construction air pollutants and odors), cultural resources (potential for impacts on previously unidentified historical and archaeological resources), geology and soils (potential for a paleontological impacts), and noise (impacts related to project construction noise and vibration).

### *Air Quality*

**Impact AQ-2:** Development facilitated by the 2040 General Plan would result in the temporary generation of air pollutants during construction, which may contribute to existing air quality violations in the Basin. Impacts would be less than significant with mitigation.

**Mitigation Measure:**

Pursuant to CEQA Guidelines Section 15091, the following mitigation measure has been included in a mitigation monitoring and reporting program (MMRP) that is to be adopted concurrently with these findings.

**AQ-1** **Construction Emissions Reductions.** New discretionary projects in the General Plan Area that exceed the construction screening criteria of the Bay Area Air Quality Management District (BAAQMD) shall be conditioned to reduce construction emissions of reactive organic gases, nitrogen oxides, and particulate matter ($PM_{10}$ and $PM_{2.5}$) by implementing the BAAQMD's Basic Construction Mitigation Measures (described below) or equivalent, expanded, or modified measures based on project and site-specific conditions.

Basic Construction Mitigation Measures:

1. All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day, with priority given to the use of recycled water for this activity when feasible.
2. All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
3. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping shall be prohibited.
4. All vehicle speeds on unpaved roads shall be limited to 15 mph.
5. All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
6. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.
7. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified visible emissions evaluator.

A publicly visible sign shall be posted with the telephone number and person to contact at the Lead Agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.

**Finding:**

Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effects as identified in the Final EIR. (*Section 15091(a)(1)*). Impacts would be less than significant with implementation of Mitigation Measure AQ-1 to require the BAAQMD Basic Construction Measures for all projects.

**Impact AQ-4:** The light industrial development allowed in the 2040 General Plan may create objectionable odors that could affect a substantial number of people. Impacts related to odors would be less than significant with mitigation.

**Mitigation Measure:**

Pursuant to CEQA Guidelines Section 15091, the following mitigation measure has been included in a MMRP that is to be adopted concurrently with these findings.

**AQ-2** **AQ-2 Odor Reduction.** Land Use Element Policy LU-11.5 Industrial Compatibility shall be updated in the 2040 General Plan to read:

*Require that industrial projects be designed to limit the impact of truck traffic, air, odor, and noise pollution on adjacent sensitive land uses.*

**Finding:**

Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effects as identified in the Final EIR. (*Section 15091(a)(1)*). Impacts would be less than significant with implementation of Mitigation Measure AQ-2 to update General Plan Policy LU-11.5 to include limitation of odors.

## *Cultural and Tribal Cultural Resources*

**Impact CUL-1:** Development facilitated by the 2040 General Plan would have the potential to impact historical resources and unique archaeological resources. Impacts would be potentially significant but mitigable.

**Mitigation Measure:**

Pursuant to CEQA Guidelines Section 15091, the following mitigation measure has been included in a MMRP that is to be adopted concurrently with these findings.

**CR-1** **Cultural Resources Study Implementation.** If a project requires activities that have the potential to impact cultural resources, the Town shall require the project applicant or proponent to retain a qualified archaeologist meeting the Secretary of the Interior's (SOI) Professional Qualification Standards (PQS) in archaeology and/or an architectural historian meeting the SOI PQS standards in architectural history to complete a Phase 1 cultural resources inventory of the project site (NPS 1983). A Phase 1 cultural resources inventory shall include a pedestrian survey of the project site and sufficient background archival research and field sampling to determine whether subsurface prehistoric or historic remains may be present. Archival research shall include a records search conducted at the Northwest Information Center (NWIC) and a Sacred Lands File (SLF) search conducted with the Native American Heritage Commission (NAHC). The technical report documenting the Phase 1 cultural resources inventory shall include recommendations to avoid or reduce impacts to cultural resources. These recommendations shall be implemented and incorporated in the project.

**Finding:**

Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effects as identified in the Final EIR. (*Section 15091(a)(1)*). The implementation of Mitigation Measure CR-1 would reduce impacts to historical and unique archeological resources to a less than significant level by requiring cultural resource studies for projects within the Town and SOI and implementation of further requirements to avoid or reduce impacts to such resources on a project-by-project basis.

## *Geology and Soils*

**Impact GEO-5:** Development facilitated by the 2040 General Plan has the potential to result in impacts to paleontological resources. Impacts would be less than significant with mitigation incorporated.

**Mitigation Measure:**

Pursuant to CEQA Guidelines Section 15091, the following mitigation measure has been included in a MMRP that is to be adopted concurrently with these findings.

**GEO-1** **Paleontological Resource Studies.** The Town shall require paleontological resource studies for projects that involve ground disturbance in project areas mapped as high paleontological sensitivity at the surface or subsurface determined through environmental review. Additionally, in the event that a paleontological resource is disclosed, construction activities in the area shall be suspended, a qualified paleontologist shall be retained to examine the site, and protective measures shall be implemented to protect the paleontological resource.

**Finding:**

Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effects as identified in the Final EIR. (*Section 15091(a)(1)*). Compliance with Mitigation Measure GEO-1 and the 2040 General Plan goals and policies would ensure that construction impacts related to paleontological resources and unique geologic features would be less than significant.

## *Noise*

**Impact N-1:** Construction of individual projects facilitated by the 2040 General Plan would temporarily generate increased noise levels, potentially affecting nearby noise-sensitive land uses. Provisions in the Los Gatos Town Code and 2040 General Plan policies would limit noise disturbance to the extent feasible. Construction noise may still exceed noise standards temporarily, but exceedances would not be substantial and impacts would be less than significant with mitigation.

**Mitigation Measure:**

Pursuant to CEQA Guidelines Section 15091, the following mitigation measure has been included in a MMRP that is to be adopted concurrently with these findings.

**N-1** **Construction Noise Reduction.** For projects involving construction equipment that are located within 25 feet of noise-sensitive receptors the following mitigation would be required:

- **Equipment Staging Areas.** Equipment staging shall be located in areas that will create the greatest distance feasible between construction-related noise sources and noise-sensitive receptors.
- **Electrically-Powered Tools and Facilities.** Electrical power shall be used to run air compressors and similar power tools and to power any temporary structures, such as construction trailers or caretaker facilities.
- **Smart Back-up Alarms.** Mobile construction equipment shall have smart back-up alarms that automatically adjust the sound level of the alarm in response to ambient noise levels. Alternatively, back-up alarms shall be disabled and replaced with human spotters to ensure safety when mobile construction equipment is moving in the reverse direction.
- **Additional Noise Attenuation Techniques.** During the clearing, earth moving, grading, and foundation/conditioning phases of construction, temporary sound barriers shall be installed and maintained between the construction site and the sensitive receptors. Temporary sound barriers shall consist of sound blankets affixed

to construction fencing or temporary solid walls along all sides of the construction site boundary facing potentially sensitive receptors.

**Finding:**

Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effects as identified in the Final EIR. (*Section 15091(a)(1)*). N-1 would reduce construction noise. Combined with Los Gatos Town Code requirements, which requires most construction noise to be below 85 dBA and occur during daytime, when most people are awake or away from residences at work, impacts would be reduced to less than significant.

**Impact N-3:** Construction of individual projects facilitated by the 2040 General Plan could temporarily generate groundborne vibration, potentially affecting nearby land uses. Compliance with the Los Gatos Town Code would limit vibration disturbance on residential receptors and hotels where sleeping receptors could be present. Impacts would be potentially significant but mitigable.

**Mitigation Measure:**

Pursuant to CEQA Guidelines Section 15091, the following mitigation measure has been included in a MMRP that is to be adopted concurrently with these findings.

**N-2** **Construction Vibration Reduction.** The Town shall include the following measures as standard conditions of approval for applicable projects involving construction to minimize exposure to construction vibration:

1. Avoid the use of vibratory rollers (i.e., compactors) within 50 feet of buildings that are susceptible to damage from vibration.
2. Schedule construction activities with the highest potential to produce vibration to hours with the least potential to affect nearby institutional, educational, and office uses that the Federal Transit Administration identifies as sensitive to daytime vibration (FTA 2006).
3. Notify neighbors of scheduled construction activities that would generate vibration.

**Finding:**

Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effects as identified in the Final EIR. (*Section 15091(a)(1)*). Implementation of Mitigation Measure N-2 would reduce potential impacts to a less than significant level.

# 4.3 Findings for Significant and Unavoidable Effects

Public Resources Code 21081and 21081.5, and CEQA Guidelines Section 15093, require that the Town of Los Gatos balance the economic, legal, social, technological, or other benefits of a proposed project against its unavoidable environmental effects when determining to approve a project. And if specific economic, legal, social, technological, or other benefits outweigh the unavoidable adverse environmental effects, the adverse effects may be considered "acceptable."

A project's environmental impacts are "cumulatively considerable" if the "incremental effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects" (CEQA Guidelines Section 15065[a][3]). Significant and unavoidable impacts associated with greenhouse gas emissions and

transportation (impacts related to transit and VMT) were identified for the project. The following findings and statement of overriding considerations outline the specific reasons to support the Town of Los Gatos recommendation for approval of the project.

## *Greenhouse Gas Emissions*

**Significant and Unavoidable Cumulative Impact GHG-1:** Implementation of 2040 General Plan would generate annual GHG emissions of approximately 323,446 MT of $CO_2e$ per year, or 5.29 MT of $CO_2e$ per service person per year, in 2040. This would exceed the 2040 efficiency threshold of 1.02 MT of $CO_2e$ per service person per year. Even with implementation of mitigation, GHG emissions would not be reduced to below the efficiency threshold. Therefore, impacts would be significant and unavoidable.

**Mitigation Measure:**

**GHG-1** **Implement Community GHG Emissions Reduction Measures.** Los Gatos shall implement the following GHG emissions reduction measures by sector:

### ENERGY (EN)

- **Measure EN1: Adopt an ordinance requiring new commercial construction to be all-electric or otherwise operationally carbon neutral by 2025:** Adopt a new building ordinance which bans the installation of natural gas in new commercial construction by 2025 and requires new commercial buildings to install all-electric equipment or otherwise be operationally carbon neutral. Support this action by conducting outreach and education to local developers about the benefits and resources associated with building carbon neutral buildings.
- **Measure EN2: Identify and partner with stakeholders to conduct electrification outreach, promotion, and education**: Leverage partnerships with stakeholders to conduct outreach, promotion, and education around new and existing building electrification.
- **Measure EN3: Develop a Community-wide Existing Residential Building Electrification Plan (EBEP):** Support community-wide existing building electrification through the development of an EBEP that addresses the feasibility, timeline, equity concerns, local stakeholder involvement, costs, funding pathways, and implementation for electrifying existing residential buildings in Los Gatos.
- **Measure EN4: Electrify existing residential buildings beginning in 2023:** Adopt an electrification ordinance for existing residential buildings to transition natural gas to electric in two phases, to be implemented through the building permit process:
    - Phase I: Limit expansion of natural gas lines in existing buildings by 2023.
    - Phase II: Require HVAC system replacements and hot water heaters replacements to be all-electric by 2023.
- **Measure EN5: Identify and partner with stakeholders to develop resident-level funding pathways for implementing an electrification ordinance:** Leverage partnerships with stakeholders and establish funding pathways to ease community members' costs when complying with the electrification ordinance, including:
    - Pass a transfer tax ordinance and provide a rebate for electric panels and/or other upgrades; and
    - Partner with PG&E, SVCE, and/or other stakeholders to create or expand electrification/retrofit programs and incentives, especially for low-income residents. These could include the PACE program, PG&E's low-income weatherization program, tariffed on-bill financing, metered energy efficiency, or others.

- **Measure EN6: Decarbonize municipal buildings by 2040:** Adopt a municipal building energy decarbonization plan to decarbonize municipal building energy operations by 2040. This plan would include a new building electrification policy as well as an existing building natural gas phase-out policy.
- **Measure EN7: Coordinate with stakeholders to provide local energy generation support and incentives for the community:** Partner with PG&E, SVCE, and/or other stakeholders to support and incentivize local on-site energy generation and storage resources within the community.
- **Measure EN8: Develop an EV Readiness Plan to Support Installation of 794 Chargers by 2030:** Develop an EV Readiness Plan that supports the installation of 794 chargers (at least 160 of which would be public chargers) and a 30 percent EV share of registered passenger vehicles in Los Gatos by 2030. This plan should establish a path forward to increase EV infrastructure within the Town, promote equitable mode shift to EVs, and identify funding for implementation of public charging infrastructure in key locations. In conjunction with an EV Readiness Plan, conduct a community EV Feasibility Study to assess infrastructure needs and challenges, particularly in frontline communities.
- **Measure EN9: Increase privately owned EV charging infrastructure:** Amend the Town's Building Code and Local Reach Code to require the following:
  - EV capable attached private garages for new single-family and duplex residential development;
  - 20 percent EV capable charging spaces and panel capacity for new multi-family residential development;
  - 20 percent EV capable charging spaces for new commercial development; and
  - At least 1 percent working chargers for all new development and major retrofits.
- **Measure EN10: Increase Town-owned and publicly accessible EV charging infrastructure:** Work with public and private partners to ensure there are sufficient publicly accessible DCFC and Level 2 EV chargers around the Town by 2030, with a focus on providing access to low-income households and affordable housing. Install new publicly accessible EV chargers at Town-owned facilities. Develop and implement a fee for use of Town-owned chargers to encourage efficient use and turnover, especially for those without home charging capability.
- **Measure EN11: Identify and partner with stakeholders to develop EV-related rebates:** Investigate partnerships with public and private partners for rebates on at-home electric circuits, panel upgrades, and Level 2 chargers, with a focus on supporting EV purchases for low-income households in frontline communities.
- **Measure EN12: Encourage EV adoption and infrastructure improvements:** Conduct outreach, promotion, and education to encourage EV adoption and infrastructure improvements. This would include the following:
  - Providing education and outreach to the community on the benefits of ZEVs, availability of public charging, and relevant rebates and incentives available for businesses and residents; and
  - Working with major employers to provide EV charging for employees and encourage EV adoption among employees.

### TRANSPORTATION (TR)

- **Measure TR1: Implement Full Recommended Buildout of the Bicycle and Pedestrian Master Plan (BPMP):** Fully implement the BPMP and add 23.2 new miles of bike network by 2035 to achieve 6 percent bicycle mode share by 2035.

- **Measure TR2: Identify and partner with stakeholders to conduct outreach, promotion, and education:** Leverage partnerships with stakeholders to conduct ongoing outreach, promotion, and education around active transportation in Los Gatos. This could include:
    - Establishing Town-wide events or programs that promote active transportation in the community;
    - Regularly updating the Town's Bicycle and Pedestrian Network Map and sharing through Town and stakeholder partnership platforms;
    - Supporting local bike groups in hosting workshops and classes on bike riding, safety, and maintenance by certified instructors;
    - Instituting car-free days downtown, potentially coupled with other large and regular events; or
    - Consolidating a list of local employer-provided bicycle parking, lockers, showers, and incentives as a demonstration tool for other interested employers.
- **Measure TR3: Facilitate a bike share program:** Conduct a bike share pilot program and facilitate full implementation of a bike share program within the Town.
- **Measure TR4: Establish parking meter rates and invest in transportation improvements:** Establish parking meter rates, considering dynamic parking pricing in the downtown area. Allocate a designated portion of paid parking revenue to investing in TDM strategies that will ensure cost-effective downtown access by improving transit, bicycle facilities, and create incentives for people to avoid driving.
- **Measure TR5: Improve curbside management:** Improve curbside management, including updating the municipal code to require active loading only, prohibit double parking, define locations for additional loading zones, and design loading zone signage.
- **Measure TR6: Require transportation system management for new construction:** Draft and implement a Transportation System Management Plan (TSMP) ordinance for new construction to allow the Town to shift travel behavior away from single-occupancy vehicles. Ensure telecommuting is an optional trip reduction strategy.
- **Measure TR7: Eliminate parking minimums for developments:** Remove parking minimums and establish parking maximums.

### WASTE (WS)

- **Measure WS1: Require residential and commercial organic waste collection consistent with SB 1383 requirements:** Work with local waste haulers and other community partners to expand organic waste collection capacity. Pass an ordinance by 2022 requiring residential and commercial organics generators to subscribe to organics collection programs or alternatively report organics self-hauling and/or backhauling. Allow limited waivers and exemptions to generators for de minimis volumes and physical space constraints and maintain records for waivers/exemptions.
- **Measure WS2: Require edible food recovery consistent with SB 1383 requirements:** Adopt an edible food recovery ordinance or similarly enforceable mechanism to ensure edible food generators, food recovery services, and food recovery organizations comply with requirements to increase recovery rates.

**Finding:**

Specific economic, legal, social, technological, mobility, or other considerations, make infeasible the mitigation measures or project alternatives identified in the final EIR.

**Facts in Support of Finding:**

The goals, policies, and implementation measures in the 2040 General Plan are designed to reduce GHG in Los Gatos through infill development, higher-density and mixed-use development, and trip reduction measures. However, even with implementation of these GHG reduction measures, implementation of the 2040 General Plan would exceed the 2040 efficiency threshold of 1.02 MT of $CO_2e$ per service person per year. There are no other feasible mitigation measures available and impacts would be significant and unavoidable.

**Significant and Unavoidable Cumulative Impact GHG-2:** The proposed 2040 General Plan emissions during construction and operation would exceed the State and Town-derived GHG emission targets. Therefore, the proposed 2040 General Plan would conflict with the goals of the CARB 2017 Scoping Plan, SB 32, and EO B-55-18. Therefore, impacts would be significant and unavoidable with mitigation.

**Mitigation Measure:**

See Mitigation Measure MM GHG-1 under Impact GHG-1.

**Finding:**

Specific economic, legal, social, technological, mobility, or other considerations, make infeasible the mitigation measures or project alternatives identified in the final EIR.

**Facts in Support of Finding:**

The goals, policies, and implementation measures in the 2040 General Plan are designed to reduce GHG in Los Gatos through infill development, higher-density and mixed-use development, and trip reduction measures. However, the proposed 2040 General Plan would conflict with the goals of the CARB 2017 Scoping Plan, SB 32, and EO B-55-18. There are no other feasible mitigation measures available. Impacts would be significant and unavoidable.

As mitigation would result in GHG emissions that exceed the 2030 and 2040 Los Gatos efficiency thresholds and, thus, State targets, the proposed 2040 General Plan would impede "substantial progress" toward meeting the CARB 2017 Scoping Plan, SB 32, and EO B-55-18 targets. Therefore, with implementation of the identified mitigation, impacts related to the proposed 2040 General Plan consistency with applicable GHG reduction plans would be significant and unavoidable with mitigation incorporated.

## *Transportation*

**Significant and Unavoidable Cumulative Impact T-1:** Development and growth envisioned in the 2040 General Plan would increase use and demand of existing transit facilities in Los Gatos. The 2040 General Plan includes goals and policies that would encourage transit use and bicycling and walking while also encouraging development or expansion of existing facilities to accommodate increased use. However, transit ridership and operations would be affected from congestion and sharing lanes with other vehicles. Therefore, impacts of the 2040 General Plan would be significant and unavoidable.

**Mitigation Measures:**

There are no feasible mitigation measures to reduce potentially significant effects related to transit operations and ridership.

**Finding:**

Specific economic, legal, social, technological, mobility, or other considerations, make infeasible the mitigation measures or project alternatives identified in the final EIR.

**Facts in Support of Finding:**

The goals, policies, and implementation measures in the 2040 General Plan are designed to reduce VMT in Los Gatos through infill development, higher-density and mixed-use development, and trip reduction measures. However, transit ridership and operations would be affected from congestion and sharing lanes with other vehicles. There are no other feasible mitigation measures available. Impacts would be significant and unavoidable.

**Significant and Unavoidable Cumulative Impact T-4:** Development and population growth facilitated by the 2040 General Plan would increase VMT in Los Gatos. VMT per service population and population growth in 2040 would exceed applicable thresholds specific to the Town. Therefore, the 2040 General Plan would result in VMT-related impacts. Impacts would be significant and unavoidable.

**Mitigation Measure:**

**T-1** **VMT Reduction Strategies.** For projects that would generate VMT, one or more VMT reduction strategies included in the *SB 743 Implementation Decisions for the Town of Los Gatos* (July 2020) document shall be required to reduce VMT of the project. Examples of VMT reduction strategies that shall be implemented are provided below. The VMT reduction strategies are organized by their relative scale for implementation (i.e., individual site level, Town-wide level, and regional level).

### Individual Site Level

- **Encourage Telecommuting and Alternative Work Schedules:** This strategy relies on effective internet access and speeds to individual project sites/buildings to provide the opportunity for telecommuting. This strategy would reduce commute VMT but also result in a change in VMT for other travel purposes; thus, this strategy should consider the net change in the Town's project-generated VMT.
- **Provide Ride-Sharing Programs:** This strategy focuses on encouraging carpooling and vanpooling by project site/building tenants.
- **Provide Local Shuttles:** This strategy focuses on providing local shuttle service. The local shuttles would provide service to transit hubs, schools, commercial centers, and residential areas to improve transit connectivity and address the "first/last mile" problems. Alternatively, a demand responsive service could be provided as subsidized trips by contracting to private transportation network companies (TNCs) or taxi companies. Note that implementation of this strategy would require regional or local agency implementation.
- **Provide Employer-Sponsored Vanpool/Shuttle:** This strategy relies on employers purchasing or leasing vans or shuttles, and often subsidizing the cost of at least program administration, if not more. Vanpools typically service employee's commute to work, while shuttles service nearby transit stations and surrounding commercial centers. Scheduling and rider charges, if any, are within the employer's purview.

### Town-Wide Level

- **Provide Bicycle and Pedestrian Network Improvements:** This strategy focuses on creating a comprehensive bicycle and pedestrian network within the project and connecting to nearby destinations. Projects in Los Gatos tend to be smaller so the emphasis of this strategy would likely

be the construction of network improvements that connect the project site directly to nearby destinations. Alternatively, implementation could occur through an impact fee program or benefit/assessment district based on regional or local plans such as the *Bicycle and Pedestrian Master Plan* and Connect Los Gatos.

- **Provide Traffic Calming Measures:** This strategy combines the California Air Pollution Control Officers Association (CAPCOA) research focused on traffic calming with new research on providing a low-stress bicycle network. Traffic calming creates networks with low vehicle speeds and volumes that are more conducive to walking and bicycling. Building a low-stress bicycle network produces a similar outcome. One potential change in this strategy over time is that e-bikes (and e-scooters) could extend the effective range of travel on the bicycle network, which could enhance the effectiveness of this strategy.
- **Implement Car-Sharing Program:** This strategy reduces the need to own a vehicle or reduces the number of vehicles owned by a household by making it convenient to access a shared vehicle for those trips where vehicle use is essential. Examples include programs like ZipCar, Car2Go, and Gig.
- **Limit Parking Supply:** When combined with companion TDM measures, reduced parking supply discourages driving by limiting easy and convenient parking options. Implementation of this strategy may require reducing (or removing) minimum parking requirements and allowing developers to use shared parking strategies.
- **Unbundle Parking Costs from Property Cost:** Unbundling separates parking costs from property cost, for instance by not including a parking space in a residential unit's rent, or by requiring employers to lease each parking space separately from the building owner. This strategy ensures that the user understands that the cost of driving includes parking and can encourage people to use an alternative mode to save money.
- **Implement Market Price Public Parking (On-Street):** This strategy focuses on implementing a pricing strategy for parking by pricing all on-street parking in central business districts, employment centers, and retail centers. Priced parking would encourage "park once" behavior and may also result in area-wide mode shifts.

### Regional Level

- **Increase Density:** This strategy focuses on increasing density of land uses, where allowed by the General Plan and/or Zoning Ordinance, to reduce distances people travel and provide more travel mode options. This strategy also provides a foundation for many other strategies. For example, densification increases transit ridership, which justifies enhanced transit service.
- **Increase Diversity of Urban and Suburban Developments:** This strategy focuses on inclusion of mixed uses within projects or in consideration of the surrounding area to minimize vehicle travel in terms of both the number of trips and the length of those trips.
- **Increase Transit Accessibility:** This strategy focuses on encouraging the use of transit by locating a project with high density near transit. A project with a residential/commercial center designed around a bus station is referred to as a transit-oriented development (TOD).
- **Integrate Affordable and Below Market Rate Housing:** This strategy provides greater opportunities for lower income families to live closer to job centers since income effects probability that a commute will take transit or walk to work.
- **Increase Transit Service Frequency/Speed:** This strategy focuses on improving transit service convenience and travel time competitiveness with driving. Given existing land use density in Los Gatos, this strategy may be limited to traditional commuter transit where trips can be pooled at the start and end locations, or it may require new forms of demand-responsive transit service. Note that implementation of this strategy would require regional or local agency implementation,

substantial changes to current transit practices, and would not likely be applicable for individual development projects.

- **Implement Area or Cordon Pricing:** This strategy focuses on implementing a cordon (i.e., boundary) pricing scheme, where a cordon is set around a specific area to charge a toll to enter the area by vehicle. The cordon location is usually the boundary of an area with limited points of access. The cordon toll may be constant, applied during peak periods, or be variable, with higher prices during congestion peak periods. The toll can also be based on a fixed schedule or be dynamic, responding to real-time congestion levels. Note that implementation of this strategy requires alternative modes of travel that are available and reliable, such as high-quality transit infrastructure.

**Finding:**

The population and employment growth facilitated from development envisioned in the 2040 General Plan would generate new vehicle trips. Each of these trips would result in VMT. As described on page 4.15-21 of the Draft EIR, buildout of the 2040 General Plan would generate approximately 1,280 employment opportunities. The approximately 1,280 employment opportunities that would result from buildout of the 2040 General Plan would not exceed the 1,760 employment opportunities forecast for Los Gatos in Plan Bay Area 2040. However, as described in Section 2, *Project Description*, the projected household population would increase by 8,970 people compared to what is considered existing with buildout of the 2040 General Plan. Some of the population growth expected from buildout of the 2040 General Plan would occur regardless of its implementation, such as growth expected from dwelling units already planned or approved for construction in Los Gatos. Nonetheless, household population growth would exceed Plan Bay Area 2040 forecasts for household population. Therefore, in context with the Town's adopted VMT threshold of significance, this VMT impact, which is cumulative, would be potentially significant.

As described within Section 4.15, *Transportation*, implementation of the 2040 General Plan would result in VMT per service population that is approximately 19 percent greater than the applicable VMT threshold of 32.3. To reduce VMT per service population by 19 percent, VMT reduction strategies at the regional level would be required. However, implementation of regional strategies would require action on multiple agencies and municipalities in South San Francisco Bay and environs, such as cities of Campbell and San José or counties of Santa Clara and Santa Cruz. The Town is unable to ensure that other municipalities would participate in the regional VMT reduction strategies outlined in Mitigation Measure T-1. Therefore, it is not certain that a 19 percent reduction in VMT would be achievable. Accordingly, VMT impacts of the 2040 General Plan would be significant and unavoidable, even after implementation of mitigation.

## 4.4 Mitigation Monitoring and Reporting Program

As referenced above in the Findings, a MMRP has been prepared for the project and is to be adopted concurrently with these findings and statement of overriding considerations pursuant to Public Resources Code Section 21081(a)(1). The MMRP is provided as Appendix D to the Final EIR that will be used by the Town of Los Gatos to track compliance with the project mitigation measures. The MMRP will remain available for public review during the compliance period, which includes pre-construction coordination, construction, and post-construction documentation.

# 5 Project Alternatives

**Finding**

Specific economic, legal, social, technological, mobility, or other considerations, make infeasible the mitigation measures or project alternatives identified in the Final EIR.

Where the Town of Los Gatos has determined that, even after the adoption of all feasible mitigation measures the project would still cause one or more significant environmental impacts that cannot be avoided or lessened to below a level of significance, the Town of Los Gatos must determine if there is a project alternative that is both environmentally superior and feasible. An alternative may be "infeasible" if it fails to achieve most of the basic project objectives identified within the EIR. Further, "feasibility" under CEQA encompasses the desirability of the project "based on a reasonable balancing of the relevant economic, environmental, social, and technological factors" of a project (*City of Del Mar v. City of San Diego* (1982) 133 Cal.App.3d 401, 417; see also *Sequoyah Hills Homeowners Assn. v. City of Oakland* (1993) 23 Cal.App.4th 709, 715).

## Alternative 1: Low Growth

Alternative 1 is a low growth alternative. Under Alternative 1, the proposed 2040 General Plan would not include an increase in density ranges outside of Opportunity Areas, but would include a modest increase inside designated Opportunity Areas. Outside of Opportunity Areas, densities would remain within a range of four to 18 dwelling units per acre. Inside Opportunity Areas, density ranges would increase to 10 to 18 dwelling units per acre. Overall development and growth would be reduced compared to the 2040 General Plan. Alternative 1 would result in approximately 1,245,000 total daily VMT and a total VMT per service population of 22.65.

Alternative 1, Low Growth, would result in fewer impacts in comparison to the 2040 General Plan. Under this alternative there would be no increase in density ranges outside Opportunity Areas and modest increases inside Opportunity Areas. Overall, Alternative 1 performs similar to the 2040 General Plan in a majority of the resource areas. However, this alternative performs better than the 2040 General Plan in the following key areas:

- Air Quality
- Greenhouse Gases

## Alternative 2: Medium Growth

Alternative 2 is a medium growth alternative. Under Alternative 2, the proposed 2040 General Plan would result in a modest increase in density ranges outside of Opportunity Areas but would include additional increases inside designated Opportunity Areas. Outside of Opportunity Areas, densities would increase to be within a range of 10 to 26 dwelling units per acre. Inside Opportunity Areas, density ranges would increase to 14 to 26 dwelling units per acre. Overall development and growth would be reduced compared to the 2040 General Plan. Alternative 2 would result in approximately 1,259,000 total daily VMT and a total VMT per service population of 22.205.

Alternative 2, Medium Growth would result in fewer impacts compared to the 2040 General Plan for many of the environmental resource impact areas. Under this alternative there would be modest increases in density ranges outside Opportunity Areas and additional increases inside Opportunity Areas. Overall, Alternative 2 performs better than the 2040 General Plan, in the following key areas:

- Air Quality
- Energy
- Greenhouse Gases
- Hydrology and Water Quality
- Population and Housing
- Public Services

## Alternative 3: High Growth

Alternative 3 is a high-growth alternative that includes increased density ranges in all areas and additional increases that allow for higher-density development in Neighborhood Commercial and Mixed-Use Commercial designations outside Opportunity Areas. Typical densities are assumed to vary from 10 to 36 du/ac outside Opportunity Areas and 16 to 36 du/ac inside Opportunity Areas. Intensity varies from 0.75 FAR in LDR to 1.5 FAR in HDR and MU. When compared to Alternative 1, Alternative 3 would result in a three percent (600 to 750) increase in peak hour vehicle trips. Alternative 3 would generate the most traffic, primarily due to the addition of 3,170 new housing units. However, from a VMT efficiency perspective, Alternative 3 performs the best with an estimated 21.48 VMT per service population as compared with an estimated 22.65 VMT per service population in Alternative 1. While all four land use alternatives are actually very similar to one another, Alternative 3 would have the highest potential for internal trip making to occur and would see the highest shifts to non-vehicle transportation modes, like walking, biking, or taking transit.

Alternative 3, High Growth, would generally result in similar impacts to the proposed 2040 General Plan for several issue areas impacts. This alternative would involve substantially denser growth and development overall, and therefore less impacts to resources such as GHG and traffic. This alternative performs similarly to the 2040 General Plan in most of the resource areas. However, Alternative 3 performs better than the 2040 General Plan, in the following key areas:

- Greenhouse Gases
- Energy
- Population and Housing

## Alternative 4: No Project

Section 15126.6(e) of the *CEQA Guidelines* requires a specific alternative of "no project" be evaluated in an EIR in order to allow decision makers to compare the impacts of approving a proposed project with the impacts of not approving that project. *CEQA Guidelines* Section 15126.6(e)(3) describes the two general types of no project alternative: (1) when the project is the revision of an existing land use or regulatory plan, policy or ongoing operation, the no project alternative would be the continuation of that plan; and (2) when the project is not a land use/regulatory plan, such as a specific development on an identifiable property, the no project alternative is the circumstance under which that project is not processed (i.e., no development occurs). Alternative 4 represents the former alternative type of no project and assumes the continued implementation of the current 2020 General Plan.

Alternative 4 is comprised of a land use pattern that reflects the land use identified in the existing 2020 General Plan. Under this alternative, the proposed 2040 General Plan would not be adopted and the existing General Plan, including the land use map and all of the General Plan goals and policies, would remain in place through the horizon year of 2040. Thus, any new development in Los Gatos would occur consistent with the existing land use designations and the allowed uses within each designation. Similarly, any new infrastructure in Los Gatos would occur as envisioned in the 2020 General Plan. Development under this alternative is anticipated to be less intensive and result in greater low-density residential development within the Town limits than under the 2040 General Plan. However, because this alternative would not include the higher density, higher height limits, and higher Floor Area Ratios (FAR), overall development and anticipated growth would be reduced compared to the 2040 General Plan. Overall, growth would be similar to that anticipated under the 2020 General Plan with approximately 13,730 dwelling units and a population of approximately 32,600 in the year 2040 (Town of Los Gatos, General Plan EIR 2020). This would be a reduction in overall development and growth compared to the 2040

General Plan which anticipates the addition of approximately 3,738 dwelling units, for a total population of approximately 39,221 and a total of 17,468 dwelling units in 2040.

Alternative 4, No Project Alternative, would not be considered environmentally superior overall because while it would involve less development and growth, it would result in a more dispersed ground disturbance than the 2040 General Plan. Further, this alternative does not place an emphasis on mixed-use and smart growth planning principles and the majority of growth and development under this alternative would occur outside of Opportunity Areas, resulting in less compact development. Although Alternative 4 would entail continued growth as dictated by the existing General Plan, new policies included in the 2040 General Plan, such as those in the Community Development Element, would not be adopted. Additionally, under Alternative 4, transportation improvements and GHG reduction strategies as part of the 2040 General Plan would not be implemented. Thus, daily VMT is anticipated to be greater under this alternative. Consequently, air contaminant and GHG emissions impacts and traffic impacts would be greater than for the proposed 2040 General Plan. Overall, Alternative 4 performs very similar to the 2040 General Plan and improves only in the following area:

- Aesthetics

**Facts in Support of Finding**

Alternative 1 and 3 perform slightly better than the 2040 General Plan in several impact areas. However, Alternative 2 was found to be superior to the 2040 General Plan in a reduction of impacts including air quality, energy, greenhouse gas emissions, hydrology and water quality, population and housing, and public services. Nevertheless, Alternative 2 would not fully meet the objectives/guiding principles of the 2040 General Plan. This alternative would not be as effective in achieving some of the land use goals and objectives of the 2040 General Plan because it would not contribute substantially to a pattern of compact future development or allow for the 2,000 new dwelling units target of Town Council. The slower growth model is less consistent with the goals and vision of the 2040 General Plan that promote the development of a smart growth model that favors a mix of land uses and encourages active living through the development of mixed-use and connected neighborhoods. Further discussion of the alternatives is included in Chapter 6: Alternatives of the Draft EIR for the 2040 General Plan.

For these reasons, none of the alternatives are more desirable than the 2040 General Plan in terms of meeting the Town's guiding principles and objectives for the project, as outlined above under the Chapter 2, *Project Description*, of the Draft EIR. For this reason and because none of the proposed alternatives would completely avoid the project's significant impacts, none of the proposed alternatives are considered feasible.

# 6 Statement of Overriding Considerations

Where there are significant and unavoidable impacts from a project, pursuant to Section 15093 of the CEQA Guidelines, the Town of Los Gatos must "balance, as applicable, the economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of a proposed project against its unavoidable environmental risks, when determining whether to approve the project." The record of those considerations shall include a written statement of overriding considerations that is supported by substantial evidence within the administrative record. A finding consistent with Section 15091(a)(3), that specific economic, legal, social, technological, or other consideration, make infeasible

any other mitigation measures or project alternatives that would avoid or lessen this impact to below a level of significance.

The Town finds and determines that, as proposed, the majority of the significant impacts of the project will be reduced to acceptable levels by implementation of mitigation measures recommended in these findings. However, the Town further finds that the project's cumulative impact to greenhouse gas emissions as well as impacts to transit and VMT are significant and unavoidable even with the implementation of mitigation (Section 4.8, *Greenhouse Gas Emissions*, and Section 4.15, *Transportation*, of the Draft EIR). Collectively, reasonably foreseeable future development and growth in the Town of Los Gatos would generate greenhouse gas emissions and VMT, and affect transit ridership and operations beyond the capacity of the Town of Los Gatos. The proposed project would contribute to total greenhouse gas emissions, transit use and operation, and total VMT within the service area. The Town further finds that there are no other feasible mitigation measures or feasible project alternatives that will further mitigate, avoid, or reduce to a less-than-significant level these environmental effects.

After due consideration, and in light of the environmental, social, economic, and other considerations identified in the findings, General Plan 2040, and the record as a whole related to this project, the Town chooses to approve the project because, in its independent judgement, the benefits to the project as outlined below substantially outweigh the project's significant and unavoidable adverse environmental impacts.

**Benefits of the Project:** The Town finds that the project, as approved, will have the following economic, social, technological, and environmental benefits:

- The 2040 General Plan updates outdated policies in a manner that meets current legal requirements for General Plans.
- The 2040 General Plan provides a more user-friendly document that will make use of the General Plan easier for decision makers, staff, and the public.
- The 2040 General Plan reflects current community goals and preferences as identified during the public outreach process.
- The project would emphasize infill and reuse development within the Town limits with a focus on increasing opportunities for housing development in key areas of the Town through increased density and mixed-use projects where appropriate.
- The project would provide a well-connected transportation system that enables safe access for all transportation modes, including pedestrians, bicyclists, motorists, and transit riders of all ages and abilities.
- The project would protect the natural resources and scenic assets that define Los Gatos, including open space preserves, recreational trails, surrounding hillsides, and natural waterways.
- The project would manage, conserve, and preserve Los Gatos' natural environment for present and future generations and promotes sustainable uses of its resources.
- The project would recognize the importance of and promote ethnic, cultural, and socio-economic diversity and equity to enhance the quality of life in Los Gatos.
- The project would invigorate downtown Los Gatos as a special place for community gathering, commerce, and other activities for residents and visitors.
- The project would provide high quality municipal services to the Los Gatos community while sustaining the Town's long term fiscal health.

- The project would place a greater emphasis on reestablishing more complete neighborhood areas that meet the daily needs of residents to be located within a one-mile distance.
- The project meets the objectives of the State of California in promoting affordable housing.
- The project sets forth the values and objectives of the Town in providing a sense of community and inclusiveness of all residents while protecting the existing community assets and uniqueness that sets Los Gatos apart from other municipalities.

In order to achieve these objectives, the 2040 General Plan focuses on improving how residents get around, meeting community needs with available services, providing a greater sense of identity, adding housing options by promoting higher-density development and infill, and preserving established residential neighborhoods. For most of the Town, the 2040 General Plan preserves the existing pattern of uses and establishes policies for protection and long-term maintenance of established neighborhoods. Generally, new development in accordance with the 2040 General Plan would result in re-use of properties, conversion of properties to different uses in response to market demand, and more intense use of land in defined areas.

With limited opportunities for new development in Los Gatos, the 2040 General Plan emphasizes infill and reuse development within the Town limits, encourages higher-density and mixed-use projects where appropriate, and supports development that compliments the existing natural and built environment. New development would occur primarily where existing roads, water, and sewer are in place and in a manner that minimizes the impact of development on existing infrastructure and services.

**Findings:**

For any of these reasons individually and all of these reasons taken as a whole, the Town of Los Gatos finds that the benefits of the project outweigh the significant and unavoidable environmental effects related to greenhouse gas emissions, transit, and VMT. Therefore, the adverse significant and unavoidable effects are considered to be acceptable by the Town of Los Gatos Town Council, which is the decision-making body for the project, given the importance of this project to the Town of Los Gatos.

# 7 Statement of Location and Custodian of Documents

Public Resources Code Section 21081.6(a)(2) and Section 15091(e) of the California Code of Regulation requires that the Town of Los Gatos, as the Lead Agency, specify the location and custodian of the documents of other materials that constitute the record of proceedings upon which the decision has been based. The following location is where review of the record may be performed during regular business hours:

Town of Los Gatos Community Development Department
110 E. Main Street
Los Gatos, California 95030

The Town of Los Gatos has relied on all of the documents contained within the record of proceedings in reaching its decision on the project.

Draft Resolution to be modified by Town Council deliberations and direction.

**RESOLUTION NO.**

**RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOS GATOS ADOPTING THE 2040 GENERAL PLAN**

**WHEREAS,** the Town of Los Gatos has prepared the 2040 General Plan to update and enhance the 2020 General Plan, along with the Final Environmental Impact Report (Final EIR); and

**WHEREAS,** the implementation of the 2040 General Plan is intended to preserve the small-town character of Los Gatos and work toward the community vision established in the 2040 General Plan; and

**WHEREAS,** the 2040 General Plan establishes goals, policies, and implementation programs to maintain and achieve these desirable attributes; and

**WHEREAS,** pursuant to Government Code section 65351, numerous opportunities were provided for the involvement of citizens, public agencies, public utilities, and various civic groups through, among other things, through the meetings of the General Plan Update Advisory Committee over a two and a half year period; and

**WHEREAS,** pursuant to Government Code section 65352, the Draft 2040 General Plan and the Draft EIR were circulated to all applicable public agencies and interested civic groups; and

**WHEREAS,** under the provisions of the California Environmental Quality Act (CEQA) and the CEQA Guidelines, the Town of Los Gatos prepared responses to comments on environmental issues, which responses clarify or correct information contained in the Draft EIR, providing good-faith reasoned analysis supported by factual information, and the comments and responses thereto were prepared and published in a Final Environmental Impact Report (Final EIR); and

**WHEREAS,** under the provisions of the Government Code and CEQA, the Planning Commission conducted duly noticed public hearings regarding certification of the Final EIR and adoption of the 2040 General Plan on April 13, April 25, April 27, and May 2, 2022, and recommended that the Los Gatos Town Council certify the Final EIR and adopt the 2040 General Plan with modifications; and

**WHEREAS,** the Planning Commission recommended adoption of the 2040 General Plan, and the Los Gatos Town Council considered all recommendations made by the Planning Commission; and

**WHEREAS,** the Los Gatos Town Council conducted duly noticed public hearings and received public testimony about the 2040 General Plan and the Environmental Impact Report (EIR) on June 20 and _____, 2022; and

**WHEREAS,** on _____, 2022, the Los Gatos Town Council found that the Final EIR for the 2040 General Plan as recommended for certification by the Planning Commission, was prepared in compliance with the California Environmental Quality Act and guidelines and is complete;

**WHEREAS,** on _____, 2022, the Los Gatos Town Council certified the Final EIR subject to the Findings of Fact and Statement of Overriding Considerations;

**NOW THEREFORE, BE IT RESOLVED:**

A. The Los Gatos Town Council finds that the 2040 General Plan is consistent with the goals of the community and that all proceedings have been conducted in compliance with the provisions of Government Code Section 65350 et seq.; and
B. The Los Gatos Town Council adopts the 2040 General Plan dated June 2021 with the modifications recommended by the Planning Commission on May 2, 2022.

**PASSED AND ADOPTED** at a special meeting of the Town Council of the Town of Los Gatos, California, held on the __th day of June, 2022 by the following vote:

COUNCIL MEMBERS:

AYES:

NAYS:

ABSENT:

ABSTAIN:

SIGNED:

MAYOR OF THE TOWN OF LOS GATOS

LOS GATOS, CALIFORNIA

DATE: _____

ATTEST:

CLERK ADMINISTRATOR OF THE TOWN OF LOS GATOS

LOS GATOS, CALIFORNIA

DATE: _____

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The Planning Commission's final unanimous recommendation was to adopt the Draft 2040 General Plan with modifications and certify the Final EIR. The recommended modifications included:

1. In the Introduction, recommend approval of the General Plan Advisory Committee (GPAC) recommendations for the Vision and Guiding Principles to be modified to state:

   The Town of Los Gatos is a welcoming, family-oriented, and safe community nestled in the beautiful foothills of the Santa Cruz Mountains. The Town ~~is a sustainable community that~~ takes pride in its small-town character ~~and provides a range of housing opportunities~~, historic neighborhoods, local culture and arts, excellent schools, and a lively and accessible downtown. The Town is pedestrian friendly and~~Los Gatos~~ offers a choice of mobility options, housing opportunities, and superior public facilities and services, governed by ~~and~~ an open and responsive local government that is fiscally sound. ~~Los Gatos has a~~A dynamic and thriving community, Los Gatos is committed to racial, social, and environmental justice and underscores its commitment to long-term well-being by embracing sustainability. ~~economy that includes a mix of businesses throughout Town that serves all residents, workers, and visitors.~~

   **Community Vitality**
   Invigorate ~~downtown~~ Los Gatos as a special place for community gathering, commerce, and other activities for residents and visitors. Foster the economic vitality of all Los Gatos business locations. Preserve and enhance the Town's historic resources and character while guiding the community into the future.
   **Connectivity**
   Emphasize the importance of connecting all facets of the Town to build a strong sense of community through building design, walkability, and safe streets.
   **Diverse Neighborhoods**
   Foster appropriate investments to maintain and enhance diverse neighborhoods, housing opportunities, and infrastructure to meet the needs of all current and future residents.
   **Fiscal Stability / Responsibility**
   Provide high quality municipal services to the Los Gatos community while sustaining ~~the Town's~~ long term fiscal ~~health~~well-being.
   **Government Transparency**
   Conduct governmental processes in an open manner and encourage public involvement in Town governance.
   **Inclusivity**
   ~~Recognize~~ Value the importance of and promote ethnic, cultural, and socio-economic diversity and equity to enhance the quality of life in Los Gatos.
   **Mobility**
   Provide a well-connected transportation system that enables safe access for all transportation modes, including pedestrians, bicyclists, motorists, and transit riders of all ages and abilities.

**Promote Public Safety**
Maintain and enhance Los Gatos as a safe community through preparation and planning, education, and community design that is responsive to the full range of potential natural and man-made hazards and safety issues.
**Protect Natural ~~Resources~~Environment**
Protect and enhance the natural ~~resources~~ environment and ~~scenic assets~~biotic communities that define Los Gatos, including but not limited to open space preserves, recreational trails, surrounding hillsides, and natural waterways.
**Sustainability**
Manage, conserve, and preserve Los Gatos' natural environment for present and future generations. Identify and provide opportunities to enhance the Town' s sustainability policies and practices.

2. In the Introduction, modify Section 1.5 "The Los Gatos Community" to include additional information about the indigenous peoples in relation to the land that the Town of Los Gatos now occupies and the cultural history of the land, rather than only the topographical history;
3. Revisions as a result of review by the State Department of Forestry, included in Exhibit 8 and listed here:
   - Add reference to VHFHSZ's in Policies CD-5.2 and CD-6.1.
   - New Policy PFS-1.7: "Water Supply for Fire Safety. Coordinate with local water providers to ensure and maintain the long-term sustainability of water supplies to meet current and anticipated future firefighting needs."
   - Modified wording for Policies PFS-19.3 and PFS-20.1.
   - Modified wording for Policy HAZ-1.3.
   - Additional wording on page 9-4 to reference location of critical infrastructure listed in OAHMP.
   - New Policy HAZ-2.6: "Vegetative Hazards. Reduce the wildfire risks to existing and newly developed transportation networks through regular clearance and maintenance of vegetation adjacent to public roadways to current State and/or locally adopted fire safety standards for vegetation clearance in SRA's or VHFHSZ's."
   - New Policy HAZ-2.7: "Wildfire Response. Following a large and/or destructive fire in Los Gatos or the region, the Town shall reassess standards and other requirements for new development and redevelopment and revise these requirements to ensure a high level of community resilience to fire events."
   - New Policy HAZ-2.8: "Community Fire Breaks. Establish and maintain community fire breaks and fuel modification/reduction zones, including public and private road clearance."
   - New Policy HAZ-2.9: "Fire Safety Development Precautions. Establish that minimum requisite firefighting services and infrastructure are ubiquitous throughout its Town, including but not limited to: high-visibility street signage and house numbers, appropriate street widths and building clearances for firefighting equipment and vehicles, high water pressure at all fire hydrants, and driving signage indicating rights-of-way with no outlets."
   - Modified wording for Policy HAZ-3.5.
   - New Policy HAZ-3.7: "Community Evacuation Trainings. Continue to conduct regular

evacuation trainings with single-access community HOAs, residents, and the Wildfire Ad Hoc Committee; encourage residents in single-access communities to maintain emergency supplies for at least three days."
    - Modified wording for Hazards and Safety Element Implementation Programs C, G, and H.
4. Add a new Implementation Program in the Land Use Element as discussed in Section F of the Staff Report:

   **Five-year Land Use Element Review**

   The Town shall conduct a review of the Land Use Element every five years from the date of final approval, and revise and update as necessary. This review can include the following:
    - Modify, add, or delete goals, policies, or programs to reflect notable changes in the Town over the previous period;
    - Remove or modify programs that have been completed or require additional time;
    - Modify or add new goals, policies, or programs to reflect changing needs within the Town;
    - Conduct a fiscal analysis; and
    - Modify to reflect applicable changes in State law.
5. Implement recommendation from Parks and Public Works Department staff to revise Figure 5-1 Bike Facilities in the following ways:
    - Shannon Road from Los Gatos Blvd to Cherry Blossom Lane should be revised from "Proposed Class I" to "Proposed Class II;"
    - Installation of Class IV bike lanes on Winchester from Blossom Hill Road to Wimbledon Drive should be updated to reflect recent improvements as "Existing Class IV;" and
    - Blossom Hill Road between Los Gatos Boulevard and Highway 17 should be revised from "Proposed Class I/IV" to "Existing Class IV."
6. Implement recommendation from Parks and Public Works Department staff to revise 5-3 Roadway Classifications in the following ways:
    - Where the functional classification lines overlap Town Limits lines, make functional classification lines more visible;
    - Bachman should be extended to University as a Neighborhood Collector;
    - Bayview between Main and Pennsylvania should a Neighborhood Collector;
    - Netflix campus circulation (northeast of 85/Winchester) is shown as Arterial. It should be Local;
    - Hicks should extend south to Town Limits as a Hillside Collector;
    - Gateway should be a Neighborhood Collector;
    - Longmeadow and Twin Oaks should be a Hillside Collector;
    - South Kennedy should be extended to Kennedy as a Hillside Collector; and
    - Union should be an Arterial.
7. Implement recommendation from Parks and Public Works Department staff to create a street classifications list, similar to that included as Appendix F of the 2020 General Plan EIR, should also be included in the 2040 General Plan in association with their representation in Figure 5-3.
8. For compliance with the Town's Green Stormwater Infrastructure Plan, as

recommended by staff at the West Valley Clean Water Program and the Town's Parks and Public Works Department make the following changes:

- Policy PFS-3.2 Non-Point Source Control Programs
  Promote and implement ~~Provide non-point source~~ pollution source control programs to reduce and control the discharge of pollutants into the storm drain system, as required by the Town's stormwater NPDES permit. Incorporate green stormwater infrastructure (GSI) elements, such as biotreatment or infiltration into private and public development to provide opportunities for stormwater collection and treatment, per the Town's GSI Plan.
- Add the following Implementation Programs to the Public Facilities, Services, and Infrastructure Element:
  - Incorporate Green Stormwater Infrastructure (GSI) elements, such as infiltration and biotreatment, into Town projects to provide opportunities for stormwater collection and treatment, per the Town's GSI Plan.
  - Modify the Town's Complete Streets Policy to include Green Stormwater Infrastructure.
- Add the following underlined text to the introduction paragraph for Section 8.10 Hydrology and Water Quality:
  Maintaining water quality and availability is a high priority and a complex challenge that becomes more critical as supplies become more uncertain due to climate change and a growing population. Goals and policies in this section address the quality and reliability of the Town's long-term water supply, including during periods of drought. To maintain water quality, surface water and groundwater must be protected from the impacts of past and future development using methods such as low-impact development requirements and the careful regulation of sub-surface dewatering. The Town supports the efforts of regulatory bodies, such as the San Francisco Regional Water Quality Control Board, the agency that controls discharge to San Francisco Bay from stormwater and other sources. The San Francisco Bay Region Municipal Regional Stormwater NPDES Permit (MRP) requires the Town of Los Gatos to implement programs that reduce urban runoff pollution. The MRP regulates stormwater discharges into local creeks and the San Francisco Bay to protect water quality. The Town participates in the Santa Clara Valley Urban Runoff Pollution Prevention Program (SCVURPPP), along with twelve other cities and towns, the County of Santa Clara, and the Santa Clara Valley Water District to implement the requirements of the MRP. As required by the MRP, the Town has developed a Green Stormwater Infrastructure (GSI) Plan that describes how the Town will gradually transform its urban landscape and storm drainage systems from "gray" to "green"; that is, supplement traditional storm drain infrastructure, where stormwater runoff flows directly from impervious surfaces into storm drains and receiving waters, with a more resilient, sustainable system that reduces and slows runoff by dispersing it to vegetated areas, promotes infiltration and evapotranspiration, collects runoff for non-potable uses, and treats runoff using biotreatment and other GSI practices. The control of wastewater and stormwater is discussed in more detail in the Public Facilities, Services, and Infrastructure Element.
- Revise Policy ENV-17.5 to state:
  Retain and use rainwater on municipal facility sites, to the extent possible.

Encourage rainwater harvesting and irrigation use in commercial and residential uses. Ensure that all development projects in Los Gatos maximize opportunities to filter, infiltrate, store, and reuse or evaporate stormwater runoff onsite.

9. In the Racial, Social, and Environmental Justice Element, add a new Implementation Program, "Research the viability of increasing support for the acceptance of food vouchers at local food retailers and farmers markets" to implement Policy RSEJ-4.1;
10. In the Racial, Social, and Environmental Justice Element, modify definitions for equality and equity, to state "Equality. The state of being equal, especially in status, rights, and opportunities. Equal opportunity, levels of support, and allocation of resources, regardless of different circumstances." and "Equity. Fairness or justice in the way people are treated. Differing allocation of opportunities, levels of support, and resources based on each person or group's circumstances and needs, thereby reaching an equal outcome.";
11. In the Racial, Social, and Environmental Justice Element, modify Policy RSEJ-6.2 to state, "Support leadership development programs for historically marginalized and socially disadvantaged individuals and groups to enhance effective engagement in Town processes.";
12. In the Racial, Social, and Environmental Justice Element, revise Policy RSEJ-1.4 to state, "Encourage development and improved access to affordable housing opportunities for all community members.";
13. In the Racial, Social, and Environmental Justice Element, revise Policy RSEJ-2.7 to state, "~~Develop and i~~Implement and require cultural proficiency and anti-bias training for all Town employees and support similar training efforts undertaken by the business community.";
14. In the Racial, Social, and Environmental Justice Element, revise Policy RSEJ-6.3 to state, "Develop, provide, p~~P~~romote, and implement new and innovative approaches to facilitate communication between members of the community and Town elected officials and staff members.";
15. In the Mobility Element, add a new Implementation Program to work with VTA to identify locations for and implementation of in-lane bus stopping at key locations with merge challenges and where queue jump treatments for busses at intersections would be possible and effective, and pursue funding for design and implementation of queue jump treatments from new development, either through individual project contributions or the Town's Transportation Impact Fee program.
16. In the Mobility Element, add a definition of Traffic Impact Policy to the Glossary;
17. In the Mobility Element, change to the timeframe of Implementation Program D to 2020-2025;
18. In the Public Facilities, Services, and Infrastructure Element, include a new definition of recycled and reclaimed water. *From the California Water Code staff provides the following definitions:*
    - *"Reclaimed Water" is a wastewater which as a result of treatment is suitable for uses other than potable use; and*
    - *"Recycled water" means water which, as a result of treatment of waste, is suitable for a direct beneficial use or a controlled use that would not otherwise occur and is therefore considered a valuable resource.*
19. In the Public Facilities, Services, and Infrastructure Element, modify language of

Implementation Program C to include consideration of alternative ground covers and a change to the timeframe to 2020-2025;

20. In the Public Facilities, Services, and Infrastructure Element, Section 6.3, clarify the second paragraph under Natural Drainage Systems. All creeks listed except Smith and San Tomas Aquino Creek flow to the Guadalupe River and the Guadalupe River is not within the Town limits;
21. In the Public Facilities, Services, and Infrastructure Element, on page 6-15, move Figure 6-1 "Recreation Locations" to the end of the section so it doesn't break up the discussion of recreation and social activities;
22. In the Public Facilities, Services, and Infrastructure Element, revise Implementation Program L Outdoor Lighting Standards to state, "Establish outdoor lighting standards in the Town Code to address energy efficiency, dark sky conservation, and healthy ecosystems.";
23. In the Open Space, Parks, and Recreation Element, revise Policy OSPR-2.1 to state, "Preserve the natural open space character of hillside lands, including natural topography, ~~natural~~ native vegetation, wildlife habitats and migration corridors, and viewsheds.";
24. In the Open Space, Parks, and Recreation Element, revise Goal OSP-5 to state, "Preserve and enhance Los Gatos Creek, Los Gatos Creek Trail, and Ross Creek as open space amenities, which are critical to protecting biological resources.";
25. In the Open Space, Parks, and Recreation Element, remove "provided on a full cost recovery basis" from the first paragraph under Recreational Services on page 7-7;
26. In the Environment and Sustainability Element, define the term "designated creek.";
27. In the Environment and Sustainability Element, revise the definition of "Ecosystem" in the Key Terms Section to state, "A community or group of living organisms that live in and interact with each other in a specific physical environment.";
28. In the Environment and Sustainability Element, revise Policy ENV-7.6 to state, "Consider alternative methods prior to utilizing herbicides and pesticides on Town property as one tool within a comprehensive integrated pest management framework to minimize potential damage to native plants, birds, and other wildlife" and add "Integrated Pest Management (IPM)" to the list of key terms;
29. In the Environment and Sustainability Element, revise Policy ENV-7.7 to state, "Require that herbicides and pesticides used in areas adjacent to creeks and other water bodies are approved for use in aquatic habitats, working towards minimized potential damage to public health, native plants, birds, and other wildlife."
30. In the Environment and Sustainability Element, revise Policy ENV-7.11 to state, "Require the design of building, street, landscape, and parking area lighting to improve~~s~~ safety, energy efficiency, protection of the night skies (dark sky protections), biological resources, and environmental soundness." (*note that "improves" revised to "improve"*);
31. In the Environment and Sustainability Element, revise "Groundwater Management" section on page 8-19 as follows:
    Valley Water manages the groundwater sub-basin with the primary objectives to recharge the basin, conserve water, increase water supply, and prevent waste or reduction of the water supply. Historically, over-extraction of the groundwater sub-basin has resulted in occurrences of subsidence in Santa Clara County. Subsidence occurs when underground water levels drop and clay layers compact, resulting in the

sinking of the ground surface and a loss of aquifer capacity. To avoid any further subsidence ~~and loss of aquifer capacity~~ Valley Water works to maintain the sub-basin by augmenting natural percolation of rainfall and local stream runoff ~~with~~ via managed aquifer recharge using local and imported surface water. Valley Water's managed ~~supports a~~ recharge program ~~that~~ includes 18 major recharge systems with in-stream and off-stream facilities. In addition to directly replenishing groundwater, Valley Water reduces the need for groundwater pumping through treated and untreated surface water deliveries, water conservation, and recycled water programs.

Based on these efforts, permanent subsidence was effectively halted around 1970, and groundwater levels recovered to sustainable levels. In 2019, Valley Water's Groundwater Management Plan was approved by the Department of Water Resources as an Alternative to a Groundwater Sustainability Plan for Sustainable Groundwater Management Act compliance. While groundwater levels and storage decline during droughts, Valley Water's comprehensive groundwater management activities provide for subsequent recovery, and groundwater in the sub-basin is sustainably managed. ~~Valley Water operates a treated groundwater recharge/surface water reinjection program that promotes treated groundwater reuse from the clean-up of contaminated sites and recharges groundwater from local and imported surface water. Based on these efforts, the groundwater elevation in the groundwater sub-basin has been rising steadily for the past 40 years. As stated in the 2017 Valley Water Annual Groundwater Management Report, the groundwater supply has reached a "normal" stage (stage 1) of the District's Water Shortage Contingency Plan and indicates good water supply conditions.~~

32. In the Environment and Sustainability Element, revise second paragraph of the "Groundwater Quality" section on page 8-22 as follows:
A few water quality problems have been detected in the sub-basin. High mineral salt concentrations have been identified in the upper aquifer zone along San Francisco Bay, the lower aquifer zone underlying Palo Alto~~, and the southeastern portion of the forebay area of the Santa Clara Valley sub-basin. Nitrate concentrations in the South County (Coyote and Llagas sub-basins) are e~~. Elevated ~~and high~~ nitrate concentrations are sporadically observed in the Santa Clara Valley Sub-basin. ~~Monitoring continuously, installing physical barriers to runoff, and treating water properly are key activities used throughout the wastewater treatment and water conveyance system to maintain water quality standards. D~~However, drinking water standards are met at public water supply wells without the use of treatment methods beyond disinfection. Valley Water and public water suppliers conduct extensive monitoring of groundwater quality to understand conditions and trends and work with regulatory agencies to protect groundwater quality.
33. In the Environment and Sustainability Element, revise Policy ENV-16.4 to state, "Conserve existing creeks and avoid disturbances, including fencing, lighting, structures, hydrological barriers, and roads, to these areas.";
34. In the Environment and Sustainability Element, revise Policy ENV-16.3 to state, "Cooperate with Valley Water and other agencies to protect watersheds, groundwater, and riparian habitats from degradation.";

35. In the Environment and Sustainability Element, revise Policy ENV-17.8 to state, "Encourage Low-Impact Development (LID) measures to limit the amount of impervious surface in new development and redevelopment to maintain or increase the retention, treatment, and infiltration of urban stormwater runoff from pre-development conditions. LID measures should also apply to major remodeling projects and to public and recreation projects where possible.";
36. In the Environment and Sustainability Element, revise Policy ENV-19.1 to state, "Require all new noise-sensitive developments, and sound- or noise-generating uses near open space, to provide a noise study prepared by a licensed acoustician with recommendations for reducing noise impacts to the maximum allowed level in the Noise Ordinance.";
37. In the Environment and Sustainability Element, add a new Implementation Program, as recommended by public comment, but with the language modified to state, "Plant Based Education: Develop and implement a plan ~~Implement programs~~ to educate and support residents about the environmental, economic, and social benefits of shifting to a plant-based diet, examples of which may include informational materials, educational programs, community events, coordination with schools and businesses, or guidelines for procurement ~~which includes improved health, curbing greenhouse gas emissions, reducing biodiversity loss and deforestation, reducing water usage, and reversing pollution of our air, land, and water~~."
38. In the Environment and Sustainability Element modify Implementation Program M to include linkages between movement corridors;
39. In the Environment and Sustainability Element modify the existing language about the indigenous peoples on page 8-17 of the Draft 2040 General Plan as suggested by Commissioner Clark:
    - Policy ENV-13.8, "Support a community sense of stewardship for historic and cultural resources through supporting talks, tours, and other programs that increase awareness and promote Los Gatos as a destination with historic cultural resources and through including Ohlone people in the conversation and planning."
    - Section 8.8, "Los Gatos is in an area once occupied by the Ohlone (or Costanoan) people, which extends from the point where the San Joaquin and Sacramento rivers flow into the San Francisco Bay to Point Sur, with the interior Coastal Ranges most likely constituting the inland boundary. Before colonization ~~outside contact~~, Ohlone lived in base camps of tule reed houses and seasonal specialized camps. Ohlone ate food gained by hunting, gathering, and fishing. Mussels were particularly important to their diet, as well as sea mammals and acorns.

      Seven Franciscan missions were built in Ohlone territory in the late 1700s, and all members of the Ohlone group were eventually forced ~~brought~~ into the mission system. After the establishment of the missions, the Ohlone population was decimated ~~dwindled~~ from roughly 10,000 people in 1770 to 1,300 in 1814. In 1973, the population of people with Ohlone descent was estimated at fewer than 300 after what is widely cited as a genocide. The descendants of the Ohlone united in 1971 and have since arranged political and cultural organizations to revitalize, maintain, and pass on ~~aspects of~~ their culture."
    - *Staff recommends the use of "indigenous people" rather than "Ohlone."*

40. In the Hazards and Safety Element, explain within Section 9.2 that according to CALFIRE, 95 percent of all fires are caused by people (e.g., arson, escaped debris burns, and equipment use) and this is why "Fires that occur along the wildland-urban interface (WUI) are much more of a hazard…" It is also important to note that a high fire hazard severity zone does not describe the risk of a fire start, but rather describes potential impacts to natural ecosystems, known as fire severity;
41. In the Hazards and Safety Element, revise the discussion regarding dam inundation in Section 9.4 – Flood and Inundation Hazards to note that the Town of Los Gatos is also within the inundation area of Vasona Dam;
42. Modify definition of "equity," in addition to the modifications to that definition agreed upon at the previous meeting, to include a reference to "status and rights."
43. In the Land Use Element, modify land use designation of the property at 15810 Los Gatos Boulevard, APN 523-01-001, from Low Density Residential to Mixed-Use Commercial to be more in line with existing use;
44. In the Land Use Element, revise Policy LU-3.2 to state, "Projects shall be evaluated and the Town shall apply appropriate mitigation measures and/or conditions of approval to reduce impacts on the environment, urban services, and wildfire risk, including utilities, police, and fire."
45. In the Land Use Element, revise Goal LU-6 to state, "Ensure housing in the hillsides will not adversely affect the natural environment, migration and biological corridors, or endanger public health and safety."
46. In the Land Use Element, add an Implementation Program to support a modification of the North 40 Specific Plan to allow up to 40 dwelling units per acre to be consistent with the Mixed-Use land use designation on Los Gatos Boulevard.;
47. In the Community Design Element, revise Policy CD-2.12 to state, "If feasible, require native, non-invasive, or non-fire-prone street trees to be installed for all new developments, to enhance neighborhood character and identity and to maximize shade coverage when mature.";
48. In the Community Design Element, revise Policy CD-2.40 to state, "Ensure that public improvements and private development provide landscaped Town gateways that create visual connections between the natural hillsides and open space areas and the community of Los Gatos with native, non-invasive, or non-fire-prone plant species."
49. In the Community Design Element, r Revise Policy CD-9.9 to state, "To soften the appearance of hardscape, incorporate landscaped medians using edible food producing, drought tolerant, native, non-invasive, or non-fire-prone plants, landscape buffers, and street trees."
50. In the Community Design Element, revise Modify Policy CD-11.6 to note that new trail connections located on or open to Valley Water property must be open to the general public and permitted by Valley Water and with the addition of the word "public" between "secondary" and "access" in Policy CD-11.6;
51. In the Community Design Element, add a new Implementation Program to study implementation of the Mills Act;
52. In the Community Design Element, add a definition of "rafters." *Staff recommends the following definition, "Rafters: One of several long, inclined, structural members such as wooden beams used in the construction of pitched roofs, supporting the roof-covering, e.g. laths and tiles."*

53. In the Land Use Element, modify the maximum allowed residential densities in the following ways:
    - Remove residential density from the Office Professional and Service Commercial designations;
    - Reduce maximum allowed residential density in the Low Density Residential designation from 12 to 10 dwelling units per acre; and
    - Reduce maximum allowed residential density in the Medium Density Residential designation from 24 to 22 dwelling units per acre.

DATE: April 7, 2022

TO: Planning Commission

FROM: Joel Paulson, Community Development Director

SUBJECT: Review and Make Recommendations on the Draft 2040 General Plan and Final Environmental Impact Report to the Town Council.

RECOMMENDATION:

Review and make recommendations on the Draft 2040 General Plan and Final Environmental Impact Report (EIR) to the Town Council.

BACKGROUND:

On February 6, 2018, Town Council began the process of updating the 2020 General Plan with a discussion of the scope and process for the General Plan update. At that meeting, the Town Council indicated that the General Plan is serving the community well, and an update provides the opportunity to refine the General Plan, address emerging trends and recent State laws, and consider new issues.

Over the following four years, the General Plan update process has included multiple community engagement opportunities, meetings with the Planning Commission and Town Council, and the following key milestones:

- On April 17, 2018, the Town Council established the General Plan Update Advisory Committee (GPAC) and identified initial guiding principles to support their work.
- On July 9, 2018, after approval by the Town Council, the Town Manager executed an agreement with Mintier Harnish Planning Consultants for preparation of the General Plan update and Draft EIR.
- On October 30, 2018, the GPAC held its first meeting.
- On March 15, 2019, the Background Report (available online here: http://losgatos2040.com/documents.html) was released.

PREPARED BY: Jennifer Armer, AICP
Planning Manager

Reviewed by: Planning Manager and Community Development Director

BACKGROUND (continued):

- On June 20, 2019, the GPAC reviewed the Issues, Opportunities, and Constraints Report (available online here: http://losgatos2040.com/documents.html).
- On August 20, 2019, the Town Council adopted the General Plan Vision and Guiding Principles (available online here: http://losgatos2040.com/documents.html).
- In December 2019, the Land Use Alternatives Report (available online here: http://losgatos2040.com/documents.html) was released.
- On March 3, 2020, the GPAC started review and discussion of the initial drafts of individual elements of the General Plan.
- On April 7, 2020, the Town Council approved the Preferred Land Use Alternatives Framework (available online here: http://losgatos2040.com/documents.html).
- On November 17, 2020, the Town Council discussed and provided direction on the Draft Land Use and Community Design Elements.
- On May 6, 2021, the GPAC recommended approval of the Draft 2040 General Plan (available online here: http://losgatos2040.com/documents.html).
- On June 18, 2021, the Draft 2040 General Plan was released for public review.
- On July 31, 2021, the Draft EIR (available online here: http://losgatos2040.com/documents.html) was released for public review. The public comment period ended on September 13, 2021.
- On September 20, 2021, the Town Council and Planning Commission held a Joint Study Session for discussion of the Draft 2040 General Plan.
- On November 19, 2021, the revised Notice of Completion and Availability was reissued along with a revised Chapter 4.15, Transportation, and Executive Summary of the Draft EIR (available online here: http://losgatos2040.com/documents.html) for a reopened public review period which ended on January 8, 2022.
- On December 7, 2021, the Town Council held a Study Session for discussion of housing growth options and related analyses for Planning Commission and Town Council consideration of the Draft 2040 General Plan.
- On March 24, 2022, the Final EIR was published online (available here: http://losgatos2040.com/documents.html).

Over the course of two and a half years and 35 meetings, the GPAC worked with staff and the consultant to create an updated General Plan. The GPAC reviewed each General Plan Element to ensure a forward-looking document that is consistent and accessible. Each Element was considered over multiple meetings (between two and five GPAC meetings per Element) with the GPAC providing comments to staff and the consultant, and then further review and direction on the implementation of those comments in a revised draft of each Element. The Draft 2040 General Plan (previously provided and referenced here as Exhibit 1) is the result of this extensive work and outreach.

BACKGROUND (continued):

Additional outreach activities conducted throughout the process have included: the Town's website and weekly newsletter; social media posts; online engagement activities; newsletters; two in-person community workshops; numerous in-person and online community meetings; handouts and posters at the Library; information on the Town's webpage; information in the email signature of Planning Division staff; a Town-wide mailer; and informational booths at the farmers market, the Library, Spring into Green, and Music in the Park.

DISCUSSION:

Through the General Plan update process, the GPAC has refined the goals of the update based on direction from Town Council at the start and at key points throughout the process. The initial direction from Town Council was that the 2020 General Plan was serving the Town well, and this update provides the opportunity for the Town to refine the General Plan, address emerging trends and recent State laws, and consider new issues. These emerging trends, recent State laws, and new issues included:

- Inclusivity: The need for inclusivity came to the forefront in 2020 and led to updates within every Element of the General Plan.
- Regional Housing Needs Allocation (RHNA): The expected State requirement that the General Plan provide opportunities for the approximately 2,000 residential units for the next Housing Element update lead to discussions of where and how those units should be accommodated. The housing allocation for our region has now been approved by the Association of Bay Area Governments (ABAG), with an allocation for the Town of Los Gatos of 1,993 housing units.
- Objective Standards: The need for objective standards, particularly for those areas of Town that are most likely to redevelop with new housing, became clear with new State laws limiting certain development project reviews to objective standards.
- Safety Element and Fire Safety/Preparedness: A required review by the California Department of Forestry and Fire Protection (CalFire) for areas in the Very High Fire Hazard Severity Zones was required as part of this update.
- Vehicle Miles Traveled (VMT): A requirement for environmental review to consider VMT instead of Level of Service also led to a shift in the plan to emphasize a reduction of VMT and increase in mobility of all mode types.
- Sustainability: An ongoing interest in increasing sustainability efforts through Town actions, regulations, and coordination led to new and revised policies.

The most substantial changes in the Draft 2040 General Plan are:

- A new Racial, Social, and Environmental Justice Element;
- Increased housing opportunities for mixed-use developments in commercial areas and missing middle housing in existing neighborhoods with design requirements;

DISCUSSION (continued):

- New Community Commercial land use designation;
- New Community Place Districts to provide more objective design standards and focus on community form (urban design) for all development;
- Shift in focus of transportation policies to street design, connectivity, and mobility for all users (bicycles, pedestrians, vehicles, etc.) to reduce VMT;
- New goals in the Environment and Sustainability Element; and
- Expanded policies to prepare for wildfire, climate change, and community health threats.

The increased housing opportunities are provided through changes in the maximum allowed densities and heights. The increases to the maximum allowed residential density are seen in most areas, excluding the hillsides, with a focus on the commercial, mixed-use, and medium/high density residential designations. This coincides with the location of the Community Place Districts, where the Draft 2040 General Plan also includes new design policies. The following table depicts the changes in density and height for all land use designations:

| | Density Range (du/ac) | | Maximum Height | |
|---|---|---|---|---|
| Land Use Designations | Existing General Plan | Draft General Plan | Existing General Plan | Draft General Plan |
| Hillside Residential | 0 to 1 | 0 to 1 | 30 | 25 |
| Low Density Residential | 0 to 5 | 1 to 12 | 30 | 30 |
| Medium Density Residential | 5 to 12 | 14 to 24 | 30 | 35 |
| High Density Residential | 12 to 20 | 30 to 40 | 30 | 45 |
| Mixed-Use | 20 | 30 to 40 | 35 | 45 |
| Neighborhood Commercial | 20 | 10 to 20 | 35 | 35 |
| Community Commercial | NA | 20 to 30 | 35 | 45 |
| Central Business District | 20 | 20 to 30 | 45 | 45 |
| Office Professional | 20 | 30 to 40 | 35 | 35 |
| Service Commercial | NA | 20 to 30 | 35 | 35 |
| Light Industrial | NA | None | 35 | 35 |
| Public | NA | None | NA | 35 |
| Open Space | NA | None | NA | 30 |
| Agriculture | NA | 0 to 1 | NA | 30 |
| Albright Specific Plan | See Specific Plan | No Change | See Specific Plan | No Change |
| North Forty Specific Plan | See Specific Plan | No Change | See Specific Plan | No Change |

The following sections step through additional suggested modifications, as well as topics where additional information has been requested.

DISCUSSION (continued):

A. GPAC Recommendation

After the thorough work described above, on May 6, 2021, the GPAC recommended approval of the Draft 2040 General Plan. The discussion at this meeting also included a recommendation for some modifications to the Vision and Guiding Principles to better reflect the direction developed over the previous years' work. These changes are shown in Exhibit 6 and summarized in Exhibit 7.

B. Housing Units

See information provided in the September 20, 2021 Joint Town Council and Planning Commission Study Session Staff Report, available online here: https://www.losgatosca.gov/13/Agendas-Minutes.

When discussing the number of housing units that may be developed under this General Plan, it is important to understand the context for the different numbers under discussion. In the Draft 2040 General Plan, on page 3-4, the General Plan Residential Buildout Table (3-1) contains a calculation of how many units are projected to be developed over the 20-year timeframe of the Draft 2040 General Plan, if adopted without changes. The numbers in this table include:

| | |
|---|---|
| New Housing on Vacant and Redeveloped Land | 2,763 units |
| New Accessory Dwelling Units (ADUs) (25 per year) | 500 units |
| Existing Projects | 475 units |
| Total | 3,738 units |

These numbers are frequently referenced in the public comments received and compared to the RHNA allocation, now confirmed by ABAG to be 1,993 housing units for the Town of Los Gatos. This is the allocation that the Town will need to include in the update of the Housing Element for the next eight-year period (2023-2031).

Unfortunately, this direct comparison can lead to confusion because of the following factors:

- The General Plan Residential Buildout Table is an estimate based on a 20-year timeline;
- The General Plan Residential Buildout Table includes 475 residential units from existing projects, where most will have building permits issued prior to the start of the next Housing Element cycle, and therefore won't be counted toward the 1,993 unit requirement;

DISCUSSION (continued):

- The General Plan Residential Buildout Table includes 25 ADUs per year, which resulted in 500 units for the 20-year timeline, but only 200 over the eight-year RHNA cycle; and
- The Housing Element will likely need to include capacity for at least a 15 percent buffer, above the 1,993 housing units, for a total of 2,292 housing units, in order to be certified by the California Department of Housing and Community Development (HCD).

When the Draft 2040 General Plan numbers above are modified to better account for the points listed above, the following is the result:

| | |
|---|---|
| New Housing on Vacant & Redeveloped Land | 2,763 units |
| New Accessory Dwelling Units (ADUs) (25 per year) | 200 units |
| Existing Projects | 75 units |
| Total | 3,038 units |

This adjustment shows that thes projected development of 3,038 dwelling units can be compared to the required 1,993 housing units plus 15 percent buffer (2,292 units). The projected housing development under the 20-year General Plan is therefore 746 housing units greater than the expected need for the eight-year Housing Element need. As a result, the following information is provided for discussion and consideration for potential modifications that would reduce the development potential of the Draft 2040 General Plan, if desired.

Potential reductions in housing development capacity:

- Revert Low Density Housing designation housing density back to the existing 2020 General Plan level: 279 units;
- Revert Medium Density Housing designation housing density back to the existing 2020 General Plan level: 327 units;
- Remove housing from Office and Service Commercial designations: 313 units;
- Revert properties in the new Community Commercial designation back to Neighborhood Commercial: 58 units;
- Reduce the allowed density in the Mixed-Use designation from 40 dwelling units per acre to 30 dwelling units per acre: 255 units;
- Reduce the allowed density in the High Density Residential designation from 40 dwelling units per acre to 30 dwelling units per acre: 111 units.

C. Community Engagement

Much of the public meetings and engagement activities of this process are listed in the Background section of this report. In response to a request from a Council Member, staff

DISCUSSION (continued):

has compiled some data to illustrate the efforts that the Town has employed to reach out to the community for input:

- 110 newspaper ads published about the General Plan update;
- 433 social media posts across five platforms;
- 17,320 notice cards sent to all residents in Town for 2021 Community Meeting;
- 26 pop-up tables at farmers market, library, or public events;
- 7 presentations at community group meetings;
- 369 sign-ups to receive email notifications about the General Plan update;
- 538 unique searches for "Los Gatos General Plan Update" or closely related in Google; and
- 29,343 unique visitors to the Los Gatos General Update website since June 2021. Of the unique visitors, 92 percent originated in the United States.

D. Missing Middle Housing

In the Draft 2040 General Plan the term Missing Middle Housing is defined as, "a term used to describe multiple units on a single parcel (whether attached or detached) that are compatible in scale and form with detached single-family homes. Common housing types include: duplexes; triplexes; fourplexes; courtyard apartments; cottage courts; townhomes; triplex stacked (vertical); and live-work spaces."

In response to direction from Town Council, the following alternative definitions of Missing Middle Housing are provided for consideration:

- Missing Middle Housing is a range of house-scale buildings with multiple units - compatible in scale and form with detached single-family homes - located in a walkable neighborhood. (missingmiddlehoususing.com)
- "Missing middle housing" refers to small-scale multi-family housing that can range from duplexes to townhouses to smaller apartment buildings that are compatible with walkable neighborhoods. Dan Parolek of Opticos Design coined the term "missing middle" in 2010 and created this website (missingmiddlehousing.com) to explain the term, provide basics about the market, describe its characteristics, and provide guidance for creating middle housing. (abag.ca.gov)
- Missing middle housing describes a range of multi-family or clustered housing types that are compatible in scale with single-family or transitional neighborhoods. Missing middle housing is intended to meet the demand for walkable neighborhoods, respond to changing demographics, and provide housing at different price points. The term "missing middle" is meant to describe housing types that were common in the pre-WWII United States such as duplexes, rowhomes, and courtyard apartments, but are now less common and, therefore, "missing." Rather than focusing on the number of units in a

DISCUSSION (continued):

> structure, missing middle housing emphasizes scale and heights that are appropriate for single-family neighborhoods or transitional neighborhoods. After the introduction of the term in 2010, the concept has been applied in the United States, Canada, and Australia. (wikipedia.org)

In addition to consideration of potential modifications to the definition of Missing Middle Housing, any discussion of reducing the housing density allowed in the Low Density Residential designations should include a discussion of the removal of this concept from the Draft 2040 General Plan, given that the density changes in these areas are the factor that would allow for potential Missing Middle Housing.

E. Senate Bill 9

California Senate Bill 9 (SB 9) requires ministerial (staff-level) approval of certain housing development projects and lot splits on a single-family zoned parcel. SB 9 was passed by the California Legislature on September 1, 2021, signed into law by Governor Newsom on September 16, 2021, and took effect January 1, 2022.

On December 21, 2021, Town Council adopted an Urgency Ordinance to implement SB 9 with local objective standards, and on February 1, 2022, Town Council adopted an extension of that Urgency Ordinance. A permanent ordinance will be adopted before the end of the year.

While there is potential that the new residential units that will be created as a result of SB 9 can be counted toward meeting the required housing units, at the time of the preparation of this report, only one application has been received under the SB 9 regulations, and so there are no data at this time to support specific housing production under this program.

F. Plan Timeframe

The development of the Draft 2040 General Plan was based on a 20-year timeframe as stated in the consultant contract, approved by Town Council in June, 2018. However, the Draft 2040 General Plan also includes Land Use Implementation Program J:

> **Ten-year General Plan Review**
> The Town shall conduct a thorough review of the General Plan every ten years from the date of final approval, and revise and update as necessary. This review can include the following:
> - Modify, add, or delete goals, policies, or programs to reflect notable changes in the Town over the previous period;

DISCUSSION (continued):

- Remove or modify programs that have been completed or require additional time;
- Modify or add new goals, policies, or programs to reflect changing needs within the Town; and
- Modify to reflect applicable changes in State law.

Staff suggests an additional Implementation Program to review the Land Use Element every five years and include a fiscal analysis, as noted in Exhibit 7.

G. Declining California Population

In response to a request from a Council Member, staff has looked into recent news articles that state that California's population has estimated to have fallen over the last two years. Population estimates from the U.S. Census are in the following table:

| California | | | Santa Clara County | | |
|---|---|---|---|---|---|
| Year | Population estimate | Percent Change | Year | Population estimate | Percent Change |
| July 1, 2019 | 39,512,223 | | July 1, 2019 | 1,927,852 | |
| July 1, 2020 | 39,499,738 | -0.316 | July 1, 2020 | 1,930,598 | +0.142 |
| July 1, 2021 | 39,237,836 | -0.665 | July 1, 2021 | 1,885,508 | -2.33 |
| 2022 | Not available | | 2022 | Not available | |

When looking at changes over these three years, especially with ongoing changes in the status of the COVID-19 Pandemic, it is difficult to determine if these are indications of new trends or if the changes are temporary.

H. Suggestions From Public Comments

Many of the verbal and written comments received on this Draft 2040 General Plan have been supportive of the proposed changes especially on the following topics:

- Environmental protection and sustainability, including plant-based eating;
- Diverse housing types, including increased density, affordable housing, and Missing Middle Housing, so that people who work here can live here;
- Racial equity and inclusivity;
- Non-auto related mobility and decreases in VMT; and
- Emergency preparedness, especially for wildfires.

However, the Planning Commission may consider including changes as part of their recommendation on the Draft 2040 General Plan to Town Council. The Planning

DISCUSSION (continued):

Commission may consider changes recommended in this report, from public comments, and/or from its own review and deliberation.

To assist in this discussion, the written public comments on the Draft 2040 General Plan received between 11:01 a.m. on Thursday, May 6, 2021 (final GPAC meeting) and 11:00 a.m. on Monday, September 20, 2021, were provided with the September 20, 2021 Joint Town Council and Planning Commission Study Session Staff Report materials, and are provided again here as Exhibit 9. Written comments received on the Draft EIR are included, with responses to comments, in the Final EIR, as noted above. All written public comments on the Draft 2040 General Plan received between 11:01 a.m. on Monday, September 20, 2021, and 11:00 a.m. on Thursday, April 7, 2022, are included as Exhibit 10 to this staff report.

The comments generally fall into numerous categories, including:

- Policy on plant-based diets is not enough to ensure education on health and environmental benefits;
- Objections to the number of new housing units, and why it is over the RHNA requirement;
- Traffic, parking, and infrastructure impacts of additional housing;
- Adequacy of utilities (water and electricity) for additional housing;
- Impacts on schools from additional housing;
- People won't actually use alternative modes of transportation;
- Safety in the case of wildfires, including impacts on evacuations;
- Impacts on public safety from additional housing;
- Lack of citizen input in this plan and in future development;
- Air quality impacts from additional residents;
- Impacts on local businesses from traffic congestion;
- Impacts on quality of life of current residents;
- Increased density in Low Density Residential areas to allow duplexes, triplexes, and fourplexes;
- More housing will be built than is estimated in the buildout table;
- Not enough housing will actually get built;
- Plan is too vague and should be more detailed;
- Lack of mass transit in Town;
- Choice to not appeal RHNA number;
- Protection of views of the hills;
- Should Council make the decision, or should it be made by the voters; and
- Allow more density and height and less parking to encourage affordable housing and mixed-use developments.

DISCUSSION (continued):

The specific suggestions received were so numerous that they have been compiled in Exhibit 7 and numbered with staff comments and recommendations for each shown in *italics* for ease of discussion and reference.

I. Safety Element Review by Board of Forestry

State Law requires that any General Plan or Housing Element update conducted after January 1, 2014, include review and update of the Safety Element to address the risk of fire for land classified as very high fire hazard severity zones (VHFHSZ's) [Gov. Code, § 65302, subd. (g)(3)]. This review by CalFire must be conducted prior to adoption of those updated Elements. As a result, once the Draft 2040 General Plan was published for review in June 2021, CalFire staff reviewed the three Elements that contain applicable policies: the Community Design Element; the Public Facilities, Services, and Infrastructure Element; and the Hazards and Safety Element. As a result of this review, modifications were required by CalFire. The changes are summarized in Exhibit 7 and the affected pages of these three Elements are included as Exhibit 8, with changes shown in ~~strike through~~ and underlined.

California Board of Forestry reviewed the Draft 2040 General Plan with modifications recommended by CalFire staff and recommended approval on November 2, 2021.

J. Additional Staff Recommended Changes

In addition to the potential changes identified earlier in this report by the GPAC and staff, suggested by the public, and requested by CalFire, Town staff from the Parks and Public Works Department has several additional recommended changes for consideration before adoption of the 2040 General Plan. These are listed in Exhibit 7.

ENVIRONMENTAL REVIEW:

A Notice of Completion and Availability of the Draft EIR (previously provided and referenced here as Exhibit 2) for the project was circulated for 45 days commencing on July 30, 2021, and concluding on September 13, 2021 at 5:00 p.m. Written comments were received by the Community Development Department. A Planning Commission public hearing to receive oral comments was held during the review period on September 8, 2021.

During the review of commentary and the preparation of the Final EIR, the Town became aware of a procedural error in the original Notice of Completion and Availability and also noted that Appendix C erroneously included a draft rather than a final Transportation Analysis.

Additionally, Chapter 4.15, Transportation, of the EIR was revised to elaborate on transit impacts and cumulative VMT impacts. Even though the content changes were minor, the Town

ENVIRONMENTAL REVIEW (continued):

believed to provide maximum clarity, it was important to recirculate the Transportation Analysis of the Draft EIR and its Appendix, as well as the Executive Summary which includes a summary of transportation impacts (previously provided and referenced here as Exhibit 3). Accordingly, the Town of Los Gatos reissued the Notice of Completion and Availability of the Draft EIR, and formally recirculated Chapter 4.15, Transportation and Appendix C, Transportation Analysis for the Draft EIR, as well as the Executive Summary.

The reopened public review period ran from Friday, November 19, 2021, to at 5:00 p.m. on Friday, January 7, 2022. A public hearing to receive comments on the revised Draft EIR was held on December 8, 2021. During this additional 45-day public review period, written comments were received and are included, along with response to all comments from the initial comment period, in the Final EIR (previously provided and referenced here as Exhibit 3).

The analysis of the Draft EIR identified significant and potentially significant impacts in the following environmental issue areas:

- Air Quality;
- Cultural Resources;
- Geology and Soils;
- Greenhouse Gas Emissions;
- Noise; and
- Transportation.

Mitigation measures are proposed in all of these subject areas. Not all of the potential impacts could be mitigated to a less than significant level and therefore, the following topic areas were found to have significant unavoidable impacts: Greenhouse Gas Emissions; and Transportation.

When the Lead Agency finds that there are impacts that are significant and unavoidable, CEQA requires preparation of Findings of Fact and a Statement of Overriding Considerations (Exhibit 5). The Planning Commission should make a recommendation on the Final EIR to the Town Council who is the deciding body on both the Final EIR and the Draft 2040 General Plan.

PUBLIC COMMENTS:

Written comments received between 11:01 a.m., Thursday, May 6, 2021, and 11:00 a.m., Monday, September 20, 2021, were provided with the written staff report materials for the September 20, 2021 Town Council and Planning Commission Joint Study Session, and are provided again here as Exhibit 9. Written comments received on the Draft EIR are included, with responses to comments, in the Final EIR, as noted above. Written comments received between 11:01 a.m., Monday, September 20, 2021, and 11:00 a.m., Thursday, April 7, 2022, are included as Exhibit 10.

CONCLUSION:

The 2040 Draft General Plan is a result of the Town Council's direction to update the existing 2020 General Plan to address emerging trends and recent State laws, and consider new issues relevant to the Town.

Over the course of two and a half years and 35 meetings, the GPAC worked with staff and the consultant to create an updated General Plan. The GPAC reviewed each General Plan Element to ensure a forward-looking document that is consistent and accessible. Each Element was considered over multiple meetings (between two and five GPAC meetings per Element) with the GPAC providing comments to staff and the consultant, and then further review and direction on the implementation of those comments in a revised draft of each Element. The Draft 2040 General Plan is the result of this extensive work and outreach.

All additional comments received on the Draft 2040 General Plan are included as Exhibits 8 and 9. The Final EIR, which includes all comments received on the Draft EIR as well as the responses to the comments and any changes to the EIR is referenced as Exhibit 4.

In conclusion, based on the GPAC's recommendation, staff recommends that the Planning Commission:

- Received and consider public comments;
- Complete the review of the Draft 2040 General Plan;
- Consider the Final EIR;
- Provide input on any additional recommended modifications to the Draft 2040 General Plan; and
- Forward the Draft 2040 General Plan and Final EIR to the Town Council with a recommendation to approve the Draft 2040 General Plan and certify the Final EIR.

NEXT STEPS:

The final step in the General Plan update process is consideration by Town Council of the Draft 2040 General Plan and Final EIR, including consideration of recommendations from the GPAC and Planning Commission, and additional comments from the public.

EXHIBITS:

Exhibits previously provided (available online here: http://losgatos2040.com/documents.html):

1. Draft 2040 General Plan
2. Draft EIR
3. Revised NOA and Transportation section
4. Final EIR

EXHIBITS (continued):

Exhibits received with this report:

5. Draft Findings of Fact and Statement of Overriding Considerations
6. GPAC Recommended Changes to the Vision and Guiding Principles
7. Modifications Proposed in Public Comment
8. Board of Forestry Recommended Changes
9. Public Comments received between 11:01 a.m., Thursday, May 6, 2021, and 11:00 a.m. Monday, September 20, 2021
10. Public Comments received between 11:01 a.m., Monday, September 20, 2021, and 11:00 a.m. on Thursday, April 7, 2022



# 2040 General Plan

## Draft Findings of Fact and Statement of Overriding Considerations


*prepared by*

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**March 2022**

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# 1 Introduction

A Draft Environmental Impact Report (Draft EIR) was prepared for the 2040 General Plan (project), was made available for public review on July 30, 2021, and was distributed to local and State agencies. Copies of the Notice of Availability of the Draft EIR were mailed to a list of interested parties, groups, and public agencies. The Draft EIR and an announcement of its availability were posted electronically on the Town's website, and a paper copy was available for public review at the Los Gatos Public Library. The Notice of Availability of the Draft EIR was also posted at the office of the Santa Clara County Clerk.

After the close of the first comment period on the Draft EIR, the Town became aware of a procedural error in the original Notice of Completion and Availability and noted that Appendix C erroneously included a draft rather than a final Transportation Analysis. The Town reopened the public comment period on the Draft EIR for an additional 45-day period and provided an updated Notice of Availability with the statutory language required under California Environmental Quality Act (CEQA) Guidelines section 15087. As part of this reopened comment period, Chapter 4.15, *Transportation*, of the Draft EIR was revised to elaborate on transit impacts and cumulative Vehicle Miles Traveled (VMT) impacts. The Town recirculated the revised Transportation section and its Appendix, as well as the Executive Summary which includes a summary of transportation impacts. No other sections of the Draft EIR were revised. This second comment period extended from November 15, 2021, to January 7, 2022.

After close of the Recirculated Draft EIR public review and comment period, a Final EIR consisting of responses to comments and changes to the Draft EIR was completed, which was released to the public on March_____, 2022. The Planning Commission held a public hearing on _____, 2022, and prepared a recommendation to the Town Council regarding certification of the Final EIR and action on the project, and the Town Council held a public hearing on _____ and determined to certify the Final EIR and to approve the project.

The Findings of Fact (Findings) and Statement of Overriding Considerations (SOC) presented herein address the environmental effects associated with the project that are described and analyzed within the Final EIR, reflecting the Council's determinations about feasible mitigation measures, the adequacy of the Final EIR, and about the project. These Findings have been made pursuant to CEQA (California Public Resources Code Section 21000 et seq.), specifically Public Resources code Section 21081 and 21081.6, as well as the CEQA Guidelines (14 CCR 15000 et seq.) Sections 15091 and 15093.

Public Resources Code Section 21081 and CEQA Guidelines Section 15091 require that the Town of Los Gatos (Town) as the Lead Agency for this project, prepare written findings for any identified significant environmental effects along with a brief explanation of the rationale for each finding. Specific findings under CEQA Guidelines Section 15091(a) are:

(1) Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effects as identified in the Final EIR.

(2) Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.

(3) Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the Final EIR.

Further, in accordance with Public Resources Code Section 21081 and CEQA Guidelines Section 15093, whenever significant effects cannot be mitigated to below a level of significance, the Town as the decision-making agency is required to balance, as applicable, the benefits of the project against its unavoidable environmental risks when determining whether to approve the project. If the benefits of a project outweigh the unavoidable adverse environmental effects, the adverse effects may be considered "acceptable," in which case the Lead Agency must adopt a formal SOC.

The Final EIR identified potentially significant environmental effects that could result from the project, but could be reduced to a less-than-significant level through implementation of mitigation measures. Those effects were related to air quality (impacts related to construction air pollutants and odors), cultural and tribal cultural resources (potential for impacts on previously unidentified historical and archaeological resources), geology and soils (potential for a paleontological impacts), and noise (impacts related to project construction noise and vibration). A significant and unavoidable (unmitigable) cumulative impact associated with greenhouse gas emissions and transportation (impacts related to transit and VMT) were identified due to lack of feasible mitigation measures, and thus a SOC is required.

# 2 Project Description

The 2040 General Plan is a comprehensive update of the Town's 2020 General Plan and establishes the community's vision for future development of the Town over the next 20 years. As part of the General Plan update process, the 2040 General Plan has been reorganized and reformatted, with updated goals and policies that reflect the community's vision of Los Gatos. The Town's General Plan Land Use Map has also been updated to reflect the community's vision and three themes that thread through the 2040 General Plan: growth management; sustainability and resiliency; and community health and well-being.

State law (Government Code Sections 65300 through 65303.4) sets forth the requirement for each municipality to adopt and periodically update its General Plan and sets the requirement that a General Plan include the following eight mandatory subject areas, or "elements": Land Use; Circulation; Housing; Open Space; Conservation; Noise; Safety; and Environmental Justice. State law also allows for optional elements that can be organized or combined at the Town's discretion. As described below, the 2040 General Plan has been organized into the following eight updated elements: Community Design; Environment and Sustainability; Hazards and Safety; Land Use; Mobility; Open Space, Parks, and Recreation; Public Facilities, Services, and Infrastructure; and Racial, Social, and Environmental Justice. Together, these elements, along with the 2015-2023 Housing Element, cover all topics required to be included in a General Plan under State law, as described above. Each element describes the existing conditions and context for its related topic areas, followed by goals, policies, and implementation programs to guide the Town's management and development through 2040.

The 2040 General Plan would emphasize infill and reuse development within the Town limits with a focus on increasing opportunities for housing development in key areas of the Town through increased density and mixed-use projects where appropriate. New development would occur primarily where existing roads, water, and sewer are in place and in a manner that would minimize the impact of development on existing infrastructure and services.

The 2040 General Plan also provides the policy framework to guide future development toward land uses that support walking and biking. The 2040 General Plan places a greater emphasis on reestablishing more complete neighborhood areas that meet the daily needs of residents to be located within a one-mile distance. Focus areas for growth in Los Gatos, called Community Place Districts, include Pollard Road,

Winchester Boulevard, Lark Avenue, Los Gatos Boulevard, Union Avenue, Harwood Road, North Santa Cruz Avenue, and Downtown.

# 3 Project Objectives

The 2040 General Plan presents a vision for the future of Los Gatos and a set of guiding principles for how the Town will achieve that vision. This vision and guiding principles capture the Town's key values and aspirations for the future. They reflect the collective ideas from community members and Town leaders that provided input to help shape the 2040 General Plan.

Among the central objectives of the 2040 General Plan are to achieve the Regional Housing Needs Allocation (RHNA) goal of approximately 2,000 dwelling units developed by the Association of Bay Area Governments additional. Accordingly, Los Gatos used the RHNA numbers as a predictor of the housing needed to meet future demands. This focused the Town to reevaluate and plan for a more diverse housing mix for a changing population. Proactively planning for the anticipated land use changes and ensuring growth is sustainable over the next 20 years is a priority of this General Plan and the community.

The 2040 General Plan vision for the future is as follows:

> *The Town of Los Gatos is a welcoming, family-oriented, and safe community nestled in the beautiful foothills of the Santa Cruz Mountains. The Town is a sustainable community that takes pride in its small-town character and provides a range of housing opportunities, historic neighborhoods, local culture and arts, excellent schools, and a lively and accessible downtown. Los Gatos offers a choice of mobility options, superior public facilities and services, and an open and responsive local government that is fiscally sound. Los Gatos has a dynamic and thriving economy that includes a mix of businesses throughout Town that serves all residents, workers, and visitors.*

The 2040 General Plan guiding principles are contained in the 2040 General Plan Introduction and listed below:

- **Community Vitality.** Invigorate downtown Los Gatos as a special place for community gathering, commerce, and other activities for residents and visitors. Foster the economic vitality of all Los Gatos business locations. Preserve and enhance the Town's historic resources and character while guiding the community into the future.
- **Diverse Neighborhoods.** Foster appropriate investments to maintain and enhance diverse neighborhoods, housing opportunities, and infrastructure to meet the needs of all current and future residents.
- **Fiscal Stability / Responsibility.** Provide high quality municipal services to the Los Gatos community while sustaining the Town's long-term fiscal health.
- **Government Transparency.** Conduct governmental processes in an open manner and encourage public involvement in Town governance.
- **Inclusivity.** Recognize the importance of and promote ethnic, cultural, and socio-economic diversity and equity to enhance the quality of life in Los Gatos.
- **Mobility.** Provide a well-connected transportation system that enables safe access for all transportation modes, including pedestrians, bicyclists, motorists, and transit riders of all ages and abilities.

- **Promote Public Safety.** Maintain and enhance Los Gatos as a safe community through preparation and planning, education, and community design that is responsive to the full range of potential natural and man-made hazards and safety issues.
- **Protect Natural Resources.** Protect the natural resources and scenic assets that define Los Gatos, including open space preserves, recreational trails, surrounding hillsides, and natural waterways.
- **Sustainability.** Manage, conserve, and preserve Los Gatos' natural environment for present and future generations. Identify and provide opportunities to enhance the Town' s sustainability policies and practices.

These objectives have been considered in preparing the findings and statement of overriding considerations contained herein.

# 4 Findings of Fact

Having received, reviewed, and considered the information in the Final EIR for this project, as well as the supporting administrative record, the Town of Los Gatos makes findings pursuant to, and in accordance with, Sections 21081, 21081.5, and 21081.6 of the Public Resources Code.

## 4.1 Environmental Effects Found Not to be Significant

Through project scoping and the environmental analysis contained within the Final EIR, it was determined that the project would not result in potentially significant effects on the environment with respect to aesthetics, agricultural and forestry resources, energy, hazards and hazardous materials, hydrology and water quality, land use and planning, mineral resources, population and housing, public services, recreation, utilities and service systems, and wildfire. No further findings are required for these subject areas.

## 4.2 Findings for Significant but Mitigated Effects

The following findings are hereby made by the Town of Los Gatos Town Council for the significant environmental effects identified in the EIR related to air quality (impacts related to construction air pollutants and odors), cultural resources (potential for impacts on previously unidentified historical and archaeological resources), geology and soils (potential for a paleontological impacts), and noise (impacts related to project construction noise and vibration).

### *Air Quality*

**Impact AQ-2:** Development facilitated by the 2040 General Plan would result in the temporary generation of air pollutants during construction, which may contribute to existing air quality violations in the Basin. Therefore, impacts would be less than significant with mitigation.

**Mitigation Measure:**

Pursuant to CEQA Guidelines Section 15091, the following mitigation measure has been included in a mitigation monitoring and reporting program (MMRP) that is to be adopted concurrently with these findings.

**AQ-1** **Construction Emissions Reductions.** New discretionary projects in the General Plan Area that exceed the construction screening criteria of the Bay Area Air Quality Management District (BAAQMD) shall be conditioned to reduce construction emissions of reactive organic gases, nitrogen oxides, and particulate matter ($PM_{10}$ and $PM_{2.5}$) by implementing the BAAQMD's Basic Construction Mitigation Measures (described below) or equivalent, expanded, or modified measures based on project and site-specific conditions.

Basic Construction Mitigation Measures:

1. All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day, with priority given to the use of recycled water for this activity when feasible.
2. All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
3. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping shall be prohibited.
4. All vehicle speeds on unpaved roads shall be limited to 15 mph.
5. All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
6. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.
7. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified visible emissions evaluator.

A publicly visible sign shall be posted with the telephone number and person to contact at the Lead Agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.

**Finding:**

Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effects as identified in the Final EIR. (*Section 15091(a)(1)*). Impacts would be less than significant with implementation of Mitigation Measure AQ-1 to require the BAAQMD Basic Construction Measures for all projects.

**Impact AQ-4:** The light industrial development allowed in the 2040 General Plan may create objectionable odors that could affect a substantial number of people. Impacts related to odors would be less than significant with mitigation.

**Mitigation Measure:**

Pursuant to CEQA Guidelines Section 15091, the following mitigation measure has been included in a MMRP that is to be adopted concurrently with these findings.

**AQ-2** **AQ-2 Odor Reduction.** Land Use Element Policy LU-11.5 Industrial Compatibility shall be updated in the 2040 General Plan to read:

*Require that industrial projects be designed to limit the impact of truck traffic, air, odor, and noise pollution on adjacent sensitive land uses.*

**Finding:**

Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effects as identified in the Final EIR. (*Section 15091(a)(1)*). Impacts would be less than significant with implementation of Mitigation Measure AQ-2 to update General Plan Policy LU-11.5 to include limitation of odors.

## *Cultural and Tribal Cultural Resources*

**Impact CUL-1:** Development facilitated by the 2040 General Plan would have the potential to impact historical resources and unique archaeological resources. Impacts would be potentially significant but mitigable.

**Mitigation Measure:**

Pursuant to CEQA Guidelines Section 15091, the following mitigation measure has been included in a MMRP that is to be adopted concurrently with these findings.

**CR-1** **Cultural Resources Study Implementation.** If a project requires activities that have the potential to impact cultural resources, the Town shall require the project applicant or proponent to retain a qualified archaeologist meeting the Secretary of the Interior's (SOI) Professional Qualification Standards (PQS) in archaeology and/or an architectural historian meeting the SOI PQS standards in architectural history to complete a Phase 1 cultural resources inventory of the project site (NPS 1983). A Phase 1 cultural resources inventory shall include a pedestrian survey of the project site and sufficient background archival research and field sampling to determine whether subsurface prehistoric or historic remains may be present. Archival research shall include a records search conducted at the Northwest Information Center (NWIC) and a Sacred Lands File (SLF) search conducted with the Native American Heritage Commission (NAHC). The technical report documenting the Phase 1 cultural resources inventory shall include recommendations to avoid or reduce impacts to cultural resources. These recommendations shall be implemented and incorporated in the project.

**Finding:**

Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effects as identified in the Final EIR. (*Section 15091(a)(1)*). The implementation of Mitigation Measure CR-1 would reduce impacts to historical and unique archeological resources to a less than significant level by requiring cultural resource studies for projects within the Town and SOI and implementation of further requirements to avoid or reduce impacts to such resources on a project-by-project basis.

## *Geology and Soils*

**Impact GEO-5:** Development facilitated by the 2040 General Plan has the potential to result in impacts to paleontological resources. Impacts would be less than significant with mitigation incorporated.

**Mitigation Measure:**

Pursuant to CEQA Guidelines Section 15091, the following mitigation measure has been included in a MMRP that is to be adopted concurrently with these findings.

**GEO-1** **Paleontological Resource Studies.** The Town shall require paleontological resource studies for projects that involve ground disturbance in project areas mapped as high paleontological sensitivity at the surface or subsurface determined through environmental review. Additionally, in the event that a paleontological resource is disclosed, construction activities in the area shall be suspended, a qualified paleontologist shall be retained to examine the site, and protective measures shall be implemented to protect the paleontological resource.

**Finding:**

Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effects as identified in the Final EIR. (*Section 15091(a)(1)*). Compliance with Mitigation Measure GEO-1 and the 2040 General Plan goals and policies would ensure that construction impacts related to paleontological resources and unique geologic features would be less than significant.

## *Noise*

**Impact N-1:** Construction of individual projects facilitated by the 2040 General Plan would temporarily generate increased noise levels, potentially affecting nearby noise-sensitive land uses. Provisions in the Los Gatos Town Code and 2040 General Plan policies would limit noise disturbance to the extent feasible. Construction noise may still exceed noise standards temporarily, but exceedances would not be substantial and impacts would be less than significant with mitigation.

**Mitigation Measure:**

Pursuant to CEQA Guidelines Section 15091, the following mitigation measure has been included in a MMRP that is to be adopted concurrently with these findings.

**N-1** **Construction Noise Reduction.** For projects involving construction equipment that are located within 25 feet of noise-sensitive receptors the following mitigation would be required:

- **Equipment Staging Areas.** Equipment staging shall be located in areas that will create the greatest distance feasible between construction-related noise sources and noise-sensitive receptors.
- **Electrically-Powered Tools and Facilities.** Electrical power shall be used to run air compressors and similar power tools and to power any temporary structures, such as construction trailers or caretaker facilities.
- **Smart Back-up Alarms.** Mobile construction equipment shall have smart back-up alarms that automatically adjust the sound level of the alarm in response to ambient noise levels. Alternatively, back-up alarms shall be disabled and replaced with human spotters to ensure safety when mobile construction equipment is moving in the reverse direction.
- **Additional Noise Attenuation Techniques.** During the clearing, earth moving, grading, and foundation/conditioning phases of construction, temporary sound barriers shall be installed and maintained between the construction site and the sensitive receptors. Temporary sound barriers shall consist of sound blankets affixed

to construction fencing or temporary solid walls along all sides of the construction site boundary facing potentially sensitive receptors.

**Finding:**

Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effects as identified in the Final EIR. (*Section 15091(a)(1)*). N-1 would reduce construction noise. Combined with Los Gatos Town Code requirements, which requires most construction noise to be below 85 dBA and occur during daytime, when most people are awake or away from residences at work, impacts would be reduced to less than significant.

**Impact N-3:** Construction of individual projects facilitated by the 2040 General Plan could temporarily generate groundborne vibration, potentially affecting nearby land uses. Compliance with the Los Gatos Town Code would limit vibration disturbance on residential receptors and hotels where sleeping receptors could be present. Impacts would be potentially significant but mitigable.

**Mitigation Measure:**

Pursuant to CEQA Guidelines Section 15091, the following mitigation measure has been included in a MMRP that is to be adopted concurrently with these findings.

**N-2** **Construction Vibration Reduction.** The Town shall include the following measures as standard conditions of approval for applicable projects involving construction to minimize exposure to construction vibration:

1. Avoid the use of vibratory rollers (i.e., compactors) within 50 feet of buildings that are susceptible to damage from vibration.
2. Schedule construction activities with the highest potential to produce vibration to hours with the least potential to affect nearby institutional, educational, and office uses that the Federal Transit Administration identifies as sensitive to daytime vibration (FTA 2006).
3. Notify neighbors of scheduled construction activities that would generate vibration.

**Finding:**

Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effects as identified in the Final EIR. (*Section 15091(a)(1)*). Implementation of Mitigation Measure N-2 would reduce potential impacts to a less than significant level.

# 4.3 Findings for Significant and Unavoidable Effects

Public Resources Code 21081and 21081.5, and CEQA Guidelines Section 15093, require that the Town of Los Gatos balance the economic, legal, social, technological, or other benefits of a proposed project against its unavoidable environmental effects when determining to approve a project. And if specific economic, legal, social, technological, or other benefits outweigh the unavoidable adverse environmental effects, the adverse effects may be considered "acceptable."

A project's environmental impacts are "cumulatively considerable" if the "incremental effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects" (CEQA Guidelines Section 15065[a][3]). Significant and unavoidable impacts associated with greenhouse gas emissions and

transportation (impacts related to transit and VMT) were identified for the project. The following findings and statement of overriding considerations outlines the specific reasons to support the Town of Los Gatos recommendation for approval of the project.

## *Greenhouse Gas Emissions*

**Significant and Unavoidable Cumulative Impact GHG-1:** Implementation of 2040 General Plan would generate annual GHG emissions of approximately 323,446 MT of $CO_2e$ per year, or 5.29 MT of $CO_2e$ per service person per year, in 2040. This would exceed the 2040 efficiency threshold of 1.02 MT of $CO_2e$ per service person per year. Even with implementation of mitigation, GHG emissions would not be reduced to below the efficiency threshold. Therefore, impacts would be significant and unavoidable.

**Mitigation Measure:**

**GHG-1** **Implement Community GHG Emissions Reduction Measures.** Los Gatos shall implement the following GHG emissions reduction measures by sector:

### ENERGY (EN)

- **Measure EN1: Adopt an ordinance requiring new commercial construction to be all-electric or otherwise operationally carbon neutral by 2025:** Adopt a new building ordinance which bans the installation of natural gas in new commercial construction by 2025 and requires new commercial buildings to install all-electric equipment or otherwise be operationally carbon neutral. Support this action by conducting outreach and education to local developers about the benefits and resources associated with building carbon neutral buildings.
- **Measure EN2: Identify and partner with stakeholders to conduct electrification outreach, promotion, and education**: Leverage partnerships with stakeholders to conduct outreach, promotion, and education around new and existing building electrification.
- **Measure EN3: Develop a Community-wide Existing Residential Building Electrification Plan (EBEP):** Support community-wide existing building electrification through the development of an EBEP that addresses the feasibility, timeline, equity concerns, local stakeholder involvement, costs, funding pathways, and implementation for electrifying existing residential buildings in Los Gatos.
- **Measure EN4: Electrify existing residential buildings beginning in 2023:** Adopt an electrification ordinance for existing residential buildings to transition natural gas to electric in two phases, to be implemented through the building permit process:
    - Phase I: Limit expansion of natural gas lines in existing buildings by 2023.
    - Phase II: Require HVAC system replacements and hot water heaters replacements to be all-electric by 2023.
- **Measure EN5: Identify and partner with stakeholders to develop resident-level funding pathways for implementing an electrification ordinance:** Leverage partnerships with stakeholders and establish funding pathways to ease community members' costs when complying with the electrification ordinance, including:
    - Pass a transfer tax ordinance and provide a rebate for electric panels and/or other upgrades; and
    - Partner with PG&E, SVCE, and/or other stakeholders to create or expand electrification/retrofit programs and incentives, especially for low-income residents. These could include the PACE program, PG&E's low-income weatherization. program, tariffed on-bill financing, metered energy efficiency, or others.

- **Measure EN6: Decarbonize municipal buildings by 2040:** Adopt a municipal building energy decarbonization plan to decarbonize municipal building energy operations by 2040. This plan would include a new building electrification policy as well as an existing building natural gas phase-out policy.
- **Measure EN7: Coordinate with stakeholders to provide local energy generation support and incentives for the community:** Partner with PG&E, SVCE, and/or other stakeholders to support and incentivize local on-site energy generation and storage resources within the community.
- **Measure EN8: Develop an EV Readiness Plan to Support Installation of 794 Chargers by 2030:** Develop an EV Readiness Plan that supports the installation of 794 chargers (at least 160 of which would be public chargers) and a 30 percent EV share of registered passenger vehicles in Los Gatos by 2030. This plan should establish a path forward to increase EV infrastructure within the Town, promote equitable mode shift to EVs, and identify funding for implementation of public charging infrastructure in key locations. In conjunction with an EV Readiness Plan, conduct a community EV Feasibility Study to assess infrastructure needs and challenges, particularly in frontline communities.
- **Measure EN9: Increase privately owned EV charging infrastructure:** Amend the Town's Building Code and Local Reach Code to require the following:
  - EV capable attached private garages for new single-family and duplex residential development;
  - 20 percent EV capable charging spaces and panel capacity for new multi-family residential development;
  - 20 percent EV capable charging spaces for new commercial development; and
  - At least 1 percent working chargers for all new development and major retrofits.
- **Measure EN10: Increase Town-owned and publicly accessible EV charging infrastructure:** Work with public and private partners to ensure there are sufficient publicly accessible DCFC and Level 2 EV chargers around the Town by 2030, with a focus on providing access to low-income households and affordable housing. Install new publicly accessible EV chargers at Town-owned facilities. Develop and implement a fee for use of Town-owned chargers to encourage efficient use and turnover, especially for those without home charging capability.
- **Measure EN11: Identify and partner with stakeholders to develop EV-related rebates:** Investigate partnerships with public and private partners for rebates on at-home electric circuits, panel upgrades, and Level 2 chargers, with a focus on supporting EV purchases for low-income households in frontline communities.
- **Measure EN12: Encourage EV adoption and infrastructure improvements:** Conduct outreach, promotion, and education to encourage EV adoption and infrastructure improvements. This would include the following:
  - Providing education and outreach to the community on the benefits of ZEVs, availability of public charging, and relevant rebates and incentives available for businesses and residents; and
  - Working with major employers to provide EV charging for employees and encourage EV adoption among employees.

### TRANSPORTATION (TR)

- **Measure TR1: Implement Full Recommended Buildout of the Bicycle and Pedestrian Master Plan (BPMP):** Fully implement the BPMP and add 23.2 new miles of bike network by 2035 to achieve 6 percent bicycle mode share by 2035.

- **Measure TR2: Identify and partner with stakeholders to conduct outreach, promotion, and education:** Leverage partnerships with stakeholders to conduct ongoing outreach, promotion, and education around active transportation in Los Gatos. This could include:
    - Establishing Town-wide events or programs that promote active transportation in the community;
    - Regularly updating the Town's Bicycle and Pedestrian Network Map and sharing through Town and stakeholder partnership platforms;
    - Supporting local bike groups in hosting workshops and classes on bike riding, safety, and maintenance by certified instructors;
    - Instituting car-free days downtown, potentially coupled with other large and regular events; or
    - Consolidating a list of local employer-provided bicycle parking, lockers, showers, and incentives as a demonstration tool for other interested employers.
- **Measure TR3: Facilitate a bike share program:** Conduct a bike share pilot program and facilitate full implementation of a bike share program within the Town.
- **Measure TR4: Establish parking meter rates and invest in transportation improvements:** Establish parking meter rates, considering dynamic parking pricing in the downtown area. Allocate a designated portion of paid parking revenue to investing in TDM strategies that will ensure cost-effective downtown access by improving transit, bicycle facilities, and create incentives for people to avoid driving.
- **Measure TR5: Improve curbside management:** Improve curbside management, including updating the municipal code to require active loading only, prohibit double parking, define locations for additional loading zones, and design loading zone signage.
- **Measure TR6: Require transportation system management for new construction:** Draft and implement a Transportation System Management Plan (TSMP) ordinance for new construction to allow the Town to shift travel behavior away from single-occupancy vehicles. Ensure telecommuting is an optional trip reduction strategy.
- **Measure TR7: Eliminate parking minimums for developments:** Remove parking minimums and establish parking maximums.

### WASTE (WS)

- **Measure WS1: Require residential and commercial organic waste collection consistent with SB 1383 requirements:** Work with local waste haulers and other community partners to expand organic waste collection capacity. Pass an ordinance by 2022 requiring residential and commercial organics generators to subscribe to organics collection programs or alternatively report organics self-hauling and/or backhauling. Allow limited waivers and exemptions to generators for de minimis volumes and physical space constraints and maintain records for waivers/exemptions.
- **Measure WS2: Require edible food recovery consistent with SB 1383 requirements:** Adopt an edible food recovery ordinance or similarly enforceable mechanism to ensure edible food generators, food recovery services, and food recovery organizations comply with requirements to increase recovery rates.

**Finding:**

Specific economic, legal, social, technological, mobility, or other considerations, make infeasible the mitigation measures or project alternatives identified in the final EIR.

**Facts in Support of Finding:**

The goals, policies, and implementation measures in the 2040 General Plan are designed to reduce GHG in Los Gatos through infill development, higher-density and mixed-use development, and trip reduction measures. However, even with implementation of these GHG reduction measures would exceed the 2040 efficiency threshold of 1.02 MT of $CO_2e$ per service person per year. There are no other feasible mitigation measures available and impacts would be significant and unavoidable.

**Significant and Unavoidable Cumulative Impact GHG-2:** The proposed 2040 General Plan emissions during construction and operation would exceed the State and Town-derived GHG emission targets. Therefore, the proposed 2040 General Plan would conflict with the goals of the CARB 2017 Scoping Plan, SB 32, and EO B-55-18. Therefore, impacts would be significant and unavoidable with mitigation.

**Mitigation Measure:**

See Mitigation Measure MM GHG-1 under Impact GHG-1.

**Finding:**

Specific economic, legal, social, technological, mobility, or other considerations, make infeasible the mitigation measures or project alternatives identified in the final EIR.

**Facts in Support of Finding:**

The goals, policies, and implementation measures in the 2040 General Plan are designed to reduce GHG in Los Gatos through infill development, higher-density and mixed-use development, and trip reduction measures. However, the proposed 2040 General Plan would conflict with the goals of the CARB 2017 Scoping Plan, SB 32, and EO B-55-18. There are no other feasible mitigation measures available and. Impacts would be significant and unavoidable.

As mitigation would result in GHG emissions that exceed the 2030 and 2040 Los Gatos efficiency thresholds and, thus, State targets, the proposed 2040 General Plan would impede "substantial progress" toward meeting the CARB 2017 Scoping Plan, SB 32, and EO B-55-18 targets. Therefore, with implementation of the identified mitigation, impacts related to the proposed 2040 General Plan consistency with applicable GHG reduction plans would be significant and unavoidable with mitigation incorporated.

## *Transportation*

**Significant and Unavoidable Cumulative Impact T-1:** Development and growth envisioned in the 2040 General Plan would increase use and demand of existing transit facilities in Los Gatos. The 2040 General Plan includes goals and policies that would encourage transit use and bicycling and walking while also encouraging development or expansion of existing facilities to accommodate increased use. However, transit ridership and operations would be affected from congestion and sharing lanes with other vehicles. Therefore, impacts of the 2040 General Plan would be significant and unavoidable.

**Mitigation Measures:**

There are no feasible mitigation measures to reduce potentially significant effects related to transit operations and ridership.

**Finding:**

Specific economic, legal, social, technological, mobility, or other considerations, make infeasible the mitigation measures or project alternatives identified in the final EIR.

**Facts in Support of Finding:**

The goals, policies, and implementation measures in the 2040 General Plan are designed to reduce VMT in Los Gatos through infill development, higher-density and mixed-use development, and trip reduction measures. However, transit ridership and operations would be affected from congestion and sharing lanes with other vehicles. There are no other feasible mitigation measures available andimpacts would be significant and unavoidable.

**Significant and Unavoidable Cumulative Impact T-4:** Development and population growth facilitated by the 2040 General Plan would increase VMT in Los Gatos. VMT per service population and population growth in 2040 would exceed applicable thresholds specific to the Town. Therefore, the 2040 General Plan would result in VMT-related impacts. Impacts would be significant and unavoidable.

**Mitigation Measure:**

**T-1** **VMT Reduction Strategies.** For projects that would generate VMT, one or more VMT reduction strategies included in the *SB 743 Implementation Decisions for the Town of Los Gatos* (July 2020) document shall be required to reduce VMT of the project. Examples of VMT reduction strategies that shall be implemented are provided below. The VMT reduction strategies are organized by their relative scale for implementation (i.e., individual site level, Town-wide level, and regional level).

### Individual Site Level

- **Encourage Telecommuting and Alternative Work Schedules:** This strategy relies on effective internet access and speeds to individual project sites/buildings to provide the opportunity for telecommuting. This strategy would reduce commute VMT but also result in a change in VMT for other travel purposes; thus, this strategy should consider the net change in the Town's project-generated VMT.
- **Provide Ride-Sharing Programs:** This strategy focuses on encouraging carpooling and vanpooling by project site/building tenants.
- **Provide Local Shuttles:** This strategy focuses on providing local shuttle service. The local shuttles would provide service to transit hubs, schools, commercial centers, and residential areas to improve transit connectivity and address the "first/last mile" problems. Alternatively, a demand responsive service could be provided as subsidized trips by contracting to private transportation network companies (TNCs) or taxi companies. Note that implementation of this strategy would require regional or local agency implementation.
- **Provide Employer-Sponsored Vanpool/Shuttle:** This strategy relies on employers purchasing or leasing vans or shuttles, and often subsidizing the cost of at least program administration, if not more. Vanpools typically service employee's commute to work, while shuttles service nearby transit stations and surrounding commercial centers. Scheduling and rider charges, if any, are within the employer's purview.

### Town-Wide Level

- **Provide Bicycle and Pedestrian Network Improvements:** This strategy focuses on creating a comprehensive bicycle and pedestrian network within the project and connecting to nearby destinations. Projects in Los Gatos tend to be smaller so the emphasis of this strategy would likely

be the construction of network improvements that connect the project site directly to nearby destinations. Alternatively, implementation could occur through an impact fee program or benefit/assessment district based on regional or local plans such as the *Bicycle and Pedestrian Master Plan* and Connect Los Gatos.

- **Provide Traffic Calming Measures:** This strategy combines the California Air Pollution Control Officers Association (CAPCOA) research focused on traffic calming with new research on providing a low-stress bicycle network. Traffic calming creates networks with low vehicle speeds and volumes that are more conducive to walking and bicycling. Building a low-stress bicycle network produces a similar outcome. One potential change in this strategy over time is that ebikes (and e-scooters) could extend the effective range of travel on the bicycle network, which could enhance the effectiveness of this strategy.
- **Implement Car-Sharing Program:** This strategy reduces the need to own a vehicle or reduces the number of vehicles owned by a household by making it convenient to access a shared vehicle for those trips where vehicle use is essential. Examples include programs like ZipCar, Car2Go, and Gig.
- **Limit Parking Supply:** When combined with companion TDM measures, reduced parking supply discourages driving by limiting easy and convenient parking options. Implementation of this strategy may require reducing (or removing) minimum parking requirements and allowing developers to use shared parking strategies.
- **Unbundle Parking Costs from Property Cost:** Unbundling separates parking costs from property cost, for instance by not including a parking space in a residential unit's rent, or by requiring employers to lease each parking space separately from the building owner. This strategy ensures that the user understands that the cost of driving includes parking and can encourage people to use an alternative mode to save money.
- **Implement Market Price Public Parking (On-Street):** This strategy focuses on implementing a pricing strategy for parking by pricing all on-street parking in central business districts, employment centers, and retail centers. Priced parking would encourage "park once" behavior and may also result in area-wide mode shifts.

## Regional Level

- **Increase Density:** This strategy focuses on increasing density of land uses, where allowed by the General Plan and/or Zoning Ordinance, to reduce distances people travel and provide more travel mode options. This strategy also provides a foundation for many other strategies. For example, densification increases transit ridership, which justifies enhanced transit service.
- **Increase Diversity of Urban and Suburban Developments:** This strategy focuses on inclusion of mixed uses within projects or in consideration of the surrounding area to minimize vehicle travel in terms of both the number of trips and the length of those trips.
- **Increase Transit Accessibility:** This strategy focuses on encouraging the use of transit by locating a project with high density near transit. A project with a residential/commercial center designed around a bus station is referred to as a transit-oriented development (TOD).
- **Integrate Affordable and Below Market Rate Housing:** This strategy provides greater opportunities for lower income families to live closer to job centers since income effects probability that a commute will take transit or walk to work.
- **Increase Transit Service Frequency/Speed:** This strategy focuses on improving transit service convenience and travel time competitiveness with driving. Given existing land use density in Los Gatos, this strategy may be limited to traditional commuter transit where trips can be pooled at the start and end locations, or it may require new forms of demand-responsive transit service. Note that implementation of this strategy would require regional or local agency implementation,

substantial changes to current transit practices, and would not likely be applicable for individual development projects.

- **Implement Area or Cordon Pricing:** This strategy focuses on implementing a cordon (i.e., boundary) pricing scheme, where a cordon is set around a specific area to charge a toll to enter the area by vehicle. The cordon location is usually the boundary of an area with limited points of access. The cordon toll may be constant, applied during peak periods, or be variable, with higher prices during congestion peak periods. The toll can also be based on a fixed schedule or be dynamic, responding to real-time congestion levels. Note that implementation of this strategy requires alternative modes of travel that are available and reliable, such as high-quality transit infrastructure.

**Finding:**

The population and employment growth facilitated from development envisioned in the 2040 General Plan would generate new vehicle trips. Each of these trips would result in VMT. As described above on page 4.15-21, buildout of the 2040 General Plan would generate approximately 1,280 employment opportunities. The approximately 1,280 employment opportunities that would result from buildout of the 2040 General Plan would not exceed the 1,760 employment opportunities forecast for Los Gatos in Plan Bay Area 2040. However, as described in Section 2, *Project Description*, the projected household population would increase by 8,970 people compared to what is considered existing with buildout of the 2040 General Plan. Some of the population growth expected from buildout of the 2040 General Plan would occur regardless of its implementation, such as growth expected from dwelling units already planned or approved for construction in Los Gatos. Nonetheless, household population growth would exceed Plan Bay Area 2040 forecasts for household population. Therefore, in context with the Town's adopted VMT threshold of significance, this VMT impact, which is cumulative, would be potentially significant.

As described within Section 4.15, *Transportation*, implementation of the 2040 General Plan would result in VMT per service population that is approximately 19 percent greater than the applicable VMT threshold of 32.3. To reduce VMT per service population by 19 percent, VMT reduction strategies at the regional level would be required. However, implementation of regional strategies would require action on multiple agencies and municipalities in South San Francisco Bay and environs, such as cities of Campbell and San José or counties of Santa Clara and Santa Cruz. The Town is unable to ensure that other municipalities would participate in the regional VMT reduction strategies outlined in Mitigation Measure T-1. Therefore, it is not certain that a 19 percent reduction in VMT would be achievable. Accordingly, VMT impacts of the 2040 General Plan would be significant and unavoidable, even after implementation of mitigation.

## 4.4 Mitigation Monitoring and Reporting Program

As referenced above in the Findings, a MMRP has been prepared for the project and is to be adopted concurrently with these findings and statement of overriding considerations pursuant to Public Resources Code Section 21081(a)(1). The MMRP is provided as Appendix D to the Final EIR that will be used by the Town of Los Gatos to track compliance with the project mitigation measures. The MMRP will remain available for public review during the compliance period, which includes pre-construction coordination, construction, and post-construction documentation.

# 5 Project Alternatives

**Finding**

Specific economic, legal, social, technological, mobility, or other considerations, make infeasible the mitigation measures or project alternatives identified in the Final EIR.

Where the Town of Los Gatos has determined that, even after the adoption of all feasible mitigation measures the project would still cause one or more significant environmental impacts that cannot be avoided or lessened to below a level of significance, the Town of Los Gatos must determine if there is a project alternative that is both environmentally superior and feasible. An alternative may be "infeasible" if it fails to achieve the most basic project objectives identified within the EIR. Further, "feasibility" under CEQA encompasses the desirability of the project "based on a reasonable balancing of the relevant economic, environmental, social, and technological factors" of a project (*City of Del Mar, supra,* 133 Cal.App.3d at page 417; see also *Sequoyah Hills, supra,* 23 Cal.Ap.4th at page 715).

## Alternative 1: Low Growth

Alternative 1 is a low growth alternative. Under Alternative 1, the proposed 2040 General Plan would not include an increase in density ranges outside of Opportunity Areas, but would include a modest increase inside designated Opportunity Areas. Outside of Opportunity Areas, densities would remain within a range of four to 18 dwelling units per acre. Inside Opportunity Areas, density ranges would increase to 10 to 18 dwelling units per acre. Overall development and growth would be reduced compared to the 2040 General Plan. Alternative 1 would result in approximately 1,245,000 total daily VMT and a total VMT per service population of 22.65.

Alternative 1, Low Growth, would result in fewer impacts in comparison to the 2040 General Plan. Under this alternative there would be no increase in density ranges outside Opportunity Areas and modest increases inside Opportunity Areas. Overall, Alternative 1 performs similar to the 2040 General Plan in a majority of the resource areas. However, this alternative performs better than the 2040 General Plan in the following key areas:

- Air Quality
- Greenhouse Gases

## Alternative 2: Medium Growth

Alternative 2 is a medium growth alternative. Under Alternative 2, the proposed 2040 General Plan would result in a modest increase in density ranges outside of Opportunity Areas but would include additional increases inside designated Opportunity Areas. Outside of Opportunity Areas, densities would increase to be within a range of 10 to 26 dwelling units per acre. Inside Opportunity Areas, density ranges would increase to 14 to 26 dwelling units per acre. Overall development and growth would be reduced compared to the 2040 General Plan. Alternative 2 would result in approximately 1,259,000 total daily VMT and a total VMT per service population of 22.205.

Alternative 2, Medium Growth would result in fewer impacts compared to the 2040 General Plan for many of the environmental resource impact areas. Under this alternative there would be modest increases in density ranges outside Opportunity Areas and additional increases inside Opportunity Areas. Overall, Alternative 2 performs better than the 2040 General Plan, in the following key areas:

- Air Quality
- Energy
- Greenhouse Gases
- Hydrology and Water Quality
- Population and Housing
- Public Services

## Alternative 3: High Growth

Alternative 3 is a high-growth alternative that includes increased density ranges in all areas and additional increases that allow for higher-density development in Neighborhood Commercial and Mixed-Use Commercial designations outside Opportunity Areas. Typical densities are assumed to vary from 10 to 36 du/ac outside Opportunity Areas and 16 to 36 du/ac inside Opportunity Areas. Intensity varies from 0.75 FAR in LDR to 1.5 FAR in HDR and MU. When compared to Alternative 1, Alternative 3 would result in a three percent (600 to 750) increase in peak hour vehicle trips. Alternative 3 would generate the most traffic, primarily due to the addition of 3,170 new housing units. However, from a VMT efficiency perspective, Alternative 3 performs the best with an estimated 21.48 VMT per service population as compared with an estimated 22.65 VMT per service population in Alternative 1. While all four land use alternatives are actually very similar to one another, Alternative 3 would have the highest potential for internal trip making to occur and would see the highest shifts to non-vehicle transportation modes, like walking, biking, or taking transit.

Alternative 3, High Growth, would generally result in similar impacts to the proposed 2040 General Plan for several issue areas impacts. This alternative would involve substantially denser growth and development overall, and therefore less impacts to resources such as GHG and traffic. This alternative performs similarly to the 2040 General Plan in most of the resource areas. However, Alternative 3 performs better than the 2040 General Plan, in the following key areas:

- Greenhouse Gases
- Energy
- Population and Housing

## Alternative 4: No Project

Section 15126.6(e) of the *CEQA Guidelines* requires a specific alternative of "no project" be evaluated in an EIR in order to allow decision makers to compare the impacts of approving a proposed project with the impacts of not approving that project. *CEQA Guidelines* Section 15126.6(e)(3) describes the two general types of no project alternative: (1) when the project is the revision of an existing land use or regulatory plan, policy or ongoing operation, the no project alternative would be the continuation of that plan; and (2) when the project is not a land use/regulatory plan, such as a specific development on an identifiable property, the no project alternative is the circumstance under which that project is not processed (i.e., no development occurs). Alternative 4 represents the former alternative type of no project and assumes the continued implementation of the current 2020 General Plan.

Alternative 4 is comprised of a land use pattern that reflects the land use identified in the existing 2020 General Plan. Under this alternative, the proposed 2040 General Plan would not be adopted and the existing General Plan, including the land use map and all of the General Plan goals and policies, would remain in place through the horizon year of 2040. Thus, any new development in Los Gatos would occur consistent with the existing land use designations and the allowed uses within each designation. Similarly, any new infrastructure in Los Gatos would occur as envisioned in the 2020 General Plan. Development under this alternative is anticipated to be less intensive and result in greater low-density residential development within the Town limits than under the 2040 General Plan. However, because this alternative would not include the higher density, higher height limits, and higher Floor Area Ratios (FAR) overall development and anticipated growth would be reduced compared to the 2040 General Plan. Overall, growth would be similar to that anticipated under the 2020 General Plan with approximately 13,730 dwelling units and a population of approximately 32,600 in the year 2040 (Town of Los Gatos, General Plan EIR 2020). This would be a reduction in overall development and growth compared to the 2040

General Plan which anticipates the addition of approximately 3,738 dwelling units, for a total population of approximately 39,221 and a total of 17,468 dwelling units in 2040.

Alternative 4, No Project Alternative, would not be considered environmentally superior overall because while it would involve less development and growth, it would result in a more dispersed ground disturbance than the 2040 General Plan. Further, this alternative does not place an emphasis on mixed-use and smart growth planning principles and the majority of growth and development under this alternative would occur outside of Opportunity Areas, resulting in less compact development. Although Alternative 4 would entail continued growth as dictated by the existing General Plan, new policies included in the 2040 General Plan, such as those in the Community Development Element, would not be adopted. Additionally, under Alternative 4, transportation improvements and GHG reduction strategies as part of the 2040 General Plan would not be implemented. Thus, daily VMT is anticipated to be greater under this alternative. Consequently, air contaminant and GHG emissions impacts and traffic impacts would be greater than for the proposed 2040 General Plan. Overall, Alternative 4 performs very similar to the 2040 General Plan and improves only in the following area:

- Aesthetics

**Facts in Support of Finding**

Alternative 1 and 3 perform slightly better than the 2040 General Plan in several impact areas. However, Alternative 2 was found to be superior to the 2040 General Plan in a reduction of impacts including air quality, energy, greenhouse gas emissions, hydrology and water quality, population and housing, and public services. Nevertheless, Alternative 2 would not fully meet the objectives/guiding principles of the 2040 General Plan. This alternative would not be as effective in achieving some of the land use goals and objectives of the 2040 General Plan because it would not contribute substantially to a pattern of compact future development or allow for the 2,000 new dwelling unit target of Town Council. The slower growth model is less consistent with the goals and vision of the 2040 General Plan that promote the development of a smart growth model that favors a mix of land uses and encourages active living through the development of mixed-use and connected neighborhoods.

For these reasons, none of the alternatives are more desirable than the 2040 General Plan in terms of meeting the Town's guiding principles and objectives for the project, as outlined above under the Chapter 2, *Project Description*, of the Draft EIR. For this reason and because none of the proposed alternatives would completely avoid the project's significant impacts, none of the proposed alternatives are considered feasible.

# 6 Statement of Overriding Considerations

Where there are significant and unavoidable impacts from a project, pursuant to Section 15093 of the California Code of Regulations, the Town of Los Gatos must "balance, as applicable, the economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of a proposed project against its unavoidable environmental risks, when determining whether to approve the project." The record of those considerations shall include a written statement of overriding considerations that is supported by substantial evidence within the administrative record. A finding consistent with Section 15091(a)(3), that specific economic, legal, social, technological, or other

consideration, make infeasible any other mitigation measures or project alternatives that would avoid or lessen this impact to below a level of significance.

The Town finds and determines that, as proposed, the majority of the significant impacts of the project will be reduced to acceptable levels by implementation of mitigation measures recommended in these findings. However, the Town further finds that a cumulative impact to greenhouse gas emissions as well as impacts to transit and VMT, from the project that is significant and unavoidable even with the implementation of mitigation (Section 4.8, *Greenhouse Gas Emissions*, and Section 4.15, *Transportation*, of the Draft EIR). Collectively, reasonably foreseeable future development and growth in the Town of Los Gatos would generate greenhouse gas emissions and VMT, and affect transit ridership and operations beyond the capacity of the Town of Los Gatos. The proposed project would contribute to total greenhouse gas emissions, transit use and operation, and total VMT within the service area. The Town further finds that there are no other feasible mitigation measures or feasible project alternatives that will further mitigate, avoid, or reduce to a less-than-significant level these environmental effects.

After due consideration, and in light of the environmental, social, economic, and other considerations identified in the findings, General Plan 2040, and the record as a whole related to this project, the Town chooses to approve the project because, in its independent judgement, the benefits to the project as outlined below substantially outweigh the project's significant and unavoidable adverse environmental impacts.

**Benefits of the Project:** The Town finds that the project, as approved, will have the following economic, social, technological, and environmental benefits:

- The 2040 General Plan updates outdated policies in a manner that meets current legal requirements for General Plans.
- The 2040 General Plan provides a more user-friendly document that will make use of the General Plan easier for decision makers, staff, and the public.
- The 2040 General Plan reflects current community goals and preferences as identified during the public outreach process.
- The project would emphasize infill and reuse development within the Town limits with a focus on increasing opportunities for housing development in key areas of the Town through increased density and mixed-use projects where appropriate.
- The project would provide a well-connected transportation system that enables safe access for all transportation modes, including pedestrians, bicyclists, motorists, and transit riders of all ages and abilities.
- The project would protect the natural resources and scenic assets that define Los Gatos, including open space preserves, recreational trails, surrounding hillsides, and natural waterways.
- The project would manage, conserve, and preserve Los Gatos' natural environment for present and future generations and promotes sustainable uses of its resources.
- The project would recognize the importance of and promote ethnic, cultural, and socio-economic diversity and equity to enhance the quality of life in Los Gatos.
- The project would invigorate downtown Los Gatos as a special place for community gathering, commerce, and other activities for residents and visitors.
- The project would provide high quality municipal services to the Los Gatos community while sustaining the Town's long term fiscal health.

- The project would place a greater emphasis on reestablishing more complete neighborhood areas that meet the daily needs of residents to be located within a one-mile distance.
- The project meets the objectives of the State of California in promoting affordable housing.
- The project sets forth the values and objectives of the Town in providing a sense of community and inclusiveness of all residents while protecting the existing community assets and uniqueness that sets Los Gatos apart from other municipalities.

In order to achieve these objectives, the 2040 General Plan focuses on improving how residents get around, meeting community needs with available services, providing a greater sense of identity, adding housing options by promoting higher-density development and infill, and preserving established residential neighborhoods. For most of the Town, the 2040 General Plan preserves the existing pattern of uses and establishes policies for protection and long-term maintenance of established neighborhoods. Generally, new development in accordance with the 2040 General Plan would result in re-use of properties, conversion of properties to different uses in response to market demand, and more intense use of land in defined areas.

With limited opportunities for new development in Los Gatos, the 2040 General Plan emphasizes infill and reuse development within the Town limits, encourages higher-density and mixed-use projects where appropriate, and supports development that compliments the existing natural and built environment. New development would occur primarily where existing roads, water, and sewer are in place and in a manner that minimizes the impact of development on existing infrastructure and services.

**Findings:**

For each and all of these reasons, the Town of Los Gatos finds that the benefits of the project outweigh the significant and unavoidable environmental effect related to greenhouse gas emissions, transit, and VMT. Therefore, the adverse significant and unavoidable effect is considered to be acceptable by the Town of Los Gatos Town Council, which is the decision-making body for the project, given the importance of this project to the Town of Los Gatos.

# 7 Statement of Location and Custodian of Documents

Public Resources Code Section 21081.6(a)(2) and Section 15091(e) of the California Code of Regulation requires that the Town of Los Gatos, as the Lead Agency, specify the location and custodian of the documents of other materials that constitute the record of proceedings upon which the decision has been based. The following location is where review of the record may be performed:

Town of Los Gatos Community Development Department
110 E. Main Street
Los Gatos, California 95030

The Town of Los Gatos has relied on all of the documents contained within the record of proceedings in reaching its decision on the project.

TOWN OF LOS GATOS
GENERAL PLAN 2040

# GPAC Revised Vision and Guiding Principles

*May 2021*

## *Vision*

The Town of Los Gatos is a welcoming, family-oriented, and safe community nestled in the beautiful foothills of the Santa Cruz Mountains. The Town ~~is a sustainable community that~~ takes pride in its small-town character ~~and provides a range of housing opportunities~~, historic neighborhoods, local culture and arts, excellent schools, and a lively and accessible downtown. The Town is pedestrian friendly and~~Los Gatos~~ offers a choice of mobility options, housing opportunities, and superior public facilities and services, governed by ~~and~~ an open and responsive local government that is fiscally sound. ~~Los Gatos has a~~A dynamic and thriving community, Los Gatos is committed to racial, social, and environmental justice and underscores its commitment to long-term well-being by embracing sustainability. ~~economy that includes a mix of businesses throughout Town that serves all residents, workers, and visitors.~~

## *Guiding Principles*

- **Community Vitality**
  Invigorate ~~downtown~~ Los Gatos as a special place for community gathering, commerce, and other activities for residents and visitors. Foster the economic vitality of all Los Gatos business locations. Preserve and enhance the Town's historic resources and character while guiding the community into the future.

- **Connectivity**
  Emphasize the importance of connecting all facets of the Town to build a strong sense of community through building design, walkability, and safe streets.

- **Diverse Neighborhoods**
  Foster appropriate investments to maintain and enhance diverse neighborhoods, housing opportunities, and infrastructure to meet the needs of all current and future residents.

- **Fiscal Stability / Responsibility**
  Provide high quality municipal services to the Los Gatos community while sustaining ~~the Town's~~ long term fiscal ~~health~~well-being.

- **Government Transparency**
  Conduct governmental processes in an open manner and encourage public involvement in Town governance.

- **Inclusivity**
  ~~Recognize~~ Value the importance of and promote ethnic, cultural, and socio-economic diversity and equity to enhance the quality of life in Los Gatos.

EXHIBIT ~~6~~5

- **Mobility**
  Provide a well-connected transportation system that enables safe access for all transportation modes, including pedestrians, bicyclists, motorists, and transit riders of all ages and abilities.

- **Promote Public Safety**
  Maintain and enhance Los Gatos as a safe community through preparation and planning, education, and community design that is responsive to the full range of potential natural and man-made hazards and safety issues.

- **Protect Natural ~~Resources~~Environment**
  Protect and enhance the natural ~~resources~~ environment and ~~scenic assets~~biotic communities that define Los Gatos, including but not limited to open space preserves, recreational trails, surrounding hillsides, and natural waterways.

- **Sustainability**
  Manage, conserve, and preserve Los Gatos' natural environment for present and future generations. Identify and provide opportunities to enhance the Town' s sustainability policies and practices.

MODIFICATIONS INCLUDED IN STAFF REPORT AND OTHER EXHIBITS

1. GPAC recommended changes to the Vision and Guiding Principles, included in Exhibit 6 and summarized here:
   - Revise the Vision for added clarity and add a sentence about racial, social, and environmental justice;
   - Delete "downtown" from the Community Vitality Guiding Principle so that it applies throughout Town;
   - Add a new Guiding Principle titled "Connectivity" to state the importance of connecting all facets of the Town to build a strong sense of community through building design, walkability, and safe streets;
   - Delete "the Town's" from the Fiscal Stability/Responsibility Guiding Principles; and
   - Replace the word "Recognize" with the word "Value" in the Inclusivity Guiding Principle.
2. Revisions as a result of review by the State Department of Forestry, included in Exhibit 8 and listed here:
   - Add reference to VHFHSZ's in Policies CD-5.2 and CD-6.1.
   - New Policy PFS-1.7: "Water Supply for Fire Safety. Coordinate with local water providers to ensure and maintain the long-term sustainability of water supplies to meet current and anticipated future firefighting needs."
   - Modified wording for Policies PFS-19.3 and PFS-20.1.
   - Modified wording for Policy HAZ-1.3.
   - Additional wording on page 9-4 to reference location of critical infrastructure listed in OAHMP.

     New Policy HAZ-2.6: "Vegetative Hazards. Reduce the wildfire risks to existing and newly developed transportation networks through regular clearance and maintenance of vegetation adjacent to public roadways to current State and/or locally adopted fire safety standards for vegetation clearance in SRA's or VHFHSZ's."
   - New Policy HAZ-2.7: "Wildfire Response. Following a large and/or destructive fire in Los Gatos or the region, the Town shall reassess standards and other requirements for new development and redevelopment and revise these requirements to ensure a high level of community resilience to fire events."
   - New Policy HAZ-2.8: "Community Fire Breaks. Establish and maintain community fire breaks and fuel modification/reduction zones, including public and private road clearance."
   - New Policy HAZ-2.9: "Fire Safety Development Precautions. Establish that minimum requisite firefighting services and infrastructure are ubiquitous throughout its Town, including but not limited to: high-visibility street signage and house numbers, appropriate street widths and building clearances for firefighting equipment and vehicles, high water pressure at all fire hydrants, and driving signage indicating rights-of-way with no outlets."
   - Modified wording for Policy HAZ-3.5.

EXHIBIT 7

- New Policy HAZ-3.7: "Community Evacuation Trainings. Continue to conduct regular evacuation trainings with single-access community HOAs, residents, and the Wildfire Ad Hoc Committee; encourage residents in single-access communities to maintain emergency supplies for at least three days."
- Modified wording for Hazards and Safety Element Implementation Programs C, G, and H.

3. Staff recommends a new Implementation Program in the Land Use Element as discussed in Section F of the Staff Report:

   **Five-year Land Use Element Review**

   The Town shall conduct a review of the Land Use Element every five years from the date of final approval, and revise and update as necessary. This review can include the following:

   - Modify, add, or delete goals, policies, or programs to reflect notable changes in the Town over the previous period;
   - Remove or modify programs that have been completed or require additional time;
   - Modify or add new goals, policies, or programs to reflect changing needs within the Town;
   - Conduct a fiscal analysis; and
   - Modify to reflect applicable changes in State law.

4. Staff from Parks and Public Works Department recommended Figure 5-1 Bike Facilities should be revised in the following ways:
   - Shannon Road from Los Gatos Blvd to Cherry Blossom Lane should be revised from "Proposed Class I" to "Proposed Class II;"
   - Installation of Class IV bike lanes on Winchester from Blossom Hill Road to Wimbledon Drive should be updated to reflect recent improvements as "Existing Class IV;" and
   - Blossom Hill Road between Los Gatos Boulevard and Highway 17 should be revised from "Proposed Class I/IV" to "Existing Class IV."
5. Staff from Parks and Public Works Department recommended 5-3 Roadway Classifications should be revised in the following ways:
   - Where the functional classification lines overlap Town Limits lines, make functional classification lines more visible;
   - Bachman should be extended to University as a Neighborhood Collector;
   - Bayview between Main and Pennsylvania should a Neighborhood Collector;
   - Netflix campus circulation (northeast of 85/Winchester) is shown as Arterial. It should be Local;
   - Hicks should extend south to Town Limits as a Hillside Collector;
   - Gateway should be a Neighborhood Collector;
   - Longmeadow and Twin Oaks should be a Hillside Collector;
   - South Kennedy should be extended to Kennedy as a Hillside Collector; and
   - Union should be an Arterial.
6. Staff from Parks and Public Works Department recommended a street classifications list, similar to that included as Appendix F of the 2020 General Plan EIR, should also be included in the 2040 General Plan in association with their representation in Figure 5-3.

7. For compliance with the Town's Green Stormwater Infrastructure Plan staff at the West Valley Clean Water Program and the Town's Parks and Public Works Department recommend the following changes:
   - Policy PFS-3.2 Non-Point Source Control Programs
     Promote and implement ~~Provide non-point source~~ pollution source control programs to reduce and control the discharge of pollutants into the storm drain system, as required by the Town's stormwater NPDES permit. Incorporate green stormwater infrastructure (GSI) elements, such as biotreatment or infiltration into private and public development to provide opportunities for stormwater collection and treatment, per the Town's GSI Plan.
   - Add the following Implementation Programs to the Public Facilities, Services, and Infrastructure Element:
     - Incorporate Green Stormwater Infrastructure (GSI) elements, such as infiltration and biotreatment, into Town projects to provide opportunities for stormwater collection and treatment, per the Town's GSI Plan.
     - Modify the Town's Complete Streets Policy to include Green Stormwater Infrastructure.
   - Add the following underlined text to the introduction paragraph for Section 8.10 Hydrology and Water Quality:
     Maintaining water quality and availability is a high priority and a complex challenge that becomes more critical as supplies become more uncertain due to climate change and a growing population. Goals and policies in this section address the quality and reliability of the Town's long-term water supply, including during periods of drought. To maintain water quality, surface water and groundwater must be protected from the impacts of past and future development using methods such as low-impact development requirements and the careful regulation of sub-surface dewatering. The Town supports the efforts of regulatory bodies, such as the San Francisco Regional Water Quality Control Board, the agency that controls discharge to San Francisco Bay from stormwater and other sources. The San Francisco Bay Region Municipal Regional Stormwater NPDES Permit (MRP) requires the Town of Los Gatos to implement programs that reduce urban runoff pollution. The MRP regulates stormwater discharges into local creeks and the San Francisco Bay to protect water quality. The Town participates in the Santa Clara Valley Urban Runoff Pollution Prevention Program (SCVURPPP), along with twelve other cities and towns, the County of Santa Clara, and the Santa Clara Valley Water District to implement the requirements of the MRP. As required by the MRP, the Town has developed a Green Stormwater Infrastructure (GSI) Plan that describes how the Town will gradually transform its urban landscape and storm drainage systems from "gray" to "green"; that is, supplement traditional storm drain infrastructure, where stormwater runoff flows directly from impervious surfaces into storm drains and receiving waters, with a more resilient, sustainable system that reduces and slows runoff by dispersing it to vegetated areas, promotes infiltration and evapotranspiration, collects runoff for non-potable uses, and treats runoff using biotreatment and other GSI practices. The

control of wastewater and stormwater is discussed in more detail in the Public Facilities, Services, and Infrastructure Element.

- Revise Policy ENV-17.5 to state:
  Retain and use rainwater on municipal facility sites, to the extent possible. Encourage rainwater harvesting and irrigation use in commercial and residential uses. Ensure that all development projects in Los Gatos maximize opportunities to filter, infiltrate, store, and reuse or evaporate stormwater runoff onsite.

MODIFICATIONS SUGGESTED IN PUBLIC COMMENTS
*(Staff comments/recommendations in italics)*

Introduction:

8. Revise the Protect Natural Resources Guiding Principle to say, "Protect and enhance the natural environment, scenic assets, and biotic communities that define Los Gatos, including but not limited to, open space preserves, recreational trails, surrounding hillsides, and waterways." *(neutral)*

Racial, Social, and Environmental Justice Element:

9. Prioritize other topics by moving the Racial, Social, and Environmental Justice Element so that it is not first, or delete entire section. *(neutral on order of Elements)*
10. Inequities need to be discovered through looking at services through a more equitable lens in order to properly address them. Change Policy RSEJ-1.1 title from "Service Delivery" to "Identify Inequities." *(neutral)*
11. Revise Policy RSEJ-1.4 to state, "Encourage development and improved access to affordable housing opportunities for all community members." *(neutral)*
12. Revise Policy RSEJ-1.6 to include some data collection/analysis to measure the perceptions of residents, workers, and visitors by modifying to state, "~~Promote~~Improve the perception score of Los Gatos as a welcoming, safe, and inclusive community regardless of age, ability status, and socio-economic status." *(not recommended)*
13. In Policy RSEJ-1.7 use "increase" or "improve," instead of "promote" in "Promote access to a quality living wage for all community members." *(neutral)*
14. In Policy RSEJ-2.5 add recruiting/hiring from San Jose State University. *(neutral)*
15. Revise Policy RSEJ-2.7 to state, "~~Develop and i~~ Implement and require cultural proficiency and anti-bias training for all Town employees and support similar training efforts undertaken by the business community." *(neutral)*
16. Revise Policy RSEJ-2.8 to state, "Promote and encourage cultural proficiency and anti-bias training for all members of the community including residents, business owners, and local organizations." *(neutral)*
17. In Policy RSEJ-6.2 clarify what it means and who is the target. *(neutral)*
18. Revise Policy RSEJ-6.3 to state, "Develop, provide, p~~P~~romote, and implement new and innovative approaches to facilitate communication between members of the community and Town elected officials and staff members." *(neutral)*

19. Revise Racial, Social, and Environmental Justice Element Implementation Program N Tree Canopy Study to state, "Develop a study to measure tree canopy distribution throughout the Town and encourage the use of native plants ~~when increasing green space~~. Consider habitat value in tree selection for the Town's forest, and disallow the planting of invasive species." *(neutral)*

Land Use Element:

20. Modify the number of new housing units:
    a. No increase in housing levels. *(not recommended)*
    b. Reduce the number of new housing units to a lower less ambitious target. *(neutral)*
    c. Reduce the number of new housing units to 1,993. *(not recommended)*
    d. Reduce the number of new housing units to 1,993 plus a 15-20 percent buffer. *(neutral)*
21. Modify land use designation of the property at 15810 Los Gatos Boulevard, APN 523-01-001, from Low Density Residential to Mixed-Use Commercial to be more in line with existing use. *(recommended)*
22. Build a high-rise condo on the corner of Los Gatos Boulevard and Los Gatos-Almaden Road. *(construction is not within the purview of the General Plan, but increased height limits in the Mixed Use Commercial land use designation could be considered)*
23. Include Opportunity Areas in the General Plan as outlined in the Land Use Alternatives Report. *(not recommended due to previous GPAC direction)*
24. Maintain existing 2020 General Plan densities for Low Density Residential. *(neutral)*
25. Re-designate Hillside Residential "Fringe Areas" adjacent to San Jose for denser housing. *(neutral)*
26. Establish a new Low-Medium Density Residential land use category that allows for the development of duplexes and triplexes at a density range of between 6 and 13 dwelling units per acre. *(neutral)*
27. Utilize maximum FAR only for the non-residential components of mixed-use projects, because housing will be limited by maximum density. *(neutral)*
28. Change development rules to increase construction of diverse housing types, including greater density, higher height limits, lower parking requirements, more transit, and connection to light rail. *(neutral)*
29. Allow mixed-use developments in the High Density Residential designations. *(neutral)*
30. Increase maximum height limit on Los Gatos Boulevard from 45 to 55 or 65 feet to allow for the 4 over 1 product type (four stories of residential over one floor of retail or parking structure) or 5 over 1. *(neutral)*
31. Reduce the maximum allowed FAR in the Central Business District from 2.0 to 1.25. *(neutral)*
32. Table 3-1 should reflect an opportunity for additional new residential development on the North 40, if so desired by the Town. *(not recommended as the Draft 2040 General Plan land use regulations do not include any change to the North 40 Specific Plan)*
33. Modify Policy LU-3.2 to state, "Projects shall be evaluated and the Town shall apply appropriate mitigation measures and/or conditions of approval to reduce impacts on the

environment, urban services, and wildfire risk, including utilities, police, and fire." *(neutral)*

34. Modify Goal LU-6 to state, "Ensure housing in the hillsides will not adversely affect the natural environment, migration and biological corridors, or endanger public health and safety." *(neutral)*
35. Modify Section 3.6 Special Planning Areas to note that the North 40 Specific Plan was amended on September 4, 2018 after nearly 2 years of deliberation (starting on September 27, 2016 with a special meeting of Town Council). The Amendment was to Section 6.4.1 of the Specific Plan and it now allows that proposed developments within the Specific Plan "may request to enter into a Development Agreement reviewed pursuant to the established Architecture and Site Review approval process or the Planned Development Overlay process." *(neutral)*
36. Either remove the North 40 from the Los Gatos Boulevard Community Place District or provide clarity as to the hierarchy of competing rules between the General Plan and the Specific Plan. *(not recommended, the changes in the Draft 2040 General Plan do not change the relationship between the General Plan and the North 40 Specific Plan)*
37. Modify Policy LU-20.1 to state, "The Town shall facilitate opportunities for all residents, other local governments, and stakeholders to provide meaningful and effective input on proposed planning activities early on and continuously throughout development review and the public review process." *(neutral)*
38. Include a statement in Section 3.10, Goal LU-21, and/or Policy LU-21.1 on how the Town will engage and coordinate with public agency stakeholders, such as Midpen, in Town planning and policy projects that may impact the lands or responsibilities of those local agencies. *(neutral)*
39. In Policy LU-20.4, to increase public participation, include the use of traditional forms of communication, such as flyers mailed to homes, local newspaper ads, posters around town and places of worship, and other gathering points, and inclusion in school-published bulletins sent to parents, etc. *(neutral)*
40. Add a policy or implementation program to support a modification of the North 40 Specific Plan to allow up to 40 dwelling units per acre to be consistent with the Mixed-Use land use designation on Los Gatos Boulevard. *(neutral)*

Community Design Element:

41. Change the use of "Community Place District" to "Community Growth District" throughout document. *(neutral)*
42. To provide more flexibility in building style, consider deleting Policy CD-2.2: "Require multi-story buildings to incorporate step backs on upper floors to create a more humanscale and comfortable pedestrian environment." *(neutral)*
43. Revise Policy CD-2.12 to state, "If feasible, require native, non-invasive, or non-fire-prone street trees to be installed for all new developments, to enhance neighborhood character and identity and to maximize shade coverage when mature." *(neutral)*
44. Revise Policy CD-2.21 to state, "In high-density planning zones, the minimal amount of pedestrian-oriented lighting necessary should ~~shall~~ be provided in active pedestrian areas

and common areas for safety and security purposes." *(not recommended as the effect of these changes is a reversal of the policy's intent)*

45. Revise Policy CD-2.24 to state, "Encourage improvements to the public realm, including tree canopies, street furniture, paving, and landscaping~~, and lighting~~." *(neutral)*
46. Include the dark-sky and/or the Illuminating Engineering Society of North America Model Lighting Ordinance or reference section ENC-7.11 in Policy CD-2.30. *(neutral)*
47. Revise Policy CD-2.31 to state, "Provide clear limits for ~~Encourage~~ lighting in mixed-use and commercial developments, including the prohibition of uplighting, limiting the Correlated Color Temperature of lighting, and turning off lights after activity hours, in order to find the balance between friendly illumination and preventing unnecessary light at night. ~~such as string lighting, pole mounted lighting, and tree-hanging lighting, to further illuminate the site during nighttime hours for safety and community.~~" *(not recommended as the effect of these changes is a reversal of the policy's intent)*
48. Revise Policy CD-2.40 to state, "Ensure that public improvements and private development provide landscaped Town gateways that create visual connections between the natural hillsides and open space areas and the community of Los Gatos with native, non-invasive, or non-fire-prone plant species." *(neutral)*
49. Add a new Policy CD-5.6 Preserve Sensitive Natural Communities. "Sensitive natural communities are communities that are of limited distribution statewide or within a county or region and are often vulnerable to environmental effects of projects. These communities may or may not contain special status plants or their habitat." *(neutral)*
50. Include the dark-sky and/or the Illuminating Engineering Society of North America Model Lighting Ordinance or reference section ENC-7.11 in Policy CD-6.5. *(neutral)*
51. Revise Policy CD-6.5 to state, "Outdoor lighting shall be limited and shielded so as not to be viewable from non-hillside areas and shall be of low intensity and of the lowest Correlated Color Temperature (CCT) available, no more than 3000K." *(neutral)*
52. Remove Policy CD-9.2, and instead widen, reduce traffic signals, and prohibit parking on Los Gatos Boulevard to increase travel capacity. *(not recommended)*
53. Revise Policy CD-9.9 to state, "To soften the appearance of hardscape, incorporate landscaped medians using drought tolerant, native, non-invasive, or non-fire-prone plants, landscape buffers, and street trees."
54. Modify Policy CD-11.6 to note that new trail connections located on or open to Valley Water property must be open to the general public and permitted by Valley Water. *(neutral)*
55. Add Policy or Implementation Program to adopt the Mills Act. *(neutral)*

Mobility Element:

56. Remove Policy MOB-9.5 and increase capacity of SR 17 and SR 85. *(not recommended)*
57. Rebuild railway between Los Gatos and Santa Cruz as a mixed freight and public transit project. *(outside the purview of the Los Gatos General Plan)*
58. Make downtown streets bike and pedestrian only. *(not recommended)*
59. Require that new homes, duplexes, and ADUs provide off-street parking. *(not recommended)*

60. Add on/off ramps from SR 85 to Winchester. *(outside the purview of the Los Gatos General Plan)*
61. Add a new policy or implementation measure to consider a Town-wide Transit Signal Priority (TSP) system, and pursue funding for TSP implementation from new development, either through individual project contributions or the Town's Transportation Impact Fee program. *(The Town is working on the installation of Smart Signal infrastructure)*
62. Add a new policy to work with VTA to identify where queue jump treatments for busses at intersections would be possible and effective, and pursue funding for design and implementation of queue jump treatments from new development, either through individual project contributions or the Town's Transportation Impact Fee program. *(neutral)*
63. Add a new policy to work with VTA to identify locations for and implementation of in-lane bus stopping at key locations with merge challenges. *(neutral, where right-of-way allows)*
64. Add a new policy to identify Winchester Boulevard as a corridor for Complete Streets improvements including:
    - Overall lane reduction and implementation of a Class IV separated bikeway;
    - Installation of bus boarding islands and improvements to address missing sidewalk gaps to make better connections to these bus stops;
    - Improvements to pedestrian crossings across Winchester Boulevard, including high visibility crosswalks and integration of crossings into VTA bus stops; and/or
    - Signal improvements, including Transit Signal Priority, at Blossom Hill and Winchester Boulevard. *(could be considered as part of future update to Bike and Pedestrian Master Plan)*
65. Add a new policy to identify Los Gatos Boulevard as a corridor for Complete Streets improvements and integration with the large bicycle network identified in the VTA Bicycle Superhighway Implementation Plan. *(could be considered as part of future update to Bike and Pedestrian Master Plan)*
66. Add a policy in Section 5.7 to analyze and phase in on-street parking pricing to help improve the availability of on-street parking (through active monitoring of pricing and utilization), reduce congestion due to circling, lessen delay to transit vehicles, and reduce VMT. *(Council is implementing the Parking Study including paid parking)*
67. Add a definition of Traffic Impact Policy in the Glossary. *(recommended)*
68. Policy MOB-13.1 should include specific standards for shared parking that will be allowed in Town. *(shared parking is addressed in other Town policies and codes)*

<u>Public Facilities, Services, and Infrastructure Element</u>:

69. Consider the following additions under Goal PFS-1:
    - Consider adopting the MWENDO.
    - Encourage non-potable reuse of water like graywater and rainwater/stormwater in new development and remodels.
    - Require dedicated landscape meters where applicable.

- Require installation of separate submeters to each unit in multi-family developments and individual spaces within commercial buildings to encourage efficient water use. *(neutral)*

70. In Section 6.3 of the Public Facilities, Services, and Infrastructure Element clarify the second paragraph under Natural Drainage Systems. All creeks listed except Smith and San Tomas Aquino Creek flow to the Guadalupe River and the Guadalupe River is not within the Town limits. *(recommended)*
71. Revise Goal PFS-5 to state, "Conserve landfill space through composting, green waste, and chipping programs." *(not recommended, as the additional language limits the intent of the Goal)*
72. On page 6-14 of the Public Facilities, Services, and Infrastructure Element LGS Recreation should be mentioned as the childcare provider with four Clubhouse childcare sites on the LGUSD campuses. For completeness it should be mentioned LGS Rec publishes a brochure of program offerings three times per year and offers several thousand programs and services for all ages. *(neutral)*
73. On page 6-15 of the Public Facilities, Services, and Infrastructure Element, move Figure 6-1 "Recreation Locations" to the end of the section so it doesn't break up the discussion of recreation and social activities. *(recommended)*
74. Revise Policy PFS-13.4 to state, "Coordinate with local organizations, including LGS Recreation, to support intergenerational opportunities for seniors to safely interact with youth in Los Gatos." *(neutral)*
75. Policies PFS-14.1 and PFS-14.3 describe Senior Services and indicates that the Town Manager connects seniors with resources in the community. This is the role of the LGS Rec along with other service providers. *(neutral)*
76. Revise Policy PFS-18.1 to state, "~~Emphasize~~ Consider the use of CPTED principles in physical site planning as a~~n effective~~ potential means of reducing ~~preventing~~ crime. ~~Open spaces, landscaping, parking lots, parks, play areas, and other public spaces shall be designed with maximum possible visual and aural exposure to community residents.~~" *(neutral)*
77. Revise Policy PFS-25.3 to state, "Encourage new or expanded public and private facilities or community center to host performing arts events." *(neutral)*
78. Revise Policy PFS -25.4 to state, "Encourage private and public funding, development, and operation of cultural amenities, activities, and community centers." *(neutral)*
79. Add more fruit trees throughout Los Gatos to increase supply of locally grown, fresh, healthy food, possibly under Section 6.13. *(neutral)*
80. Revise Public Facilities, Services, and Infrastructure Element Implementation Program L Outdoor Lighting Standards to state, "Establish outdoor lighting standards in the Town Code to address energy efficiency, dark sky conservation, and healthy ecosystems." *(neutral)*

Open Space, Parks, and Recreation Element:

81. Revise Policy OSPR-2.1 to state, "Preserve the natural open space character of hillside lands, including natural topography, ~~natural~~ native vegetation, wildlife habitats and migration corridors, and viewsheds." *(neutral)*
82. Revise Section 7.2 of the Open Space, Parks, and Recreation Element where it states that recreation services are provided on a full cost-recovery model. This does not accurately reflect the service model for recreation. *(neutral)*
83. Provide objective criteria, such as State Quimby Act guidelines, for open space dedication requirements in Policy OSP-4.6 and Implementation Program C. *(neutral)*
84. Modify Goal OSP-5 to state, "Preserve and enhance Los Gatos Creek, Los Gatos Creek Trail, and Ross Creek as open space amenities, which are critical to protecting biological resources." *(neutral)*
85. Re-evaluate service model for offering recreation services to the community in order to continue Policies OSPR-6.3 and 6.4 and achieve financial stability. *(neutral)*
86. Plan for additional soccer fields. *(neutral)*
87. Add a policy prohibiting artificial turf, especially on Town-owned fields like Creekside Sports Park. *(neutral)*
88. Work with Schools to make school fields available for community sports. *(neutral)*

Environmental and Sustainability Element:

89. Define the term "designated creek." *(recommended)*
90. Revise the definition of "Ecosystem" in the Key Terms Section to state, "A community or group of living organisms that live in and interact with each other in a specific physical environment." *(neutral)*
91. Modify Goal ENV-2 to state, "Maintain and enhance trees and significant natural features, especially native species and habitat." *(neutral)*
92. Revise Policy ENV-2.3 to state, "Continue to update landscape design guidelines for development consistent with Biological Resources goals and policies. Landscape design should promote the implementation of locally native species, drought tolerant species, and fire-wise plants and designs, including in hillside areas and future planning areas." *(neutral)*
93. Revise Policy ENV-4.2 to state that, "Maintain and support a network of open space preserves that protects the urban and natural forest and offers all residents access to nature while reserving some open space preserves for undisturbed habitat." *(neutral)*
94. Revise Policy ENV-5.2 to state, "Require public and private projects to protect special-status native plant species and natural communities." *(neutral)*
95. Change Policy ENV-7.6 to state, "Consider alternative methods prior to utilizing herbicides and pesticides on Town property as one tool within a comprehensive integrated pest management framework to minimize potential damage to native plants, birds, and other wildlife" and add "Integrated Pest Management (IPM)" to the list of key terms. *(neutral)*
96. Revise Policy ENV-7.7 to state, "Require that herbicides and pesticides used in areas adjacent to creeks and other water bodies are approved for use in aquatic habitats, ensuring minimized potential damage to public health, native plants, birds, and other wildlife." *(neutral)*

97. Modify Policy ENV-7.10 to state, "Require that new development, remodels, and retrofits ~~to~~ increase bird safety by reducing hazardous building and architectural elements, and including bird safe and lighting design." *(neutral)*
98. Modify Policy ENV-7.11 to state, "Require the design of building, street, landscape, and parking area lighting to improves safety, energy efficiency, protection of the night skies (dark sky protections), biological resources, and environmental soundness." *(neutral)*
99. In Goal ENV-8 consider trade-offs between reduced carbon sequestration from reduced fuel load and emissions from prescribed fires that establish ecological resiliency in the face of wildfire, given the overwhelming benefits of reduced risks of catastrophic wildland fire on climate change. *(neutral)*
100. Modify Policy ENV-8.3 to state, "Require decreases to vehicle miles traveled (VMT), or other noise and air quality impacts mitigation measures, whenever the environmental review document concludes that the traffic generated by a development project would result in adverse impacts from air and noise pollution. Decreases in VMT could be ~~achived~~ achieved through transportation demand management (TDM) programs." *(neutral)*
101. Modify or remove Policy ENV-8.7 to state, "Require developments to incorporate site planning, and other techniques to ~~that~~ reduce exposure of people to the impacts of high air pollutants from adjacent roadways." *(neutral)*
102. Consider modifying Policy ENV-9.14 to reduce potential impact of requirement to exceed Title 24 on feasibility of construction of new affordable housing. *(not recommended)*
103. Revise Goal ENV-10 to state, "Become a zero-waste Town through encouraging sustainable procurement, extended producer responsibility, ~~and~~ innovative strategies, composting, green waste, and chipping programs." *(neutral)*
104. Revise "Groundwater Management" section on page 8-19 as follows:
Valley Water manages the groundwater sub-basin with the primary objectives to recharge the basin, conserve water, increase water supply, and prevent waste or reduction of the water supply. Historically, over-extraction of the groundwater sub-basin has resulted in occurrences of subsidence in Santa Clara County. Subsidence occurs when underground water levels drop and clay layers compact, resulting in the sinking of the ground surface and a loss of aquifer capacity. To avoid any further subsidence ~~and loss of aquifer capacity~~ Valley Water works to maintain the sub-basin by augmenting natural percolation of rainfall and local stream runoff ~~with~~ via managed aquifer recharge using local and imported surface water. Valley Water's managed ~~supports a~~ recharge program ~~that~~ includes 18 major recharge systems with in-stream and off-stream facilities. In addition to directly replenishing groundwater, Valley Water reduces the need for groundwater pumping through treated and untreated surface water deliveries, water conservation, and recycled water programs.

    Based on these efforts, permanent subsidence was effectively halted around 1970, and groundwater levels recovered to sustainable levels. In 2019, Valley Water's Groundwater Management Plan was approved by the Department of Water Resources as an Alternative to a Groundwater Sustainability Plan for Sustainable Groundwater Management Act compliance. While groundwater levels and storage decline during droughts, Valley

Water's comprehensive groundwater management activities provide for subsequent recovery, and groundwater in the sub-basin is sustainably managed.
~~Valley Water operates a treated groundwater recharge/surface water reinjection program that promotes treated groundwater reuse from the clean-up of contaminated sites and recharges groundwater from local and imported surface water. Based on these efforts, the groundwater elevation in the groundwater sub-basin has been rising steadily for the past 40 years. As stated in the 2017 Valley Water Annual Groundwater Management Report, the groundwater supply has reached a "normal" stage (stage 1) of the District's Water Shortage Contingency Plan and indicates good water supply conditions.~~ *(neutral)*

105. Revise second paragraph of the "Groundwater Quality" section on page 8-22 as follows: A few water quality problems have been detected in the sub-basin. High mineral salt concentrations have been identified in the upper aquifer zone along San Francisco Bay, the lower aquifer zone underlying Palo Alto~~, and the southeastern portion of the forebay area of the Santa Clara Valley sub-basin. Nitrate concentrations in the South County (Coyote and Llagas sub-basins) are e~~. Elevated ~~and high~~ nitrate concentrations are sporadically observed in the Santa Clara Valley Sub-basin. ~~Monitoring continuously, installing physical barriers to runoff, and treating water properly are key activities used throughout the wastewater treatment and water conveyance system to maintain water quality standards. D~~ However, drinking water standards are met at public water supply wells without the use of treatment methods beyond disinfection. Valley Water and public water suppliers conduct extensive monitoring of groundwater quality to understand conditions and trends and work with regulatory agencies to protect groundwater quality. *(neutral)*
106. Modify Policy ENV-16.4 to state, "Conserve existing creeks and avoid disturbances, including fencing, lighting, structures, hydrological barriers, and roads, to these areas." *(neutral)*
107. Revise Policy ENV-16.3 to state, "Cooperate with Valley Water and other agencies to protect watersheds, groundwater, and riparian habitats from degradation." *(neutral)*
108. Revise Policy ENV-17.8 to state, "Encourage Low-Impact Development (LID) measures to limit the amount of impervious surface in new development and redevelopment to maintain or increase the retention, treatment, and infiltration of urban stormwater runoff from pre-development conditions. LID measures should also apply to major remodeling projects and to public and recreation projects where possible." *(neutral)*
109. Clarify how Policy ENV-18.5 applies to mixed-use neighborhoods. *(neutral)*
110. Revise Policy ENV-19.1 to state, "Require all new noise-sensitive developments, and sound- or noise-generating uses near open space, to provide a noise study prepared by a licensed acoustician with recommendations for reducing noise impacts to the maximum allowed level in the Noise Ordinance." *(neutral)*
111. Add a policy to add a habitat overlay zone or riparian buffer zone to ensure riparian setbacks are enforced and riparian corridors are protected. *(not recommended as a standard buffer or setback would not reflect the varying character and sensitivity of the riparian areas in Town)*
112. Add a policy for wastewater recycling, at least for use on landscaping. *(neutral)*

113. Add a policy to create a Town-wide wildlife corridor study that researches where movement corridors exist and what structures are already infringing upon or helping habitat and movement (e.g. fences, buildings, structures, culverts, roads, and lighting). *(neutral)*
114. Develop a new Implementation Program under Policy ENV-6.3 to develop a Town-wide riparian setback policy with specific development standards near riparian corridors. *(not recommended as a standard buffer or setback would not reflect the varying character and sensitivity of the riparian areas in Town)*
115. Revise Environment and Sustainability Element Implementation Program K Riparian Corridor Lighting to state, "Establish a lighting setback policy for riparian corridors to protect these sensitive ecological areas and to maximize the distance between nighttime lighting and the corridor. No light should be placed in or directed towards the riparian corridor. ~~Require careful lighting design in and near natural riparian corridors to direct light away and to maximize the distance between nighttime lighting and the corridor.~~" *(not recommended)*
116. Addition of a new plant-based eating education program to Implementation Programs in Section 8.12: "Plant Based Education: Implement programs to educate and support residents about the benefits of shifting to a plant-based diet, which includes improved health, curbing greenhouse gas emissions, reducing biodiversity loss and deforestation, reducing water usage, and reversing pollution of our air, land, and water." *(neutral)*

Hazards and Safety Element:

117. Explain within Section 9.2 of the Hazards and Safety Element that according to CALFIRE, 95 percent of all fires are caused by people (e.g., arson, escaped debris burns, and equipment use) and this is why "Fires that occur along the wildland-urban interface (WUI) are much more of a hazard…" It is also important to note that a high fire hazard severity zone does not describe the risk of a fire start, but rather describes potential impacts to natural ecosystems, known as fire severity. *(neutral)*
118. Add mandate that overhead utilities be undergrounded to reduce fire risks, especially in the hillsides. *(not recommended, undergrounding is included in other Town policies and regulations)*
119. Revise the discussion regarding dam inundation in Section 9.4 – Flood and Inundation Hazards to note that the Town of Los Gatos is also within the inundation area of Vasona Dam. *(neutral)*

Additional actions suggested in Public Comments:

120. Have a vote or poll of residents on the proposed changes in the Draft 2040 General Plan. *(comment noted)*
121. Request an exception to the RHNA requirement. *(the deadline has passed)*
122. Update Housing Element with the 2040 General Plan Land Use and Community Design Elements. *(comment noted)*

123. Conduct a Fiscal Impact Analysis to estimate the fiscal impacts of full buildout of the 2040 General Plan. *(on April 5, 2022, Town Council decided not to conduct additional fiscal impact analyses)*

**CD-5.1** **Rural Atmosphere Preservation**
Minimize development and preserve and enhance the rural atmosphere and natural plant and wildlife habitats in the hillsides.

**CD-5.2** **Hillside Development Limitation**
Limit hillside development, specifically in VHFHSZ's, to mitigate wildfire risk.

**CD-5.3** **Effective Visible Mass**
Reduce effective visible mass through such means as stepping structures up and down the hillside, following topographical contours, and limiting the height and mass of wall planes.

**CD-5.4** **Hillside Area Environmental Analysis Requirement**
Require thorough environmental analysis for projects in hillside areas to ensure appropriate consideration of potential environmental impacts associated with projects.

**CD-5.5** **Mountain and Hillside Viewshed Preservation**
Preserve and protect the natural state of the Santa Cruz Mountains and surrounding hillsides by discouraging development on and near the hillsides that impacts viewsheds.

## CD-6

Preserve the natural topography and ecosystems within the hillside area by regulating grading, site placement, fencing, landscaping, and lighting.

**CD-6.1** **Least Restrictive Development Areas**
SUS
All development, including those in VHFHSZ's, is required to adhere to the Least Restrictive Development Areas (LRDA) to ensure minimal disturbance of the natural environment and to avoid wildfire and geological hazards.

**CD-6.2** **Ridge Line Grading Prohibition**
Protect the natural ridge lines as defined in the Hillside Development Standards and Guidelines by prohibiting any grading that would alter the natural ridge line.

**CD-6.3** **Natural Land Contours**
New construction shall be designed to follow natural land contours and avoid mass grading. When possible, flat pads should be avoided, and houses should be designed to conform to or step down the contours rather than be designed for flat pads. Grading large, flat yard areas should be avoided.

**CD-6.4** **Hillside Landscaping Design**
SUS
Hillside landscaping shall be designed to minimize formal landscaping and hardscapes and site them close to the residence, follow the natural topography, and preserve native trees, native plant and wildlife habitats, and migration corridors.

**CD-6.5** **Lighting Design in Hillside Areas**
Outdoor lighting shall be limited and shielded so as not to be viewable from non-hillside areas and shall be of low intensity.

**CD-6.6** **Hillside Fencing Design**
Fences in the hillsides should be of open design to allow passage of native wildlife.

Valley Water, the SJWC, and the Town of Los Gatos all have water conservation programs in place, including but not limited to the following:

- Los Gatos provides online tools and resources for homeowners and business owners on the Town website, including information on rebates through Valley Water;
- SJWC offers complimentary water check-ups, educational materials, and free low-flow devices; and
- Valley Water hosts a variety of informational resources at watersavings.org, including video tutorials and a calendar of classes and workshops.

The following goal and policies address the provision of water and water conservation efforts in Los Gatos.

| PFS-1 | Ensure an adequate water supply for the Town's human, wildlife, and plant populations. # SUS |
|---|---|

**PFS-1.1 Water Conservation Requirements**
SUS
Require that landscaping and hardscaping for all development is designed to minimize water usage and enhance water conservation.

**PFS-1.2 Bay-Friendly Landscaping**
SUS
Require the use of the Bay-Friendly Landscaping Guidelines in addition to the landscaping standards in the GreenPoint Rated Building Guidelines for all new home construction and remodeled homes.

**PFS-1.3 Water-Saving Devices**
SUS
Require the use of water-saving devices in new developments and plumbing-related remodels and develop incentives to encourage their installation in existing development.

**PFS-1.4 Water-Efficient Irrigation Management Systems**
SUS
Require all new development to install water-efficient irrigation management systems and devices, such as evapotranspiration or soil moisture-based irrigation controls.

**PFS-1.5 Sustainable Water Use**
SUS
Encourage the use of recycled and reclaimed water.

**PFS-1.6 Recycled Water**
SUS
Ensure proper provisions and conditions are in place for the use of recycled water in areas when this water becomes available.

**PFS-1.7 Water Supply for Fire Safety**
Coordinate with local water providers to ensure and maintain the long-term sustainability of water supplies to meet current and anticipated future firefighting needs.

***Community Wildfire Protection Plan***

In 2016, Santa Clara County led the development of a countywide strategic plan, the Santa Clara County Community Wildfire Protection Plan (CWPP), to assist in protecting human life and reducing property loss due to wildfire. The CWPP outlines countywide issues and strategies and provides detailed information and specific projects for each of the 14 at risk communities within the county. For the Los Gatos hillside area, the Annex 9 of the CWPP provides community and parcel-level risk assessment, identifies critical infrastructure and community values at risk, creates mitigation projects, and prioritizes to proactively address wildfire risk. The CWPP is maintained by SCCFD.

*Additional policies relating to wildfire risk, assessment, and mitigation are covered Section 9.2 (Urban and Wildland Fire Hazards) in the Hazards and Safety Element.*

The following goals and policies guide fire protection efforts in Los Gatos.

## PFS-19 Provide adequate fire protection and emergency medical response services to Town residents and businesses.

**PFS-19.1 First Response Travel Time**
Work with the SCCFD to ensure that first response travel time is maintained and enhanced where possible.

**PFS-19.2 Emergency Response Facilities and Personnel**
Work with the SCCFD to continue to increase the emergency response facilities and personnel necessary to meet residential and employment growth in the Town.

**PFS-19.3 Fire Safety Requirements for New Developments**
New development shall be required to incorporate and identify the location of the anticipated water supply, adequate emergency water flow, fire resistant design and materials, and evacuation routes.

**PFS-19.4 Emergency Vehicle Accessibility**
New development shall be accessible to emergency vehicles and shall not impede the ability of service providers to provide adequate emergency response.

## PFS-20 Promote coordination between land use planning and fire protection.

**PFS-20.1 Adequate Roadways for Fire-Fighting Apparatus**
~~Build and~~ R~~r~~equire that new, existing, and non-conforming roadways, specifically those in SRA and VHFHSZ areas ~~that~~ are ~~adequate~~ constructed and updated to reflect contemporary fire safe standards in terms of width, radius, and grade in compliance with SCCFD requirements. At a minimum, new and improved roadways shall ~~to~~ accommodate SCCFD fire-fighting apparatus, while maintaining Los Gatos's neighborhoods and small-town character.

**PFS-20.2 Fire Hazard Mitigation in Project Review**
Identify and mitigate fire hazards during the project review and approval process.

**Seismic Hazards, Primary.** Primary seismic hazards are those that occur as a result of the slip of a fault line below the earth's surface. Primary seismic hazards typically include ground shaking and motion, and surface rupture.

**Seismic Hazards, Secondary.** Secondary seismic hazards are those that occur as a result of the primary ground shaking and surface rupture from an earthquake (primary seismic hazard). Secondary seismic hazards typically include landslides, rockslides, tsunamis, and liquefaction.

**Subsidence.** The sinking or settling of the ground surface, typically related to the withdrawal of fluids (e.g., groundwater, natural gas, or oil).

**Wildland Urban Interface (WUI).** Areas where homes or other structures are built near or among lands prone to wildland fire.

## 9.1 Emergency Preparedness, Response, and Recovery

All municipal governments are required to prepare for natural and manmade disasters. The Santa Clara County Operational Area Hazard Mitigation Plan (OAHMP) assesses Countywide risk for natural hazards and establishes mitigation measures, funding, and plan implementation actions for Los Gatos.

The Town of Los Gatos has adopted a comprehensive Emergency Operations Plan (EOP) that is an all-hazards document describing the Town's incident management organization, compliance with relevant legal statutes and other relevant guidelines, outlines whole community engagement, establishes a continuity of government focus, and identifies critical components of the incident management structure. The Town also participates in volunteer emergency response training programs and has volunteer coordination plans in place.

The following goal and policies guide emergency preparedness, response, and recovery efforts by the Town of Los Gatos.

| HAZ-1 | Ensure the community is prepared for health, natural, and human-caused hazards and can respond quickly and effectively. |
|---|---|

**HAZ-1.1 Emergency Preparedness Planning**
Coordinate with regional agencies and incorporate emergency preparedness into appropriate Town planning efforts, including plans for preparation, communications, response, providing adequate access for emergency equipment, and evacuations in the case of an emergency.

**HAZ-1.2 Evacuation Routes**
Coordinate with Santa Clara County Fire and the Los Gatos – Monte Sereno Police Department and incorporate emergency access and evacuation planning into all planning efforts.

**HAZ-1.3 Community Information and Education**
Provide regular and redundant community emergency awareness information, training, and education about potential health, natural, and human-caused hazards in Los Gatos and how to responsibly prepare for or mitigate them.

**HAZ-1.4 Siting of Essential Facilities**
The Town shall not site essential facilities, public safety or emergency service facilities, special occupancy structures, or hazardous materials storage facilities on property subject to the following hazard designations, as defined in the Santa Clara County OAHMP, unless the

structure is designed to mitigate the hazard or if no other viable option for siting is available to serve the need identified:

- The 500-year flood zone;
- Seismic hazard areas and fault zones;
- Areas subject to liquefaction, landslide, or seiche hazards; and
- Areas designated as a very high fire severity zone.

**HAZ-1.5 Identify Isolated Seniors**

Require the identification of isolated seniors who may need assistance in natural disasters such as fires, earthquakes, or floods.

## 9.2 Urban and Wildland Fire Hazards

Santa Clara County, including Los Gatos, has a high potential for devastating wildland fires. As future climate change-related impacts increase, such as dry thunderstorms and droughts, there will be greater potential for more frequent and more intense wildfires, along with the potential for these fires to release significant quantities of Greenhouse Gases and particulate matter into the atmosphere. To comprehensively tackle urban and wildland fire prevention, strong land use policies and mitigation measures are necessary to protect the health and safety of residents, minimize the loss of life, and minimize property damage and damage to infrastructure. These efforts contribute to the community's ability to be resilient and adapt to climate change effects, including more intense weather events.

Wildfires are becoming an all too regular event in California, and both urban and wildland fires are a threat to the Town of Los Gatos. Wildfires that burn exclusively in uninhabited natural areas generally pose little risk to lives or property, although the smoke from such fires may cause respiratory problems for people nearby. Fires that occur along the wildland-urban interface (WUI) are much more of a hazard, as they can spread into urbanized areas. Wildfire risk is dependent on several factors, including the amount and type of vegetation in the area, weather, and local topography. Factors such as narrow, winding roads and vegetation also slow response to fires, increasing the risk of spread. Based on the increased potential for devasting wildfires in Santa Clara County and the Town of Los Gatos, CAL FIRE developed and adopted "Fire Hazard Severity Zone" maps. These maps highlight that most of the County is located within the "high" fire severity zone, with smaller portions of the County within the "moderate" and "very high" fire severity zones. Figure 9-1 illustrates the fire hazard severity zones in the Los Gatos area. More than half of the southern portion of the Town is in the Very High Fire Hazard Severity Zone, with most of the areas to the south in the High or Moderate zones.

The Town must therefore strongly incorporate fire hazard mitigation into its land use decisions and requirements to protect residents and property. The Santa Clara County OAHMP, the Santa Clara County Community Wildfire Protection Plan (CWPP), the Los Gatos Annex 9 of the CWPP, and the Los Gatos Ad Hoc Wildfire Committee Report all include techniques for reducing wildfire risk for Los Gatos through land use decisions, inter-agency coordination, community programs, and emergency response improvements. These plans work in coordination with the Los Gatos General Plan to provide a comprehensive framework for mitigating fire risk in Los Gatos and Santa Clara County. The OAHMP (page 45 of the OAHMP) also provides additional information on the location of critical infrastructure and facilities in SRA's and VHFHSZ's within the Town. The findings of the OAHMP note that the Town currently does not have gaps in services areas related to wildfire hazards.

The Santa Clara County Fire Department provides emergency response services to the Town; further information on their services is available in the Public Facilities, Services, and Infrastructure Element. Utilities in California have begun to address their contributions to wildfire risk by reducing vegetation near vulnerable powerlines, evaluating old infrastructure, and implementing Public Safety Power Shutoffs. These shutoffs are conducted by local energy providers such as PG&E when dry hot weather combined with strong erratic wind patterns leads to a

high probability of downed power lines inducing devasting fires. The power shutoffs are an attempt to minimize fires caused by downed power lines in communities across California. Local efforts are needed as well.

The following goals and policies will guide the management of urban and wildland fire hazards.

## HAZ-2 Incorporate fire safety precautions as an integral consideration in planning development. #

**HAZ-2.1 New Development in Fire Hazard Areas**
Require new development, including addtions to existing structures, located in or adjacent to fire hazard areas to minimize hazards to life and property, by using fire preventive site design, access, fire-safe landscaping, building materials, and incorporating defensible space and other fire suppression techniques.

**HAZ-2.2 Fire Safety Improvements**
Encourage fire safety improvements for existing homes and commercial buildings.

**HAZ-2.3 Adequate Water Storage for Fire Protection**
During the development review process, carefully consider the adequacy of water storage for fire protection.

**HAZ-2.4 Secondary Emergency Access**
Provide secondary emergency access as required by the Santa Clara County Fire Deparment.

**HAZ-2.5 Fire Buffer Zones**
Designate Fire Buffer Zones in collaboration with Santa Clara County Fire Department between urban areas in Town and the hillsides.

**HAZ-2.6 Vegetative Hazards**
Reduce the wildfire risks to existing and newly developed transportation networks through regular clearance and maintenance of vegetation adjacent to public roadways to current State and/or locally adopted fire safety standards for vegetation clearance in SRA's or VHFHSZ's.

**HAZ-2.7 Wildfire Response**
Following a large and/or destructive fire in Los Gatos or the region, the Town shall reassess standards and other requirements for new development and redevelopment and revise these requirements to ensure a high level of community resilience to fire events.

**HAZ-2.8 Community Fire Breaks**
Establish and maintain community fire breaks and fuel modification/reduction zones, including public and private road clearance.

**HAZ-2.9 Fire Safety Development Precautions**
Establish that minimum requisite firefighting services and infrastructure are ubiquitous throughout its Town, including but not limited to: high-visibility street signage and house numbers, appropriate street widths and building clearances for firefighting equipment and vehicles, high water pressure at all fire hydrants, and driving signage indicating rights-of-way with no outlets.

*Additional policies relating to fire protection, fire station information, and service standards are covered Section 6.8 (Fire Protection) Figure 6-2 (SCCFD Facilities) in the Public Facilities, Services, and Infrastructure Element.*

| HAZ-3 | Reduce the potential for injuries, damage to property, economic and social displacement, and loss of life resulting from fire hazards. # |
|---|---|

**HAZ-3.1 Fire Hazard Preparedness**
Minimize exposure to wildland and urban fire hazards through proactive code enforcement, public education programs, use of modern fire prevention measures, quick and safe access for emergency equipment and evacuation, and emergency management preparation.

**HAZ-3.2 Neighborhood Fire Emergency Planning**
Coordinate neighborhood fire emergency planning for WUI areas.

**HAZ-3.3 Fire Emergency Water Supply**
Coordinate with emergency, fire, and medical services to ensure water supply is available for fire emergencies.

**HAZ-3.4 Development Restrictions**
Restrict development in areas with inadequate water flow or emergency access.

**HAZ-3.5 Flammable Vegetative Material**
Monitor and remove excessive buildup of flammable vegetative materials on Town properties and along ~~critical~~ public and private ingress/egress routes within the SRA and or the VHFHSZ's.~~in the WUI~~.

**HAZ-3.6 Utility Access**
Ensure that utility providers have the ability to monitor, inspect, replace, and move equipment that may pose a fire hazard.

**HAZ-3.7 Community Evacuation Trainings**
Continue to conduct regular evacuation trainings with single-access community HOAs, residents, and the Wildfire Ad Hoc Committee; encourage residents in single-access communities to maintain emergency supplies for at least three days.

## 9.3 Geological and Seismic Hazards

The San Francisco Bay Area is in one of the most active seismic regions in the United States. Los Gatos is near several active faults including the San Andreas, Hayward, and Calaveras Faults. Figure 9-2 shows faults, most of which are quaternary faults, within the Town Los Gatos, while Figure 9-3 shows the proximity of active major faults to Los Gatos. Ground shaking is the primary risk in an earthquake and can set off a chain reaction of secondary landslides and liquefaction, or loss of soil strength. As shown in Figure 9-4, most ground shaking risk in Los Gatos is in the northern half of the Town, with a higher risk area centered south of Los Gatos-Saratoga Road and west of Highway 17.

The region around the Lexington Reservoir also has higher risk of ground shaking should an earthquake occur. Figure 9-5 focusing on secondary seismic hazards, shows that landslides are a risk in most of the southern and eastern portions of the Town, and liquefaction risk is centered along Highway 17. Implementation of applicable building codes and geotechnical investigations will minimize potential loss of life and damage to property from primary and secondary seismic hazards and siting essential structures and services outside high-risk areas will enable faster emergency response after an earthquake.

and storage of these materials.

## 9.7 Implementation Programs

| Programs | | Implements Which Policy(ies) | Responsible / Supporting Department(s) | 2020 – 2025 | 2026 – 2040 | Annual | Ongoing |
|---|---|---|---|---|---|---|---|
| A | **Plan Review**<br>Annually review and refresh key staff on the contents of the Los Gatos Hazards and Safety Element, the Santa Clara OAHMP, and the Los Gatos HMP to ensure processes and procedures are streamlined and coordinated. | HAZ-1.1<br>HAZ-1.2<br>HAZ-1.3<br>HAZ-1.4<br>HAZ-1.5 | Town Manager<br>Community Development<br>Parks and Public Works<br>Police Department<br>SCC Fire Department | | | ■ | |
| B | **Review Emergency Services**<br>Regularly review the adequacy of emergency services in the Town. Plan and develop law enforcement infrastructure and technology according to overall need and Town growth. | HAZ-1.1 | Town Manager<br>Police Department<br>SCC Fire Department | | | | ■ |
| C | **~~Develop~~ Evacuation ~~Protocols~~Routes and Planning**<br>Develop, evaluate, m~~M~~aintain, and update evacuation routes and protocols for high-risk fire hazard areas, SRA's, and VHFHSZ's that are consistent with AB 747 and local ordinances (Title 14, CCR, Division 1.5, Chapter 7, Subchapter 2, Articles 2 and 3 (commencing with section 1273.00)). As necessary prepare improvement plans that identify appropriate mitigation measures to further implementation of evacuation routes. | HAZ-1.1<br>HAZ-1.2<br>HAZ-4.4<br>HAZ-5.1<br>HAZ-5.2<br>HAZ-5.3 | Town Manager<br>Police Department<br>SCC Fire Department | ■ | | | ■ |
| D | **Emergency Drills**<br>Conduct emergency hazard drills with key stakeholder organizations, community groups and organizations, outside agencies, and local and County officials across the community to improve preparedness for known threats and hazards. | HAZ-1.3<br>HAZ-1.4 | Town Manager<br>Police Department<br>SCC Fire Department | | | | ■ |

| Programs | | Implements Which Policy(ies) | Responsible / Supporting Department(s) | 2020 – 2025 | 2026 – 2040 | Annual | Ongoing |
|---|---|---|---|---|---|---|---|
| **E** | **Hazard Preparedness**<br>Coordinate with reginal agencies to update and distribute information on how to prepare for and lessen the potential impact of earthquakes, floods, fires, public health emergency, and other safety hazards. Help and encourage all households to prepare for two weeks of self-sufficiency | HAZ-1.3 | Town Manager<br>Police Department<br>SCC Fire Department | ■ | | | |
| **F** | **Fire Safety Education**<br>Provide public education on fire safety, including wildland and structural fire prevention, evacuation protocols, and guidelines for defensible space and other hazards around structures. | HAZ-1.4<br>HAZ-2.2<br>HAZ-3.2<br>HAZ-3.5 | Town Manager<br>Community Development<br>Fire Department | | | | ■ |
| **G** | **Wildfire ~~Development Checklist~~Protection Plan**<br>Create a checklist for applicants to complete and submit a fire protection plan to assess and mitigate fire risks for all new development within SRA's and VHFHSZ's. Fire protection plans shall include:<br>**1.** Risk analysis;<br>**2.** Fire response capabilities assessment;<br>**3.** Fire safety requirements (i.e., defensible space, infrastructure, and building ignition resistance);<br>**4.** Mitigation measures and design considerations for nonconforming fuel modification;<br>**5.** Wildfire education strategies; and<br>~~1.~~**6.** Plan maintenance and limitations. ~~to ensure that wildfire mitigation standards are included.~~ | HAZ-2.1 | SCC Fire Department<br>Community Development | ■ | | | |
| **H** | **Review of Fire Related Ordinances**<br>Update the Town's development standards to either directly adopt or meet the minimum standards of title 14, CCR, division 1.5, chapter 7, subchapter 2, articles 1-5 (commencing with section 1270) (SRA Fire Safe Regulations) and title 14, CCR, division 1.5, chapter 7, subchapter 3, article 3 (commencing with section 1299.01) (Fire Hazard Reduction Around Buildings and Structures Regulations) for SRAs and/or VHFHSZs. | HAZ-2.1<br>HAZ-2.2<br>HAZ-2.9 | Town Manager<br>SCC Fire Department | ■ | | | ■ |

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**From:** Ryan Rosenberg
**Sent:** Thursday, April 15, 2021 7:10 PM
**To:** Alexa Nolder; Jennifer Armer
**Cc:** Melanie Hanssen
**Subject:** My comments on the name "community place districts"

There was a suggestion made today that we should submit comments on the name “community place districts” to be passed on to the planning commission when (and if) they consider this name.

My comments follow…

My suggestion is “**Community Growth District**”.

Here is why.

The definition in the plan is: “...Community Place Districts were identified based on the proximity of commercial services or employment to support additional development, easy access to transportation systems, and having access to infrastructure needed to support future development. These locations have the potential to facilitate mixed-use development and redevelopment at a variety of densities and intensities.”

This definition makes it clear that a primary objective of these areas is to support the growth we want to see in the town and that we need to see in order to meet state mandates.

Of course we don’t just want any growth — we want to manage and direct that growth in a positive direction.

I did like the words “Community” and “District” because they capture the idea of a special area that brings people together and has a unique sense of identity.

But I didn’t like the word “place”. The main reason is that it does not capture the concept of growth (a primary objective of these areas in the first place).

But I also think people will not understand it means plus it overlaps to some degree with the word “community”.

Ryan



EXHIBIT 9

**From:** karen
**Sent:** Sunday, June 27, 2021 7:01 PM
**To:** Jennifer Armer
**Subject:** Please add education on plant-based diets to GP2040

Hi Jennifer,

I am a resident of the Town of Los Gatos. I live at 264 Calle Marguerita, Apt A, Los Gatos 95032.

I am writing because I am asking the Town to add a program to educate residents about the health and environmental benefits of a plant-based diet in the 2040 General Plan. I would like this program to be added to the Environmental section, specifically section 8.12 Implementation Programs.

Thank you kindly.

Best regards,

Karen Rubio

**From:** Debbie Parsons
**Sent:** Sunday, June 27, 2021 11:33 PM
**To:** Jennifer Armer
**Subject:**

Dear Jennifer,

I am a resident of the town of Los Gatos. I am writing to inform you that I strongly support including plant-based education in the town's 2040 general plan.

Regards

Debbie Parsons

From: Danielle Hinsche
Sent: Monday, June 28, 2021 10:22 AM
To: Jennifer Armer
Cc: karenr; kristine
Subject: Plant based Education Program

Hello Jennifer,
I am a resident of Los Gatos and live at 11 Kimble Avenue and I support the addition of a plant-based education program in the Town's 2040 General Plan.

My family eats meat, but we enjoy meatless meals as a regular part of our diet.

Dani Hinsche

**From:** Lynne Rovin
**Sent:** Monday, June 28, 2021 1:41 PM
**To:** Jennifer Armer
**Subject:** Plant-based Education in Los Gatos General Plan

Dear Jennifer,

I am a resident of Los Gatos and I support including a plant-based education in the town General Plan.

Thank you for considering the welfare of the people in this town (and the world) by considering the inclusion of plant-based education.

Respectfully,

Lynne Rovin

From: Karla Albright
Sent: Monday, June 28, 2021 7:20 PM
To: Jennifer Armer
Subject: General Plan- Plant based education

Hello Jennifer,

My name is Karla Albright and I have been a long term proud resident of LG for the past 24 years.

I am writing to encourage the town to include a plant-based education program in the Sustainability section of the 2040 General Plan. Plant based easting has a wide range of benefits for our health and the health of the planet.

Education that moves the needle to get more people to embrace a plant based diet is good for everyone.

Thank you for considering this.

Karla Albright

**From:** shailaja venkatsubramanyan
**Sent:** Tuesday, June 29, 2021 6:53 AM
**To:** Jennifer Armer
**Subject:** plant-based education program

Hi Jennifer, I am a Los Gatos resident.

Just want to let you know that I would like to see a plant-based education program included in the environmental section of the 2040 general plan.

Thanks,

Shai

**From:** Lisa Wade
**Sent:** Tuesday, June 29, 2021 10:45 AM
**To:** Jennifer Armer
**Subject:** Information for General Plan Meeting Tonight

Hi Jennifer,

Please would you add this to the record for tonight's meeting?

Thanks!

Lisa

We are a group of residents of the Town of Los Gatos who would like to see the promotion of plant-based eating featured prominently in the 2040 General Plan for Los Gatos.
Some of us are plant-based eaters and some are meat eaters but we all recognize the importance of meat reduction for climate mitigation, health, and racial justice.
We'd like to see plant-based eating added to the Health and Environmental sections of the General Plan.
Most importantly, we recommend that the town add a program to educate residents about the environmental and health benefits of a plant-based diet. Specifically, we'd like to see such a program added to section 8.12 Implementation Programs.
Numerous studies have urged a planetary shift toward a plant-based diet including a 2018 Oxford University study stating that "A vegan diet is probably the single biggest way to reduce your impact on planet earth, not just greenhouse gases, but global acidification, eutrophication, land use, and water use. . . . It is far bigger than cutting down on your flights or buying an electric car, as these only cut greenhouse gas emissions."
https://science.sciencemag.org/content/360/6392/987
According to Project Drawdown, the third- and fourth-best climate change solutions are reducing food waste and eating a plant-rich diet. (The top two solutions aren't things the average person can easily control: refrigerant management and onshore wind.) *Drawdown: The Most Comprehensive Plan Ever Proposed to Reverse Global Warming.* Edited by Paul Hawken.
Factory farms and slaughterhouses are situated predominantly near people of color and low-income residents who suffer from illnesses caused by pollutants these operations generate. Slaughterhouse workers are usually immigrants who have few other options for work and suffer from crowded, unsafe, and unsanitary conditions, which were exposed during the recent pandemic. Climate change, caused in large part by animal agriculture, is driving more frequent and intense storms and other extreme weather events such as drought, disproportionately impacting "frontline" communities comprised mainly of low-income and people of color.
For these reasons, we would like the town to add a plant-based education program to section 8.12 Implementation Programs.

**Local Activist Groups Supporting This Request:**
TWW/Indivisible-Los Gatos https://www.twwlg.org/
Plant-Based Advocates of Los Gatos http://www.plantbasedadvocates.com/

**Environmental/Health Organizations that support our recommendations to the General Plan**(This is a working list more organizations will be added)

Center for Biological Diversity https://www.biologicaldiversity.org/

Acterra: Action for a Healthy Planet https://www.acterra.org/

Eat for The Earth http://www.plantbasedadvocates.com/ (Based in Santa Cruz)

SAFE Worldwide https://www.safeworldwide.org/ (Based in Monte Sereno)

Green Monday USA https://greenmondayus.org/

Factory Farm Awareness Coalition https://www.ffacoalition.org/

A Well-Fed World https://awellfedworld.org/

PhARM (Physicians Against Red Meat) https://pharm.org/

## List of Residents who Support Adding a Plant-Based Education Program to the General Plan 2040 (65 Residents so far more will be added.)

1. Peter Hertan, Vice President, Los Gatos-Saratoga Union High School District Board

2. Alicia Spargo, Outreach Coordinator, Los Gatos Anti-Racism Coalition

3. Karla Albright
LG. 95032

4. Shailaja Venkatsubramanyan
Los Gatos, 95032

5. Sue Ann Lorig
Los Gatos, California

6. Lisa Wade
Los Gatos, Ca 95032

7. Christopher Wade
Los Gatos, Ca 95032

8. Karen Rubio
Los Gatos, California 95032

9. Fred Rubio
Los Gatos, California 95032

10. Kathleen Willey

Los Gatos, California 95032

11.Mark Willey
Los Gatos, California 95032

12.Debbie Parsons
Los Gatos, California 95032

13.James Parsons
Los Gatos, California 95032

14.Carolyn Kurlin
Los Gatos 95032

15.Sevil Karavelioglu.
LG 95032

16.Anita Bora
Los Gatos, California

17.Laura Montonye Reese
Los Gatos, Ca 95030

18.Dirk Reese
Los Gatos, Ca 95030

19.Tony White
Los Gatos, Ca 95032

20.Hilary White
Los Gatos, Ca 95032

21.Charles Wade
Los Gatos, Ca 95032

22.Caroline Dempsey
Los Gatos, California

23.Dawn DeMaria
Los Gatos, Ca 95032

24.Prasenjit Sarkar
Los Gatos, 95032

25.Pamela Wales
Los Gatos, Ca 95030

26.Rob Moore
Los Gatos.

27.Mary Ann Bosworth
Town of Los Gatos

28.Hanley Yosfee
Town of Los Gatos

29.Rosilene Martins
Los Gatos, Ca 95032

30.Sara Hojjat
Los Gatos, CA 95030

31.Tamara Corini
Los Gatos, 95032

32.Sandeep Madduri
Town of Los Gatos

33.Gregg Kurlin
Los Gatos, 95032

34.Glenn Lorig
Los Gatos, California

35.Laura Sneddon
Town of Los Gatos

36.Linda Juhl
Los Gatos Main Town
of Los Gatos

37.June O Toole
Los Gatos
Town of Los Gatos

38.Karen Aidi
Los Gatos CA 95032

39.Suzanne Meinhardt
Los Gatos

40.Roger Dickinson
Los Gatos, Ca 95032

41.Manan Sardana
Los Gatos Ca 95032

42.Sevgi Erdengiz
Town of Los Gatos

43.Kevin Hiroshima
Town of Los Gatos

44.Camille Lesko
Los Gatos, California

45.Jeyendran Balakrishnan
Los Gatos, CA 95032

46.Erik Rubio,
Los Gatos, CA 95032

47.Wendy Arienzo
Town of Los Gatos

48.Shailaja
Venkatsubramanyan
Los Gatos, 95032

49.Ilene Dickinson
Los Gatos, Ca 95032

50.Reeta Gupta
Los Gatos, CA 95032

51.Rupar Iyar
Los Gatos, CA 95032

52.Danielle Hinsche,
Los Gatos CA 95032

53.Stuart Rovin
Los Gatos, CA 95032

54.Lynne Rovin
Los Gatos, CA 95032

55.Tricia Niederauer
Los Gatos CA 95032

56.Liz Tompkins,
Los Gatos, CA 95032

57.John Parsons
Los Gatos, Ca 95032

58.Daniel Parsons
Los Gatos, Ca 95032

59.Jackie Parsons
Los Gatos, Ca 95032

60.Stephen Wade
Los Gatos, Ca 95032

61.Lucas Wade
Los Gatos, CA 95032

62.Tim Evjenth
Los Gatos, CA 95032

63.Gail Evjenth,
Los Gatos, CA 95032

64.Lynette Garland
Los Gatos CA 95032

65.Robin Streicker
Los Gatos
Town of Los Gatos.

**Cities with PB programs**

In 2019 New York City's public schools adopted Meatless Mondays
https://www.pcrm.org/news/blog/new-york-city-schools-adopt-meatless-mondays

- Los Angeles, California is part of the C-40 cities and are doing this: https://www.40.org/other/good-food-cities and here is a snapshot: https://www.c40.org/cities/los-angeles and Climate/Food data https://www.c40.org/research
- Carrboro, North Carolina is doing this: https://townofcarrboro.org/262/Sustainability-Energy-Climate-Change set a greenhouse gas emissions reduction goal for **consumption** at 50% by 2025
- Santa Monica, CA is doing this: https://www.smgov.net/uploadedFiles/Departments/OSE/Climate/CAAP_SantaMonica.PDF
- Denver, CO is doing this: https://www.denvergov.org/content/dam/denvergov/Portals/771/documents/CH/Food%20Action%20Plan/DenverFoodActionPlan.pdf. In Denver, lifecycle emissions from food procurement accounted for 14% of overall emissions, nearly equal to emissions from residential energy and gasoline-powered vehicles.

**Cities with Green Monday Resolutions or Formal Programs**

Emeryville, Berkeley, and Mountainview.

**From:** Lisa Wade
**Sent:** Tuesday, June 29, 2021 10:52 AM
**To:** Jennifer Armer
**Subject:** My speech for tonight

My name is Lisa Wade and I am a resident of the town of Los Gatos.

Tonight I am speaking on behalf of 65 residents of the town of Los Gatos. All 65 names have been sent to you with most addresses included. We expect this list to grow in the coming weeks.

We want to thank you for your hard work on the General Plan. We also want to thank you for adding the words plant-based to 6.13 healthy community and ENV 9.7 employer incentive program

At the last GPAC meeting, you mentioned that adding the words plant-based to these two sections would be a start and that you would do more.

Tonight I have a simple request that would make us very happy. We would like you to add a plant-based education program to the Environmental section specifically section 8.12 Implementation programs. If you were to add such a section tonight our mission will be accomplished. If this can not be accomplished tonight we ask that you at least add the words plant-based to the Climate Change Education Program in the Implementation Programs section of the Environment and Sustainability Element.

This request is not only supported by 65 residents of the town but it is also supported by local activist groups TWW Indivisible Los Gatos and Plant-Based Advocates of Los Gatos.

We are also supported by environmental, hunger relief, and public health organizations such as

A Well-Fed World https://awellfedworld.org/ The Center for Biological Diversity https://www.biologicaldiversity.org/ and , Physicians Against Red Meat pharm.org/

A United Nations Report of 2019 found that if more of the world's population shifts towards plant-based diets and reduces their meat consumption, it could significantly boost the planet's

ability to fight climate change.How Eating Less Meat Could Help Protect the Planet From Climate Change

The meat industry is not only responsible for environmental destruction, but it commits human rights violations on a daily basis. Slaughterhouse workers are usually people of color with few other options. They suffer high rates of PTSD and they work in dangerous, unsanitary conditions in fact in 2020 the League of United Latin American Citizens called for a meat boycott in 2020.https://janeunchained.com/2020/05/14/workers-rights-group-launches-meat-boycott-to-protest-slaughterhouse-workers-deaths/

Again we'd like to see a plant-based education program included in the General Plan and at the very least we ask that you please add the words plant-based to section 8.12 Implementation Programs. Since you were able to easily add the words plant-based to two sections at the last meeting. We feel this should be a doable goal for the committee tonight. Of course, we would love you to add a separate plant-based education program tonight, but if that needs to happen later in the Summer or Fall please at least add the words plant-based to section 8.12 Implementation Programs specifically CC Climate Change Education. We would be very grateful if you would make that change tonight.

Again thank you for your hard work and for the changes you have already made in support of our efforts.

**From:** Sandeep Madduri
**Sent:** Tuesday, June 29, 2021 11:57 AM
**To:** Jennifer Armer
**Subject:** Sustainability section of the 2040 General Plan - Plant-based education program

Hi Jennifer,

I am a resident of [redacted], Los Gatos, CA 95032 and wanted to let you know that I support including a plant-based education program in the sustainability section of the 2040 general plan.

Thank you,

Sandeep

**From:** Camille
**Sent:** Tuesday, June 29, 2021 2:40 PM
**To:** Jennifer Armer
**Subject:** Plant based education

Hello Jennifer,

I am a resident of Los Gatos, address [redacted]. I support including a plant-based education program in the Town's 2040 General Plan since I believe this will benefit the climate as well as the health of our residents.

BR, Camille Lesko

**From:** Phil Koen
**Sent:** Tuesday, July 6, 2021 7:55 AM
**To:** Matthew Hudes; Mary Badame; Maria Ristow; Rob Rennie; Marico Sayoc
**Cc:** Laurel Prevetti; Robert Schultz; Ramona Giwargis
**Subject:** Staedler: Opportunity Housing should be decided on by a vote of the people - San José Spotlight

I found this article to be very interesting and worthy of distribution. It raised this question for me:

Shouldn't the residents of LG have an opportunity to vote on the proposed land use changes in the draft General Plan 2040?

Phil Koen

https://gcc02.safelinks.protection.outlook.com/?url=https%3A%2F%2Fsanjosespotlight.com%2Fstaedler-opportunity-housing-should-be-decided-on-by-a-vote-of-the-people%2F&data=04%7C01%7Clprevetti%40losgatosca.gov%7C72fb6b4761fc43ad025608d9408e0413%7C6d38cb6747eb4d139e7c523cd7ccecd5%7C1%7C0%7C637611801429603679%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C2000&sdata=VlJKY5kYV%2FmslJ%2BYVCqDlqzAs2tHcGPtrPK%2Fi8QY5GY%3D&reserved=0

Sent from my iPhone

From: Laura Sneddon
Sent: Wednesday, July 7, 2021 7:22 AM
To: Jennifer Armer
Subject: Plant-based education program in 2040 General Plan

Hi Jennifer,

I'm writing to let you know as a Los Gatos resident, I support including a plant-based education program in the Sustainability section of Los Gatos' 2040 General Plan. I believe it's important to educate the town on how a plant based diet and lifestyle can help our health, environment, animal welfare, etc. Given the many benefits, I think such education has a rightful place in the upcoming general plan.

Thanks
~Laura Sneddon

**From:** Kyle Kelley
**Sent:** Thursday, July 15, 2021 11:05 AM
**To:** GP2040 <GP2040@losgatosca.gov>
**Cc:** Carolyn Kelley; [redacted]
**Subject:** Thank you

I just read https://sanjosespotlight.com/this-silicon-valley-town-is-doubling-its-housing-residents-are-crying-foul/.

Thank you for pushing for missing middle housing in Los Gatos. I've lived and worked in Los Gatos twice. My brother went to high school there. My kids went to Daves Elementary and we used to be regulars in town. Apparently, we were such regulars that we appear in promo pics for the library (this one was in Los Gatos Magazine):




We would love to come back. Los Gatos could be a great inclusive environment that welcomes more families. Please let me know if I can provide testimony at any point. I'm just over the hill in Santa Cruz now and I'm happy to dial in remotely or show up in person.

-- Kyle Kelley

**Sent:** Friday, July 16, 2021 3:51 PM
**To:** GP2040 <GP2040@losgatosca.gov>
**Subject:** [#20210716225120] Comment from LosGatos2040 Website Los Gatos 2040 General Plan Update

Ticket: [#20210716225120]

**Name**: Cathleen Bannon
**Comments**:
These incredibly high dense housing goals do not align with the infrastructure of our town. While rezoning unused commercial space to high density housing makes sense, the number should be in the hundreds NOT thousands. Our surface streets cannot handle the increased cars on beach traffic days, much less thousands more who live in town. Our highway can't handle the congestion either.

We need balance with a strong reality check of what our small town can really handle. Please listen to the residents who are already struggling with traffic issues. Thank you

Page title: General Plan Basics

**From:** Fred Faltersack
**Sent:** Monday, July 19, 2021 8:51 AM
**To:** Town Manager
**Subject:** 2040 General Plan

Laurel,

I just had the opportunity to read some articles regarding the 2040 General Plan and wanted to share with you a section of the town which I think has been an overlooked and may have the opportunity to assist in accomplishing the higher density and more affordable unit goals of the Town.

First and so that you do not start out on the defensive, I DO support the higher density goals shown in the 2040 General Plan. I support the many different variations of affordable dwelling units (ADU's) within the traditional single family neighborhoods. I support the individual rights of property owners. I am against others (individuals or governments) trying to dictate to a property owner what they can and cannot do on and with their own land. Oh, and I have been a resident of the Town of Los Gatos since 1986.

Now Based on where the 2040 General Plan is in it's life-cycle, this is probably a bit late in the game to bring this up, but hear me out. I noticed that the HR zoning has been left untouched with respect to higher density for "wild-life" reasons. That being said, there are fringe areas of the HR zones that are not really situated in the steep hillside areas. I will focus on the East Los Gatos area and more specifically in the Harwood Road area which consists of HR-40, HR-20 zoning and for the most part borders the City of San Jose with subdivisions having parcel sizes of 6,000-8,000 square feet (let's call these areas Hillside Residential "Fringe Areas"). There are many old ranch-style homes situated on 1/2 acre to 3 acre parcels of which the topography is flat or have insignificant slope. Re-zoning this area for higher density would create none of the parking or traffic issues that are of great concern with citizens along the higher density Highway 17 corridor, Highway 9, and downtown areas as there is ample room to design in off-street parking. I am sure there are other pockets of HR fringe areas within the Town that could also provide the same.

Please feel free to reach out to me if you believe it warrants further discussion, or a quick visual tour of the neighborhood.

Sincerely,

Fred Faltersack

**Sent:** Monday, July 19, 2021 10:29 AM
**To:** GP2040 <GP2040@losgatosca.gov>
**Subject:** [#20210719172912] Comment from LosGatos2040 Website Los Gatos 2040 General Plan Update

Ticket: [#20210719172912]

**Name**: Kent Kappen
**Comments**:
No increase in housing levels in the general plan!
We cannot sustain the level of units suggested by the State let alone the number of units the town wants!
With water, electric and school space shortages...Even before the North 40 comes online...We will face even more struggles to support these new "low-income residents" (114K is not low income by the way). Considering gridlock traffic during the summer, parking spaces taken away from the "parklets" and businesses shuttering for better lease options Los Gatos is becoming a less desirable destination. I have lived here for over 50 years and even teach at Blossom Hill School. Every day i see that the roadways cannot support the current level of traffic. That's the main reason why we had to open up the Police operations building right? PLEASE SHOW LIMITED OR NO GROWTH TO THE PLAN. WE JUST CANNOT SUPPORT IT!!!

Page title: General Plan Basics

**Sent:** Monday, July 19, 2021 11:15 AM
**To:** GP2040 <GP2040@losgatosca.gov>
**Subject:** [#20210719181450] Comment from LosGatos2040 Website Los Gatos 2040 General Plan Update

Ticket: [#20210719181450]

**Name**: Lynn Williams
**Comments**:
While I favor increased price diversity, I highly disagree with the plan for more housing than is required by the mandatory allocation. Our town is already suffers increased traffic, water, environmental and other issues due to the north 40 and other developments. At some point the quality of life in town will be so deteriorated that it will be unattractive to people moving to the area or upgrading.

Page title: General Plan Basics

**Sent:** Monday, July 19, 2021 11:21 AM
**To:** GP2040 <GP2040@losgatosca.gov>
**Subject:** [#20210719182102] Comment from LosGatos2040 Website Los Gatos 2040 General Plan Update

Ticket: [#20210719182102]

**Name**: Sondra Garcia
**Comments**:
As one who is from a Latino background, my family worked hard to afford the quality and character of Los Gatos. We strongly oppose this plan, which will DESTROY the character and quality of the neighborhoods, schools, and town we worked so hard to afford.

Page title: General Plan Basics

**Sent:** Monday, July 19, 2021 2:47 PM
**To:** GP2040 <GP2040@losgatosca.gov>
**Subject:** [#20210719214725] Comment from LosGatos2040 Website Los Gatos 2040 General Plan Update

Ticket: [#20210719214725]

**Name**: Tim Delaney
**Comments**:
Hello All,

I live off H17 by summit store. And I own a home in Incline Village NV. Just so you all know I am totally against increasing housing density and moving away from single family homes. I also have a home in SJ that has all sorts of affordable housing nearby. I'll be blunt. My SJ home is nice but the surrounding area is really horrible. Way too many people. Plenty of crime. It is a filthy mess sometimes. My mail is ripped off regularly. And police pretty much don't want to bother with the situation. Everywhere they attempt this high density housing nonsense it turns into a disaster. Tahoe is a very good example as well. The hordes of people and tourists have totally destroyed the east shore beaches of Tahoe. Fact is people only care about themselves. And in this era they don't even care about themselves.

You have a very nice town. Scrap the plan. Start over. Don't F up your town. It's fabulous. I am crystal clear on the matter.

Sincerely,
Tim Delaney

Page title: General Plan Basics

**From:** Michael Glow
**Sent:** Monday, July 19, 2021 6:39 PM
**To:** Laurel Prevetti; LosGatos, Weekly Times; Marico Sayoc; Rob Rennie; Robert Schultz
**Subject:** Shocked by stumbling on this news article regarding our little town, Los Gatos

The altruistic goals are commendable, but way too radical and detrimental to our schools, traffic, and our uncontrollable limits on natural resources, specifically water. This calls for civic involvement, civic activism, and pushback on Town Council members, and mainly on the Town Manager, Laurel Prevetti.

Please get involved. I got involved with the pushback on the hideous high density development we now see at the North 40 on Lark Avenue, across from the Classic Car Wash. It was a frustrating experience because the expended energy on the issue fell on deff ears, and the development proceeded unaltered by citizen input.

It was obvious that we needed larger numbers, and the involvement of more of our high-profile citizens that may have exercised their political clout. Early involvement is essential, before things get too far down the road, and the invested interests get heard and entrenched. It may be premature, but a large public outcry for the resignation of Town Manager, Laurel Prevetti may be the best way of demonstrating that this time, the citizens of the Town are serious about their voices being heard.

https://www.sfgate.com/news/bayarea/article/This-Silicon-Valley-Town-Is-Doubling-Its-Housing-16322529.php

**From:** Aaron Eckhouse
**Sent:** Tuesday, July 20, 2021 12:11 PM
**To:** Planning <Planning@losgatosca.gov>
**Subject:** Planning Commission discussion of General Plan update

Hello,

I was excited to see coverage of proposed land use alternatives for the Los Gatos General Plan update that included missing middle housing & mixed use development of major corridors. Has the next Planning Commission discussion of the General Plan been scheduled? Also, what provision is there for remote participation in Planning Commission meetings?

thank you,

Aaron Eckhouse

Regional Policy Manager, California YIMBY

he/him/his

[redacted]

**Sent:** Wednesday, July 21, 2021 1:32 PM
**To:** GP2040 <GP2040@losgatosca.gov>
**Subject:** [#20210721203138] Comment from LosGatos2040 Website Los Gatos 2040 General Plan Update

Ticket: [#20210721203138]

**Name**: Lori Ingle
**Comments**:
Please ask for an exemption, like Saratoga did.

This is a radical change to long standing building policies in our community and will dramatically change LG as we know it! I would like to demand delay of acceptance of this proposed general plan to later in 2022, not November 2021, for full evaluation. Announcing the details of this plan publicly through SJ Spotlight in mid-July 2021 with a plan to have it accepted by November 2021 is unacceptable and unfair to the citizens of this town.

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**Sent:** Wednesday, July 21, 2021 3:15 PM
**To:** GP2040 <GP2040@losgatosca.gov>
**Subject:** [#20210721221517] Comment from LosGatos2040 Website Los Gatos 2040 General Plan Update

Ticket: [#20210721221517]

**Name**: Vivian Tan
**Comments**:
This is a radical change to our long standing building policies in our community and will dramatically change Los Gatos as we know it. I would highly request to deny the plan because our public resources will not be enough to sustain all the newly added living units. The traffic is already horrible and the public schools will not be able to handle all the new students. We need to have a detailed and reasonable plan to ask citizens who live in Los Gatos for approval. It is not fair to ask current Citizens to approve the plan in such a short notice. As a residents who just moved to Los Gatos, we are fond of living in our community because of it's current building policies. If this plan gets approved, it will dramatically change our living experience here, and might dive us away from living in such a beautiful town.

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**Sent:** Thursday, July 22, 2021 11:05 PM
**To:** GP2040 <GP2040@losgatosca.gov>
**Subject:** [#20210723060502] Comment from LosGatos2040 Website Los Gatos 2040 General Plan Update

Ticket: [#20210723060502]

**Name**: Charles Tripp
**Comments**:
High density housing? Is there water for that? I live on 1 & 1/4 acres near Lark, and to imagine 15 houses on my property, or one that size is horrible to think about. If I want high density housing like that, I'd move to Fremont, and brave all the traffic. I've lived in Los Gatos since 1961 because it's not high-density, it's peaceful and quiet. Now you want to ruin all that, reduce Los Gatos Blvd to 2 lanes, right when it will be overloaded from the N. 40? Makes a whole lot of sense. If someone were trying to destroy Los Gatos, I couldn't have even thought of something as dis-tasteful as this plan. Make Los Gatos crowded and with busy traffic like the North Bay? I think not. We need less housing, not more. There's no water for all this, anyway, and the traffic's already bad enough with the beach traffic.

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**Sent:** Saturday, July 24, 2021 5:02 PM
**To:** GP2040 <GP2040@losgatosca.gov>
**Subject:** [#20210725000155] Comment from LosGatos2040 Website Los Gatos 2040 General Plan Update

Ticket: [#20210725000155]

**Name**: Stephen Brodsky
**Comments**:
I saw this article about doubling the housing capacity: https://www.ktvu.com/news/one-silicon-valley-town-plans-to-double-its-housing-capacity-but-residents-are-crying-foul

Please do not add thousands of extra housing units into the town. We should be filing for the exceptions instead of adding thousands of units into the town. The residents of the town have been clear that this is the opposite of the wishes of the town residents.

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**Sent:** Saturday, July 24, 2021 7:33 PM
**To:** GP2040 <GP2040@losgatosca.gov>
**Subject:** [#20210725023254] Comment from LosGatos2040 Website Los Gatos 2040 General Plan Update

Ticket: [#20210725023254]

**Name**: Ross Liebman
**Comments**:
Please limit the amount of new housing to the state mandate. Increasing beyond this limit is not fair to the current residents of Los Gatos. Building high density buildings next to single family homes is not fair to those homeowners who were buying into the suburban lifestyle. Any increase in housing development above the state mandate should be put to a vote of the people. Also, as all other cities are appealing the state mandate it seems we should as well or risk being inundated with developers who care more about making a buck then the beauty of Los Gatos.

Page title: Home

**From:** Phil Koen
**Sent:** Sunday, July 25, 2021 10:19 PM
**To:** Matthew Hudes; Mary Badame; Rob Rennie; Marico Sayoc; Maria Ristow
**Cc:** Laurel Prevetti; Robert Schultz; Lee Fagot; jvannada; GP2040 <GP2040@losgatosca.gov>
**Subject:** RHNA

Dear Town Council,

Please find attached the RHNA appeal filed by the City of Saratoga on July 9, 2021. All of the points detailed by the City of Saratoga would form the basis for similar appeal by the Town.

Why didn't the Town appeal our RHNA allocation? Did the Town Council ever discuss the option to appeal the RHNA allocation? What was the basis for the decision not to appeal?

The residents of the Town deserve a detail explanation from the Town Council as to why the Town did not appeal given the incredible increase in allocation this cycle over the prior cycle.

Thank you.

Phil Koen

https://www.saratoga.ca.us/DocumentCenter/View/2700/2021-City-of-Saratoga-RHNA-Appeal?bidId=

Sent from my iPhone

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REGIONAL HOUSING NEEDS ALLOCATION — Association of Bay Area Governments

# 2023-2031 Regional Housing Needs Assessment (RHNA) Appeal Request

*Submit appeal requests and supporting documentation via DocuSign by 5:00 pm PST on July 9, 2021.*
***Late submissions will not be accepted.*** *Send questions to* ***rhna@bayareametro.gov***

Jurisdiction Whose Allocation is Being Appealed: City of Saratoga

Filing Party: ○ HCD ⊗ Jurisdiction: City of Saratoga

Contact Name: Debbie Pedro Title: Community Development Director

Phone: (408) 868-1231 Email: dpedro@saratoga.ca.us

**APPEAL AUTHORIZED BY:**

Name: Yan Zhao

Signature: DocuSigned by: Yan Zhao

Date: 7/8/2021

**PLEASE SELECT BELOW:**

- ⊗ Mayor
- ○ Chair, County Board of Supervisors
- ○ City Manager
- ○ Chief Administrative Officer
- ○ Other: _____

**IDENTIFY ONE OR MORE BASES FOR APPEAL [Government Code Section 65584.5(b)]**

☒ ABAG failed to adequately consider information submitted in the Local Jurisdiction Survey regarding RHNA Factors (Government Code Section 65584.04(e)) and Affirmatively Furthering Fair Housing (See Government Code Section 65584.04(b)(2) and 65584(d)(5)):

- ☒ Existing and projected jobs and housing relationship.
- ☐ Sewer or water infrastructure constraints for additional development due to laws, regulatory actions, or decisions made by a provider other than the local jurisdiction.
- ☒ Availability of land suitable for urban development or for conversion to residential use.
- ☐ Lands protected from urban development under existing federal or state programs.
- ☐ County policies to preserve prime agricultural land.
- ☐ Distribution of household growth assumed for Plan Bay Area 2050.
- ☐ County-city agreements to direct growth toward incorporated areas of county.
- ☐ Loss of units contained in assisted housing developments.
- ☐ Households paying more than 30% or 50% of their income in rent.
- ☐ The rate of overcrowding.
- ☐ Housing needs of farmworkers.
- ☐ Housing needs generated by the presence of a university campus within a jurisdiction.
- ☐ Housing needs of individuals and families experiencing homelessness.
- ☐ Loss of units during a declared state of emergency from January 31, 2015 to February 5, 2020.
- ☒ The region's greenhouse gas emissions targets to be met by Plan Bay Area 2050.
- ☐ Affirmatively furthering fair housing.

☐ ABAG failed to determine the jurisdiction's Draft RHNA Allocation in accordance with the Final RHNA Methodology and in a manner that furthers, and does not undermine the RHNA Objectives (see Government Code Section 65584(d) for the RHNA Objectives).

☐ A significant and unforeseen change in circumstances has occurred in the local jurisdiction or jurisdictions that merits a revision of the information submitted in the Local Jurisdiction Survey (*appeals based on change of circumstance can only be made by the jurisdiction or jurisdictions where the change occurred*).

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Pursuant to Government Code Section 65584.05, appeals shall be based upon comparable data available for all affected jurisdictions and accepted planning methodology, and supported by adequate documentation, and shall include a statement as to why the revision is necessary to further the intent of the objectives listed in Government Code Section 65584(d). An appeal shall be consistent with, and not to the detriment of, the development pattern in the sustainable communities strategy (Plan Bay Area 2050 Final Blueprint). (Click here)

**Number of units requested to be reduced or added to jurisdiction's Draft RHNA Allocation**:

⊗ Decrease Number of Units: 856 ○ Increase Number of Units: _____

**Brief description of appeal request and statement on why this revision is necessary to further the intent of the objectives listed in Government Code Section 65584(d) and how the revision is consistent with, and not to the detriment, of the development pattern in Plan Bay Area 2050.** Please include supporting documentation for evidence as needed, and attach additional pages if you need more room.

The availability of land suitable for urban development or for conversion to residential use in Saratoga is limited due to wildfire risks. Approximately 50% of Saratoga is in the Wildland Urban Interface (WUI) area and at high risk for wildfires. For example, Saratoga's downtown business district has the highest concentration of multifamily and mixed-use housing in the City. However, this area of the City with the highest opportunity for multi-family and mixed-use housing, is in a Very High Fire Hazard Zone and Wildland Urban Interface area. The properties in the WUI and high fire risk areas should be considered highly constrained sites where new development is not appropriate because it would be irresponsible to plan more housing in areas with high fire risk.

Additionally, increasing the City's housing allocation by 389% over the fifth cycle RHNA is not consistent with the statutory objective to promote improved intraregional jobs-housing relationship and to help reduce greenhouse gas emissions by planning for housing growth near public transit facilities and the region's job centers. Saratoga has few commercial areas and is not in a Transit Rich Area (TRA) as there are no VTA bus stops within the City limits with peak service frequency of 15 minutes or less. The handful of VTA bus lines stops every 20 to 60 minutes and serves only a small part the City. Because the City is underserved by public transit, significantly increasing the number of housing units in areas where public transportation is not readily available will increase the community's greenhouse gas emissions which is inconsistent with the transportation and environmental strategies of Plan Bay Area 2050.

**List of supporting documentation, by title and number of pages**

1. Saratoga RHNA Appeal Letter July 7, 2021, 4 pages
2. _____
3. _____

Click here to attach files

*The maximum file size is 25MB. To submit larger files, please contact rhna@bayareametro.gov.*

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# CITY OF SARATOGA

13777 FRUITVALE AVENUE • SARATOGA, CALIFORNIA 95070 • (408) 868-1200

Incorporated October 22, 1956

COUNCIL MEMBERS:
*Mary-Lynne Bernald*
*Kookie Fitzsimmons*
*Rishi Kumar*
*Tina Walia*
*Yan Zhao*


July 7, 2021

Therese McMillan
ABAG/MTC Executive Director
Bay Area Metro Center
375 Beale Street
San Francisco, CA 94105

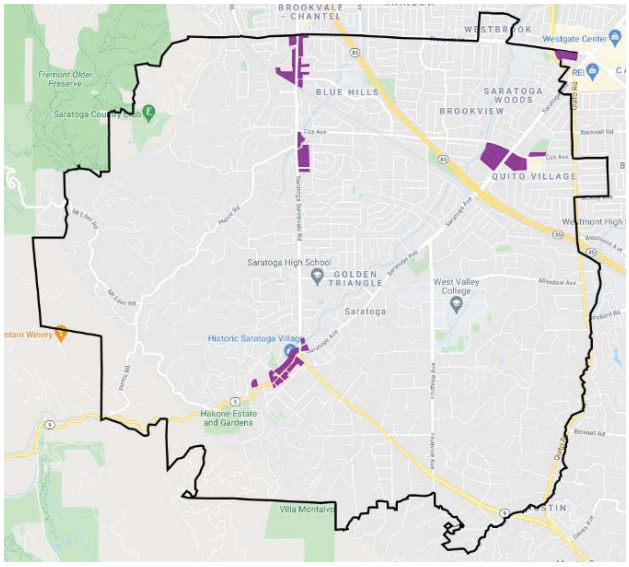
Subject: City of Saratoga Appeal of Draft 2023-2031 Regional Housing Needs Assessment Allocation

Dear Ms. McMillan,

On behalf of the Saratoga City Council and the Saratoga community, the City of Saratoga hereby submits an appeal to the Association of Bay Area Governments (ABAG) of the Draft 2023-2031 Regional Housing Needs Assessment (RHNA) Allocation. The City of Saratoga is appealing on the grounds the ABAG failed to adequately consider information submitted in the Local Jurisdiction Survey regarding RHNA Factors, including existing and projected jobs and housing relationship, availability of land suitable for urban development or for conversion to residential use; and the region's greenhouse gas emissions targets to be met by Plan Bay Area 2050. Furthermore, we request a 50% reduction in the City of Saratoga RHNA from 1,712 new housing units to 856 new units.

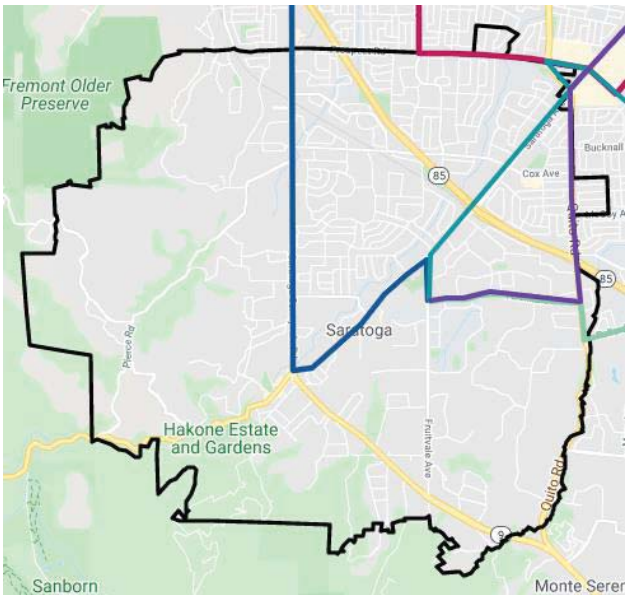
| RHNA | Total | Very Low Income | Low Income | Moderate Income | Above Moderate |
|---|---|---|---|---|---|
| Draft | 1,712 | 454 | 261 | 278 | 719 |
| Proposed | 856 | 227 | 131 | 139 | 360 |

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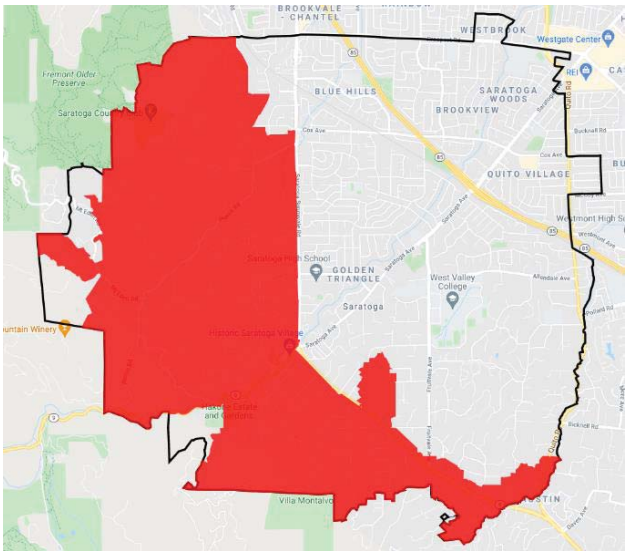

Nearly all of Saratoga land has been devoted to residential housing. Saratoga's commercial space is already extremely limited, especially after 80,000 square feet of retail and office space was lost to a Senate Bill 35 project. The parcels in purple on the adjacent map represent commercial properties in the City that provide services and jobs to the community and represent areas for future mixed use higher density housing in the City of Saratoga. The City is being forced to consider reducing the limited commercial job producing development that it has to accommodate the new housing required by the State, leading to longer commutes and personal trips for current and future residents. This directly conflicts with the RHNA Methodology objective to reduce greenhouse gas emissions.

The City of Saratoga is also incorrectly identified as being in a Transit-Rich Area (TRA), which would include cities with a bus stop with peak service frequency of 15 minutes or less. Currently, there are no bus routes within City limits with peak service frequency of 15 minutes or less. As you can see on the map displaying bus routes in Saratoga, public transportation options in Saratoga consist of only 5 bus lines that serve only a small part of the City. These routes offer varying service on weekdays, ranging from every 20 to 60 minutes. Clearly, Saratoga is far from any reasonable interpretation of Transit-Rich. With hardly any public transportation options in Saratoga, this forces residents into their cars, and that ultimately increases emissions and traffic. This is counterproductive to the City's and ABAG's efforts thus far and future goals to reduce greenhouse gas emissions.



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Roughly half of Saratoga is in the Wildland Urban Interface area and at high or very high risk for wildfires. The area in red on the map below shows the Wildland Urban Interface area in the City of Saratoga. Saratoga's downtown business district, a location most cities plan for higher density mixed use housing, is in a Very High Fire Hazard Zone and Wildland Urban Interface area. Last year, the CZU August Lightning Complex burned nearly 87,000 acres of land and destroyed 7,000 buildings in the Santa Cruz Mountains just outside Santa Clara County and the City of Saratoga. Many roads in Saratoga are narrow and winding, serving as the only entry and exit point for hillside neighborhoods. The Plan Bay Area 2050 Draft Environmental Impact Report, which helps shape the RHNA Allocation process, acknowledges that an increase in housing units in the San Francisco Bay Area will intensify the risk of wildland fires and mitigation measures, such as educating the public and enforcing defensible space requirements, will not minimize this threat. The significant increase in the City of Saratoga RHNA Allocation and State legislative penalties for failing to reach RHNA targets incentivize increasing housing development in areas like Wildland Urban Interface area that simply cannot sustain increased housing density. Conversely, planning for the addition of more than 1,700 new homes in other sections of Saratoga that are outside of the Wildland Urban Interface is simply impractical and unrealistic given the financial realities of residential construction.




Further compounding this issue, Santa Clara Valley Water recently declared a water shortage emergency and instituted a mandatory 15% reduction in water use compared to 2019. Vegetation in our fire risk areas is extraordinarily dry and many of us fear what this and future fire seasons will look like, as it has become clear that drought conditions may be the new normal. As reported in the *San Jose Mercury News*, a recent study of this year's runoff from the Sierra Mountains indicates that due to climate change, past hydrology models are no longer reliable. Santa Clara County is also extremely sensitive to drought conditions locally as well as elsewhere in the State. Approximately 50% of Santa Clara County's water supply comes from outside the County. The Draft EIR for Plan Bay Area 2050 states that even after mitigation measures are implemented, water supplies will be insufficient to support the Bay Area's projected population increases. It is clear that Saratoga simply cannot accommodate an increased demand for water that would result from the addition of more than 1,700 new homes.

The proposed RHNA Allocation places an undue burden on the City of Saratoga with our limited commercial services, job base, access to public transportation, and over half

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of the City is in a Moderate to Very High Fire Severity Zones. For these reasons, we urge you to reduce the City of Saratoga 2023-2031 RHNA Allocation from 1,712 to 856 new units. This proposal from the City of Saratoga represents a far more realistic and feasible target.

Sincerely,

Yan Zhao, Mayor
City of Saratoga

July 27, 2021

Jennifer Armer, AICP, Senior Planner
Town of Los Gatos
110 E. Main Street
Los Gatos, CA 95030

Re: Draft 2040 General Plan

Dear Ms. Armer,

On behalf of the Midpeninsula Regional Open Space District (Midpen), we respectfully submit the following comments regarding the draft version of the Los Gatos 2040 General Plan Update (2040 General Plan Update or Project). Midpen is pleased to see the Los Gatos 2040 General Plan Update identified protecting natural resources, open space preserves, recreational trails, surrounding hillsides and waterways as one of the document's guiding principles.

Midpen owns and manages nearly 65,000 acres of open space land in the Santa Cruz Mountains region. Our mission is:

*To acquire and preserve a regional greenbelt of open space land in perpetuity; protect and restore the natural environment; and provide opportunities for ecologically sensitive public enjoyment and education.*

Midpen's 26 Open Space Preserves include redwood, oak, and fir forests, chaparral-covered hillsides, riparian corridors, grasslands, coastal terraces along the Pacific Ocean, and wetlands along the San Francisco Bay. Ranging from 55 to over 18,000 acres, 24 of the 26 preserves are open to the public free of charge, 365 days a year.

Midpen owns and manages three preserves adjacent to the town of Los Gatos: El Sereno, St. Joseph's Hill, and Sierra Azul Open Space Preserves. The St. Joseph's Hill and Sierra Azul Open Space Preserves are particularly significant recreation sites, with extensive trails available for public use. Given that St. Joseph's Hill and Sierra Azul Open Space Preserves are within the town limits and in close proximity to the Opportunity Areas identified in the 2040 General Plan Update, Midpen would like to share the following suggestions for the draft general plan.

Midpen is currently planning and developing wildlife and regional trail crossings of Highway 17 in the Town of Los Gatos Planning Area north of Lexington Reservoir. The regional trail crossing and its associated 6 to 9 miles of connecting trails includes connections to the Town managed Los Gatos Creek Trail and Novitiate Park, as well as Midpen's trail systems in El Sereno, St. Joseph's Hill, and Sierra Azul Preserves. This project represents a significant increase in regional trail connectivity in and adjacent to the Town Planning Area, including a critical link for approximately 50 miles of existing Bay Area Ridge Trail and approximately 22 miles of the Juan Bautista de Anza National Historic Trail. Consistent with General Plan Policy MOB-3.8, this project provides regional trail


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connections identified in the Santa Clara Countywide Trails Master Plan that will be a significant benefit to Town residents. In accordance with Goal LU-21, Midpen looks forward to greater coordination with the Town of Los Gatos as a project stakeholder and partner and will continue to engage the Town on relevant project developments. Additional information can be found on the project website at https://www.openspace.org/our-work/projects/wildlife-crossing.

Midpen staff reviewed the draft Los Gatos 2040 General Plan Update and would like to share the following suggestions.

Section LU-3.2
*Reducing Project Impacts*
*Projects shall be evaluated and the Town shall apply appropriate mitigation measures and/or conditions of approval to reduce impacts on urban services and wildfire risk, including utilities, police, and fire.*

**Consider including a statement reducing project impacts on the environment.**

Section LU-20.1
*Community Input*
*The Town shall facilitate opportunities for all residents and stakeholders to provide meaningful and effective input on proposed planning activities early on and continuously throughout development review and the public review process.*

**Suggest adding "other local governments," after "all residents."**

**"The Town shall facilitate opportunities for all residents, other local governments, and stakeholders to provide meaningful and effective input on proposed planning activities early on and continuously throughout development review and the public review process."**

Section 3.10, LU-21 and LU-21.1
*3.10 Interagency Coordination*
*Many local, regional, State, and Federal agencies have land use planning, permitting or development review authority in the Los Gatos Planning Area and surrounding region. Coordination among agencies ensures regulatory compliance, increases efficiency for development projects, and eliminates redundancies among agencies. The following goal and policies will provide guidance on interagency coordination.*

*LU-21*
*Enhance interagency coordination to achieve mutually beneficial land use development and conservation.*

*LU-21.1 Regional Planning*
*Continue and expand Town participation in planning processes in neighboring jurisdictions, Santa Clara County, and regional agencies and organizations to develop innovative, effective, and*


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*coordinated land use, transportation, and hillside development plans and standards.*

**Consider including a statement on how the Town will engage and coordinate with public agency stakeholders, such as Midpen, in Town planning and policy projects that may impact the lands or responsibilities of those local agencies.**

Section CD-2.12
*Street Trees in New Development*
*If feasible, require street trees to be installed for all new developments, to enhance neighborhood character and identity and to maximize shade coverage when mature.*

**Consider including a requirement for native, non-invasive or non-fire-prone street tree species.**

Section CD-2.30
*Street and Structure Lighting*
*Require street and structure lighting to minimize its visual, health, and ecological impacts by preventing glare, limiting the amount of light that falls on neighboring properties, and avoiding light pollution of the night sky.*

**Consider including the dark-sky and/or the Illuminating Engineering Society of North America Model Lighting Ordinance or reference section ENC-7.11.**

**The following link provides additional information on the Illuminating Engineering Society of North America Model Lighting Ordinance. https://www.darksky.org/our-work/lighting/public-policy/mlo/**

Section CD-2.40
*Landscaped Gateways*
*Ensure that public improvements and private development provide landscaped Town gateways that create visual connections between the natural hillsides and open space areas and the community of Los Gatos.*

**Consider including a requirement for native, non-invasive or non-fire-prone plant species.**

Section CD-5
*Preserve the natural beauty and ecological integrity of the Santa Cruz Mountains and surrounding hillsides.*

**Under section CD-5 Preserve the natural beauty and ecological integrity of the Santa Cruz Mountains and surrounding hillsides, consider adding:**

**CD-5.6 Preserve Sensitive Natural Communities.**


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**Sensitive natural communities are communities that are of limited distribution statewide or within a county or region and are often vulnerable to environmental effects of projects. These communities may or may not contain special status plants or their habitat.**

Section CD-6.5
*Lighting Design in Hillside Areas*
*Outdoor lighting shall be limited and shielded so as not to be viewable from non-hillside areas and shall be of low intensity.*

**Consider including the dark-sky and/or the Illuminating Engineering Society of North America Model Lighting Ordinance or reference ENC-7.11**

**The following link provides additional information on the Illuminating Engineering Society of North America Model Lighting Ordinance. https://www.darksky.org/our-work/lighting/public-policy/mlo/**

Section CD-9.9
*Landscaping*
*To soften the appearance of hardscape, incorporate landscaped medians using drought tolerant plants, landscape buffers, and street trees.*

**Consider including a requirement for native, non-invasive or non-fire-prone plant species.**

Section PFS-5
*Conserve landfill space.*

**Consider including composting, green waste and chipping programs.**

Section OSPR-2.1
*Hillside Natural Open Space Character*
*Preserve the natural open space character of hillside lands, including natural topography, natural vegetation, wildlife habitats and migration corridors, and viewsheds.*

**Suggest changing the word "natural" vegetation to "native" vegetation.**
**"Preserve the natural open space character of hillside lands, including natural topography, native vegetation, wildlife habitats and migration corridors, and viewsheds."**

Key Terms Section
*Ecosystem. A community or group of living organisms that live in and interact with each other in a specific environment.*

**Suggest adding the word "physical" after "specific"**


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**"Ecosystem. A community or group of living organisms that live in and interact with each other in a specific physical environment."**

Section ENV-2.3
*Landscape Design*
*Continue to update landscape design guidelines for development consistent with Biological Resources goals and policies. Landscape design should promote the implementation of native species, drought tolerant species, and fire-wise plants and designs, including in hillside areas and future planning areas.*

**Consider updating to "Santa Cruz Mountain" species or "locally" native species. Similar to section ENV 5.1.**

Section ENV-5.2
*Special Status Native Plant Species Protection*
*Require public and private projects to protect special-status native plant species.*

**Consider adding "sensitive natural communities". The California Department of Fish and Wildlife website provides additional information on sensitive natural communities.**
**https://wildlife.ca.gov/Data/VegCAMP/Natural-Communities#environmental%20review**

Section ENV-7.6
*Minimize Use of Herbicides and Pesticides*

**Consider changing to "utilizing herbicides and pesticides as one tool within a comprehensive integrated pest management framework" and adding "Integrated Pest Management (IPM)" to the list of key terms.**

Section ENV-8
*Improve the air quality in Los Gatos.*

**Consider trade-offs between reduced carbon sequestration from reduced fuel load and emissions from prescribed fires that establish ecological resiliency in the face of wildfire, given the overwhelming benefits of reduced risks of catastrophic wildland fire on climate change.**

Section ENV-10
*Become a zero-waste Town through encouraging sustainable procurement, extended producer responsibility, and innovative strategies.*

**Consider including composting, green waste and chipping programs.**

Section ENV-19.1
Noise-sensitive *Developments*
*Require all new noise-sensitive developments to provide a noise study prepared by a licensed*


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*acoustician with recommendations for reducing noise impacts to the maximum allowed level in the Noise Ordinance.*

**Projects with proposed sound- or noise-generating uses near open space should undergo a noise level study to ensure there will be no negative impacts to wildlife or visitors. Figure 8-6 Land Use Noise Compatibility Criteria show normal acceptable sounds from 55- 75 dB Ldn depending on the land use category. Rural or open space areas exposed to 55 dB Ldn noise levels may be more affected by these levels than an urban area where sounds are often masked by the typically higher level of background noise associated with an urban area. The perception of noise increases when the background noise is muted or nonexistent such as in a preserve. An example of a use that could cause noise impacts include amplified music from an event venue.**

Section 9.2
*Urban and Wildland Fire Hazards*

**Consider explaining that according to CALFIRE, 95% of all fires are caused by people (e.g., arson, escaped debris burns, and equipment use) and this is why "Fires that occur along the wildland-urban interface (WUI) are much more of a hazard…"**

**It is also important to note that a high fire hazard severity zone does not describe the risk of a fire start, but rather describes potential impacts to natural ecosystems, known as fire severity.**

Additionally, due to the current need for remote work during the COVID-19 pandemic, Midpen requests to be kept informed of this project's status via email. Updates can be sent to the two following staff: Jane Mark, Planning Manager, at jmark@openspace.org and Melissa Borgesi, Planner I, at mborgesi@openspace.org.

We appreciate the opportunity to comment and participate in any further planning processes. Should you have any questions about this letter, please contact me at jmark@openspace.org or at (650) 691-1200.

Sincerely,

Jane Mark, AICP
Planning Manager

CC: Ana Ruiz, AICP, General Manager, Midpeninsula Regional Open Space District
Susanna Chan, Assistant General Manager, Midpeninsula Regional Open Space District
Alice Kaufman, Legislative Advocacy Director, Green Foothills


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**Sent:** Tuesday, July 27, 2021 4:45 PM
**To:** GP2040 <GP2040@losgatosca.gov>
**Subject:** [#20210727234526] Comment from LosGatos2040 Website Los Gatos 2040 General Plan Update

Ticket: [#20210727234526]

**Name**: Scott Weinstein
**Comments**:
This plan is rather poorly conceived. The water and electricity needs of this community are not being served today. How will adding so many units - with updated state requirements for all electric kitchens - help reduce the load on the electric grid? Given that there is a constant need to reduce electricity between 5pm and 10pm - how will such dwellings be able to actually cook dinner? Why does the committee think it's a good idea to entreat more people into an area that can't support its current residents? Please revert with a sustainable and workable plan that doesn't punish the current residents. Also, please ensure that "affordable" housing is offered to teachers and municipal workers as opposed to the progeny of wealthy people who qualify based upon "low income" even if they have substantial assets.

Page title: Home

**Sent:** Tuesday, July 27, 2021 5:21 PM
**To:** GP2040 <GP2040@losgatosca.gov>
**Subject:** [#20210728002033] Comment from LosGatos2040 Website Los Gatos 2040 General Plan Update

Ticket: [#20210728002033]

**Name**: Mark Brine
**Comments**:
The North part of Los Gatos has at least 254 housing units going in to the first half of the North Forty. The 2nd half of the North forty will be another dense addition of housing. The rest of Los Gatos is not contributing to dense housing. A small project on main/college was cancelled, a project on Blossom Hill is now a memory care facility. I do not want faster density growth in my neighborhood. North Los Gatos has stepped up. Stop the Density growth in North Los Gatos. Lark Avenue is congested, there is no transit and we need to drive to commerce. No housing density increases please.

Page title: General

From: Alexandra Sung
Sent: Thursday, July 29, 2021 10:12 PM
To: GP2040 <GP2040@losgatosca.gov>
Subject: Concern with 2040 General Plan

Hello,

I am writing to express my concern with the draft Los Gatos 2040 General Plan and EIR. While I support smart development, particularly development that enables more people of varied backgrounds and income levels to enjoy living in Los Gatos, I fear that the plan is not realistic in terms of traffic impacts and wildfire safety. Already our streets face considerable traffic during busy times, and with population growth, traffic will become a nightmare.

With regard to the notion that more people will bike / walk / take a bus around town, could the Town conduct a survey of residents to see whether the interest for these modes of transportation truly exists? If people have little interest in these alternatives, then the Town should build out the infrastructure to support how people desire to move around. With electric vehicles becoming more and more common, the argument that cars are far worse for the environment weakens. I grew up in Portland, OR. I recall a couple decades ago Portland also wanted to "go green" with transportation. They built out the light rail and diverted funds away from highways and roads. Now, those modes of transportation are underutilized, and traffic is a nightmare. I fear Los Gatos is headed in the same direction.

Lastly, imagine all of Los Gatos wanted to leave town at the same time right now. What do you think Los Gatos Blvd or University Ave or Hwy 9 would look like? Now, add in the proposed growth. Let's say the reason everyone wanted to leave town was because a wildfire broke out dangerously close to the city with oppressive smoke and real risk of harm. Do you think people will hop on their bicycles to evacuate or wait for the bus to take them out of town? No. Everyone is taking a car and splitting up and taking both family cars if they can. Will our proposed infrastructure be able to handle such an event when life or death is at stake? We all know what happened in Paradise. Please do not allow the same thing happen here.

Regards,

Alexandra Sung

**From:** Jeff Sung
**Sent:** Thursday, July 29, 2021 10:43 PM
**To:** GP2040 <GP2040@losgatosca.gov>
**Subject:** Comments on the 2040 plan

Dear Committee Members,

Thank you for soliciting input regarding the 2040 general plan. While I agree that gradual growth, accounting for state mandates and expected population increases is important, I believe that the proposed 2040 General Plan is too ambitious and should be revised to a lower target that meets the aforementioned needs, but does not impose unnecessary risks and hardships to the Los Gatos population.

Chief among my concerns is safety. With climate change and drought, the risk of fires in the Los Gatos area is accelerating. Not long ago, 85 people from Paradise, CA died as a result of the Camp Fire. One of the terrifying factors that contributed to the fatalities was the terrible traffic that people faced as they tried to flee the fire. People talked about burning to death in parking lots of traffic. The 2040 GP aspires that traffic will not be an issue by banking on people walking and bicycling. In the event of a fire, I'm going to pray that I can get my family into the car and drive them to safety. Thousands of other residents will be trying to do the same. We have learned that every small increase in cars on the road can lead to large increases in traffic. Increasing the population to the extent described in the plan without fixing traffic issues and expanding major roadways for cars will have deadly consequences in the event of a fire, and the General Plan has a responsibility to the residents of Los Gatos to be realistic and account for these rising risks.

On the subject of traffic, I think that while the idea of having people walk and bicycle throughout the town is idyllic, the reality for a small town like Los Gatos is that the majority of residents probably work in a different part of the Bay Area and need to drive to work. More cars on the road going to and fro from work due to the ambitious housing targets will lead to more congested streets which will make it difficult on those businesses that are in town (thinking of the well publicized effects of beach traffic on those businesses), increase pollutants/greenhouse gases, while those cars sit idling, and add an unnecessary hardship to the residents of the town.

Finally, I think the other largest issue is schools. I understand that the committee does not have planning authority for the schools. However, the committee needs to take schools into consideration and plan in conjunction with the school districts. North 40 is not finished yet, and the impacts of the development on the schools has not been seen, yet it seems clear that Los Gatos needs additional schools. Without the Town and School Districts working together to set aside land and money to build

school buildings to accommodate the additional residents, the schools and most importantly, the children, will suffer.

In conclusion, I urge you to reconsider the 2040 GP, and make changes to account for these important issues. We the people of Los Gatos are depending on you to be realistic and prudent in your planning and decisions.

Thank you for your time and service.

Sincerely,

Jeff Sung

On Jul 30, 2021, at 9:42 AM, Fred Faltersack wrote:

Town council Members,

Periodically I'll read an article on the 2040 General Plan and I stop long enough to put in my 2 cents. This is one of those moments having just read the latest on Patch.com. There are defiantly two very strong opinions by residents both for and against growth. I tend to be more middle of the road but leaning towards the pro-development side. I feel that if Los Gatos had been supporting a moderate to medium growth position over the past 30 years, then there would not be the need to pack so much growth into the next 20 years…So YES, we need to now address it.

By way of this email, I am reaching out to you to share my opinion on portions within the Towns borders which I think have been overlooked and may have the opportunity to assist in accomplishing the higher density requirements and provide more affordable housing in Los Gatos.

First, I DO support the higher density goals shown in the 2040 General Plan. I support the many different variations of affordable dwelling units (ADU's) within the traditional single family neighborhoods. I support ADU's in the HR Zoned areas. I support the individual rights of property owners. I am against others (individuals or governments) trying to dictate to a property owner what they can and cannot do on and with their own land. Oh, and I have been a resident of the Town of Los Gatos since 1986.

Now Based on where the 2040 General Plan is in it's forward progress, this is probably a bit late in the game to bring this up, but hear me out. I noticed that the HR zoning has been left untouched with respect to higher density for "wild-life" reasons. That being said, there are fringe areas of the HR zones that are not really situated in the steep hillside and largely open areas. I will focus on the East Los Gatos area and more specifically in the Harwood Road area (where I've lived the past 35 years) which consists of HR-40, HR-20 zoning and borders the City of San Jose with subdivisions having parcel sizes of 6,000-8,000 square feet (let's call these areas Hillside Residential "Fringe Areas"). There are many old ranch-style homes situated on 1/2 acre to 3 acre parcels of which the topography is flat or have insignificant slope. Re-zoning this area for higher density would create none of the parking or traffic issues that are of great concern with citizens along the higher density Highway 17 corridor, Highway 9, and downtown areas as there is ample room to design-in off-street parking. Plus let's not forget, people don't get politically charged over the goings-on of EAST Los Gatos! I am sure there are other pockets of HR fringe areas within the Town that could also provide the same.

Please feel free to reach out to me if you believe it warrants further discussion and be sure to take a quick visual tour along the Harwood Road neighborhood some day.

Sincerely,

Fred Faltersack

**From:** Jeff Sung
**Sent:** Saturday, July 31, 2021 1:28 PM
**To:** Marico Sayoc
**Cc:** Laurel Prevetti; Joel Paulson; Jennifer Armer
**Subject:** Re: General Plan Comments

Thank you for your prompt reply Mayor Sayoc.

I have read the environmental impact report available on the website, and the impacts on the environment and traffic will certainly be significant. I am glad that the Planning Commission will be holding hearings. However, attending these hearings is not necessarily easy with the responsibilities that many of us have woth work and busy families.

If I could suggest one more thing, I would ask that the town leadership consider polling the residents to Los Gatos regarding priorities to consider in development to make sure that the priorities of our leaders are in line with the people they serve.

Respectfully,

Jeff Sung

**From:** Margaret Yu
**Sent:** Monday, August 2, 2021 6:12 PM
**To:** GP2040 <GP2040@losgatosca.gov>
**Subject:** Los Gatos General Plan 2040

Hello,

I have been a Los Gatos resident since 2015. I moved to this city specifically for its smaller size, community feel, and family friendly environment. After moving, I was surprised to discover that Los Gatos suffers from disproportionately heavy traffic (particularly in the summertime), limited parking (I have spent >45 minutes trying to find a parking spot downtown Los Gatos), and outdated infrastructure (we are <1 mile from the Los Gatos High school and have limited options for internet and water). I am highly supportive of building additional housing but it must be balanced by a plan to address the increased traffic, parking, utilities, and demand for public resources (schools, fire safety, etc). The current LG General Plan 2040 will overdevelop Los Gatos in a short time frame without adequately addressing the impacts to other aspects of our community. I do NOT support the plan in its current form and have yet to meet anybody who does

Please do NOT move forward with the current LG General Plan.

Sincerely,

Dr. Margaret Yu, MD

Los Gatos resident since 2015

On Aug 2, 2021, at 11:04 PM, Kathy Anderson wrote:

As a resident of Los Gatos since 1955, I have seen changes in our town. Most Councils adopted General Plans that provided some growth but had safe guards to prevent developments that would be detrimental to our town. Safe guards that would allow citizens to question and prevent developers from having a free hand to develop projects that did not align with our town.

The new General Plan has not only increased the size of possible new residences without considering water, traffic, and other issues- it has removed the safe guards that allow citizens to object to most developments - height, density, etc.

Please review this Plan with all the changes carefully. Please allow citizens to have input. Most citizens are just now learning of the changes that will drastically change Los Gatos. Please do not rush to pass .

When reviewing what the Plan would allow think is it something that you would want next door to you.

Would you want your neighbor's single family home removed and a 4 plex built.

Your decision will determine what will become of Los Gatos.

Kathy Anderson

On Aug 3, 2021, at 7:11 PM, Kathleen Barry wrote:

Dear Mayor and Council Members,

I am disappointed and sad as I review the General Plan. I was born and raised here. I grew up across from an orchard in much simpler times. We played in the orchard and our parent's would yell out to us to come home for dinner. Eventually, that orchard went away and multiple homes were built.

I am saddened to think about what the General Plan could bring to our lovely, little "town". I would like to believe most of us live here because of the town and it's charm. However, sadly, the charm is changing and if we don't stop to analyze now what we want and what we envision, it won't be our charming little "Tree Town" any longer.

Where I realize there has to be some growth, I think there needs to be a much deeper thought process without rushing into a decision. I think the citizens who live here need to be involved and be able to participate. These items should be explained so the general population is able to read and understand the consequences.

If you take for example the North 40. It's not even built and traffic is a disaster. I can vouch for that the multiple days a week I drive down Los Gatos Boulevard to work. I tried to pull out of Lark Avenue Car Wash yesterday and narrowly missed being hit. The traffic flow there is insane. Not to mention, turning left onto Lark from Los Gatos Boulevard, it seems the majority of people can't figure out how to stay in their lane since they have been changed.

I believe there should be much more consideration to the following to start:

- Water shortage...where are we going to get it?
- Energy crisis-conservation?
- Infrastructure
- Schools
- Density
- Poor air quality with more people
- Parking
- Quality of life

It seems as if the General Plan would like to turn us into a "city". We are not a city, but, a town, smaller. Charming. With virtually no land left to develop. How on earth does anyone think this will work in the long term? You already can't get around town on a the weekends with beach traffic. How do we support our local business that are in need of our business? What if there is a fire or emergency? How do people get out when the roads are already clogged?

This is just a brief snippet of thoughts I have on the initial plan. I will be following closely to see if our elected officials are listening to our residents.

Sincerely,

Kathleen Barry

**From:** Cynthia Ptacek
**Sent:** Wednesday, August 4, 2021 6:21:18 PM
**To:** Mary Badame
**Subject:** General Plan 2040 - please amend

Dear Ms. Badame,

The draft of the General Plan 2040 for the next 20 years is frightening! I'm not sure why the town of Los Gatos didn't push back on the number of houses the state wanted us to fit into our little town, but we should have pushed back. The 3,378 new homes and the ability to build a duplex or a fourplex in what is a one-house lot are completely unacceptable. Our town cannot handle the water and traffic needs of that many additional houses.

If people want to live in high-density housing then they can live in the North 40 or in another town like San Jose. We did not buy a house here to live in an overcrowded town. And speaking of the North 40, that end of Los Gatos is a nightmare! The traffic is already horrific and no one is living in those buildings yet. Please do not do more damage to our town than already done by allowing the North 40.

Please do not allow the developers to ruin our cute town by building it up and crowding it so they can go live in Saratoga where they don't have this happening (because that town asked for a variance). The 1900 houses that the state wants us to build are too many. Push back! Considering the fire risks, the traffic on 17 and Los Gatos Boulevard, we are at capacity now. We have a diverse town, lots of people come here for the weekend to shop and eat at our restaurants, let's keep it desirable.

Sincerely,

Cynthia Ptacek

**Sent:** Friday, August 6, 2021 4:48 PM
**To:** GP2040 <GP2040@losgatosca.gov>
**Subject:** [#20210806234746] Comment from LosGatos2040 Website Los Gatos 2040 General Plan Update

Ticket: [#20210806234746]

**Name**: kay maurer
**Comments**:
To continue on a path of adding more residences when the town is already crammed with cars and people is something I cannot understand. What about quality of life for those who do live here. Why would we want to plan for more units than required by state law. It makes no sense at all. Until the town can move electrical wires underground to prevent fires, and find a solution to weekend traffic, no further housing should be considered. You will ruin the small town feel in a misled path to be inclusive.

Page title: Home

**From:** Phil Koen
**Sent:** Monday, August 9, 2021 12:57 PM
**To:** Laurel Prevetti; Arn Andrews
**Cc:** Matthew Hudes; Rob Rennie; Maria Ristow; Mary Badame; Marico Sayoc
**Subject:** Marketing hype vs factual update

Dear Laurel,

I just saw this notice on Nextdoor and immediately read the "newsletter" which was suppose to discuss "key proposed changes in this General Plan Update". Boy, was I sadly disappointed.

Let me remind everyone that the residents were initial told at the kickoff of the general plan update process the Council was happy with the existing General Plan 2020 and that the update would be "fine tuning". This clearly is not even remotely the case.

Given the magnitude of the changes being proposed, and the initial positioning of the update, the Town has a very real obligation obligation to be forthcoming about all of the changes being proposed, in a factual, non-spin manner. It is called the duty to adequately inform.

This newsletter was extremely disappointing in-tone and substance. It was a marketing piece and not a thoughtful discussion of the "key changes".

Where was the discussion of why the draft general plan allows for a maximum possible buildout of 3,738 units, which exceeds the RHNA requirement (1,993) by 88%? Why is 3,738 units the correct number and 1,993 the wrong number? How many other cities in Santa Clara County are proposing 88% more housing than their RHNA requirement? Please name them.

Where was the detail discussion of the impact on residential zoning densities and intensity as a result of this increase in housing? Why is this good policy and is it consistent with the objective of retaining the Town's unique character?

Where was the disclosure of how many of the 3,738 additional units would truly be "affordable" (i.e BMP vs MP) housing?

Where was the discussion if the "missing middle" was built, what is the estimated MP for the smaller units being planned? Would these really be "affordable" (I.e spending 30% or less on housing) for a family of 4 making 100% of current AMI? How do we know the "missing middle" strategy will be successful?

Where was a land use map which showed the land uses as is vs. proposed changes so the public could easily understand the location and magnitude of the proposed changes?

I'll stop here because you get the point. Please put forth a newsletter that fairly describes what is in the draft General Plan 2040 so residents can easily grasp what is being proposed. As Walter Cronkite said - "hold up the mirror and tell and show the public what has happened".

I am asking every Council Member to pledge that the Town will publish in plain English, a comprehensive and accurate analysis of the changes proposed in the draft General Plan 2040 so the residents are adequately informed and can participate in the process. It is impossible to participate if you aren't aware and knowledgeable. The residents of this Town deserve nothing less.

Respectfully,

Phil Koen

**Sent:** Thursday, August 12, 2021 8:53 AM
**To:** Jennifer Armer
**Cc:** Council; Chris & Lisa Wade
**Subject:** Promoting plant-based foods in Los Gatos

Dear Jennifer,

This is to let you know how appreciative I and many of our fellow citizens are for the steps that the town has taken to encourage the adoption of plant based foods. I understand that the town is considering including a plant-based education program in the 2040 General plan to support the promotion of meat and dairy reduction. I would like to add my support to this proposal as an important step forward in promoting this important goal.

I have personally been involved in a program that will use technology to protect rhinos from poaching and certain extinction if the situation is not addressed. A major issue in achieving our goal as well as protecting multiple other threatened species is the encroachment of land on wilderness areas by cattle and other ranching activities. The only solution is to reduce or eliminate meat consumption and every small step helps.

We have been residents of Los Gatos for 35 years and our address is:

Los Gatos, CA 95032-1116

Sincerely,

Antony G White

**Sent:** Thursday, August 12, 2021 8:56 AM
**To:** Jennifer Armer
**Cc:** Council; Chris & Lisa Wade
**Subject:** Promoting plant-based foods in Los Gatos

Dear Jennifer,

I understand that the town is considering including a plant-based education program in the 2040 General plan to support the promotion of meat and dairy reduction. I would like to add my support to this proposal as an important step forward in promoting this worthy goal.

We have been residents of Los Gatos for 35 years and our address is:

Los Gatos, CA 95032-1116

Sincerely,

Hilary B White

**From:** Shailaja Venkatsubramanyan
**Sent:** Thursday, August 12, 2021 3:00 PM
**To:** Jennifer Armer
**Cc:** Council
**Subject:**

Hello, I am a resident of the Town of Los Gatos. My address is [redacted], Los Gatos, CA 95032.

I would like the town to include a plant-based education program in the 2040 General plan. This would involve the promotion of plant-based diets in Los Gatos through talks, classes, cooking demos, flyers, banners, etc. Climate change is here, and we have to take all the steps to reverse its effects.

Thank you so much for taking my input into consideration. I am sincerely grateful.

Shai

*Shailaja Venkatsubramanyan, Ph.D.*

*Associate Professor Emeritus*

*School of Information Systems and Technology, San Jose State University*

[redacted]

**From:** Levine, Joshua
**Sent:** Tuesday, August 17, 2021 4:22 PM
**To:** Jennifer Armer
**Cc:** Council
**Subject:** Recommendation for plant based diet

Hi Jennifer,

I am resident of Los Gatos ([redacted]) and I'm writing to recommend that the city includes and funds the plant based education program in the 2040 General Plan. My family is vegetarian and enjoys the enormous health benefits that a plant based diet offers. Even our 11 year old son who plays on a top team for Los Gatos United, and is an all-star with Los Gatos Little League, has incredible of amounts of energy and focus in large part because of his diet and exercise regimen. Including the plant based program should have enormous benefits for the community

Thank you for your consideration!

Best

Josh

**Joshua Levine** | *Senior Vice President – Financial Advisor*

**RBC Wealth Management**

[redacted]

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**From:** Kevin Arroyo
**Sent:** Saturday, August 21, 2021 10:54 AM
**To:** Jennifer Armer
**Cc:** Council
**Subject:** 2040 General Plan - Plant-Based Education Program

Hello Jennifer and Town of Los Gatos,

I am a Los Gatos resident and support a plant-based education program in the Town's 2040 General Plan. Due to the rapidly increasing effects of climate change, there needs to be a CO2 reduction through the reduction of eating animal products. It would help reduce water consumption and pollution so our children can live in a healthier environment.

I am also assisting with the creation of the Pinehurst Community Garden and look forward to integrating these sustainable policies within our project. Please let me know if there are any questions.

Thank you,

Kevin Arroyo

**From:** Joanne Benjamin
**Sent:** Thursday, August 26, 2021 11:47 AM
**To:** Marico Sayoc; Rob Rennie; Mary Badame; Matthew Hudes; Maria Ristow
**Cc:** Town Manager
**Subject:** Our Comments on the Los Gatos General Plan 2040 Housing Element & Single Family Zoning

Dear Mayor Sayoc,

Please forward the attached letter to the Town Council regarding our comments on the Los Gatos 2040 Housing Element and Single Family Zoning.

Thank you,

Joanne Benjamin

[redacted]
Los Gatos, CA 95030
[redacted]
August 26, 2021

Los Gatos Council Members

We were surprised and stressed to learn that the Council is considering elimination of single-family zoning in Los Gatos. To us, this is ill advised for multiple reasons.

First, people make major, long-term decisions when they choose to purchase a home and they naturally assume that the Town's zoning ordinances will continue to protect their neighborhoods. Zoning is expected to be long term and consistent, with deviations allowed only on extraordinary basis.

Second, changing the zoning for an existing neighborhood from single family to four-plex multi-family is very significant to the homeowner. Allowing a fourplex (plus ADUs) in an existing single-family neighborhood could significantly impact the quality of life and the living conditions for the residents. The greater density could negatively impact and intensify parking, traffic, privacy, noise, fire safety, viewshed, sun/shade, walkability, and other important elements. In addition, there is the subjective impact of converting even one home in a single-family neighborhood to a multi-unit property as it could permanently alter the neighborhood's character. Until this latest update of the General Plan 2040, Los Gatos thoughtfully valued preserving its historic past, its hillsides, and the charm and character of its different neighborhoods and commercial districts. For example, the Town always seriously considered impacts to adjacent residents when issuing building permits, including relatively minor situations such as repositioning windows, constructing a room addition, adding a second story, or relocating a driveway. This thorough and respectful practice has balanced change against the status quo and has resulted in neighborhoods retaining their vibrancy and attractiveness while still growing and staying up to date.

Third, enabling and even encouraging developers to purchase homes in a single-family neighborhood for the purpose of redeveloping to multiple units causes irreversible harm and damage. Once such conversions happen, there is no turning back as its essentially impossible to return to a previous state. Real estate development is relatively permanent with an assumed minimum lifetime of 40 years for most structures (and much, much longer when they are maintained such as homes in the Almond Grove!)

Fourth, housing is an extremely important component of our General Plan. While we understand the demand for more homes and more affordable homes, we feel that higher density housing should be focused in existing multi-family zones, undeveloped regions, or rezoning of existing commercial, industrial, or office areas, but not in existing single-family neighborhoods. Although Los Gatos isn't yet well served by public transit, the Town should plan for this eventuality and consider higher density housing along future transportation corridors.

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Fifth, besides creating more (and more affordable) housing, our community as well as the state is facing many other critical challenges – water shortages; electricity reliability; sewage treatment and capacity;

roads, highway, bicycle and pedestrian improvements; public transportation; wildfire prevention and containment; plus enhanced law enforcement and public safety. Increasing the housing supply without solving these other problems will exacerbate these problems and is simply irresponsible.

Finally, we understand that the state requires Los Gatos to accommodate additional housing. Los Gatos should meet this requirement by approving greater density in areas other than the current single-family zones, and in areas adjacent to future transportation corridors. This is greatly preferred to blanketly allowing multifamily conversions in single family neighborhoods. And, if after considering all of the above, you are still intent on eliminating single-family zoning, then you should initiate a ballot measure and let the Town's citizens advise on the matter.

Please don't destroy Los Gatos' unique character, charm, and quality of life, that has been the precedent of our community and was carefully planned, implemented, respected, and enforced by prior Town Councils.

Very truly yours,

Joanne and Jim Benjamin

3 September 2021

Jennifer Armer, AICP, Senior Planner
Town of Los Gatos
110 E. Main Street
Los Gatos, CA 95030

Re: Draft 2040 General Plan

Dear Ms. Armer,

Santa Clara Valley Audubon Society (SCVAS) is one of the largest National Audubon Society chapters in California. SCVAS' mission is to promote the enjoyment, understanding, and protection of birds and other wildlife by engaging people of all ages in birding, education, and conservation. Earlier this year we advocated for the inclusion of bird-safe design and dark sky policies in the General Plan 2040. The General Plan Update Advisory Committee (GPAC) supported these recommendations and included both goals and program measures in the draft General Plan Update. We write today in support of these draft policies and with additional comments and recommendations.

Birds make people happy, are key indicators for healthy ecosystems, and are inherently valuable. At SCVAS, our bird conservation advocacy areas have focused on: endangered species, bird-safe buildings and architecture, and land use. Threats to local and migratory birds include: loss of habitat and migration rest areas, collisions with glass that kill an estimated hundreds of millions of birds each year in North America alone, collisions with other human-made structures, Artificial Light At Night (ALAN), climate change, depredation by outdoor cats, and poisoning from rodenticides and insecticides. The Los Gatos General Plan Update is a critical opportunity to address biodiversity and bird safety, and in doing so, protect open space and nature, for the benefit of both the community and natural environment.

One focus of our advocacy has been on reducing ALAN. The impacts of night-time lighting are pervasive and affect biological function and behavior in almost all living things. A recent United Nations report highlights the many biological and ecological impacts of ALAN, and outlines guidelines to help preserve ecosystems, species and our night sky[1]. A scientific review draws together wide-ranging studies over the last decades that catalogue the effects of ALAN upon living species and their environment. Numerous examples are given of how widespread exposure to ALAN is perturbing many aspects of plant and animal behavior and survival: foraging, orientation, migration, seasonal reproduction and more[2].

[1] https://www.iau.org/static/publications/dqskies-book-29-12-20.pdf
[2] https://www.frontiersin.org/articles/10.3389/fnins.2020.602796/full

Moreover, pervasive ALAN has been found to have a wide-ranging impact on human health. Cancer, sleep disorders, and a degradation of mental health have all been linked to pervasive ALAN[3]. Addressing ALAN and setting clear limits on lighting within the General Plan Update can have a great positive impact on our community.

Reading through the draft General Plan Update, we appreciate the thoughtfulness and intentionality when including environmental goals and programs. Many standards and guidelines in the town already help to protect the environment, such as the lighting element within the Hillside Development Standards and Guidelines, the inclusion of native plant species, and protection of wildlife movement. We hope these standards can be reinforced. Additionally, we hope you will take into consideration the following comments and recommendations specific to the draft General Plan Update. These comments pertain to the Guiding Principles, lighting, the Crime Prevention Through Environmental Design program, habitat protections, and tree canopy.

1. Guiding Principle (pdf pg. 12)

Draft Language: Protect Natural Resources
"Protect the natural resources and scenic assets that define Los Gatos, including open space preserves, recreational trails, surrounding hillsides, and natural waterways."

Proposed Language: Protect the Natural Environment
"Protect and enhance the natural environment, scenic assets and biotic communities that define Los Gatos, including but not limited to open space preserves, recreational trails, surrounding hillsides, and waterways."

On April 1, 2021 we gave a public comment to the General Plan Advisory Committee (GPAC) asking the committee to consider changing the Guiding Principle for "Protect our Natural Resources" to "Protect the Natural Environment." The GPAC agreed with the comment, however, since the Guiding Principles have already been approved by the Planning Commission and Town Council, this change must go through the formal approval process.

The principle is meant to protect the environment, but by naming natural resources, it implies that nature is meant to be protected for the benefit of humans. Nevertheless, the environment has inherent value and should be protected regardless of its benefit to humans, which is why we recommend this change to the Guiding Principle.

2. Lighting

*CD-2.24 Public Realm Improvements (pdf pg. 77)*
Draft Language: "Encourage improvements to the public realm, including tree canopies, street furniture, paving, landscaping, and lighting."

[3] https://acsjournals.onlinelibrary.wiley.com/doi/abs/10.1002/cncr.33392; https://time.com/5033099/light-pollution-health/

Proposed Language: Encourage improvements to the public realm, including tree canopies, street furniture, paving, and landscaping.

Please consider removing lighting from CD-2.24 Public Realm Improvements. In the past, improvements for lighting has usually meant expanded lighting. Lighting should not be expanded in Los Gatos.

*CD-2.30 Street and Structure Lighting (pdf pg. 79)*
We support CD-2.30 Street and Structure Lighting, preventing glare, light spillage, and light pollution.

*CD-2.31 Lighting (pdf pg. 79)*
Draft Language: "Encourage lighting for mixed-use and commercial developments such as string lighting, pole mounted lighting, and tree-hanging lighting, to further illuminate the site during nighttime hours for safety and community."

Proposed Language: Provide clear limits for lighting in mixed-use and commercial developments, including the prohibition of uplighting, limiting the Correlated Color Temperature of lighting, and turning off lights after activity hours, in order to find the balance between friendly illumination and preventing unnecessary light at night.

We ask that you consider making policy CD-2.31 Lighting more explicit and restrictive. Decorative lighting should only be allowed in commercial areas, and only during activity hours. All lighting should be directed down since uplighting causes light pollution.

*The Town of Los Gatos Hillside Development Standards and Guidelines (85 of Draft General Plan, Page 6 of Chapter 6 of Standards)*
Chapter 6 Site Elements provides strong and sound requirements for outdoor lighting in the Hillside[4]. We highly recommend the General Plan Community Design Element 4.4 Hillside Development consider retaining and/or strengthening the lighting language found in its complementing Chapter 6 Site Elements. One way to complement this language would be to include a guideline for Correlated Color Temperature (CCT), such as, "Lighting within the Hillside should use the lowest CCT available."

*CD-6.5 Lighting Design in Hillside Areas (pdf pg. 86)*
Draft Language: "Outdoor lighting shall be limited and shielded so as not to be viewable from non-hillside areas and shall be of low intensity."

[4] https://www.losgatosca.gov/DocumentCenter/View/172/Hillside-Standards-60-Site-Elements?bidId=
1. Outdoor lighting shall comply with the Town of Los Gatos Zoning Ordinance.
2. Lighting shall be the minimum needed for pedestrian safety, and shall be low level, directed downward, and shielded so that no bulb is visible, and no light or glare encroaches onto neighboring properties.
3. Unshaded or non-recessed spotlights are prohibited.
4. Lighting for purely decorative purposes is prohibited. Up-lighting of trees, lighting of facades and architectural features is prohibited.
5. Lighting for night use of outdoor game courts (e.g., tennis, paddle tennis, basketball, etc.) is prohibited.

Proposed Language: Outdoor lighting shall be limited and shielded so as not to be viewable from non-hillside areas and shall be of low intensity and of the lowest Correlated Color Temperature (CCT) available, no more than 3000K.

We support CD-6.5 Lighting Design in Hillside Areas to limit outdoor lighting and to be of low intensity. Mentioning CCT would emphasize the need for warmer light, especially in sensitive ecological areas such as the Hillside.

*Mobility Element program I Streetlighting Policy and Guidelines (pdf pg. 135)*
We support the Mobility Element program I Streetlighting Policy and Guidelines to update the town street lighting guidelines and for acknowledging the need for both adequate nighttime lighting and reducing light pollution.

*Public Facilities, Services, and Infrastructure Element program L Outdoor Lighting Standards (pdf pg. 174)*
Draft Language: "Establish outdoor lighting standards in the Town Code to address energy efficiency."

Proposed Language: Establish outdoor lighting standards in the Town Code to address energy efficiency, dark sky conservation, and healthy ecosystems.

3. Crime Prevention Through Environmental Design (CPTED)

*CD-2.21 Adequate Pedestrian Lighting (pdf pg. 77)*
Draft Language: "Pedestrian-oriented lighting shall be provided in active pedestrian areas and common areas for safety and security."

Proposed Language: In high-density planning zones, the minimal amount of pedestrian-oriented lighting necessary should be provided in active pedestrian areas and common areas for safety and security purposes.

More lighting does not necessarily mean more safety. A recent study in Tucson, Arizona found that dimming their city lights to 30% of capacity had no effect on rates of crime, accidents, or other safety measures. In fact, virtually no one noticed that the street lights had been dimmed[5].

We are concerned that allowing the expansion of lighting under safety programs will unnecessarily expand light into sensitive areas. All lighting facilities should have dimmers, motion sensors, and/or timers. If included, goal CD-2.21 needs to be more explicit in the amount and type of light used.

*PFS-18.1 CPTED Site Planning for Crime Prevention (pdf pg. 159)*

[5] https://www.darksky.org/nights-over-tucson/

Draft Language: “Emphasize the use CPTED principles in physical site planning as an effective means of preventing crime. Open spaces, landscaping, parking lots, parks, play areas, and other public spaces shall be designed with maximum possible visual and aural exposure to community residents.”

Proposed Language: Consider the use of CPTED principles in physical site planning as a potential means of reducing crime.

We request clarification on PFS-18.1 CPTED Site Planning for Crime Prevention. Open spaces, parks, landscaping, play areas, and even some parking lots are ecologically sensitive areas and light should be *severely limited*[6]. They should *not* be designed with maximum possible visual and aural exposure, rather with the *minimum possible* visual and aural exposure.

There have been instances of other cities in the Bay Area expanding lighting into parks under the label of “public safety.” Expanded lighting in parks is not necessary because they are closed at night time, increases in lighting do not correlate with reductions in crime, and parks are ecologically sensitive areas in which more lighting will actually be causing more harm than good.

4. Habitat Protections

*CD-6.6 Hillside Fencing Design (pdf pg. 86)*
We support Goal CD-6, especially CD-6.6 Hillside Fencing Design to be of open design. Habitat connectivity for wildlife in ecological areas is crucial for species and biodiversity.

*OSPR-2.4 Uninterrupted Wildlife (pdf pg. 184)*
We support OSPR-2.4 to provide an “uninterrupted band of usable segments for wildlife corridors.” We ask you to consider adding a program for creating a wildlife corridor study to reinforce this goal. Without a relevant study to identify where primary and critical wildlife corridors are, enforcing development standards and making hillside development decisions can be challenging.

*ENV-7.7 Herbicides and Pesticides Adjacent to Aquatic Habitats (pdf pg. 199)*
Draft Language: “Require that herbicides and pesticides used in areas adjacent to creeks and other water bodies are approved for use in aquatic habitats.”

Proposed Language: Require that herbicides and pesticides used in areas adjacent to creeks and other water bodies are approved for use in aquatic habitats, ensuring minimized potential damage to public health, native plants, birds, and other wildlife.

The Los Gatos IPM plan should be updated to consider new information and guidelines regarding herbicides and pesticides. We recommend considering adding a program for ENV-7.7 to update the Los Gatos IPM plan.

[6] https://www.darksky.org/values-centered-lighting-resolution/?eType=EmailBlastContent&eId=e18a9f9f-e20c-469d-9cea-fc43510d1c14

Herbicides and pesticide runoff is extremely detrimental to aquatic ecosystems[7]. For instance, the EPA identified Glyphosate, a common herbicide, as a potential risk to terrestrial and aquatic plants and birds, and as low toxicity to honeybees[8].

*ENV-6 and OSPR-5 (pdf pgs. 199, 185)*
We support Goal ENV-6, Protect wetlands and riparian corridors, including intermittent and ephemeral streams. Additionally, we support OSPR-5 Preserve and enhance Los Gatos Creek, and Ross Creek as open space amenities. Specifically, we support restoring both creeks to a more natural state and reducing encroachment by structures and disturbances due to incompatible development and human activity.

In 2007 Los Gatos signed a resolution to join the Water Resources Protection Collaborative through Valley Water[9]. Los Gatos should implement and improve upon these guidelines, including require minimum riparian setbacks and seek opportunities to expand and widen stream corridors.

*ENV-7.10 and ENV-7.11 (pdf pg. 200, 220)*
We support ENV-7.10 and ENV-7.11, Bird Safe Design and Dark Skies, along with the complementary programs to implement these policies. Creating ordinances for bird safe design and dark skies will help Los Gatos achieve its goal of protecting sensitive habitats and its environment.

In April of this year, Cupertino passed a bird safety and dark sky ordinance, which controls lighting on all private properties in Cupertino. Additionally, the ordinance mandates bird safe design treatments to all glass surfaces in "bird-sensitive areas". These include hillside areas as well as within 300 feet of water features and vegetated open space.

*Environment and Sustainability Element Program K Riparian Corridor Lighting (219)*
Draft Language: "Require careful lighting design in and near natural riparian corridors to direct light away and to maximize the distance between nighttime lighting and the corridor."

Proposed Language: Establish a lighting setback policy for riparian corridors to protect these sensitive ecological areas and to maximize the distance between nighttime lighting and the corridor. No light should be placed in or directed towards the riparian corridor.

5. Tree Canopy

*Racial, Social, and Environmental Justice element program N Tree Canopy Study (pdf pg. 31)*
Draft Language: "Develop a study to measure tree canopy distribution throughout the Town and encourage the use of native plants when increasing green space."

[7] https://www.sciencedirect.com/science/article/abs/pii/S0048969703001414
https://www.raptorsarethesolution.org/
[8] https://www.epa.gov/ingredients-used-pesticide-products/glyphosate
[9] https://www.valleywater.org/contractors/doing-businesses-with-the-district/permits-working-district-land-or-easement/water-resources-protection-collaborative
https://www.valleywater.org/sites/default/files/WRPC%20Los%20Gatos.pdf

Proposed Language: Develop a study to measure tree canopy distribution throughout the Town and encourage the use of native plants. Consider habitat value in tree selection for the town's forest, and disallow the planting of invasive species.

A healthy, robust tree canopy is crucial for human health and well-being, social justice issues, and enhancing our urban ecosystem. Nonetheless, when considering trees for a tree canopy, we must consider benefits to overall ecosystem health. We are in the midst of a global insect apocalypse, and many native trees, such as oaks[10] are critical to maintaining these habitats. Therefore, the tree canopy study should also measure the types of trees and their biodiversity and habitat value, so that we can have a better understanding of not just how many trees are distributed throughout the town, but how these trees sustain the lives of birds, insects, amphibians, and others.

6. Midpeninsula Regional Open Space District Comment Letter

In addition to our comments, we support the following comments from the Midpeninsula Regional Open Space District comment letter submitted on July 27, 2021 to Senior Planner Jennifer Armer:

*Section LU-3.2 Reducing Project Impacts*
Projects shall be evaluated and the Town shall apply appropriate mitigation measures and/or conditions of approval to reduce impacts on urban services and wildfire risk, including utilities, police, and fire.
Consider including a statement reducing project impacts on the environment.

*Section CD-2.12 Street Trees in New Development*
If feasible, require street trees to be installed for all new developments, to enhance neighborhood character and identity and to maximize shade coverage when mature.
Consider including a requirement for native, non-invasive or non-fire-prone street tree species.

*Section CD-2.30 Street and Structure Lighting*
Require street and structure lighting to minimize its visual, health, and ecological impacts by preventing glare, limiting the amount of light that falls on neighboring properties, and avoiding light pollution of the night sky.
Consider including the dark-sky and/or the Illuminating Engineering Society of North America Model Lighting Ordinance or reference section ENC-7.11. The following link provides additional information on the Illuminating Engineering Society of North America Model Lighting Ordinance.
https://www.darksky.org/our-work/lighting/public-policy/mlo/

*Section CD-2.40 Landscaped Gateways*

[10] "Native oaks support over 300 species of vertebrate animals and provide food for more species of moths and butterflies than any other plant. Insects that live on oaks provide high-protein food for birds to feed their nestlings" http://ucanr.org/sites/oak_range by Rebecca Miller-Cripps, UC Cooperation 2. Download report by San Francisco Estuary Institute here: https://www.sfei,org/projects/integrated-planning-nature-building-resilience-across urban-and-rural-landscapes-silicon

Ensure that public improvements and private development provide landscaped Town gateways that create visual connections between the natural hillsides and open space areas and the community of Los Gatos.
Consider including a requirement for native, non-invasive or non-fire-prone plant species.

*Section CD-5 Preserve the natural beauty and ecological integrity of the Santa Cruz Mountains and surrounding hillsides.*
Under section CD-5 Preserve the natural beauty and ecological integrity of the Santa Cruz Mountains and surrounding hillsides, consider adding: CD-5.6 Preserve Sensitive Natural Communities. Sensitive natural communities are communities that are of limited distribution statewide or within a county or region and are often vulnerable to environmental effects of projects. These communities may or may not contain special status plants or their habitat.

*Section CD-6.5 Lighting Design in Hillside Areas*
Outdoor lighting shall be limited and shielded so as not to be viewable from non-hillside areas and shall be of low intensity.
Consider including the dark-sky and/or the Illuminating Engineering Society of North America Model Lighting Ordinance or reference ENC-7.11 The following link provides additional information on the Illuminating Engineering Society of North America Model Lighting Ordinance.
https://www.darksky.org/our-work/lighting/public-policy/mlo/

*Section CD-9.9 Landscaping*
To soften the appearance of hardscape, incorporate landscaped medians using drought tolerant plants, landscape buffers, and street trees.
Consider including a requirement for native, non-invasive or non-fire-prone plant species.

Thank you for your consideration of these submitted comments. If you have any questions please contact Giulianna Pendleton at [redacted].

Sincerely,

Giulianna Pendleton
Environmental Advocacy Assistant
Santa Clara Valley Audubon Society

**Sent:** Friday, September 3, 2021 5:54 PM
**To:** GP2040 <GP2040@losgatosca.gov>
**Subject:** [#20210904005346] Comment from LosGatos2040 Website Los Gatos 2040 General Plan Update

Ticket: [#20210904005346]

**Name**: Jill VanHoesen
**Comments**:
The town should not almost double the number of housing units that the state is requiring. Without addressing infrastructure no plan should be approved. What about traffic, what about schools? More people may seem like a good idea but we don't have the ability to absorb these numbers. And changing neighborhoods from single family to multi family is a very bad idea. I live on a street that has both single family and multifamily but I chose that. I would hate to see single family homes removed so that multifamily units can be built in their place.
We have a great town and I wouldn't want that to change by adding housing units that can't be supported by the infrastructure in place. Please reduce the numbers to the earlier plan as submitted.

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**From:** Lisa Wade
**Sent:** Monday, September 6, 2021 5:47 PM
**To:** Jennifer Armer
**Cc:** Karen Rubio; Rob Moore
**Subject:** Plant- Based Education Plan Proposal

Hi Jennifer,

I hope you had a great weekend! I am submitting our Plant-Based Education Program proposal attached below for your review.

Our program has widespread support in Los Gatos. Close to 200 residents of Los Gatos have signed on to support our efforts so far. We also have the support of environmental and community groups. Additionally, prominent leaders (outside of Los Gatos) have reached out to offer their support.

I am happy to share the document with you now, or I can send it when we have updated it and added additional supporters (as we hear from more residents and leaders.)

We appreciate all your hard work. Please let me know if you have any questions.

Best,

Lisa

# Los Gatos Plant-Forward Diets Program

**Proposal to reduce greenhouse gas emissions and reverse environmental destruction**

Date: September, 2021
Organization: Plant-Based Advocates

Climate change is the defining issue of our time. The Intergovernmental Panel on Climate Change (IPCC), which consists of more than 1,300 scientists from around the world, forecasts a temperature rise of 2.5 to 10 degrees Fahrenheit over the next century. We are in a period of accelerated global warming that is already having devastating consequences such as drought, fires and hurricanes. Weather events are becoming more frequent and more extreme.

We now know that raising livestock is a primary cause of land depletion, global warming, water usage, deforestation, pollution, and biodiversity loss. According to World Watch, livestock is responsible for 51% of greenhouse gas emissions. "Livestock and Global Warming" (pdf), (*World Watch*, Nov/Dec 2009).

The challenges we are facing are so vast and so serious we can't afford to wait for small, incremental steps; we need to **effect a sea change in how the U.S. views and operates its food system**.

Los Gatos-based advocacy group Plant-Based Advocates is proposing the following plant-forward diets and lifestyles program for the Town to incorporate into their **2040 General Plan**. These programs, which have widespread community support, are targeted at reducing greenhouse gas emissions and environmental degradation and include an estimated cost range.

| Program: Marketing, Promotion, Education | Estimated Cost |
|---|---|
| **1) Monthly Film and Speaker Series:**<br><br>Organize film/speaker series on diet, environment and nutrition. These will be advertised by the Town and PB Advocates. Free to residents and the general public.<br>a) Lectures by health professionals, nonprofits and environmental experts.<br>b) These could be on zoom or in person.<br>c) For in-person events provide plant-based food for people to try. | Cost for Speakers:<br>Many great speakers are available for free or honorarium of $100-300/speaker<br>Higher profile speakers may cost more.<br>Town venue: Free<br>Other Venue: $200-$400<br><br>Cost for documentaries/films:<br>Several good docs are license-free<br>Others: License fee $100-$200<br>Town venue: Free<br>Other Venue: $200-$400<br><br>Cost for health professionals, non-profits, and environmental experts presentation:<br>Usually free;<br>Possible honorarium: $100-$200.<br>Town venue: Free<br>Other Venue $200-$400 |

| | |
|---|---|
| 2) **Monthly free plant-based cooking classes** sponsored by the town.<br>a) 20 – 40 people per class<br>b) Can be via Zoom or in person (in the future) | $300/class.<br>Assume they could be held at a town venue with a kitchen and or via Zoom.<br><br>Possible grant money reimbursement available if the Town takes the lead.<br>*A small fee between $5-10 could possibly also be used to partially fund the event; and also ensure participants show up. |
| 3) **Monthly free food-tasting events** for the public, held once/month.<br>* Can be combined with speaker series or events. | Food for in person events: Approx $300 |
| 4) **Monthly email newsletter and online survey program** to keep track of residents who pledge to reduce animal consumption and also provide encouragement, support, tips etc. Residents can sign up online, or at any of the other events in this list (films, cooking classes, etc.). **This will allow the town to quantify greenhouse gas (GHG) reduction resulting from this program.** | ~$2000 for database setup, $100/month for IT and maintenance. Maybe less if town IT support is available.<br><br>Prizes for survey. |
| 5) **Creation of custom branded marketing materials** (brochures, etc.) for residents, explaining the importance of plant-based diet. Display at the chamber of commerce, library, town events, etc. | $500 - $5000, depending on quantity and complexity. Potential for free/donated graphic design. |
| 6) **Incorporate plant-based food and lifestyle promotion** into all Town sustainability material used around education and information.<br>- In their websites/online channels<br>- During town-organized events<br>- **Work with local school boards and PTAs** to disseminate education about plant-based diets. | Minimal. A huge database of information on sustainability, plant-based diets and lifestyle etc. is widely available. PB Advocates is also happy to support in terms of providing content and ideas. |

| **Program: Restaurants/Residents Initiatives/Promotional Events** | **Estimated Cost** |
|---|---|
| 1) **Encourage Los Gatos restaurants** to offer:<br>a) Plant-based specials<br>b) Days of the week, promoting PB specials | Minimal. Local non-profits can assist with this effort. |

| | |
|---|---|
| c) Display promotional materials around PB options | Town to provide stickers for restaurants.<br>A friendly competition for restaurants - winner gets press etc.<br>A week (every month/regular basis) celebrating “plant based”/restaurants participate and get featured.<br>Town to provide an incentive or reward to restaurants. |
| 2) **Annual Plant-based Cooking competition** (or even twice a year) for restaurants and residents, perhaps a “Chili Cook-off.” or Vegan Mac ‘n Cheese contest. Possibility of promoting other ethical businesses around the event. | $2000 for venue, prizes, and advertising.<br><br>$5000 for organization of the event. Local advocacy can help with volunteer and organization efforts. |
| 3) **Restaurants: Los Gatos restaurant competitio**n where participating restaurants feature plant-based specials over the course of a month and residents try the specials and vote for their favorite. The winning restaurant receives a prize and publicity. Could be done in conjunction with the VegFest. | $200 - $2000, depending on level of publicity |
| 4) **Residents: Creation of a volunteer citizen-based sustainability committee** to develop and implement strategies and branding to promote a more plant-centric lifestyle in Los Gatos. | Some coordination required. Advocacy groups can help/support. |
| 5) **Hold a Los Gatos Plant-based food festival**, also known as a “VegFest.” VegFest features local restaurants and organizations, speakers, food samples, etc. Vegfest is a great way to bring consumers into Los Gatos.<br><br>Similar events have been held in San Francisco, Oakland, Santa Cruz, Seattle and many other cities. It is a great way to bring consumers into Los Gatos. | Ranges from **net positive revenue** to a cost of $15,000 depending on the venue, sponsorships, vendor fees, etc.<br><br>Local non-profits can assist with this effort. |

**Total estimated cost of the program (annual) $25-30,000* USD**

Note: We are asking the Town of Los Gatos to dedicate approximately 30K to this program. As a precedent, the city of Mountain View has pledged $30,000 to educate residents about the benefits of a plant based lifestyle.

This proposal has the support of a wide cross-section of Los Gatos community leaders, social

organizations and residents. Additionally, many prominent leaders (outside of Los Gatos) have also reached out to offer their support. These names will be provided as an attached document additionally for reference.

*Please also note that the town might need to consider a dedicated staffer to oversee and manage this program. The Plant Based Advocates group will support the Town to the best of its ability.

**Other ideas (minimal expenses)**

- [ ] Have Los Gatos take the "Cool Food Pledge." Encourage businesses in our town to take this pledge as well. Cool Food
- [ ] If the Town caters (or plans menus) for events or meetings the council will ensure that there are identified plant-based options. Better yet, the town will have a default veg menu which means animal products are absent unless specifically requested. https://defaultveg.com/
- [ ] Advertising campaign to promote the initiative, including banners, print and radio ads. Potential to have donor match funds for the advertising campaign. $5000 - $15000, with potential for donated matching funds if the Town takes the lead.

# The need for education, promotion and advocacy for a plant based diet and lifestyle

For over a decade the United Nations has warned governments to make fundamental changes to reduce animal products and increase plants in their food system to address runaway global warming. The message has fallen on deaf ears - until now.

Trailblazing cities across the United States are starting to promote plant-forward policies among their residents as the most effective way to reduce greenhouse gas emissions.

The following actions and resolutions are being taken by cities and organizations to fight global warming through diet change:

- Mountain View, CA has signed a 3-year Sustainability Plan which includes an initiative to dramatically reduce meat & dairy consumption by their residents.

- **The City Council of Berkeley** passed a resolution to slash the amount of animal products the city purchases by 50 percent by 2024, with progress on the goal to be reported to the Council by the City Manager by January 31, 2022.

- **Emeryville** passed a Green Monday Resolution including:
    - Sourcing plant-based meals for city council meetings
    - Encouraging local restaurants to feature plant-based specials on Mondays
    - Featuring educational programming and displays at community centers and libraries

- **The Town of Los Gatos** passed a Green Monday Resolution in Dec. 2019

- New York City has implemented a Meatless Monday program for all 1,700 public schools within the City. This program started in 2019 and mandates that all breakfast and lunch options are 100% vegetarian on Mondays.

- The cities of Santa Barbara and New York City have both banned the sale of processed meat products (including hot dogs, bacon, salami, etc.) in schools. This is mostly health-related, since processed meats have been found to significantly increase the risk of certain forms of cancer.

- Many cities and municipalities have passed food procurement policies that stipulate a reduction in meat and dairy purchasing. Friends of the Earth has a great guide that outlines the process and highlights cities that have incorporated food purchasing policies into their Climate Action Plans.

- The group "Scientists for Less Meat" is making an urgent call to all City mayors to enact policies that will reduce the amount of meat consumed in their city, and increase the proportion of plant-based foods.

- Harvard University recently committed to reduce their food-related GHG emissions by 25% before 2030, by emphasizing a shift towards plant-based foods. This is based on a UN & World Resources Institute initiative called the "Cool Food Pledge."

- **The city of Philadelphia** has a "Vegan Restaurant Week" each year. This event is a collaboration between nonprofits, the city, and restaurants.

- Many US cities, including San Jose, San Francisco, Los Angeles, Philadelphia, Cleveland, and numerous others have passed "Meatless Monday" resolutions.

**We are proposing for Los Gatos to be a part of this solution towards climate change by adopting these much-needed initiatives.** The challenges we face are so vast and so serious we can't afford to take small, incremental steps. We need fundamental, systemic change on a local level that recognizes and starts to address this crisis.

In 2016, Los Gatos took a leadership position by signing the Mayor's Climate Agreement, thereby pledging to address global warming. As residents and global citizens, it's our duty to contribute as much as possible towards one of the most pressing environmental issues of our time. Plant-Based Advocates calls upon our Town to implement plant-forward policies that will dramatically reduce greenhouse gas emissions and begin to reverse environmental destruction.

**From:** Anita Bora
**Sent:** Wednesday, September 8, 2021 11:01 AM
**To:** Jennifer Armer
**Subject:** Support for PB Education in the 2040 General Plan

Hi Jennifer,

I am resident of the town of Los Gatos, having moved here last year. I really enjoy the area and am discovering the joys of living here including the parks, library, downtown area amongst others.

As someone who enjoys eating out and exploring various options, and following a compassionate lifestyle, I would also like to voice my support for adding programs and initiatives about the health and environmental benefits of a plant based diet and lifestyle in the 2040 General Plan. Though it is encouraging to see many restaurants, eateries and take outs offer options, I don't feel it's enough yet. Offering one token tem on the menu that does not have an animal part in it, in my mind is not doing enough. What we need is education at every level to make this gradual shift happen. The town can play an important role in making this shift. It does have the power and should definitely look at taking on more responsibility.

As a concerned citizen, I feel that it's up to each of us to individually and collectively, to do whatever we can to mitigate the current climate and environmental disaster that we find ourselves in. Education rests on schools, social organizations and the the towns - and the town of Los Gatos should start recognizing this challenge and addressing it.

A lot of people seem to think that food is personal. That might have been the case, but no longer applies in the current climate crisis we find ourselves in. Change starts with everyone and it starts with what we eat - this is something that everyone needs to understand. We do make a decision everyday about what we buy, what we cook and what we put in our stomach. I've found that there is interest, but not enough resources or education or encouragement for plant based options. There is also very low awareness about the ramifications about animal agriculture.
https://www.kinderworld.org/videos/environment/the-devastating-consequences-of-animal-agriculture-on-earth/

Having learned that a plant based education program was approved by the town of Mountain View recently gives me hope. I feel it's the right time for everyone, including the Town of Los Gatos to start looking at this seriously. I would like to strongly advocate and request for such a program to be added to the town's plan, specifically the environmental section (8.12 Implementation Programs).

I hope that the town will take this thoughtful and much needed decision so we can start proactively working towards a better world.

Thank you!

Anita

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Anita Bora

[redacted]

Los Gatos 95032

**Sent:** Thursday, September 9, 2021 5:36 PM
**To:** GP2040 <GP2040@losgatosca.gov>
**Subject:** [#20210910003628] Comment from LosGatos2040 Website Los Gatos 2040 General Plan Update

Ticket: [#20210910003628]

**Name**: Marc Caligiuri
**Comments**:
Dear Los Gatos City Council

The current EIR should not be approved.

The 2040 General Plan should plan on adding enough over the regional housing requirements to hit its requirements of 1,993. Please don't ruin our Town!!

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**Sent:** Thursday, September 9, 2021 8:10 PM
**To:** GP2040 <GP2040@losgatosca.gov>
**Subject:** [#20210910030952] Comment from LosGatos2040 Website Los Gatos 2040 General Plan Update

Ticket: [#20210910030952]

**Name**: Richard Katz
**Comments**:
Folks, let's call a spade a spade. This is about development and the almighty dollar. Each land owner will have incentive to convert to the maximum number of units, and those that do so will be either speculators or doing so as part of their own get out of town strategy. The ladder will end up simply moving to the nicer communities some of which are only nicer as a result of the downward turn that this change in regulation will bring upon our town. Seriously how is increasing density going to fix the abysmal beach traffic. As this will catapult change in this town, begs the question what are you all thinking Los Gatos will be in the future? We have held on to a somewhat sleepy natured small town with a good vibe and nice things to do. We have an excellent school system though it is already impacted. What will quadrupling our numbers do and how will that really benefit anyone? As our density then exceeds places like Willow Glen and Campbell Cambrian etc What is the vision?

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**Sent:** Thursday, September 9, 2021 8:58 PM
**To:** GP2040 <GP2040@losgatosca.gov>
**Subject:** [#20210910035808] Comment from LosGatos2040 Website Los Gatos 2040 General Plan Update

Ticket: [#20210910035808]

**Name**: Lou Albert
**Comments**:
This EIR fails to predict the full buildout potential under this proposed GP. It is a lawsuit waiting to happen. EX: The EIR LDR buildout estimate is based on an assumption that only 5% of the potential 7,340 new dwellings allowed under this plan's increased LDR density limits will actually be built. The EIR's rational for this limit is basically "more than that hasn't happened in the past, so it won't happen in the future". But higher buildout wasn't really possible under past GPs and this EIR doesn't account for the increased economic incentive to redevelop under the 2040 GP. EX: A home on 1/2 acre could under this plan be redeveloped into a 6-plex that yields more than $1M in gains over its current market value. But such an incentive will drive buildout beyond 5% and significantly affect the EIR's findings. The TC should reject this EIR and inform every LG residents on how this 2040 GP differs from State requirements by sending a flyer to every LG resident before approval is granted

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**Sent:** Friday, September 10, 2021 8:35 AM
**To:** GP2040 <GP2040@losgatosca.gov>
**Subject:** [#20210910153453] Comment from LosGatos2040 Website Los Gatos 2040 General Plan Update

Ticket: [#20210910153453]

**Name**: Eric Thune
**Comments**:
The current EIR should not be approved. The 2040 General Plan should plan on adding enough over the regional housing requirements to hit its requirements of 1,993. The city should be targeting about 2,400 units and not the 3,738 in the draft 2040 plan. This is what the state has asked for. The 3,738 units is not required by any State law. By over committing to an excessive number of units to add, the Town is making unnecessary and unneeded changes in density and zoning laws that will lead to more green house gas and terrible traffic issues.
If Los Gatos is serious about building affordable housing, the 2040 GP needs to commit to a specific number of those units and not just allow too much growth all at market rate.
The General Plan should be adopted by a majority vote of residents.
Going from 4 houses per acre to 12 is entirely too high and isn't needed to meet what the State is asking for and the environmental impact report says traffic will be minimized.

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**Sent:** Friday, September 10, 2021 10:45 AM
**To:** GP2040 <GP2040@losgatosca.gov>
**Subject:** [#20210910174508] Comment from LosGatos2040 Website Los Gatos 2040 General Plan Update

Ticket: [#20210910174508]

**Name**: Sacha Arts
**Comments**:
The 2040 General Plan should plan on adding enough over the regional housing requirements to hit its requirements of 1,993 new units. The city should be targeting about 2,400 units and not the 3,738 in the draft 2040 plan. This is what the state has asked for. The 3,738 units is not required by any State law. By over committing to an excessive number of units to add, the Town is making unnecessary and unneeded changes in density and zoning laws that will lead to more green house gas and terrible traffic issues. 12 units/acre in the LDR is also excessive and we need strong safeguards in place to keep the integrity of our neighborhoods. It is too hard to build in LG, but this plan goes way too far.

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**Sent:** Saturday, September 11, 2021 9:23 AM
**To:** GP2040 <GP2040@losgatosca.gov>
**Subject:** [#20210911162229] Comment from LosGatos2040 Website Los Gatos 2040 General Plan Update

Ticket: [#20210911162229]

**Name**: Christina Jansson
**Comments**:
Make this plan more detailed and less vague.

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**Sent:** Saturday, September 11, 2021 4:01 PM
**To:** GP2040 <GP2040@losgatosca.gov>
**Subject:** [#20210911230126] Comment from LosGatos2040 Website Los Gatos 2040 General Plan Update

Ticket: [#20210911230126]

**Name**: Christine Klesney
**Comments**:
The 2040 plan has population growth goals that are aggressive and exceed the infrastructure capacity. Roads are already too congested. Should a wildfire come through here the roads could never handle the traffic to allow a safe escape.
Every warm weekend I limit my driving due to the beach traffic. How about we solve our existing problems before we make it exponentially worse?

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**Sent:** Sunday, September 12, 2021 4:26 PM
**To:** GP2040 <GP2040@losgatosca.gov>
**Subject:** [#20210912232609] Comment from LosGatos2040 Website Los Gatos 2040 General Plan Update

Ticket: [#20210912232609]

**Name**: Felix and Lulu Sterling
**Comments**:
The Town is faced with two overarching challenges which are each exacerbated by increased density: (1) Wildfire risk and related insurance and land use complications, and (2) severe traffic congestion due to the Hwy 17 bottleneck and the North 40 project. These conditions would provide a very strong basis to appeal the RHNA allocation, but instead the Town failed to appeal voluntarily doubled it!?

The RHNA+ commitment, combined with North 40 and rezoning for "missing middle" housing, would reduce defensible space after many residents have already had their fire insurance cancelled in recent years, and further congest already unacceptable traffic. The local infrastructure simply cannot accommodate higher density near downtown Los Gatos, and we believe that the vast majority of residents do not want it and particularly object to the character of single family neighborhoods altered with rezoning to retrofit "missing middle" multifamily structures into established neighborhoods.

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**Sent:** Sunday, September 12, 2021 6:19 PM
**To:** GP2040 <GP2040@losgatosca.gov>
**Subject:** [#20210913011909] Comment from LosGatos2040 Website Los Gatos 2040 General Plan Update

Ticket: [#20210913011909]

**Name**: Jared Ajlouny
**Comments**:
I am saddened to read about what the town is considering for the 2040 general plan. Los Gatos is a beautiful town with so much charm and character. By changing the general plan to allow so much more housing density the town will be forever changed for the worse.

The vast majority of residents of Los Gatos have worked hard and sacrificed much to be able to afford to live in this town. We did/do it because this town is so special. By changing the zoning rules to be like that of surrounding cities you will forever tarnish this place.

Los Gatos is so special because of what it is. Please use your head when deciding on ruining thousands of peoples "home town".

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**Sent:** Sunday, September 12, 2021 7:00 PM
**To:** GP2040 <GP2040@losgatosca.gov>
**Subject:** [#20210913015958] Comment from LosGatos2040 Website Los Gatos 2040 General Plan Update

Ticket: [#20210913015958]

**Name**: Emma A Ajlouny
**Comments**:
please don't change Los Gatos and the beautiful town that allows visitors from ALL over to enjoy all the charm it has to offer

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**Sent:** Sunday, September 12, 2021 9:51 PM
**To:** GP2040 <GP2040@losgatosca.gov>
**Subject:** [#20210913045043] Comment from LosGatos2040 Website Los Gatos 2040 General Plan Update

Ticket: [#20210913045043]

**Name**: Mitzi Anderson
**Comments**:
The General Plan should not exceed the RENA numbers mandated by the state. By doing so, the GP proposes zoning changes that far exceed what is needed and what the town can support (water, traffic, schools, and VMT rating goes up as we export more people into the areas with jobs.)

Also, the proposed growth changes for the town are undervalued. The zoning changes will create more growth then the numbers the GP is proposing this the EIR is not an adequate study of the real growth.

The town was misled when we were told the GP 2050 would have minor changes to the existing plan. This proposed plan is a radical change for the direction and design of the town.

The residents should have the final say if we want these changes to our town not a small committee of people and the Town Council. The changes are just too much to be thrust on the town.

As a resident of Los Gatos, I do not support the zoning density, height or middle housing proposals.

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On Sep 12, 2021, at 9:32 PM, Kathleen Anderson wrote:

Please do not rush to judgment concerning the 2040 General Plan. Give the citizens of Los Gatos time to input their thoughts on the Plan. You do not have to vote in November.
The new General Plan will have a long lasting impact on our town. In my opinion a detrimental impact.
I am concerned about
The increased number of residential units without infrastructure in place to handle it.
The traffic, lack of water, evacuation in an emergency, parking, the trend away from single family homes to multi housing, the impact it will have on climate change with the increased traffic fumes. Most new residents will not work here but will need to travel to their employment. There are other issues that make this new General Plan a negative for Los Gatos.
I am extremely concerned about the housing element with increased density and height allowance.
There are many issues that need further discussion before this Plan should be voted on by Council.
Much of the work on this General Plan was done while we were in a pandemic. Most people were just trying to avoid getting the virus. They did not have the time to review the General Plan and especially the housing element.
Give the citizens the time needed . Put off voting in November.
Kathy Anderson
[redacted]
Los Gatos

Sent from my iPad

**From:** Charles Wade
**Sent:** Tuesday, September 14, 2021 1:14 PM
**To:** Jennifer Armer
**Cc:** Council; Lisa Wade
**Subject:** Plant based education program-2040General Plan

Hello, Jennifer. I'd like to express my support for a plant based education program in the 2040 General Plan. I moved to Los Gatos at mid life and suddenly I've been here 41 years. As I've aged I've paid more attention to diet and as a chemist I could relate to changes recommended for longevity. In particular, the environmental and health impact of red meat is troublesome. Science is unequivical that red meat is a no no for health, and the environmental impact for hamburgers alone includes replacing forests with space for cattle at a rate that threatens the planet. I grew up a meat and potatoes kid on a small farm in the midwest, and I can hear my father turning in his grave when he hears I've left the diet from our cattle, that diet he felt would make me the healthiest kid in the county. But science shows otherwise, and I've gone that direction personally.

Los Gatos should be a leader in health, so I'm asking the city to support these changes.

Thanks.

Charles Wade

[redacted], Los Gaos, CA 95032

**From:** Lisa Wade
**Sent:** Thursday, September 16, 2021 10:34 AM
**To:** Jennifer Armer; Council
**Cc:** Karen Rubio; Rob Moore
**Subject:** Written Comments for General Plan Joint Study Session on 9/20/2021

Hi Jennifer, Mayor Sayoc, and Town Council members,

We wanted to provide you with the following written comments to be included in the staff report for the Joint Study Session Meeting for the 2040 General Plan on Monday, September 20.

Plant-Based Advocates would like to request the inclusion and funding of a Plant-Based Education program in the Environmental Section of the Town's 2040 General Plan. The City of Mountian View has included such a plan in the Environmental Element for the City. Mountain View has pledged $30,000 to support Plant-Based education for residents. We would like to request $30,000 to fund such a plan in Los Gatos. We have outlined an action plan attached below for your review.

We have widespread community support for Plant-Based Education in Los Gatos. Residents are enthusiastic about learning the whys and hows of plant-based eating.

So far we have the support of 216 residents of Los Gatos.

We also have the support of 32 close neighbors (Monte Sereno, Cambrian area of San Jose, Campbell, etc.) Who expressed strong interest in signing since they spend time in Los Gatos.

We also have the support of some prominent leaders from nearby areas such as Lucas Ramirez Vice Mayor of the City of Mountian View and Alison Hicks City Council member in Mountian view.

In addition organizations including Environmental and Health NGOs are in strong support of our proposals. We are very proud that the Center for Biological Diversity included written testimony in support of our efforts. I have attached the testimony below.

I have also attached our petition signatures for your review. We continue to receive support and we believe our list will continue to grow, but we wanted to submit this list in advance of the meeting on Monday.

Thank you for your consideration.
Lisa Wade
[redacted], Los Gatos.

# Los Gatos Plant-Forward Diets Program

**Proposal to reduce greenhouse gas emissions and reverse environmental destruction**

Date: September, 2021
Organization: Plant-Based Advocates

Climate change is the defining issue of our time. The Intergovernmental Panel on Climate Change (IPCC), which consists of more than 1,300 scientists from around the world, forecasts a temperature rise of 2.5 to 10 degrees Fahrenheit over the next century. We are in a period of accelerated global warming that is already having devastating consequences such as drought, fires and hurricanes. Weather events are becoming more frequent and more extreme.

We now know that raising livestock is a primary cause of land depletion, global warming, water usage, deforestation, pollution, and biodiversity loss. According to World Watch, livestock is responsible for 51% of greenhouse gas emissions. "Livestock and Global Warming" (pdf), (*World Watch*, Nov/Dec 2009).

The challenges we are facing are so vast and so serious we can't afford to wait for small, incremental steps; we need to **effect a sea change in how the U.S. views and operates its food system**.

Los Gatos-based advocacy group Plant-Based Advocates is proposing the following plant-forward diets and lifestyles program for the Town to incorporate into their **2040 General Plan**. These programs, which have widespread community support, are targeted at reducing greenhouse gas emissions and environmental degradation and include an estimated cost range.

| **Program: Marketing, Promotion, Education** | **Estimated Cost** |
|---|---|

| | |
|---|---|
| **1) Monthly Film and Speaker Series:**<br><br>Organize film/speaker series on diet, environment and nutrition. These will be advertised by the Town and PB Advocates. Free to residents and the general public.<br>a) Lectures by health professionals, nonprofits and environmental experts.<br>b) These could be on zoom or in person.<br>c) For in-person events provide plant-based food for people to try. | <u>Cost for Speakers:</u><br>Many great speakers are available for free or honorarium of $100-300/speaker<br>Higher profile speakers may cost more.<br>Town venue: Free<br>Other Venue: $200-$400<br><br><u>Cost for documentaries/films:</u><br>Several good docs are license-free<br>Others: License fee $100-$200<br>Town venue: Free<br>Other Venue: $200-$400<br><br><u>Cost for health professionals, non-profits, and environmental experts presentation:</u><br>Usually free;<br>Possible honorarium: $100-$200.<br>Town venue: Free<br>Other Venue $200-$400 |
| 2) **Monthly free plant-based cooking classes** sponsored by the town.<br>a) 20 – 40 people per class<br>b) Can be via Zoom or in person (in the future) | $300/class.<br>Assume they could be held at a town venue with a kitchen and or via Zoom.<br><br>Possible grant money reimbursement available if the Town takes the lead.<br>*A small fee between $5-10 could possibly also be used to partially fund the event; and also ensure participants show up. |
| 3) **Monthly free food-tasting events** for the public, held once/month.<br>* Can be combined with speaker series or events. | Food for in person events: Approx $300 |
| 4) **Monthly email newsletter and online survey program** to keep track of residents who pledge to reduce animal consumption and also provide encouragement, support, tips etc. Residents can sign up online, or at any of the other events in this list (films, cooking classes, etc.). **This will allow the town to quantify greenhouse gas (GHG) reduction resulting from this program.** | ~$2000 for database setup, $100/month for IT and maintenance. Maybe less if town IT support is available.<br><br>Prizes for survey. |
| 5) **Creation of custom branded marketing materials** (brochures, etc.) for residents, explaining the importance of plant-based diet. | $500 - $5000, depending on quantity and complexity. Potential for free/donated graphic design. |

| | |
|---|---|
| Display at the chamber of commerce, library, town events, etc. | |
| 6) **Incorporate plant-based food and lifestyle promotion** into all Town sustainability material used around education and information.<br>- In their websites/online channels<br>- During town-organized events<br>- **Work with local school boards and PTAs** to disseminate education about plant-based diets. | Minimal. A huge database of information on sustainability, plant-based diets and lifestyle etc. is widely available. PB Advocates is also happy to support in terms of providing content and ideas. |

| **Program: Restaurants/Residents Initiatives/Promotional Events** | **Estimated Cost** |
|---|---|
| 1) **Encourage Los Gatos restaurants** to offer:<br>a) Plant-based specials<br>b) Days of the week, promoting PB specials<br>c) Display promotional materials around PB options | Minimal. Local non-profits can assist with this effort.<br><br>Town to provide stickers for restaurants.<br>A friendly competition for restaurants - winner gets press etc.<br>A week (every month/regular basis) celebrating “plant based”/restaurants participate and get featured.<br>Town to provide an incentive or reward to restaurants. |
| 2) **Annual Plant-based Cooking competition** (or even twice a year) for restaurants and residents, perhaps a “Chili Cook-off.” or Vegan Mac ‘n Cheese contest. Possibility of promoting other ethical businesses around the event. | $2000 for venue, prizes, and advertising.<br><br>$5000 for organization of the event. Local advocacy can help with volunteer and organization efforts. |
| 3) **Restaurants: Los Gatos restaurant competitio**n where participating restaurants feature plant-based specials over the course of a month and residents try the specials and vote for their favorite. The winning restaurant receives a prize and publicity. Could be done in conjunction with the VegFest. | $200 - $2000, depending on level of publicity |
| 4) **Residents: Creation of a volunteer citizen-based sustainability committee** to develop and | Some coordination required. Advocacy groups can help/support. |

| | | |
|---|---|---|
| | implement strategies and branding to promote a more plant-centric lifestyle in Los Gatos. | |
| 5) | **Hold a Los Gatos Plant-based food festival**, also known as a "VegFest." VegFest features local restaurants and organizations, speakers, food samples, etc. Vegfest is a great way to bring consumers into Los Gatos.<br><br>Similar events have been held in San Francisco, Oakland, Santa Cruz, Seattle and many other cities. It is a great way to bring consumers into Los Gatos. | Ranges from **net positive revenue** to a cost of $15,000 depending on the venue, sponsorships, vendor fees, etc.<br><br>Local non-profits can assist with this effort. |

**Total estimated cost of the program (annual) $25-30,000* USD**

Note: We are asking the Town of Los Gatos to dedicate approximately 30K to this program. As a precedent, the city of Mountain View has pledged $30,000 to educate residents about the benefits of a plant based lifestyle.

This proposal has the support of a wide cross-section of Los Gatos community leaders, social organizations and residents. Additionally, many prominent leaders (outside of Los Gatos) have also reached out to offer their support. These names will be provided as an attached document additionally for reference.

*Please also note that the town might need to consider a dedicated staffer to oversee and manage this program. The Plant Based Advocates group will support the Town to the best of its ability.

**Other ideas (minimal expenses)**

- [ ] Have Los Gatos take the "Cool Food Pledge." Encourage businesses in our town to take this pledge as well. Cool Food
- [ ] If the Town caters (or plans menus) for events or meetings the council will ensure that there are identified plant-based options. Better yet, the town will have a default veg menu which means animal products are absent unless specifically requested. https://defaultveg.com/
- [ ] Advertising campaign to promote the initiative, including banners, print and radio ads. Potential to have donor match funds for the advertising campaign. $5000 - $15000, with potential for donated matching funds if the Town takes the lead.

# The need for education, promotion and advocacy for a plant based diet and lifestyle

For over a decade the United Nations has warned governments to make fundamental changes to reduce animal products and increase plants in their food system to address runaway global warming. The message has fallen on deaf ears - until now.

Trailblazing cities across the United States are starting to promote plant-forward policies among their residents as the most effective way to reduce greenhouse gas emissions.

The following actions and resolutions are being taken by cities and organizations to fight global warming through diet change:

- Mountain View, CA has signed a 3-year Sustainability Plan which includes an initiative to dramatically reduce meat & dairy consumption by their residents.

- **The City Council of Berkeley** passed a resolution to slash the amount of animal products the city purchases by 50 percent by 2024, with progress on the goal to be reported to the Council by the City Manager by January 31, 2022.

- **Emeryville** passed a Green Monday Resolution including:
    - Sourcing plant-based meals for city council meetings
    - Encouraging local restaurants to feature plant-based specials on Mondays
    - Featuring educational programming and displays at community centers and libraries

- **The Town of Los Gatos** passed a Green Monday Resolution in Dec. 2019

- New York City has implemented a Meatless Monday program for all 1,700 public schools within the City. This program started in 2019 and mandates that all breakfast and lunch options are 100% vegetarian on Mondays.

- The cities of Santa Barbara and New York City have both banned the sale of processed meat products (including hot dogs, bacon, salami, etc.) in schools. This is mostly health-related, since processed meats have been found to significantly increase the risk of certain forms of cancer.

- Many cities and municipalities have passed food procurement policies that stipulate a reduction in meat and dairy purchasing. Friends of the Earth has a great guide that outlines the process and highlights cities that have incorporated food purchasing policies into their Climate Action Plans.

- The group "Scientists for Less Meat" is making an urgent call to all City mayors to enact policies that will reduce the amount of meat consumed in their city, and increase the proportion of plant-based foods.

- Harvard University recently committed to reduce their food-related GHG emissions by 25% before 2030, by emphasizing a shift towards plant-based foods. This is based on a UN & World Resources Institute initiative called the "Cool Food Pledge."

- **The city of Philadelphia** has a "Vegan Restaurant Week" each year. This event is a collaboration between nonprofits, the city, and restaurants.

- Many US cities, including San Jose, San Francisco, Los Angeles, Philadelphia, Cleveland, and numerous others have passed "Meatless Monday" resolutions.

**Large Health Care Providers Promoting Plant-based Eating**

In 2013 Kaiser Permanente published a nutritional update for physicians, which advised doctors to recommend plant-based diets, “to all their patients, especially those with high blood pressure, diabetes, cardiovascular disease, or obesity.”

https://thrive.kaiserpermanente.org/care-near-you/southern-california/center-for-healthy-living/wp-content/uploads/sites/30/2020/03/plant_based_diet_e.pdf

ElCamino Health- Lifestyle Medicine promotes adopting a nutrient-dense, plant-predominant eating pattern.
https://www.elcaminohealth.org/services/lifestyle-medicine

Sutter Health offers plant-based eating classes (will include link.)

**We are proposing for Los Gatos to be a part of this solution towards climate change by adopting these much-needed initiatives.** The challenges we face are so vast and so serious we can’t afford to take small, incremental steps. We need fundamental, systemic change on a local level that recognizes and starts to address this crisis.

In 2016, Los Gatos took a leadership position by signing the Mayor’s Climate Agreement, thereby pledging to address global warming. As residents and global citizens, it’s our duty to contribute as much as possible towards one of the most pressing environmental issues of our time. Plant-Based Advocates calls upon our Town to implement plant-forward policies that will dramatically reduce greenhouse gas emissions and begin to reverse environmental destruction.

May 5, 2021

Jennifer Armer, Senior Planner
Community Development Project
Town of Los Gatos
*Via JArmer@losgatosca.gov*

Dear Ms. Armer,

On behalf of the Center for Biological Diversity and our California members, I thank you for considering food sustainability initiatives and emissions strategies in the Los Gatos General Plan. The Center strongly **supports** these actions.

The Center for Biological Diversity is a national conservation nonprofit with nearly 2 million members and supporters. Our expertise is grounded in a staff of scientists and legal experts tackling crucial issues like climate change and effective mitigation strategies. Food emissions are a substantial part of global and national human-induced greenhouse gas emissions.

Studies show we cannot meet climate mitigation targets without tackling emissions from the food and agriculture sector, and namely by shifting diets toward lower emissions foods. The agriculture sector accounts for as much as 37%[1] of global greenhouse gas emissions. Food procurement is an important opportunity to reduce consumption-driven emissions.

Most emissions come from only a few types of foods. The foods with the highest emissions are meat and dairy products,[2] which are responsible for approximately half of all food-related emissions and 16%[3][4] of global greenhouse gases. The overproduction (and consumption) of meat and dairy come with a high cost to the climate,[5] as well as to water[6], land[7], and biodiversity[8]. Tracking institutional food purchases and shifting toward climate-friendly foods is a crucial climate solution that also has health and other environmental benefits.

Unfortunately, some sustainability initiatives overlook the need to address overproduction of animal-based foods in their commitments. Instead, municipal plans should build on frameworks of supporting

[1] Intergovernmental Panel on Climate Change (2019). Special Report on Climate Change and Land Use. https://www.ipcc.ch/srccl/.
[2] Our World in Data (2020). Environmental Impacts of Food Production. https://ourworldindata.org/food-choice-vs-eating-local.
[3] Calculated using the 2017 online update to the FAO 2013 GLEAM assessment that estimates the livestock sector emitted 8.1 GT CO2eq in 2010 (using 298 and 34 as global warming potentials for N20 and CH4, based on the IPCC 2014 report). The IPCC 2014 report estimates total anthropogenic GHG emissions in 2010 of 49 GT CO2eq. See: FAO, Global Livestock Environmental Assessment Model (GLEAM) [online], Rome, www.fao.org/gleam/en/ and IPCC [Intergovernmental Panel on Climate Change], Climate Change 2014: Synthesis Report. Contribution of Working Groups I, II and III to the Fifth Assessment Report of the Intergovernmental Panel on Climate Change, [Core Writing Team, R.K. Pachauri & L.A. Meyer (eds.)], IPCC, Geneva, Switzerland (2014), http://www.ipcc.ch/pdf/assessment-report/ar5/syr/SYR_AR5_FINAL_full_wcover.pdf.
[4] Gerber, P. J., Steinfeld, H., Henderson, B., Mottet, A., Opio, C., Dijkman, J., ... & Tempio, G. (2013). Tackling climate change through livestock: a global assessment of emissions and mitigation opportunities. Food and Agriculture Organization of the United Nations (FAO). http://www.fao.org/3/i3437e/i3437e.pdf.
[5] University of Michigan. Center for Sustainable Systems (2017). Carbon Footprint Factsheet. http://css.umich.edu/sites/default/files/Carbon%20Footprint_CSS09-05_e2020_0.pdf.
[6] Water Footprint Network (2021). Water Footprint of Crop and Animal Products: A Comparison. https://waterfootprint.org/en/water-footprint/product-water-footprint/water-footprint-crop-and-animal-products/.
[7] Carbon Brief (2021). Interactive: What is the Climate Footprint of Eating Meat and Dairy? CarbonBrief.org. https://interactive.carbonbrief.org/what-is-the-climate-impact-of-eating-meat-and-dairy/.
[8] Center for Biological Diversity (2021). Extinction Facts. TakeExtinctionOffYourPlate.com.

environmental goals through procurement, in line with similar efforts regarding recycled and sustainable products and local food. Food procurement has a significant impact[9] on the environment and overall municipal emissions and can often be addressed by resolution or executive directive requiring government food purchases to meet specific guidelines.

Making a moderate shift toward climate-friendly menus can make a big difference in advancing sustainability goals, particularly emissions targets. The 2018 Intergovernmental Panel on Climate Change[10] affirmed we have only a decade left to avoid irreversible climate damage. This fact has driven municipalities to include meat and dairy reductions as key factors in emissions reductions and sustainability policies, including the initiatives recommended to add to the Los Gatos General Plan.

For example, Los Angeles, California recently joined the C-40 cities initiative; and Santa Monica, CA integrated food procurement commitments into their Climate Action Plan and committed to a 15% reduction of meat and dairy procurement to meet its emissions targets; Carrboro, North Carolina has set food emissions targets in their Climate Action Plan and set a goal to reduce emissions from consumption by 50% by 2025; Denver, CO found emissions from food procurement accounted for 14% of overall emissions, nearly equal to emissions from residential energy and gasoline-powered vehicles.

Reducing beef procurement – if replaced with plant-based foods - would immediately help reduce the city's emissions as beef emits more greenhouse gases than any other food.[11] Beef is also a particularly water-intensive process that depletes vital watersheds, from the Colorado River to local waterways.[12] Thus, reducing beef procurement also supports water conservation goals. Given California's drought, wildfires and extreme weather, municipalities must do what they can to support water-saving efforts.

Cities and townships must strive to mitigate the emissions associated with municipal operations. Increasing support for local produce growers will also improve engagement with farmers markets and local food hubs, bringing economic benefits to your community. Similarly, increasing access to healthy, climate-friendly foods with city-supported neighborhood-based community gardens bring equitable solutions for those who lack access to healthy, sustainable foods.

Sustainable food policies can increase climate resilience, help eradicate poverty[13], improve public health and equity, and protect biodiversity.[14] The urgency of these issues and the health of the planet demand action to transform unsustainable food systems.

Sincerely,

Jennifer Molidor, Ph.D.
Senior Food Campaigner
Center for Biological Diversity
BiologicalDiversity.org
[redacted]

[9] United Nation System Standing Committee on Nutrition (2017). Sustainable Diets for Healthy People and a Healthy Planet. https://www.unscn.org/uploads/web/news/document/Climate-Nutrition-Paper-EN-WEB.pdf.
[10] Intergovernmental Panel on Climate Change (2018). Special Report on Global Warming of 1.5c. https://www.ipcc.ch/sr15/.
[11] Our World in Data (2020). Environmental Impacts of Food Production. https://ourworldindata.org/food-choice-vs-eating-local.
[12] Richter, B. (2020). Water Sustainability and Fish Imperilment Driven by Beef Production. *Nature Sustainability.* https://www.fs.usda.gov/treesearch/pubs/59918.
[13] Smith, P. (2012). "Climate Change and Sustainable Food Production." Cambridge University Press. https://www.cambridge.org/core/journals/proceedings-of-the-nutrition-society/article/climate-change-and-sustainable-food-production/DE02043AE462DF7F91D88FD4349D38E7.
[14]Food and Agriculture Organization (2010). Sustainable Diets and Biodiversity. http://www.fao.org/3/i3004e/i3004e.pdf.

| Supporters of Adding Plant-Based Education to Los Gatos General Plan 2040 | | | | | |
|---|---|---|---|---|---|
| | | | | | |
| **Name, Last** | **Name, First** | **Position / Affiliation** | **Address / Town Area** | **Letter to Jennifer** | **Comments** |
| | | | | | |
| **Community and Business Leaders of Los Gatos** | | | | | |
| | | | | | |
| Albright | Karla | Together We Will/Indivisible Los Gatos | [redacted] Los Gatos | x | |
| Arroyo | Kevin | Pinehurst Community Garden organizer | [redacted] Los Gatos | x | Great idea and I support this plan! |
| Brown | Elisabeth | Educator | [redacted] Los Gatos | | I am a teacher in town. I'd love to incorporate any lessons into my curriculum. I also lead student council and would be willing to organize an assembly. |
| Chan | Wendy | Business owner: Tai Zhan Plant-Based Microbakery | Los Gatos | | |
| Goetz | Alicia | Owner, Los Gatos Theatre | [redacted] Monte Sereno | | |
| Hertan | Peter | Vice President, Los Gatos-Saratoga Union High School District Board | | | |
| Iyar | Rupar | Owner, Pura Wellness; philanthropist | [redacted] Los Gatos | | |
| Montonye Reese | Laura | Agriculture Fairness Alliance; Vegan Justice League | [redacted] Los Gatos | | |
| Moore | Rob | LG Anti-Racism Coalition; Plant-Based Advocates | [redacted] Los Gatos | | |
| Owens | Heidi | Community leader | Los Gatos | | |
| Preville | Bruce | CERT Leader, Los Gatos | [redacted] Los Gatos | | |
| Romano | Andrea | Owner, Centonove Restaurant | [redacted] Los Gatos | | |
| Spargo | Alicia | Outreach Coordinator, Los Gatos Anti-Racism Coalition | Los Gatos | | |
| | | | | | |
| | | | | | |
| **Residents of Los Gatos** | | | | | |
| | | | | | |
| Aidi | Karen | | [redacted] Los Gatos | x | |
| Anji | Roberto | | [redacted] Los Gatos | x | |
| Arienzo | Wendy | | Los Gatos | | |
| Arroyo | Frank | | [redacted] Los Gatos | | |
| Arroyo | Susie | | [redacted] Los Gatos | | |
| Bagatelos | Mary Ann | | Los Gatos | | |
| Balijepalli | Priya | | [redacted] Los Gatos | | |
| Balakrishnan | Jeyendran | | [redacted] Los Gatos | | |
| Barden | Ben | | [redacted] Los Gatos | | |
| Barden | Sue | | [redacted] Los Gatos | | |
| Barnett | Kaitlyn | | [redacted] Los Gatos | | |
| Bayne | Daphne | | [redacted] Los Gatos | | |
| Bernholz | Malte | | [redacted] Los Gatos | | |
| Biller | Jason | Physician | [redacted] Los Gatos | | |
| Bolen | JP | | [redacted] Los Gatos | | |
| Bolen | Rachel | | [redacted] Los Gatos | | |
| Booth | Sandra | | [redacted] | | |
| Bora | Anita | | [redacted] Los Gatos | x | |
| Bosworth | Mary Ann | | Los Gatos | | |
| Boyd | Sandy | | [redacted] Los Gatos | | |
| Brzak | Lukas | | [redacted] Los Gatos | | |

| | | | | | |
|---|---|---|---|---|---|
| Burkhart | Chris | | [redacted] Los Gatos | | |
| Bz | Linda | | Los Gatos | | |
| Cao | Xuong | | [redacted] Los Gatos | | |
| Cappon-Javey | Maureen | | [redacted] Los Gatos | | |
| Carol | Amy | | [redacted] Los Gatos | | |
| Carpio | Virginia | | [redacted] Los Gatos 95032 | | I support putting into the General Plan a plant based education program. There are several benefits from such a program, including potentially better general health and a healthier air quality in our community from consuming less meat, i.e., raising fewer animals that contribute to the increase of methane gas.<br>I think this program would be very good for our community and far beyond it. |
| Chavez | Vana | | [redacted] Los Gatos | | |
| Christensen | Beverly | | [redacted] Los Gatos | | |
| Christensen | John | | [redacted] | | |
| Cisneroz | Diane Larson | | [redacted] Los Gatos | | |
| Clark | Kylie | | [redacted] Los Gatos | | |
| Corini | Tamara | | [redacted] Los Gatos | | |
| Dai Biller | Jenny | Physician | [redacted] Los Gatos | | |
| Davies | Tiffany | Physician | [redacted] Los Gatos | | |
| Davies | Mark | Physician | [redacted] Los Gatos | | |
| De Cesare | Anne Marie | | [redacted] Los Gatos | | |
| De Louraille | Karen | | [redacted] Los Gatos | | |
| Czinski | Laura | | [redacted] Los Gatos | | |
| Deak | David | | [redacted] Los Gatos | | |
| Dempsey | Caroline | | [redacted] Los Gatos | | |
| DeMaria | Dawn | | [redacted] Los Gatos | | |
| Dickinson | Ilene | | [redacted] Los Gatos | | |
| Dickinson | Roger | | [redacted] Los Gatos | | |
| Dillehay | Kristine | | [redacted] Los Gatos | | |
| Dreiger | Jeannie | | [redacted] Los Gatos | | |
| Dreher | Diane | | [redacted] Los Gatos | | |
| Erdengiz | Sevgi | | Los Gatos | | |
| Evjenth | Gail | | [redacted] Los Gatos | | |
| Evjenth | Tim | | [redacted] Los Gatos | | |
| Fletcher | Lisa | | [redacted] Los Gatos | | |
| Fox | Audrey | | Los Gatos | | |
| Fox | Larry | Owner, Valet Custom Cabients | Los Gatos | | |
| Frager | Bernadette | | [redacted] Los Gatos | | |
| Freedom | Rea | | [redacted] Los Gatos | | Pollution and waste in Factory Farms;, use of land for meat production, killing of wildlife and use acres of land to support livestock; nets in the ocean killing millions of sea creatures; all contribute to climate change. Reducing meat consumption is something we all can do. Please place plant based education in the general plan. It is the right thing to so. |
| Garland | Lynette | | [redacted] Los Gatos | x | |
| Gibbons | Maria Eugenia | | [redacted] Los Gatos | | |
| Goldberg | Kristine | | [redacted] Los Gatos | | |
| Goldberg | Michael | | [redacted] Los Gatos | | |
| Griffin | Julie | | [redacted] Los Gatos | | |

| | | | | | |
|---|---|---|---|---|---|
| Gupta | Reeta | | [redacted] Los Gatos | | |
| Gummow | Todd | | [redacted] Los Gatos | | I support plant based diet education programs |
| Hamilton | Georgia | | [redacted] | | |
| Hamilton | Scott | | [redacted] | | |
| [redacted] | [redacted] | | [redacted] Los Gatos | | |
| Hassoun | Joe | | [redacted] Los Gatos | | |
| Haylock | Archna | | [redacted], Los Gatos | | Yes we need more options at school and at local restaurants. |
| Hemmis | Matt | | [redacted], Los Gatos | | |
| Hendry | Dan | | [redacted], Los Gatos | | |
| Hendry | Wendy | | [redacted], Los Gatos | | |
| Hinsche | Danielle | | [redacted], Los Gatos | x | I am a resident of Los Gatos and I support the addition of a plant-based education program in the Town's 2040 General Plan. |
| Hiroshima | Kevin | | Los Gatos | | |
| Hojjat | Sara | District Leader Volunteer- California Congressional District 18. Member of Plant-Based Advocates | [redacted] Los Gatos | x | |
| Honorio | Mia | | [redacted] Los Gatos | | |
| Houghton | John | | [redacted], Los Gatos | | |
| Howe | Chelsea | | [redacted], Los Gatos | | |
| Hsieh | Cynthia | | [redacted]., Los gatos | | I would love to see a vegan, zero waste restaraunt in Los Gatos. |
| Huang | Jenny | | [redacted], Los Gatos | | |
| Hussey | Jacklyn | | [redacted], Los Gatos | | Anything that will help save our planet I will definitely support! |
| Ingle | Lori | | [redacted]. Los Gatos | | |
| Isaacs | Varily | | [redacted], Los Gatos | | |
| Iyer | Harish | | Los Gatos | | |
| Javey | Shahram | | [redacted], Los Gatos | | |
| Jog | Chetan | | Los Gatos | | |
| Johnson | Karen | | [redacted], Los Gatos | | |
| Johnston | Jan | | Los Gatos | | |
| Juhl | Linda | | [redacted] Los Gatos | | Thank you |
| Kamali | Kristine | | [redacted], Los Gatos | | |
| Karavelioglu | Sevil | | [redacted], Los Gatos | | |
| Keating | Kathleen | | [redacted] Los Gatos | | I believe it is to the best interest of Los Gatos to establish a plant based education program at the high school and for the general public. I believe many of our children and others need to know that plant based eating is good for their bodies if done right. Please provide funding for an education for plant based eating. Please sponsor cooking classes as well. |
| Keller | Lisa | | [redacted] Los Gatos, CA 95033 | | Love it. Yes!! |
| Koch | Charlene Foster | | [redacted] Los Gatos | | I would LOVE to see this happen!! So very needed. |
| Kollu | Badrinath | | [redacted] Los Gatos | | |
| Kurlin | Carolyn | | [redacted] Los Gatos | | |
| Kurlin | Gregg | | [redacted] Los Gatos | | |
| Kurtz | Karen | | [redacted] | | |
| Lasso | Alberto | | [redacted] Los Gatos | | |
| Lawton | Ann | | [redacted], Los Gatos | | YES! |
| Lazzarino | Dominic | | [redacted], [redacted] Los Gatos | | |
| Le | Denise | | [redacted] Los Gatos | | I'm not a vegan or vegetarian but I'd love to incorporate more plant based and less meat protein to my diet. |
| Leeds | Felice | | [redacted], Los Gatos | | |
| Lesko | Camille | | [redacted], Los Gatos | x | Cooking classes are a great idea! |

| | | | | | |
|---|---|---|---|---|---|
| Levine | Joshua | | [redacted] Los Gatos | x | |
| Levine | Marni | | [redacted] Los Gatos | | |
| Lewis | Jessica | | [redacted] Los Gatos | | Education is key for this important information. Thanks to all involved in making this happen! |
| Lammers | Victoria | | [redacted] Los Gatos | | Need more vegetarian places/options |
| Liu | Andre | | [redacted] Los Gatos | | |
| Liu | Calista | | [redacted] Los Gatos | | |
| Liu | Gabriela | | [redacted] Los Gatos | | |
| Lockman | Juliana | | [redacted] Los Gatos | | |
| Lorig | Glenn | | [redacted] Los Gatos | | |
| Lorig | Sue Ann | | [redacted] Los Gatos | x | |
| Lowe | Debbie | | Los Gatos | | |
| McKinnon | Skyler | | [redacted] Los Gatos | | |
| Madduri | Sandeep | | [redacted] Los Gatos | | |
| Malhotra | Priti | | [redacted] Los Gatos | | |
| Malhotra | Neeraj | | [redacted] Los Gatos | | |
| Mandurrago | Gloria | | [redacted] Los Gatos | | A fantastic idea! |
| Margolis | Sonya | | [redacted] Los Gatos | | |
| McGill | Alex | | [redacted] Los Gatos | | |
| Menhardt | Trixi | | [redacted] Los Gatos | | |
| Mordaunt | Joshua | | [redacted] Los Gatos | | |
| Newlin | Kerry | | [redacted] Los Gatos | | |
| Mager | Nan | | [redacted] Los Gatos | | |
| Mano | Robin | | [redacted] Los Gatos | | |
| Martins | Rosilene | | [redacted] Los Gatos | | |
| Meinhardt | Suzanne | | Los Gatos [redacted] | | |
| Miramontes | Emily | | [redacted] Los Gatos | | |
| Morley | Eric | | [redacted] Los Gatos | | |
| Nguyen | Kim | | [redacted] Los Gatos | | |
| Niederauer | Tricia | | [redacted] Los Gatos | | |
| North | Pamela | | Los Gatos | x | |
| O'Connor | Rebecca | | [redacted] Los Gatos | | |
| O'Toole | June | | [redacted] Los Gatos | | |
| Park | Monica | | [redacted] Los Gatos | | |
| Parker | Dana | | [redacted] Los Gatos | | |
| Parsons | Daniel | | [redacted] Los Gatos | | |
| Parsons | Debbie | | [redacted] Los Gatos | x | |
| Parsons | Jackie | | [redacted] Los Gatos | | |
| Parsons | James | | [redacted] Los Gatos | | |
| Parsons | John | | [redacted], Los Gatos | | |
| Patel | Minal | | Los Gatos | | |
| Rai | Vivek | | [redacted] Los Gatos | | Yes, I am in for plant based projects. |
| Raad | Mona | | [redacted] Los Gatos | | |
| Raad | Ellie | | [redacted] Los Gatos | | |
| Ramaswamy | Vinay | | [redacted] Los Gatos | | |
| Ram | Amrith | | [redacted] Los Gatos | | |
| Ramesh | Mythri | | [redacted] Los Gatos | | Made verbal comments at GPAC |
| Reese | Dirk | | [redacted] Los Gatos | | |

| | | | | | |
|---|---|---|---|---|---|
| Rennie | Isabella | | [redacted], Los Gatos | | |
| Reyna | Melody | | [redacted] Los Gatos | | |
| Reyna | Orlando | | [redacted] Los Gatos | | |
| Rhine | Molly | | [redacted], Los Gatos | | |
| Richter | Jessica | | [redacted] Los Gatos | | |
| Riley | Kate | | [redacted] Los Gatos | | |
| Rittenhouse | Simone | | [redacted] Los Gatos | | |
| Rovin | Lynne | | [redacted], Los Gatos | | |
| Rovin | Stuart | | [redacted], Los Gatos | | |
| Rubio | Karen | CERT volunteer | [redacted] Los Gatos | x | Made verbal comments at Town council meeting for 2040 General plan |
| Rubio | Fred | | [redacted], Los Gatos | | |
| Rubio | Erik | | [redacted] Los Gatos | | |
| Rude | Christina | | [redacted], Los Gatos | | |
| Ry | Regina | | Los Gatos | | |
| Sand | Gretchen | | [redacted], Los Gatos | | |
| Sardana | Manan | | [redacted] Los Gatos | | |
| Sarkar | Prasenjit | | [redacted] Los Gatos | | |
| Sathyamurthy | Shreelatha | | [redacted], Los Gatos | | I strongly support this initiative. |
| Schirmer | Lisa | | Los Gatos | | |
| Schwartz | Jan | | [redacted], Los Gatos | | |
| Shah | Swati | | [redacted], Los Gatos | | I support the local effort! |
| Shoff | Sue | | [redacted]. Los Gatos 95032. | | |
| Seshadri | Sruba | | Los Gatos | | |
| Smith | Angie | | [redacted], Los Gatos | | |
| Smith | Rucy | Climate Reality presenter and activist | [redacted], Los Gatos | | |
| Sneddon | Laura | | [redacted], Los Gatos | | |
| Snyder | Stephen | | [redacted] Los Gatos | | |
| Srinivasan | Kiran | | [redacted] Los Gatos | | |
| Starov | Vladimir | | [redacted] Los Gatos | | I fully support this worthy cause! |
| Stillinger | Kelsey | | [redacted] Los Gatos | | Would love to see more emphasis on plant-based diet - through restaurants, education, community garden, etc. |
| Streicker | Robin | | Los Gatos | | |
| Tompkins | Liz | | [redacted] Los Gatos | | |
| Venkatesan | Arun | | [redacted] Los Gatos | | |
| Venkatsubramanyan | Shailaja | | [redacted] Los Gatos | x | Made verbal comments at GPAC |
| Von Luehrte | Missy | | [redacted] Los Gatos | | |
| Vuckovich | Melissa | | [redacted] Los Gatos | | |
| Wade | Christopher | | [redacted] Los Gatos | | |
| Wade | Lisa | | [redacted] Los Gatos | | Gave verbal comments at GPAC |
| Wade | Lucas | | [redacted] Los Gatos | | |
| Wade | Stephen | | [redacted] Los Gatos | | |
| Wade | Charles | Audobon Society Lifetime Achievement Award | [redacted] Los Gatos | x | |
| Wales | Pamela | CERT; Animal search and rescue disaster response team; animal sanctuary volunteer | [redacted] Los Gatos | | |
| Walker | Kelsey | | Los Gatos[redacted] | | |
| Waters | Michelle | | Los Gatos | | |
| Wentzien | Erin | | [redacted] Los Gatos | | |
| White | Tony | | [redacted] Los Gatos | x | |

| | | | | | |
|---|---|---|---|---|---|
| White | Hillary | | [redacted] Los Gatos | x | |
| Willey | Kathleen | | [redacted] Los Gatos | | Gave verbal comments at GPAC |
| Willey | Mark | | [redacted] Los Gatos | | |
| Willing | Lara | | [redacted] Los Gatos | | Plant based eating is part of a long term solution. |
| Wilson | Beth | | [redacted] Los Gatos | | |
| Yannoni | Mike | | [redacted] Los Gatos | | |
| Yosfee | Hanley | | Los Gatos | | |
| Zilka | Stephanie | | [redacted] Los Gatos | | Let's join the scientific community and educate people about the importance of plant based living!!! It's vital to the survival of our planet and species!!! |
| | | | | | |
| **Supporting Organizations** | | **and Politicians** | | | |
| | | | | | |
| Plant-Based Advocates of Los Gatos http://www.plantbasedadvocates.com/ | | | | | |
| | | | | | |
| TWW/Indivisible-Los Gatos https://www.twwlg.org/ | | | | | |
| | | | | | |
| Center for Biological Diversity https://www.biologicaldiversity.org/ | | | | | Provided Written testomony on behalf of our proposal |
| | | | | | |
| Acterra: Action for a Healthy Planet https://www.acterra.org/ | | | | | |
| | | | | | |
| Eat for the Earth | (Based in Santa Cruz) | | | | |
| https://www.eatfortheearth.org/ | | | | | |
| | | | | | |
| SAFE Worldwide https://www.safeworldwide.org/ (Based in Monte Sereno) | | | | | |
| | | | | | |
| Green Monday USA https://greenmondayus.org/ | | | | | |
| | | | | | |
| Factory Farm Awareness Coalition https://www.ffacoalition.org/ | | | | | |
| | | | | | |
| **A Well-Fed World https://awellfedworld.org/** | | | | | |
| | | | | | |
| **Physicians Against Red Meat** | | **https://pharm.org/** | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| **Other Community and Business Leaders** | | | | | |
| Hicks | Alison | City Council Member of Mountain View | | | |
| Ramirez | Lucas | Vice Mayor of Mountain View and Council Member | | | |
| Brook | Dan | Professor at SJSU; author; environmentalist | [redacted] San Jose State University | | |
| Gurunathan | Mohan | Environmentalist; designed Mountain View plant-based outreach program | Mountain View, CA | | |
| Love | Beth | Environmentalist; Founder of Eat for the Earth, a Santa Cruz-based group promoting plant-based diets for sustainability | Santa Cruz, CA | | |
| Mackey | Mary | Actress; Model; SAG BookPals program (reading to children in homeless shelters) and LIFE (Living in Freedom Everyday) Program, teaching life skills to inmates | [redacted] San Jose | | |
| Middlesworth | Linda | Owner, V-Dog; health coach | Sacramento, CA | | |

| | | | | | |
|---|---|---|---|---|---|
| Sehgal | Tony | Documentary Filmmaker | Saratoga, CA | | |
| | | | | | |
| **Support from Neighboring Residents** | | | | | |
| | | | | | |
| Adalja | Anish | | [redacted] San Jose | | |
| Anand | Monico | | [redacted] San Jose | | |
| Balachandran | Jackie | | [redacted] San Jose | | As a vegetarian of 17 yrs and a registered nurse, I strongly support this plant-based education program because I believe it will help improve the health of members in our community. |
| Berlinberg | Jacqueline | | [redacted] Monte Sereno | | |
| Bengt | Amanda | | San Jose 95124 | | |
| Bevard | Mariah | | [redacted] Monte Sereno | | |
| Castro | Jennifer | | [redacted] San Jose | | I support adding an education component to the Los Gatos 2040 plan which would educate citizens about plant-based foods. |
| Chaykin | Lori | | [redacted] Monte Sereno | | |
| Chugh | Rahul | | [redacted] San Jose | | |
| Duguma | Jemanesh | | [redacted] Campbell | | |
| East | Rowena | | San Jose | | |
| Emerson | Ziba | | [redacted] San Jose | | Good job. |
| Giacomini-McDonald | Cathy | | Monte Sereno | | |
| Guh | Teresa | | [redacted] Monte Sereno | | |
| Harrold | Kat | | [redacted] Campbell | | Thank you for this, I frequent Los Gatos so this would be great to see. Also I believe in the power of empowering our local farmers, and the more money we can get them, the better for everybody locally. Back to our roots! Better for the planet and better for everyone |
| Isis | Dawn | | [redacted] Campbell | | Though I don't live IN Los Gatos, I hope my support will indicate interest in this important issue in the wider area, & that Los Gatos may become a model for addressing it. |
| Jain | Beena | | [redacted] San Jose | | I support the educational program. |
| Kinger | Amit | | [redacted] San Jose | | |
| Lambert | Jennifer | | [redacted] Monte Sereno | | |
| Lanzl | Linda | | Monte Sereno | | |
| Matar | Elizabeth | | [redacted] Monte Sereno | | Thank you! Yes!!! |
| Matar | Lisa | | [redacted] Monte Sereno | | Thank you! I'm completely in for this!! |
| Mesler | Michelle | | [redacted] San Jose | | |
| Mulchandani | Mukesh | | [redacted] Campbell | | Moving to Los Gatos soon! |
| Petroff | Patrice | | [redacted] Monte Sereno | | |
| Ramirez | Gustavo | | [redacted] San Jose | | We need more plant based food options! The meat industry is cruel and unsustainable. |
| Renson | Kellee | | [redacted] Campbell | | Yes need more veggie places to eat |
| Shearer | David | | [redacted] San Jose | | I support this effort |
| Stolberg | Robb | Environmental Education: Veggielution, Walden West | [redacted] San Jose | | |
| Streicker | Robin | | [redacted] Monte Sereno | | |
| Thakur | Smita | | [redacted] Saratoga | | I have been plant based for the last two years. It has made me healthier and it's the best thing for the planet. Would love to have more people join plant based way of life. |
| Woodhouse | Dori | | [redacted] San Jose | | |

**From:** vacarpio
**Sent:** Thursday, September 16, 2021 1:27 PM
**To:** Jennifer Armer
**Subject:** Plant Based Nutrition Education in the Town's 2040 General Plan

Hello, Jennifer,

I am a resident of Los Gatos and I am writing to express my support for funding a plant-based education program (including speakers, videos, vegfests, cooking and nutrition classes, etc,) in the Town's 2040 General Plan.

I am 82 years old and a very healthy resident of Los Gatos since 1974. I am not a vegetarian or vegan but I do eat a lot of fruits and vegetables and consume far less meat than I used to. Why? It's because I concluded several years ago that obesity and malnutrition are all around me, not from lack of food but from lack of understanding what plant based nutrition is and therefore eating improperly, I see many overweight children and adults streaming out of MacDonald's and Costco munching on hot dogs and chips and practically begging for a stroke or heart attack. To their credit, both these food outlets began offering healthy salads and low carbohydrate selections several years ago; but I am sure that they sell far more french fries than salads.

The other concern I have is connected to climate change and global warming partially resulting from raising so many livestock and using toxic chemicals to produce perfect produce. By being part of the overall effort to promote more plant based awareness, our residents will benefit with healthier eating preferences and, in turn, help our planet reduce its environmental damage.

There are many lovely children growing up in my neighborhood and my wish for them is to become healthy adults; and to appreciate, as I do, their wonderful Town and the efforts of its leadership to support good health in our community.

Thanks,

Virginia Carpio

On 9/18/21, 7:17 PM, "Sonny Stearns" wrote:

Sent from my iPad. I imagine a general plan can be updated. Get beyond not wanting 17 widened in Los Gatos. If that were widened with another lane , for us who live in Los Gatos life would be improved on the weekends. Also, let's quit with the WOKE banners, look ,listen, change , bla, bla. I'll choose my own philosophy. Just put up Leo and Liona. These new ones are offensive. Fellow Stearns, DDS.

**From:** Matthew Benson
**Sent:** Saturday, September 18, 2021 7:53 PM
**To:** GP2040 <GP2040@losgatosca.gov>
**Subject:** consider restoration of santa cruz - los gatos railway

Hello!

I have reviewed the 2040 plan and have a suggestion.

I have lived in Los Gatos since i was born in 1999, And over the past 2 decades I have seen a considerable increase in traffic generated from highway 17.

A possible solution would be to rebuild the railway between los gatos and santa cruz as a mixed use freight and public transit project that will benefit all residents.

If we actually care about the environment trains are the way to go. they are by far the most energy efficient terrestrial transportation method.

asphault, tires, batteries, and lower electric car and truck lifespan will create greater pollution in the environment. everyday you can see 30+ year old gas cars still in use, compared to modern electric teslas which can't last 5 years because of impossible to service/expensive (and toxic) electronics totalling the vehicle.

a typical train line can carry 50,000 people per hour compared to 2,500 people in a single freeway lane! train wheels and tracks are made of non-toxic steel compared to asphalt and tires. 1 train engine can replace hundreds of electric and gas vehicles, not only lowering manufacturing and running pollution, but also opening our local roads for more bikes and pedestrians.

I look forward to seeing how our community develops over the next 2 decades!

sincerely,

Matt Benson

**From:** tony alarcon
**Date:** Saturday, September 18, 2021 at 8:44 PM
**To:** Matthew Hudes
**Subject:** Re: Shaping the Future of Los Gatos

Mathew

This direction and verbiage this council is using makes me wish I had run for council. Who chose these words??? Unbelievable.

“In addition to the State-mandated elements, the Los Gatos Draft 2040 General Plan includes elements that address Racial, Social, and Environmental Justice, Mobility, Public Facilities, Services and Infrastructure, Environment and Sustainability.”

Taking the quote into deeper context it would mean racial justice, social justice, and environmental justice is being planned into the 2040 GP. That is NOT the roll of the council.

This is the biggest batch of RACISM I’ve seen to date in our town.

From a housing perspective the council should educate themselves on the demographics of home purchases over the last 8+ years. The historical demographics of Los Gatos are now the minority in acquiring real estate!!!

Los Gatos has always been an affluent town. It is being ruined by lobbyists, CA State Legislators, and those with political aspirations sitting on our town council.

The current town council has already proven their lack or vision and experience in the outcome of the Dittos Lane density and “Buy Right” designation given to the N40. The proposed 2X housing growth is a strategy to GIVE the developer of Phase II N40 the increased density, bait and switch, they are requesting.

This is all disgusting and disheartening. Personal social agendas should have been left outside the chamber.

**From:** Robert Ober
**Sent:** Sunday, September 19, 2021 8:55 PM
**To:** Matthew Hudes
**Cc:** GP2040 <GP2040@losgatosca.gov>
**Subject:** Re: Shaping the Future of Los Gatos

Thank you so much Matthew

I am chipping away at reading these documents. I have some feedback, but it will take well past Monday to read and understand. Top line ? I am not that happy with the *rhetoric*, and many of the goals in the document. I am certainly not happy that the state has quietly done what voters rejected, and now we've lost much of the control that makes Los Gatos special. Apologies that most of what I write so far is negative. I will say, a lot of what I have read is fundamentally good.

General thoughts:

- starting with " Racial, Social, and Environmental Justice Element" is not appropriate. Of the sections, that should be the least in prioritized order of the topics, for it should flow from resolving the others.
    - I would be happy to have a dialog on why this is inappropriate for a town council in the midst of a megapolis
    - How does the town council address East San Jose demographics, or Cupertino's ? How about Oakland ? What about East LA ?
        - are whites citizens ? Americans or naturalized ? immigrants and tech workers ? do you care ?
    - I could not afford to buy in Los Gatos until I was 50 years old. Its the Bay Area, and its expensive
        - none the less - we rent a townhouse to people in Los Gatos for less than equal rate in San Jose
        - Why less ? People often live where they work, or live near family and friends
        - Worth pointing out that rental market in Los Gatos is soft right now - We'll probably sell it
    - I can not, will not take this "justice" element seriously when we do live in literally the most diverse place on the planet
        - Seriously. I travel the world and the country. How will you make our area more diverse ?
        - Do everything else right in running the town, and you will get equity and justice as a byproduct
    - We sold our house before moving to the bay area 30 yers ago, but could not afford anything but an apartment
        - after 5 years of saving, we bought a house in San Jose that we could afford (just)
        - after 5 more years we moved to a better house in San Jose
        - after 7 more years we bought a 2 bedroom town house in Los Gatos for the schools
        - after 5 more years we bought a decaying house in los gatos (then it was county), staying for the schools
        - and after 5 more years we tore that down and rebuilt
        - Why couldn't I have owned a nice home in Los gatos 30 years ago? Thats not equitable, is it ? Not just ?
        - Bay area has been this way for 40 years, and Los Gatos is one of the nicer places.

        - People can afford where they can afford. They live close to work if they can. They sacrifice and live in dumps if they want to make tradeoffs for schools or town (we did). Or they don't. Its their choice
        - My sister in law's family moved away rather than spend all their money on housing and high cost everything
    - Honestly - I don't really want you helping the homeless
        - we used to live in the Rose Garden in San Jose, and many friends are still there. There are a lot of homeless, and its terrible
        - I tried helping, but it turned out 99% of them didn't want my help
        - with them came drugs, drug dealing (we helped cops with several busts, some very bad people arrested), trash, petty crime, the occasional assault. Really. Why would you want to entice homeless to come to Los Gatos ?
    - How will you address clean and safe water, at the same time as you make housing for more people, but rely on San Jose Water ? These are in conflict unless you plan on getting more water resources
- How will the state SB9 SB10 affect the Land Use / Density zoning. It seems to me it radically changes it
    - It seems as though missing middle housing can dramatically impact neighborhood noise, traffic, parking, etc.
        - I really worry about my street as gentrification happens
    - will you require fewer parking spots than housing units as is occurring around the bay area ? Some sections hint at that
    - if so - what will you do about public transportation ? and who will pay for it ? and how will it connect ?
    - Will limits to cutting trees still hold if someone builds one of these ?
    - how will limits to square foot vs land be equitably balanced for individual home owners ?
    - What about shadow rules ? view obstruction ?
    - Why do we want dense urban concepts in what is a beautiful suburban place with a tiny downtown ? (Pantheon Sorbonne University in Paris)
        - all my friends in Europe HATE the dense urban living they are forced to - the handful who can have moved to surrounding towns
- "addressing climate change" at a town level seems ambitious
    - for good or bad, this is still largely a commuting community
        - but most things related to climate seem to be generally good
        - "ENV-8.3" sounds ominous, but is unclear to me what it means.
        - greenhouse and particulate emissions in california would have been better off focussing on forest management rather than car emissions
            - but here you are again focussed on it
        - "ENV-8.9" requires better walkways for kids, especially in areas that were unincorporated and have no sidewalk.

Rob Ober, Shady View Ln.

**From:** Phil Koen
**Sent:** Sunday, September 5, 2021 8:53 AM
**To:** Joel Paulson
**Cc:** Laurel Prevetti; Robert Schultz
**Subject:** Follow up question

Joel,

Thank you for your reply. Please see the question which is circled in red. I am not sure I understand your response.

I understand that SB 9 places limitations of adding ADU's on subdivided lots, however my question is what is the benefit of increasing the density of LDR zoned lots from 1-5 du/acre to 1-12 du/acre assuming SB 9 is law (which will allow sub-division by-right) and the existing ADU law which allows up 2 ADU's on a LDR zoned property? What does the Town gain from the perspective of creating more opportunity to increase the supply of housing by increasing densities? Can you please be specific as to the impact on LDR land use. What type of housing could be built as a result of the LDR density increase (ignoring ADU's).

My second question is why is the 2040 GP being approved before the HE is updated? Other cities, such as Menlo Park, are updating the LUE, HE, safety, environmental justice, zoning ordinance and map simultaneously. In addition MP is submitting a preliminary HE to HCD to get early feedback on the HE draft. After all of that is completed, the DEIR process is started.

It appears LG has bifurcated the process, and is seeking GP adoption before a new HE which creates a concern over internal consistency. For example, how can we adopt the 2040 GP before we are told exactly how many affordable housing are being planned for out of the 3,738 new units?

I would greatly appreciate an explanation as to why the bifurcation of the HE is good process and the Staff's thinking behind doing this. I'll send you a copy of MP process so you have an understand how that city is updating their GP.

Thank you.

Phil Koen



EXHIBIT 10

**From:** Phil Koen
**Sent:** Sunday, September 5, 2021 9:18 AM
**To:** Joel Paulson; Laurel Prevetti
**Cc:** Robert Schultz
**Subject:** Menlo Park -Housing-element-update - plan.pdf

Joel,

MP is pursuing a very different process in updating their 2040 GP. Why doesn't the Town update the HE at the same time as the LUE so the public has a complete understanding of all proposed changes and impacts? Note that MP just launched their update process as of May 2021.

Phil Koen

STAFF REPORT

**City Council**
**Meeting Date:** **5/25/2021**
**Staff Report Number:** **21-115-CC**

**Regular Business:** **Receive an overview of the housing element update project and provide feedback on the goals and objectives, roles and responsibilities of the various reviewing and decision-making bodies, and the community engagement and outreach plan**

## Recommendation

Staff recommends that the City Council receive an overview of the housing element update project and provide feedback on the following:

- Goals and objectives (Table 1),
- Roles and responsibilities of the various reviewing and decision-making bodies (Table 2), and
- Community engagement and outreach plan (Tables 3 and 4.)

## Policy Issues

The components of the housing element update will consider a number of land use, environmental and housing policies.

## Background

Under California law, every jurisdiction in the State is required to update the housing element every eight years and have it certified by the California Department of Housing and Community Development (HCD.) The Housing Element is one of seven State-mandated components of the City's General Plan, and requires local governments to adequately plan to meet their existing and projected housing needs for all income levels. The City Council last adopted the housing element, which is included as Attachment A, in April 2014 and covers the planning period from 2015-2023. The next cycle's deadline for jurisdictions in the Bay Area, which is set by HCD, is January 2023, and covers the planning period for 2023-2031. This is also known as the sixth housing element cycle.

Recognizing the complexity, importance and time-intensive nature of the housing element process and its related work, the City Council unanimously supported the initiation of the housing element as one of its top five project priorities for fiscal year 2020-21 on August 18, 2020. The City Council has continued to express support for the housing element as a top priority, most recently during its discussion on goals and priorities April 20, 2021.

The housing element must be consistent with the City's general plan and updated for compliance with State law and include City policies, strategies, and actions to facilitate the construction of new housing and preservation of existing housing to meet the needs across all economic levels of the City. The City's anticipated regional housing need allocation (RHNA) for the next planning period is approximately 3,000 units, which is a 358 percent increase from the last housing element cycle. Menlo Park is not alone in seeing a large increase in its housing allocation. The RHNA is still considered a draft, although staff does

not believe the numbers will substantially change with the final adoption by the Association of Bay Area Governments anticipated in late 2021.

## Analysis

Project components and timeline

On March 23, 2021, the City Council selected the M-Group to lead the City's housing element update project over the course of the next 18 months. The project is complex and will consist of the following main components:

- Implement a robust community outreach process that will be informed by the Community Engagement and Outreach Committee (CEOC);
- Update the housing element, including addressing affirmatively furthering fair housing (AFFH) and other State mandates, which will require the City to increase the housing supply and the mix of housing types, tenure and affordability level and take meaningful actions to combat discrimination and replace segregated living patterns with integrated and balanced living patterns;
- Amend the land use element, the zoning ordinance and/or rezone property to demonstrate compliance with the City's RHNA;
- Develop an environmental justice element to advance equity and address potential environmental health risks in the City;
- Update safety element to address climate adaptation for compliance with State law; and
- Prepare a fiscal impact analysis (FIA) and environmental impact report (EIR) to inform the public and decision-makers of potential fiscal and environmental impacts of the project.

Given the extent of the work and the mandated deadline, much of the work on the four different general plan elements will happen concurrently. The project will be fast-paced, but there will be multiple opportunities for public, Commission and City Council feedback and check-ins during the key milestones. Attachment A includes a graphic timeline that shows a general overview of the community workshops, activities and meetings during the process. Background and data collection, including stakeholder and focus group meetings, and broader community outreach and education will be happening in the coming weeks and months with the second half of the timeline more focused on the technical studies and refinement of the documents.

There are a number of requirements that must be met in order for HCD to certify a housing element. One of the key components of the housing element update is the site inventory and analysis to demonstrate that the City can meet its RHNA. The City's land use strategy is anticipated to involve both a mix of rezoning of sites as well as program changes such as zoning ordinance amendments that may modify existing land use regulations and/or create new zoning districts. Site selection for rezoning will require the City to take a holistic view and determine where additional housing can be accommodated throughout the City. There are a number of potential strategies to consider, from looking at existing development in the pipeline, to conversion of commercial zoning to mixed-use, to intensification of sites near transit and other services, to further incentivizing accessory dwelling unit production. The selected combination of strategies, however, will require the City to rezone land throughout the City. This will not only be necessary to create a balance of housing across the City, but also to comply with affirmatively furthering fair housing, which is a new requirement of housing elements. The City is aware of several potential opportunity sites, including the United States Geological Survey (345 Middlefield Road), SRI Campus (333 Ravenswood Avenue), former Flood School site (321 Sheridan Drive), and a small portion of the Veteran's Affairs (795 Willow Road) site that will be explored, although the latter site would not be formally rezoned as a federally-owned property. During this summer, members of the public will have an opportunity to provide input on the land use

strategy options. Both the Planning Commission and Housing Commission will have an opportunity provide feedback prior to the City Council providing direction on the preferred land use approach to be studied in the EIR and FIA.

HCD plays a critical role in reviewing every local government's housing element to determine whether it complies with state law and then submits findings back to each jurisdiction. HCD's review is required before a local government can adopt its general plan. Staff is seeking HCD's review of the draft before the release of the EIR and FIA. Therefore, the draft documents should be completed by late 2021 for review by the Housing Commission, Planning Commission and City Council. While this extra step compresses the timeline, it helps ensures the City is on the right path for certification.

Project goals and objectives

The housing element update process must be inclusive and reflect the values of the City. Staff and the consultant team, collectively referred to as the project team in this staff report, are proposing to approach the project with three overarching and interrelated goals as shown in Table 1. These goals will help achieve the objective of creating and adopting a housing element, environmental justice element, land use element, and safety element update that reflect the values of the community and create a place where all residents can enjoy a high quality of living.

**Table 1: Draft project goals**

| Project goal | Intent |
|---|---|
| Create a balanced community | Plan for the whole community in a sustainable, healthy and balanced way. |
| Focus on affordability | Focus on affordable housing given the difficulty of developing it as compared to market rate housing, and the demand for affordable housing options. |
| Forward social justice | Work with the community to help ensure participation and access to the process, and take intentional steps that improve equity for historically marginalized people and areas. |

All of these goals are with a given expectation that the process will include full disclosure. This means that all relevant information, including the environmental and fiscal impacts, will be shared with the community and decision-makers to provide informed feedback and actions. At its meeting on May 25, the City Council may wish to comment on or include additional goals for the project.

Roles and responsibilities

The project requires the involvement and dedication of many people beyond the project team. Table 2 identifies the general roles and responsibilities of elected, appointed and advisory bodies while the community engagement plan section below discusses the importance of community participation during the process. The City Council, Planning Commission, Housing Commission, City Council ad hoc subcommittee, and the CEOC will each have a formal role in the process. The latter two bodies are were specifically formed by the City Council to support this project and will disband following its completion. To help prepare for the meeting of May 25 meeting with the full City Council, the project team met with the City Council subcommittee, comprised of Mayor Combs and City Councilmember Wolosin, to provide a high-level overview of the concepts covered in this report.

| Table 2: Housing element update roles and responsibilities | | |
|---|---|---|
| **Elected/appointed/advisory body** | **Role** | **Tasks and responsibilities** |
| City Council | Final decision-making body | To review and provide guidance on the overall project and key milestones, such as the selection of the preferred land use alternative, in order to successfully complete the project by December 2022.<br><br>City Council meetings are typically conducted on the second and fourth Tuesdays of each month and items will be scheduled on an agenda as needed. Information items may be provided to keep the City Council informed of the status of the project. |
| City Council Housing Element Update Subcommittee (ad hoc, Mayor Combs and City Councilmember Wolosin) | Advise on key topics areas:1) project objectives, 2) site selection, and 3) goals, policies and programs for the four different general plan elements, 4) liaising with other agencies/districts, and other topics as necessary where City Council feedback would be beneficial for maintaining the project schedule. | To provide guidance to the project team on key topic areas as needed.<br><br>Meetings will be scheduled as needed. |
| Planning Commission | Recommending body to the City Council on the housing element, environmental justice element and safety element and related components. | To review and provide feedback on key project components, including the land use alternatives, draft documents, potential zoning ordinance amendments, as well as conducting meetings on the scope of and draft EIR.<br><br>Planning Commission meetings are conducted typically on the second and fourth Mondays of each month and items will be scheduled on an agenda as needed. |
| Housing Commission | Recommending body to the City Council on the housing element. | To review and provide feedback on the housing element, including the land use alternatives, policies and programs, and the draft housing element.<br><br>Housing Commission meetings are conducted monthly on the first Wednesday of the month and items will be scheduled on an agenda as needed. |

| | | |
|---|---|---|
| Community Engagement and Outreach Commission (CEOC) | Assist the City in ensuring a broad and inclusive community outreach and engagement process, and help guide and provide feedback on the types and frequency of activities/events/meetings and the strategies and methods for communicating with the various stakeholders in the community. | The primary responsibilities of the group would be to:<br>• Serve as an ambassador of the project and encourage people to participate in the process;<br>• Help guide and provide feedback on the community engagement plan; and<br>• Serve as a community resource to provide information to and receive input from the community on matters related to community engagement and public outreach.<br><br>The primary responsibilities of each member would be to:<br>• Identify effective ways to inform and engage the various stakeholders about the project;<br>• Commit to constructive dialogue, mutual respect and collaboration; and<br>• Share local knowledge.<br><br>Meetings are anticipated to be monthly on Thursday evenings between May 2021 and November 2021, with check-in meetings as needed afterward. |

*Community engagement and outreach plan*

Given the strong emphasis on creating an inclusive process, the City will be providing many opportunities for the community to get involved. The City would like to engage a broad range of stakeholders that will inform key aspects of the project. The CEOC will be play an integral role in the project's outreach and engagement effort, making sure that the activities and meetings are appropriate, inclusive, accessible and informative. Receiving input and learning about what is important to the community is just as important as the City providing learning opportunities for what the project is about and why it is important, so the lines of communication are two-way. Change can be difficult, but no change is not an option for successful completion of this particular project. Upon City Council appointments to the CEOC, scheduled for May 25, the CEOC is anticipated to convene May 27 to review the draft community engagement and outreach strategy for the project.

A draft of the community engagement and outreach plan outline is included as Attachment B. The outline provides a high-level overview of the various outreach and engagement activities, including online tools, format, and exercises to broadcast and elicit ideas. Because not everyone learns the same way or has access to the same resources or time to dedicate to multiple meetings, the engagement plan offers a variety of opportunities to engage in the process. The purpose of the outreach is to include and involve as many community members as possible to ensure that all voices are heard and included in the decision-making process. For that reason, the engagement plan will likely evolve and respond to what has and hasn't been effective and circumstances as the process moves forward. For example, currently meetings are to be conducted virtually, but they could evolve into a hybrid format when safe to do so or the proposed project gallery could be delayed or repurposed given in-person, indoor activities and facilities space may be limited in the near term due to COVID-19 restrictions or precautions. The project team is willing to adapt as needed, keeping in mind that preparation and advertisement of meetings will add some limitations to how much change can occur while trying to accomplish the bulk of site selection and policy work in the next 4-6 months. Table 3 summarizes the proposed types of activities and meetings that could occur as part of the outreach and engagement plan.

| Table 3: Proposed Community engagement and outreach activities | |
|---|---|
| **Activities and meetings** | **Description** |
| Focus groups | Meetings designed to garner comments to develop an understanding of local issues and concerns. The targeted groups include housing organizations service providers, renters, homeowners, businesses, and housing developers. |
| Environmental justice and safety element outreach meetings | Informational and public input meetings to inform the public about the purpose of these elements and receive feedback on areas of concerns. |
| Individual (and/or group) interviews | Series of meetings to concentrate on smaller groups such as seniors, veterans, people with disabilities. These meetings can be conducted on the phone or in-person. |
| Partner with local non-profit community groups | Partner with local non-profit community groups to help with the outreach program. |
| General outreach meetings | General meetings to keep the community informed about the project, to answer questions, and to receive specific comments. These meetings are intended to be interactive. A video on the topic of environmental justice and the safety element is planned. |
| Pop-up events | Informal way to meet people, share information and garner input (e.g. farmer's markets.) |
| Project gallery | In-person display that allows people to access information other than on the computer. |
| Community survey | A method to seek information and feedback from the community on topics related to the project. Information gathered will be used to help inform policies and programs. |
| Housing introduction seminar | Seminar for community members who would like to understand the housing element components and process in more detail. |
| Key milestone meetings | Meetings during key milestones such as community vision, site selection, policies and draft documents. |

Table 4 below provides a draft timeline of the key upcoming community engagement and outreach activities, pending feedback from the CEOC. The process will be intense, but it's needed in order to prepare the EIR and FIA and meet our December 2022 adoption date. The proposed activities and meetings are expected to help create a project that reflects the community's values. The City Council may wish to provide feedback on the types and frequency of activities and meetings before the project team meets with the CEOC to review the engagement and outreach plan.

**Table 4: Upcoming community engagement and outreach schedule**

| Date | Activities and meetings |
|---|---|
| May 27, 2021 (tentative) | CEOC meeting #1 |
| June 2021 | Housing introduction seminar |
| June 2021 | Individual/group interviews |
| June 2021 | Focus groups |
| Summer 2021 | Initial outreach on environmental justice and safety elements |
| June/July 2021 | CEOC meeting #2 |
| Mid-summer 2021 | Survey |
| Late summer 2021 | Housing Commission - Preliminary land use strategies |
| Late summer 2021 | Community visioning |
| Fall 2022 | Land use alternatives review |

The process for the next six months will be intensive and include gathering data and input, synthesizing information and preparing draft documents. To help meet timelines, the project team will need to stay focused. The City Council meeting of May 25 is an opportunity for the City Council to provide feedback to the project team on the following:

- Goals and objectives (Table 1),
- Roles and responsibilities of the various reviewing and decision-making bodies (Table 2), and
- Community engagement and outreach plan (Tables 3 and 4.)

As part of this feedback, the project team is seeking confirmation that the City Council is committed to this work plan. This will help advance the project team's efforts.

**Impact on City Resources**

On November 10, 2020, the City Council authorized up to $1.69 million for the preparation of the housing element, including consultant services and partial funding for two full-time equivalents for the fiscal year 2020-21. On March 23, 2021, the City Council authorized the city manager to negotiate a scope of work and fee and execute an agreement with the M-Group for a fee, not to exceed $982,000.

**Environmental Review**

This action is not a project within the meaning of the California Environmental Quality Act (CEQA) Guidelines §§ 15378 and 15061(b)(3) as it will not result in any direct or indirect physical change in the

environment. As part of the housing element update process, an EIR will be prepared.

**Public Notice**

Public notification was achieved by posting the agenda, with the agenda items being listed, at least 72 hours prior to the meeting. The City also sent a citywide mailer about the City's housing element update project in early May.

**Attachments**

A. Hyperlink – Housing element (2015-2023): menlopark.org/DocumentCenter/View/4329/Adopted-Housing-Element-2015-2023?bidId=
B. Community outreach and meetings schedule – Process graphic
C. Draft community outreach and engagement outlinE

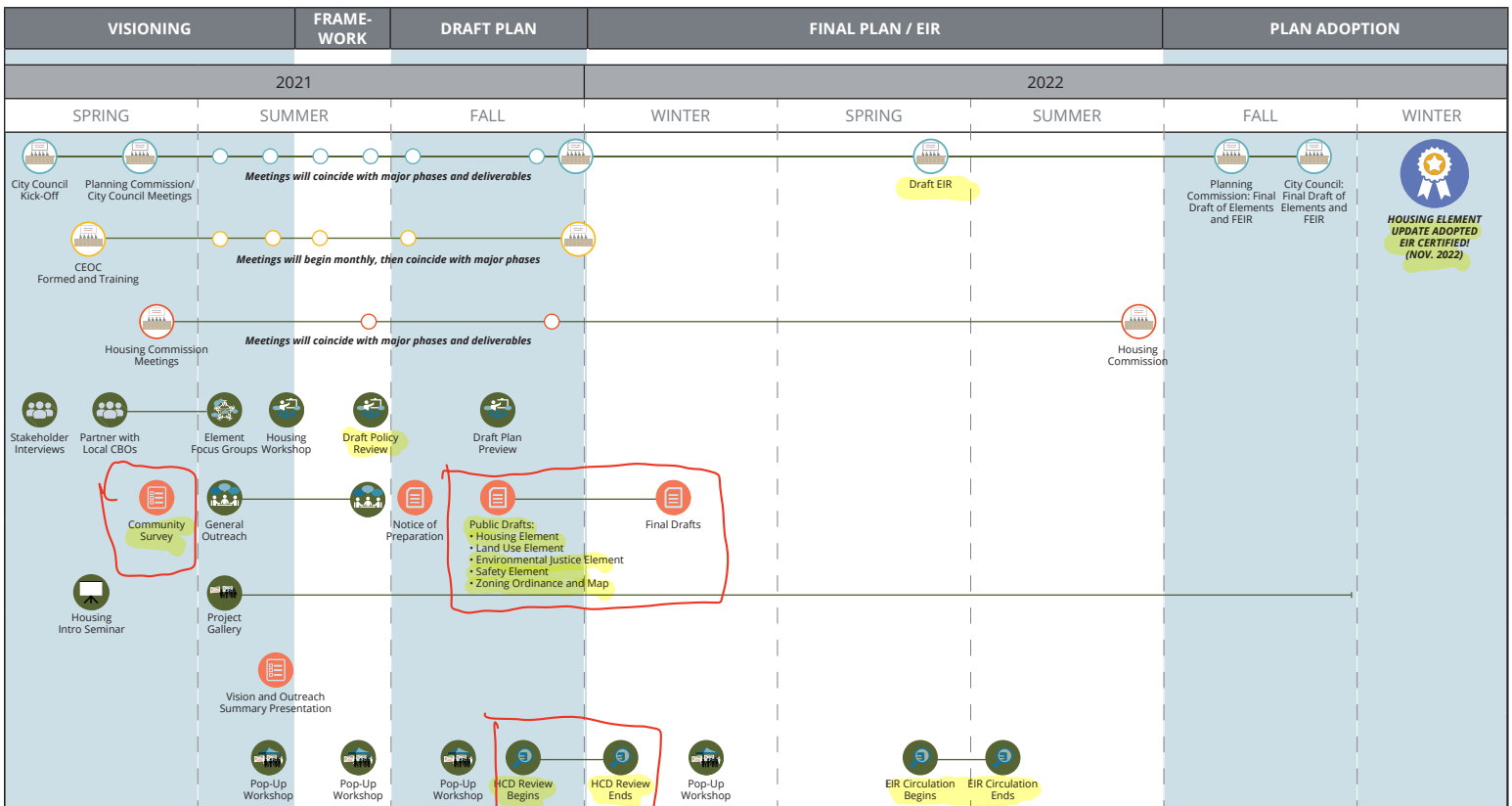
Report prepared by:
Deanna Chow, Assistant Community Development Director

Report reviewed by:
Justin Murphy, Deputy City Manager

CITY OF MENLO PARK **HOUSING ELEMENT UPDATE**

# COMMUNITY OUTREACH & MEETINGS SCHEDULE

PROCESS GRAPHIC VERSION: MAY 2021



**Menlo Park Housing, Safety and Environmental Justice Elements**
**Community Outreach and Engagement Outline**

The following provides a high-level overview of the project community outreach and engagement activities. The purpose of the outreach is to include and involve as many community members as possible to ensure that all voices are heard and included in the decision-making process.

## Individual (and/or group) Interviews

*Purpose:* The purpose of these interviews is to actively include various groups and individuals into the engagement process. The individual interviews will allow for traditional phone or in-person interviews with community members.

This series of meetings will concentrate on smaller groups such as seniors, veterans and people with disabilities. These meetings will also include talking to people who may not have access to technology and would rather talk on the phone or in-person rather than join a video meeting.

*Result*: These smaller interview meetings will result in key insights shared by key stakeholders.

## Housing Introduction Seminar

*Purpose:* This meeting will provide information to the community about housing element topics. This meeting is intended to be a general informational meeting.

M-Group will provide a Housing Introduction Seminar online for community members who want to understand housing issues in Menlo Park. This seminar would also outline the major themes of the housing element update including:

- History of racial segregation in planning and housing
- Housing Element Requirements
- Housing Element Schedule
- Community Involvement: Ways to provide comments and suggestions
- Existing Conditions
- Racial and Ethnic Equity

*Result:* The housing introduction seminar will provide a foundation level of information so that interested community members have the necessary knowledge to participate fully in the planning process.

## Partner with Local Nonprofit Community Groups

*Purpose:* The purpose these partnerships is to work closely with local nonprofits to ensure strong community involvement with the planning process.

As part of the overall outreach approach, we will partner with local nonprofit community groups and seek to involve them in the outreach program.

*Result:* Effective partnerships with community groups will insure a successful community engagement effort and more community acceptance of the planning effort.

## Focus Groups

*Purpose:* The purpose of these focus groups is to gain insight from a wide variety of perspectives. We will ask about challenges, recommendations, and other concerns they would like to share. This information will be used to describe issues and concerns to address in the Housing Element.

These meetings will be designed to garner comments to develop an understanding of local issues and concerns in various topic areas. The targeted groups will include Housing Organizations, Service Providers, Renters, Homeowners, Businesses, and Housing Developers.

*Result*: These meetings will help identify pressing issues and community concerns.

## General Outreach Community Meetings

*Purpose:* The purpose of these meetings is to obtain public comments and feedback on any portion of the Housing, Environmental Justice, and Safety Element update.

These outreach meetings will be designed to be interactive meetings to answer questions and garner specific comments from residents. These meetings are intended for any resident to provide comments on any aspect of the Housing Element, Safety Element, Environmental Justice Element and Land Use Strategy. Quick poll questions will be asked during the meetings in order to keep participants engaged and interested. Attendees of these meetings will be given the link to the online survey and given the opportunity to provide dots on maps of where new housing should be planned for. The General Outreach meetings will be ongoing through the plan framework phase.

*Result:* These community meetings will result in a shared basis of information and an opportunity for interested people to have their voices heard and questions answered.

## Project Gallery

*Purpose:* The project gallery is intended to provide a low-tech forum where people can get information about the project without the need to rely on the internet or technology to obtain information.

M-Group will work with City staff to prepare a gallery in a large conference room in the Library or other publicly accessible space (that is handicap accessible) or large room for the project. This would allow people to come and understand the project without internet access. This Gallery will have maps, a project website kiosk, a survey kiosk, comment box, posters, and project schedule. In addition, educational videos from the housing symposium can be provided. People would be able to come as go as is convenient for them during the hours of operation.

*Result:* The project gallery will result in wider community outreach and engagement by providing real-world display that is more accessible than computer based methods. Written comments left by participants will be collected and shared with the public and decision makers.

**Environmental Justice and Safety Elements Outreach Meetings**

*Purpose:* The purpose of these meetings is to get feedback from people on specific Environmental Justice/Safety Element topics. Meeting with people from disadvantaged communities.

M-Group will hold informational meetings and public input meetings to inform the public of the nature of these elements and feedback on areas of concern from the community. We plan to have an integrated approach where safety and environmental justice will be discussed in conjunction with each other and the Housing Element. These meetings will include climate change, sea level rise, fire safety, local hazards, and creating more equity in land use and planning within the community. An introduction video will be provided to accompany the meetings.

*Result*: Information gained from these meetings will utilized to identify and refine issues for inclusion in the Environmental and Safety Elements.

**Preliminary Land Use Strategies Descriptions with Housing Commission**

*Purpose:* The purpose of the meeting is to introduce land use strategies to the Housing Commission and the public.

M-Group will provide an overview of site selection and specific strategies to implement the RHNA allocation. We will outline different type of site selection options. This purpose of this meeting is to inform the public and Housing Commission what site selection options can be utilized.

*Result:* Provide defined housing strategies for the Housing Commission and General Public to consider as part of the site selection process

**Community Survey**

*Purpose:* The purpose of the community survey is to get feedback from a wide cross section of the community on a variety of issues and concerns.

M-Group will develop a survey in coordination with City staff to gain information about the community, housing needs, housing related concerns, and issues that may not be readily evident. This survey will be provided in English and Spanish (with other languages upon request). Results of the survey will be available on the website. A gift card drawing will be provided to encourage people to fill out the survey.

The survey will include questions that covers Housing Policy, Environmental Justice, Safety, racial equity, special housing needs, and other housing issues. The survey will be provided in both Spanish and English.

*Result:* The community survey will provide detailed information on a city-wide scale that can help identify issues of concern and define policy choices for many of the housing, safety, and environmental issues under consideration.

**Pop-up Meetings**

*Purpose:* The purpose of these pop-up events is to reach out to individuals as they go about their daily lives into the engagement process. This will allow us to interact with people directly as they visit the booth during the farmers' market.

These pop-ups will be designed to be an informal way to meet people where they are and garner comments in a relaxed setting from residents at events such as the farmers' markets. These meetings are intended for people to provide comments or concerns on any aspect of the Housing Element, Safety Element, Environmental Justice Element and Land Use Strategy. Attendees of these meetings will be given the link to the online survey and given the opportunity to provide dots on maps of where housing should go. This information will help inform the selection of housing opportunity sites. M-Group staff will be available to answer questions from people who visit the pop-up tent.

*Result:* These pop-ups will result in a wider selection of viewpoints to be heard as the participants are not self-selecting for participation.

**Housing Workshop (Housing Placement and Strategies)**

*Purpose:* The purpose of this meeting to receive direct community input on where housing should go.

M-Group will develop and lead a housing meeting that will explain the parameters and policy requirements, including equity and Fair Housing principals, around planning for new housing. This will allow people to provide input on where new housing should be planned for within the city. This meeting will give people the opportunity to indicate preferences for housing units on the various sites with the strategies outlined at the Housing Commission meeting. We will summarize the comments at the end of the public workshop.

*Result:* This meeting will provide for interested people to learn more about the opportunities and constraints facing the city. This meeting will also allow for questions and answers to make sure people are having their questions answered in real time. Participants will also be encouraged to participate in showing preferences for new housing locations. These results will also be shared at future public meetings.

**Vision and Outreach Summary Presentation**

*Purpose:* The purpose of this meeting is to present our findings and draft vision based on the feedback provided by the community.

At the end of the visioning phase, we will provide a vision summary presentation to the public. This will be a summary of the community outreach feedback. At this meeting, we will solicit additional comments and refinement suggestions for the vision.

*Result:* This activity will provide a common understanding of the vision and goals for the housing, safety and environmental justice elements.

**Draft Policy Review Community Meeting**

*Purpose:* The purpose of this meeting is to present our findings and draft policies based on the feedback provided by the community.

At the end of the plan framework phase, we will present draft policies to the public for review. At this meeting, we will solicit additional comments and refinement suggestions for the policy framework.

*Result:* This meeting will allow the project team to make refinements to goals and policies in response to feedback from community members.

**Draft Plan Review Community Meeting**

*Purpose:* The purpose of this meeting is to present our draft plan based on the feedback provided by the community.

At the end of the draft plan phase, we will present the draft plans (Housing, Safety and Environmental Justice Elements) to the public for review. At this meeting, we will solicit additional comments and refinement suggestions for the draft policy documents.

*Result:* This meeting will allow the project team to make refinements to goals, policies and programs in response to feedback from community members.

**Draft Environmental Justice and Safety Elements to Planning Commission**

*Purpose:* The purpose of this meeting is to present our draft documents to the Planning Commission for review and recommendation to the City Council.

M-Group will present the preliminary draft Environmental Justice Element, Safety Element to the Planning Commission for review and comment.

*Result:* This meeting will allow the project team to make refinements to goals, policies and programs in response to Planning Commission feedback.

**Draft Housing Element, Land Use Element, and Municipal Code Update to Planning Commission**

*Purpose:* The purpose of this meeting is to present our draft documents to the Planning Commission for review and recommendation to the City Council.

M-Group will present the preliminary draft *Housing Element, Land Use Element, and Municipal Code Update* to the Planning Commission for review and comment.

*Result:* This meeting will allow the project team to make refinements to goals, policies and programs in response to the Planning Commission feedback.

**Draft Environmental Justice, Safety Element, Housing Element, Land Use Element, and Municipal Code Update to City Council**

*Purpose:* The purpose of this meeting is to get feedback from the City Council.

M-Group will present the preliminary draft *Housing Element, Land Use Element, and Municipal Code Update* to the Planning Commission for review and comment.

*Result:* This meeting will allow the project team to make refinements to goals, policies and programs in response to City Council feedback.

**From:** Phil Koen
**Sent:** Monday, September 6, 2021 2:33 PM
**To:** Joel Paulson
**Cc:** Laurel Prevetti
**Subject:** VMT projected

Hello Joel,

Could you please explain the material increase in VMT per service population when comparing Alternative 3 (high growth) to the 2040 GP? The DEIR is reporting that the projected VMT per service population for the 2040 GP is 38.45, based on an additional 3,738 units and incremental population of 8,971. Alternative #3's VMT per service population is 21.48, based on additional 3,176 units and incremental population of 7,622. The difference in housing units is a very modest 562 units or 17% where-as the increase in VMT per service population is 79%.

The major difference between the two is Alternative #3 includes increased density ranges within identified Opportunity Areas. The 2040 GP does not have any Opportunity Areas. Given the material difference between the two, is it reasonable to conclude that the 2040 GP does not promote internal trip which results in a material shift to vehicle transportation modes which is increasing VMT per service population and GHG? What is the root cause for the massive increase in VMT per service population?

Thank you,

Phil Koen

**From:** Phil Koen
**Sent:** Monday, September 20, 2021 8:48 AM
**To:** Marico Sayoc; Matthew Hudes; Mary Badame; Rob Rennie; Maria Ristow
**Cc:** Laurel Prevetti; Joel Paulson; Jak Vannada; Rick Van Hoesen
**Subject:** Agenda Item #1 - Study Session regarding Draft 2040 General Plan - September 20, 2021

Dear Council Members,

Please find attached a comment paper from the Los Gatos Community Alliance regarding the draft 2040 General Plan. We look forward to having an opportunity to further discuss our thoughts with each of you. While the draft 2040 General Plan is a good starting point, we believe substantive changes are required before the 2040 General Plan can be adopted.

Thank you for considering our suggestions.

Los Gatos Community Alliance

**"Cities have the capability of providing something for everybody, only because and only when, they are created by everybody"** – Jane Jacobs

The General Plan is more than a legal underpinning for land use decisions; it reflects the community's priorities and values, and it is a vision about how the community will grow in the context of those priorities and values. What makes Los Gatos special is its small-town atmosphere, unique physical setting, history, and vibrant community character that projects the Town as a safe, charming, and aesthetically pleasing place to call home. The desire to grow and expand the Town's high quality of life is demonstrated by extensive citizen participation in many service groups and community issues.

While residents may disagree over specific issues, they share a common vision of the future of Los Gatos. Residents are resolute in their desire to maintain a high quality of life, celebrating and preserving the character of the Town while embracing change that comes from future needs. This will require a **balanced approach** to planning for growth which is focused on keeping the Town unique, vibrant, and livable on the one hand, while addressing future development in a thoughtful way where residents can have access to affordable housing, employment, transit, and retail services that can meet their daily needs.

It is with this overarching goal of **seeking balance between our history and our future,** in a Town that is almost fully developed, that we offer the following specific comments about the 2040 General Plan.

1. **The 2040 General Plan growth needs to be revised downward to accommodate only the anticipated 6th cycle RHNA required growth of 1,993 units plus a 20% buffer. The 2040 General Plan therefore should reflect a potential buildout of 2,392 new units.**
   The 2040 General Plan currently reflects 3,263 new units (excluding hillside development) being added over the next 20 years. This is not supported by any population forecast prepared by DOF or ABAG. The draft 2040 General Plan's inclusion of this excessive proposed growth in housing has driven material, Town-wide changes in land use designations, zoning densities and lot coverage ratios that are not necessary and would not be required if planned growth was more reasonable and more targeted to produce affordable housing in particular locations that the Town can make attractive to development. We all agree that zoning plans must accommodate future growth and be sufficient to ensure redevelopment is financially feasible. The State of California plans new housing in 8-year cycles. The general plan should reflect this 8-year planning cycle (i.e., 2023-2031) and be amended every eight years when new information and future RHNA allocations become known. This thoughtful approach assumes that incremental change is best and is made only when new information is available.

2. **The center point of the 2040 General Plan must be about creating policies and a mix of mandates and incentives to develop more AFFORDABLE housing in places attractive to development as opposed to simply more housing. When few sites are available and land costs are high, developers will develop land targeting housing at the higher end of the income spectrum.**

Our proposal calls for the development of 1,437 below market rate (BMR) housing units. This is 23% more than the 6th cycle RHNA allocation for BMR, with total housing exceeding the total RHNA allocation by a 20% buffer. By comparison the current draft 2040 General Plan does not commit to any level of BMR housing even though the total units being planned are 64% more than the total 6th cycle RHNA allocation. The Town's historical performance in meeting the BMR RHNA allocation is very poor. For the 5th cycle, the Town so far (there are 2 years left) has achieved only 30% of the BMR target while achieving 84% of the above moderate income housing target. This substantiates the point that, faced with very high land costs and high material and labor costs to build, developers will build housing targeted to higher income levels. Please see the attached "Analysis Housing Units by Income Category" for our plan of housing units by income category. Affordability requirements and proper development incentives (such as inclusionary zoning and density bonuses) can deliver affordable, income restricted housing.

3. **The 2040 General Plan should incorporate the concept of opportunity areas originally outlined in the Preferred Land Use Alternative and approved by the Town Council to concentrate future affordable development where residents can access employment, transit, and retail services within a "walkable distance" (i.e., ½ mile not 1 mile to a destination).**
   We believe strongly that new housing should be built where it will best support economic, social, and environmental priorities. The 2040 General Plan abandons the Town Council's previously adopted Preferred Land Use Alternative. Fundamental to this change was a significant increase in market rate housing over what was required by RHNA resulting in a shift of development from opportunity zones to a Town-wide redevelopment strategy. The DEIR showed that this change in redevelopment strategy, coupled with the lack of job growth in Town (new residents are driving to jobs outside of Town), increased VMT and GHG to unacceptable levels that cannot be mitigated. A focused development strategy around accessible opportunity areas will give the Town the best opportunity to meet the affordable housing goals and will also enable the Town to meet the State's goals in reducing VMT and GHG over the next 20 years. A simple rule of thumb is to concentrate affordable housing in high opportunity areas where increased densities would be allowed and make sense.

4. **The Housing Element must be prepared simultaneously with both the Land Use Element, and Community Design Element to ensure internal consistency of all the elements and provide residents with a complete understanding of the 2040 General Plan.**
   Currently the draft 2040 General Plan does not include an updated Housing Element but rather incorporates an outdated 2015 Housing Element that was built on the 5$^{th}$ cycle RHNA allocation. There are no substantive changes being proposed to the Housing Element as part of the 2040 General Plan. This is a major failing. Given that the 2040 General Plan defines the policy framework by which the Town's physical and economic resources are to be managed and used for the next 20 years, the General Plan must be complete with all elements updated to ensure internal consistency. Only then should the 2040 General Plan be adopted. It is simply too important a document to be developed piecemeal. Only the Housing Element needs to be approved by the State, and this is not due until 2023. There is sufficient time to prepare a complete, well-integrated 2040 General Plan.

5. **A Fiscal Impact Analysis (FIA) needs to be prepared to estimate the fiscal impacts of full buildout of the 2040 General Plan.**
   New development brings increased demands on local government services and infrastructure, but also generates new revenues for local government through additional taxes and fees. A fiscal impact analysis of these increased expenditures and revenues would help to evaluate whether the proposed development would generate sufficient new fiscal revenues to cover the fiscal costs associated with provision of public services over the 20-year planning horizon. This is also consistent with the General Plan's guiding principles of fiscal stability/responsibility. Without completing a FIA, it cannot be known if the 2040 General Plan is fiscally stable. The 2040 General Plan should not be adopted until the full economic impacts of it are known and publicly disclosed.

We appreciate the opportunity to submit these comments on the 2040 General Plan. We want to also publicly acknowledge the countless hours and hard work that GPAC and Staff have spent on creating the current draft 2040 General Plan. It is a good starting point for sure, but we believe substantive changes are required.

We look forward to having an opportunity to further discuss our thoughts with each Council Member and working constructively together to develop a 2040 General Plan that the Town's residents will overwhelmingly support.

**Analysis Housing Units by Income Category**
(excludes Hillside Residential)

| | AMI for Family 4 | | 5th Cycle | | | 6th Cycle | 2040 GP | LGCA | 6th Cycle Surplus | |
|---|---|---|---|---|---|---|---|---|---|---|
| **Income Category** | Threshhold | 30% per month | RHNA | Actual | % of RHNA | RHNA | Draft | Draft | 2040 GP | LGCA |
| Very Low - <50% of Area Median Income | $82,850 | $2,071 | 201 | 49 | 24% | 537 | 537 | 537 | 0 | 0 |
| Low - 80% of Area Median Income | $117,750 | $2,944 | 112 | 3 | 3% | 310 | 310 | 310 | 0 | 0 |
| Moderate - 120% of Area Median Income | $181,560 | $4,539 | 132 | 81 | 61% | 320 | 320 | 590 | 0 | 270 |
| >> Subtotal Below Market Rate Housing Units | | | 445 | 133 | 30% | 1,167 | 1,167 | 1,437 | 0 | 270 |
| Above Moderate - above 120% of Area Median Income | NA | NA | 174 | 146 | 84% | 826 | 2,096 | 955 | 1,270 | 129 |
| >>Total Housing Units | | | 619 | 279 | 45% | 1,993 | 3,263 | 2,392 | 1,270 | 399 |

Footnote:
2021 Area Mean Income - Family of 4 $151,300

**From:** Kathleen Willey
**Sent:** Monday, September 20, 2021 3:09 PM
**To:** Jennifer Armer
**Cc:** Maria Ristow; Marico Sayoc; Rob Rennie; Mary Badame; Matthew Hudes
**Subject:** Public comment for September 20 meeting - Plant Based Diets

Dear Los Gatos Town Council members, I have been a resident of Los Gatos since 2010. It is such a wonderful town to raise my family. However, I am saddened by the fear and panic that Covid has created.
I wish the media would focus more on what we can all do to help our chances of becoming severely ill if we catch Covid.

The well respected British Medical Journal came out with a recent study confirming that those who follow a plant based diet were up to 73% less likely to have a severe case of Covid.
"plant-based diets are rich in nutrients, especially phytochemicals (polyphenols, carotenoids), vitamins and minerals, all of which are important for a healthy immune system, say the researchers."
https://www.bmj.com/company/newsroom/plant-based-and-or-fish-diets-may-help-lessen-severity-of-covid-19-infection/

According to the CDC people with underlying health conditions such as Cancer, Diabetes, obesity, asthma, high blood pressure etc….. are much more likely to become severely ill or die from Covid than someone who is a healthy weight with no health conditions.
https://www.cdc.gov/coronavirus/2019-ncov/need-extra-precautions/people-with-medical-conditions.html

The science is clear. Even the American Heart Association says

"Whether you're considering eating less meat or giving it up entirely, the benefits are clear: less risk of disease and improved health and well-being. Specifically, less meat decreases the risk of:

- Heart disease
- Stroke
- Obesity
- High blood pressure
- High cholesterol
- Type 2 diabetes
- Many cancers"

https://www.heart.org/en/healthy-living/healthy-eating/eat-smart/nutrition-basics/how-does-plant-forward-eating-benefit-your-health

Therefore, I would like to ask the Town to please promote Plant Based Eating in the next General Plan to keep our residents and our planet healthy.

Thank you,
Kathleen Willey
http://www.plantbasedadvocates.com

**Sent:** Monday, September 20, 2021 8:51 PM
**To:** GP2040 <GP2040@losgatosca.gov>
**Subject:** [#20210921035034] Comment from LosGatos2040 Website Los Gatos 2040 General Plan Update

Ticket: [#20210921035034]

**Name**: J L
**Comments**:
I'm a Los Gatos resident since 2014, I like this place, am raising family here and caring about this town's future. I listened today(9/20)'s meeting, heard voice of people, feel the same frustrations and share some of the same concerns. In addition, particularly I have to say, I'm very disappointed by commissioner Mr. Suzuki's comments, I don't think he has any intention to address the concerns raised by fellow townsman/townswoman. His logic is like that: "too many housing development"? There are already quite some existing, "budgeted" development, so it's "OK" for us to add more, just breakdown the numbers, then people will see "smaller" number; "traffic will be worse"? Jam is everywhere in the Valley, so don't "bother". Mr. Suzuki probably is a smart young man and I appreciate his volunteer works, however, I hope him, as well as commissioners and council members would really listen to the voice of Los Gatos people, acknowledge problems rather than covering them.

Page title: Home

From: Claudia Kenyon
Sent: Tuesday, September 21, 2021 9:15 AM
To: GP2040 <GP2040@losgatosca.gov>
Subject: The plan

I intend to read all of it. So far I love the vision statement and the racial, social, and environmental justice ideas. I understand that many many people fear above all the increased traffic that might accompany justice, but I would hope that we could let justice and inclusivity drive the plan and then find solutions to the traffic. Good work!

**From:** Carleen Schomberg
**Sent:** Tuesday, September 21, 2021 12:03 PM
**To:** GP2040 <GP2040@losgatosca.gov>
**Subject:** Town General Plan

To Town Planning Commission and City Council,

Unfortunately, I was unable to participate in the zoom meeting regarding the general plan. However, I feel it's necessary to make my feelings known. It is with great frustration I write again because it's felt for some time like my concerns and those of others I know have been falling on deaf ears.

As a fourth generation Los Gatos resident (whose great, great uncle owned the Los Gatos Soda Works) I have seen one of the most beautiful places anywhere go from a mecca for travelers and artists to a congested, unaffordable town that is now not even as desirable as nearby Campbell or Willow Glen. Where we once had flowering orchards that were beautiful beyond compare and not only produced food, but sheltered wildlife and helped clean the air, we now have overcrowded streets, unbelievable auto pollution, and our last orchard is now covered with over 250 homes and roughly (when occupied) 500 more cars to add to an already crowded street.

It should be obvious to any thinking person by now that our biggest challenge is climate change. The notion of building on or paving over one more piece of open land, no matter how small, is just another nail in the coffin.

I am begging you, for the sake of everyone's grandchildren, to think about the repercussions of your actions on their future and that of the planet.

I find it heartbreaking that my kids and grandkids can't afford to live in the town where their ancestors lived. And, sadly, if we don't change our priorities, it will become unlivable for anyone.

Hoping someone hears this message and really considers how grave our situation is becoming.

Carleen Ambrosini Schomberg

**From:** Lisa Wade
**Sent:** Tuesday, September 21, 2021 1:22 PM
**To:** Jennifer Armer
**Cc:** Council <Council@losgatosca.gov>; PlantBasedAdvocatesCore
**Subject:** Plant-Based Education Implementation Program

Hi Jennifer,

Thank you for hearing our comments last night!

I wanted to submit our specific reccommendation in writing for clarification.

We would like a Plant-Based Education Implementation Program to be added to Section 8 Environmental and Sustainability Element.

Specifically, we would like such a program to be added to Section 8.12. This section has Implementation programs A-M listed. We would like Implementation Program N to be added. We'd like program N to be a Plant-Based Education program to educate residents about the environmental and health benefits of a Plant-Based Diet.

Please let me know if you have any questions.

Best,

Lisa

**From:** Levine, Joshua
**Sent:** Thursday, September 23, 2021 4:10 PM
**To:** Town Manager <Manager@losgatosca.gov>
**Cc:** Council <Council@losgatosca.gov>
**Subject:** Plant Based Education Program

Hi Jennifer,

I have lived in Los Gatos for 3 years and have a son attending Fisher Middle School. I am writing to extend my support for the city incorporating a dedicated Plant Based Implementation Program added to Section 8 Environmental and Sustainability Element of the General Plan (section 8.12). It would be great if Los Gatos become leaders in the environmental space and model for other townships to follow. Incorporating a plant based eating program could further this cause.

Our family follows a plant based diet for better nutrition and to reduce our carbon footprint.

Please let me know if you have any questions. Thank you for your consideration

Best

Josh

**Joshua Levine** | *Senior Vice President – Financial Advisor*

**RBC Wealth Management**

**From:** Mythri Ramesh
**Sent:** Saturday, September 25, 2021 8:27 AM
**To:** Jennifer Armer
**Subject:** Plant-based program for sustainability

Hi Jennifer,

Myself and my family lives in Los Gatos. We always thought that the Los Gatos city needs more education and awareness about Plant-based program for our health, animals and planet. It is simply not sustainable to breed billions of land animals every year, the land use, the deforestation, fresh water consumption, fossil fuels and Carbon emission. There is no way we can support that. We request that Los Gatos town include plant-based program in general plan 2040 under sustainability section. We look forward to hearing from you.

Thanks,

Mythri

**From:** Vinay Ramaswamy
**Sent:** Saturday, September 25, 2021 9:30 AM
**To:** Jennifer Armer
**Subject:** Vegan diet inclusion plan in general plan 2040

Hi Jennifer,

We moved to Los Gatos last February, we like the some plant-based programs on lgs recreation. But I believe no one should pay to get education on plant-based nutrition. The world is inevitably changing and we need to grow along with it. I plead you to include my petition for plant-based education for general public.

Thanks,

Vinay Ramaswamy

**From:** Laura Montonye Reese
**Sent:** Tuesday, September 28, 2021 6:51 PM
**To:** Town Manager <Manager@losgatosca.gov>; Council <Council@losgatosca.gov>
**Subject:** Please add a dedicated Plant-Based Education Program to the General Plan

Hello Manager Armer and distinguished members of the Los Gatos City Council,

I live at [redacted], right next to the fire station on University Ave. I've lived here for over a year and would like to make a request: the addition of a dedicated Plant-Based Education Implementation Program added to Section 8.12 - Environmental and Sustainability Element of the General Plan. This program could include things like cooking classes, speaker series, a Vegfest, film screenings, etc.

Here's why:
Climate scientists stress that shifting toward plant-rich diets is essential if we are to avert climate catastrophe.[1] In the US, the EPA reports that methane emissions from livestock are on par with methane emissions from the entire fossil fuel sector.[2] Eating more plants and fewer animals is not only good for the planet, but it's also essential for preventing the leading causes of death.

The National Institute of Health reports that **insufficient dietary fiber intake is associated with many serious conditions and leading causes of death**: cardiovascular disease, cancer, strokes, type 2 diabetes, high cholesterol, obesity, and high blood pressure. And yet, USDA experts report that **95% of Americans are deficient in dietary fiber** intake, and on average, **American adults consume only half the fiber they need**.[3][4]

Since the mapping of the gut microbiome in 2006, evidence is mounting of the crucial function of fiber in our health. Studies show that even small increases in dietary fiber can prevent these chronic diseases.[5] Given that dietary fiber is exclusively found in plant foods like legumes, grains, vegetables, fruits, nuts, and seeds, it follows that we need to eat more fiber-rich plant foods.

Los Gatos residents will greatly benefit from learning about the crucial link between plant-rich diets and planetary and human health. So I encourage you to add this sensible Plant-Based Education Implementation Program to Section 8.12 of the General Plan.

Sincerely,
Laura Reese

References:


1. https://www.epa.gov/sites/production/files/2021-02/documents/us-ghg-inventory-2021-chapter-5-agriculture.pdf#page=3
2. https://www.drawdown.org/solutions/plant-rich-diets
3. https://www.dietaryguidelines.gov/resources/2020-2025-dietary-guidelines-online-materials/food-sources-select-nutrients
4. https://sites.tufts.edu/nutrition/winter-2019/10-things-you-need-to-know-about-fiber/
5. https://academic.oup.com/aje/article/181/2/83/2739206

**From:** Amy Nishide
**Sent:** Wednesday, September 29, 2021 2:22 PM
**To:** Jennifer Armer
**Subject:** general plan feedback

2040 general plan feedback
9/27/21

General:

Change is inevitable. The general plan seems to do a good job of setting the direction to manage it in an equitable, purposeful, conscientious, environmentally sound way.

The draft should be more easily navigable facilitate private citizen review/input

Needs more concrete measurable metrics. Since there don't seem to be many included, what is the process for turning the general plan into an actionable, measurable programs over the next 20 years?

There are plans to make LG more inclusive through adding more affordable housing. Are there also plans for bringing in ethnic grocery stores, places of worship which aren't Christian, a cultural center (w/ ESL classes), and other cultural amenities as well? If we really want to include people of different cultures, it's not enough to just make physical space for them.

**RSEJ**

1.1 Change to: **Identify inequities**, and direct town staff …

Inequities need to be discovered through looking at services through a more equitable lens in order to properly address them

1.4 Replace *encourage* with **encourage development and improved access.**
How can you encourage access to something that barely exists?

1.6 Some data collection/analysis needed to measure the perceptions of residents, workers, and visitors. **Improve the perception score of LG as a welcoming…**

*Promoting* something that you want people to believe doesn't make it true.

1.7 **Increase** or **improve**, not *promote*
What are some of the ways the town can achieve this? Recruit higher paying business to operate in town? Such as start-ups, light manufacturing?

2.5 add **recruiting/hiring from SJSU.**
It's a diverse school filled with lots of Santa Clara County students.

2.7 Drop *develop* and add: **implement, and require cultural… for Town staff**.
No need to reinvent the wheel. Plenty of DEI training exists already.

2.8 Drop *promote*, and add **provide and encourage** instead.

4.1 Good, it's highly actionable

6.2 What does this mean? Specifically, who is the target?

6.3 Add **develop and provide** before *promote*

**Land Use Element**

LU 20.4 To increase public participation : **Include the use of traditional forms of communication, such as flyers mailed to homes, local newspaper ads, posters around town and places of worship, and other gathering points, and inclusion in school-published bulletins sent to parents, etc.** Hopefully, this will avoid future complaints about "not being part of the process: and avoid last minute demands.

From: Georgia Hamilton
Sent: Thursday, September 30, 2021 5:34 PM
To: Jennifer Armer
Subject: 2040 General Plan

Dear Town Council Members,

I live in the Town of Los Gatos and I'm writing to ask you to please include a dedicated Plant-Based education program in the Environmental section of the 2040 General Plan.

It would be great to have programs such as cooking classes, talks, and events to teach people how to incorporate more plants into their diets. This would be healthy for people and the planet.

Thank you for your consideration!

Sincerely.
Georgia Hamilton

**From:** karenr
**Sent:** Thursday, September 30, 2021 6:21 PM
**To:** Council
**Cc:** Jennifer Armer
**Subject:** Support for Plant-Based Education in Los Gatos

Dear Los Gatos Town Council:

I support the efforts of Plant-Based Advocates to establish a dedicated plant-based education program for Los Gatos. Please add this to the environmental section of the General Plan 2040.

Best regards,

Karen Rubio

Los Gatos resident for 36 years

**From:** Fred Rubio
**Sent:** Thursday, September 30, 2021 6:28 PM
**To:** Council
**Cc:** Jennifer Armer
**Subject:** Please include Plant-Based Education programs into General Plan 2040

Dear Los Gatos Town Council:

I support the efforts of Plant-Based Advocates to establish a dedicated plant-based education program for Los Gatos. Please add this to the environmental section of the General Plan 2040.

Climate change is the single biggest issue we are facing today, and reducing our intake of meat, dairy and eggs is a crucial part of reducing greenhouse gas emissions. We MUST take action now to ensure a livable planet for our children.

Best regards,

Fred Rubio II

Los Gatos resident for 40 years

**From:** Manan Sardana
**Sent:** Thursday, September 30, 2021 6:57 PM
**To:** Council
**Cc:** Jennifer Armer
**Subject:** Support for Plant-Based Education in Los Gatos

Dear Los Gatos Town Council:

I support the efforts of Plant-Based Advocates to establish a dedicated plant-based education program for Los Gatos. I support adding this to the environmental section of the General Plan 2040.

Best regards,

Manan Sardana

**From:** Kristine Goldberg
**Sent:** Thursday, September 30, 2021 7:13 PM
**To:** Council
**Cc:** Jennifer Armer
**Subject:** FW: Can you ask your sister?

Dear Los Gatos Town Council:

I support the efforts of Plant-Based Advocates to establish a dedicated plant-based education program for Los Gatos. I support adding this to the environmental section of the General Plan 2040.

Best regards,

Kristine Goldberg

**From:** Kristine Goldberg
**Sent:** Thursday, September 30, 2021 7:14 PM
**To:** Council
**Cc:** Jennifer Armer
**Subject:** Plant Based Education Program

Dear Los Gatos Town Council:

I support the efforts of Plant-Based Advocates to establish a dedicated plant-based education program for Los Gatos. I support adding this to the environmental section of the General Plan 2040.

Best regards,

Mike Goldberg

**From:** Emily Miramontes
**Sent:** Thursday, September 30, 2021 8:16 PM
**To:** Council
**Cc:** Jennifer Armer
**Subject:** Support for Plant-Based Education in Los Gatos

Dear Los Gatos Town Council:

I support the efforts of Plant-Based Advocates to establish a dedicated plant-based education program for Los Gatos. I support adding this to the environmental section of the General Plan 2040.

Best regards,

Emily Miramontes

**From:** Erik Rubio
**Sent:** Thursday, September 30, 2021 8:51 PM
**To:** Council
**Cc:** Jennifer Armer
**Subject:** Please include plant-based education in GP 2040

Dear Los Gatos Town Council:

I support the efforts of Plant-Based Advocates to establish a dedicated plant-based education program for Los Gatos. Climate change is devastating our planet, and people need to learn more about how to reduce greenhouse gas emissions by reducing or eliminating animal foods such as meat, dairy and eggs. Please add plant-based education to the environmental section of the General Plan 2040.

Best regards,

Erik Rubio

Los Gatos resident

**From:** John Parsons
**Sent:** Thursday, September 30, 2021 10:25 PM
**To:** Council@losgatos.gov; Jennifer Armer
**Subject:** Plant based education

*Dear Town Council,*

*I am a resident of Los Gatos and a junior at San Jose State University. I am majoring in global and environmental studies. Through my education, I have developed a deep concern for the future of our planet and for humanity. I realize that we are currently in a very dire situation. However, I have learned that the simple act of changing the way we eat is a powerful way to combat climate change and keep warming under 1.5° C.*

*For these reasons, I would like to see a Plant-Based Education program included in the Environmental section of the Town's 2040 General Plan in the Environmental section.*

*I am proud to live in Los Gatos and would be proud to see us be a leader in a movement that can provide real hope for the future.*

*Sincerely,*

*John Parsons*

**From:** Michelle Waters Art
**Sent:** Thursday, September 30, 2021 10:53 PM
**To:** Jennifer Armer; Council
**Subject:** Plant-based education program

Dear Mayor Sayoc and Town council members,

I live in Los Gatos and I would like to request that you add a Plant-Based Education program to section 8.12 of the 2040 General Plan. We urgently need to address climate change and plant-based eating is a very powerful way to protect our planet.

I would love to see town-sponsored events such as a vegfest, cooking classes, and a speaker series. The city of Mountain View promotes plant-based eating as part of its sustainability element and I'd like to see a similar program here in Los Gatos.

Sincerely,

Michelle Waters

Animal and Environmental Artist

From: Priti Malhotra
Sent: Friday, October 1, 2021 8:35 AM
To: Council
Subject: Plant based education

Hello

I live in Los Gatos and would like to see a plant-based education program in the town. Being a plant based advocate I see the benefits and impact this kind of education would have.

I support the development and funding to have a plant-based education program

Thank you
Priti Malhotra

**From:** Christopher Wade
**Sent:** Friday, October 1, 2021 8:36 AM
**To:** Jennifer Armer ; Council
**Subject:** Please add Plant-Based Education to the General Plan

To the Los Gatos Town Council,

Thank you for your efforts in creating the General Plan for our Town.

I have lived in Los Gatos for over 40 years. I love living in this town which is why I still live here.

I attended Blossom Hill School, Fisher Middle School, and Los Gatos High School.

I strongly support all efforts by the town to address climate change and GHG emissions. I feel that more emphasis should be put on the promotion of plant-based diets as a way to mitigate climate change and reduce GHG emissions. Eating plant-based is a powerful and cost-effective way to address climate change.

I think the Climate Implementation section 8.12 could be greatly enhanced by the addition of a Plant-Based Education Implementation program. Such a program would enhance the health of residents, help address climate change, and foster community.

Thank you for your consideration.

Chris Wade

**From:** Lisa Wade
**Sent:** Friday, October 1, 2021 10:34 AM
**To:** Jennifer Armer; Council
**Cc:** Karen Rubio ; Rob Moore
**Subject:** My Comments for Meeting on October 6

My name is Lisa Wade and I am with Plant-based Advocates in Los Gatos. I have lived in Los Gatos for over 30 years.

Thank you for your hard work on the General Plan. We appreciate your efforts.

We also want to thank you for adding the words Plant-based to the Healthy Communities Section and also the Employer Incentives section. (6.13:Healthy Community and ENV 9.7 Employer Incentive Programs.) When the GPAC added the words plant-based to these 2 sections of the General Plan they also stated that they would do more because of the widespread public support for plant-based eating education and promotion in Los Gatos.

**Our specific ask is this. We would like to see Plant-Based Eating Education added to section 8.12 Environmental Sustainability Element Implementation Programs. Section 8.12 has Implementation Programs A-M. We are requesting that you add a Program N Plant-Based Eating Education.**

According to Project Drawdown, the third- and fourth-best climate change solutions are reducing food waste and eating a plant-rich diet. (The top two solutions aren't things the average person can easily control: refrigerant management and onshore wind turbines.) **Making the transition to a plant-based diet may well be the most effective way an individual can stop climate change." page 40 Project Drawdown The Most Comprehensive Plan Ever Proposed TO Reverse Global Warming edited by Paul Hawken.**

Numerous peer-reviewed scientific studies agree that plant-based eating is the most effective way for individuals to help the planet. For this reason, any plan to address climate and sustainability should include the promotion of plant-based eating. Please do not leave out this powerful, cost-effective solution and add a Plant-based education program to section 8.12. This section will not be complete without such a program.

We understand that the General Plan is not a document that outlines details. For this reason, we request Implementation Program N with  a simple heading Plant-Based Eating Education Program  and a couple of sentences (just like the other implementation programs listed in section 8.12.)

We have a petition with 220 signatures from residents of Los Gatos plus 32 signatures from nearby neighbors (bordering on Los Gatos) who frequent Los Gatos businesses. We also have the support of local activist groups Health and Environmental NGOs including The Sierra Club Loma Prieta Chapter and Center for Biological Diversity. We also have the support of prominent citizens both in Los Gatos and neighboring cities such as Lucas Ramirez vice mayor of Mountian View and Alison Hicks city council member in Mountian View.

Also, the planning commission and council have received numerous emails requesting a plant-based eating education program be added to the General Plan 2040.

I am attaching our petition below.

Thank you for your consideration!

Lisa Wade

| Supporters of Adding Plant-Based Education to Los Gatos General Plan 2040 | | | | |
|---|---|---|---|---|
| | | | | |
| **Name, Last** | **Name, First** | **Position / Affiliation** | **Address / Town Area** | **Comments** |
| | | | | |
| **Community and Business Leaders of Los Gatos** | | | | |
| | | | | |
| Albright | Karla | Together We Will/Indivisible Los Gatos | [redacted] Los Gatos | |
| Arroyo | Kevin | Pinehurst Community Garden organizer | [redacted] Los Gatos | Great idea and I support this plan! |
| Brown | Elisabeth | Educator | [redacted] Los Gatos | I am a teacher in town. I'd love to incorporate any lessons into my curriculum. I also lead student council and would be wil ing to organize an assembly. |
| Chan | Wendy | Business owner: Tai Zhan Plant-Based Microbakery | Los Gatos | |
| Goetz | A icia | Owner, Los Gatos Theatre | [redacted] Monte Sereno | |
| Hertan | Peter | Vice President, Los Gatos-Saratoga Union High School District Board | | |
| Iyar | Rupar | Owner, Pura Wellness; philanthropist | [redacted] Los Gatos | |
| Montonye Reese | Laura | Agriculture Fairness Al iance; Vegan Justice League | [redacted] Los Gatos | |
| Moore | Rob | LG Anti-Racism Coalition; Plant-Based Advocates | [redacted] Los Gatos | |
| Owens | Heidi | Community leader | Los Gatos | |
| Preville | Bruce | CERT Leader, Los Gatos | [redacted] Los Gatos | |
| Romano | Andrea | Owner, Centonove Restaurant | [redacted] Los Gatos | |
| Spargo | A icia | Outreach Coordinator, Los Gatos Anti-Racism Coa ition | Los Gatos | |
| | | | | |
| | | | | |
| **Residents of Los Gatos** | | **220** | | |
| | | | | |
| Aidi | Karen | | [redacted] Los Gatos | |
| Anji | Roberto | | [redacted] Los Gatos | |
| Arienzo | Wendy | | Los Gatos | |
| Arroyo | Frank | | [redacted] Los Gatos | |
| Arroyo | Susie | | [redacted] Los Gatos | |
| Bagatelos | Mary Ann | | Los Gatos | |
| Balijepalli | Priya | | [redacted] Los Gatos | |
| Balakrishnan | Jeyendran | | [redacted] Los Gatos | |
| Barden | Ben | | [redacted] Los Gatos | |
| Barden | Sue | | [redacted] Los Gatos | |
| Barnett | Kaitlyn | | [redacted] Los Gatos | |
| Bayne | Daphne | | [redacted] Los Gatos | |
| Bernholz | Malte | | [redacted] Los Gatos | |
| Biller | Jason | Physician | [redacted] Los Gatos | |
| Bolen | JP | | [redacted] Los Gatos | |
| Bolen | Rachel | | [redacted] Los Gatos | |
| Booth | Sandra | | [redacted] | |
| Bora | Anita | | [redacted] Los Gatos | |
| Bosworth | Mary Ann | | Los Gatos | |

| | | | | |
|---|---|---|---|---|
| Boyd | Sandy | | [redacted] Los Gatos | |
| Brzak | Lukas | | [redacted] Los Gatos | |
| Burkhart | Chris | | [redacted] Los Gatos | |
| Bz | Linda | | Los Gatos | |
| Cao | Xuong | | [redacted] Los Gatos | |
| Cappon-Javey | Maureen | | [redacted] Los Gatos | |
| Carol | Amy | | [redacted] Los Gatos | |
| Carpio | Virginia | | [redacted] Los Gatos [redacted] | I support putting into the General Plan a plant based education program. There are several benefits from such a program, including potentially better general health and a healthier air qua ity in our community from consuming less meat, i.e., raising fewer animals that contribute to the increase of methane gas.<br>I think this program would be very good for our community and far beyond it. |
| Chavez | Vana | | [redacted] Los Gatos | |
| Christensen | Beverly | | [redacted] Los Gatos | |
| Christensen | John | | [redacted] | |
| Cisneroz | Diane Larson | | [redacted] Los Gatos | |
| Clark | Ky ie | | [redacted] Los Gatos | |
| Corini | Tamara | | [redacted] Los Gatos | |
| Dai Biller | Jenny | Physician | [redacted] Los Gatos | |
| Davies | Tiffany | Physician | [redacted] Los Gatos | |
| Davies | Mark | Physician | [redacted] Los Gatos | |
| De Cesare | Anne Marie | | [redacted] Los Gatos | |
| De Louraille | Karen | | [redacted] Los Gatos | |
| Czinski | Laura | | [redacted] Los Gatos | |
| Deak | David | | [redacted] Los Gatos | |
| Dempsey | Caro ine | | [redacted] Los Gatos | |
| DeMaria | Dawn | | [redacted] Los Gatos | |
| Dickinson | Ilene | | [redacted] Los Gatos | |
| Dickinson | Roger | | [redacted] Los Gatos | |
| Dillehay | Kristine | | [redacted] Los Gatos | |
| Dreiger | Jeannie | | [redacted] Los Gatos | |
| Dreher | Diane | | [redacted] Los Gatos | |
| Erdengiz | Sevgi | | Los Gatos | |
| Evjenth | Gail | | [redacted] Los Gatos | |
| Evjenth | Tim | | [redacted] Los Gatos | |
| Fletcher | Lisa | | [redacted] Los Gatos | |
| Fox | Audrey | | Los Gatos | |
| Fox | Larry | Owner, Valet Custom Cabients | Los Gatos | |
| Frager | Bernadette | | [redacted] Los Gatos | |
| Freedom | Rea | | [redacted] Los Gatos | Pollution and waste in Factory Farms;, use of land for meat production, kil ing of wildlife and use acres of land to support livestock; nets in the ocean killing millions of sea creatures; all contribute to climate change. Reducing meat consumption is something we all can do. Please place plant based education in the general plan. It is the right thing to so. |
| Garland | Lynette | | [redacted] Los Gatos | |

| | | | | |
|---|---|---|---|---|
| Gibbons | Maria Eugenia | | [redacted] Los Gatos | |
| Goldberg | Kristine | | [redacted] Los Gatos | |
| Goldberg | Michael | | [redacted] Los Gatos | |
| Griffin | Ju ie | | [redacted] Los Gatos | |
| Gupta | Reeta | | [redacted] Los Gatos | |
| Gummow | Todd | | [redacted] Los Gatos | I support plant based diet education programs |
| Hamilton | Georgia | | [redacted] | |
| Hamilton | Scott | | [redacted] | |
| Harrison | Ju ia | | [redacted] Los Gatos | |
| Hassoun | Joe | | [redacted] Los Gatos | |
| Haylock | Archna | | [redacted] Los Gatos | Yes we need more options at school and at local restaurants. |
| Hemmis | Matt | | [redacted] Los Gatos | |
| Hendry | Dan | | [redacted] Los Gatos | |
| Hendry | Wendy | | [redacted] Los Gatos | |
| Hinsche | Danielle | | [redacted] Los Gatos | I am a resident of Los Gatos and I support the addition of a plant-based education program in the Town's 2040 General Plan. |
| Hiroshima | Kevin | | Los Gatos | |
| Hojjat | Sara | District Leader Volunteer- California Congressional District 18. Member of Plant-Based Advocates | [redacted] Los Gatos | |
| Honorio | Mia | | [redacted] Los Gatos | |
| Houghton | John | | [redacted] Los Gatos | |
| Howe | Chelsea | | [redacted] Los Gatos | |
| Hsieh | Cynthia | | [redacted] Los gatos | I would love to see a vegan, zero waste restaraunt in Los Gatos. |
| Huang | Jenny | | [redacted] Los Gatos | |
| Hussey | Jacklyn | | [redacted] Los Gatos | Anything that will help save our planet I will definitely support! |
| Ingle | Lori | | [redacted] Los Gatos | |
| Isaacs | Varily | | [redacted] Los Gatos | |
| Iyer | Harish | | Los Gatos | |
| Javey | Shahram | | [redacted] Los Gatos | |
| Jog | Chetan | | Los Gatos | |
| Johnson | Karen | | [redacted] Los Gatos | |
| Johnston | Jan | | Los Gatos | |
| Juhl | Linda | | [redacted] Los Gatos | Thank you |
| Kama i | Kristine | | [redacted] Los Gatos | |
| Karavelioglu | Sevil | | [redacted] Los Gatos | |
| Keating | Kathleen | | [redacted] Los Gatos | I believe it is to the best interest of Los Gatos to estab ish a plant based education program at the high school and for the general public. I be ieve many of our children and others need to know that plant based eating is good for their bodies if done right. Please provide funding for an education for plant based eating. Please sponsor cooking classes as well. |
| Keller | Lisa | | [redacted] Los Gatos, [redacted] | Love it. Yes!! |
| Koch | Charlene Foster | | [redacted] Los Gatos | I would LOVE to see this happen!! So very needed. |
| Kollu | Badrinath | | [redacted] Los Gatos | |
| Kurlin | Carolyn | | [redacted] Los Gatos | |
| Kurlin | Gregg | | [redacted] Los Gatos | |
| Kurtz | Karen | | [redacted] | |
| Lasso | A berto | | [redacted] Los Gatos | |

| | | | | |
|---|---|---|---|---|
| Lawton | Ann | | [redacted] Los Gatos | YES! |
| Lazzarino | Dominic | | [redacted] Los Gatos | |
| Le | Denise | | [redacted] Los Gatos | I'm not a vegan or vegetarian but I'd love to incorporate more plant based and less meat protein to my diet. |
| Leeds | Fe ice | | [redacted] Los Gatos | |
| Lesko | Camille | | [redacted] Los Gatos | Cooking classes are a great idea! |
| Levine | Joshua | | [redacted] Los Gatos | |
| Levine | Marni | | [redacted] Los Gatos | |
| Lewis | Jessica | | [redacted] Los Gatos | Education is key for this important information. Thanks to all involved in making this happen! |
| Lammers | Victoria | | [redacted] Los Gatos | Need more vegetarian places/options |
| Li | Van | | [redacted] Los Gatos | |
| Liu | Andre | | [redacted] Los Gatos | |
| Liu | Calista | | [redacted] Los Gatos | |
| Liu | Gabriela | | [redacted] Los Gatos | |
| Lockman | Ju iana | | [redacted] Los Gatos | |
| Lorig | Glenn | | [redacted] Los Gatos | |
| Lorig | Sue Ann | | [redacted] Los Gatos | |
| Lowe | Debbie | | Los Gatos | |
| McKinnon | Skyler | | [redacted] Los Gatos | |
| Madduri | Sandeep | | [redacted] Los Gatos | |
| Ma hotra | Priti | | [redacted] Los Gatos | |
| Ma hotra | Neeraj | | [redacted] Los Gatos | |
| Mandurrago | Gloria | | [redacted] Los Gatos | A fantastic idea! |
| Margolis | Sonya | | [redacted] Los Gatos | |
| McGill | Alex | | [redacted] Los Gatos | |
| Menhardt | Trixi | | [redacted] Los Gatos | |
| Mordaunt | Joshua | | [redacted] Los Gatos | |
| New in | Kerry | | [redacted] Los Gatos | |
| Mager | Nan | | [redacted] Los Gatos | |
| Mano | Robin | | [redacted] Los Gatos | |
| Martins | Rosilene | | [redacted] Los Gatos | |
| Meinhardt | Suzanne | | Los Gatos[redacted] | |
| Miramontes | Emily | | [redacted] Los Gatos | |
| Morley | Eric | | [redacted] Los Gatos | |
| Nguyen | Kim | | [redacted] Los Gatos | |
| Niederauer | Tricia | | [redacted] Los Gatos | |
| North | Pamela | | Los Gatos | |
| O'Connor | Rebecca | | [redacted] Los Gatos | |
| O'Toole | June | | [redacted] Los Gatos | |
| Park | Monica | | [redacted] Los Gatos | |
| Parker | Dana | | [redacted] Los Gatos | |
| Parsons | Daniel | | [redacted] Los Gatos | |
| Parsons | Debbie | | [redacted] Los Gatos | |
| Parsons | Jackie | | [redacted] Los Gatos | |

| | | | | |
|---|---|---|---|---|
| Parsons | James | | [redacted] Los Gatos | |
| Parsons | John | | [redacted] Los Gatos | |
| Patel | Minal | | Los Gatos | |
| Rai | Vivek | | [redacted] Los Gatos | Yes, I am in for plant based projects. |
| Raad | Mona | | [redacted] Los Gatos | |
| Raad | El ie | | [redacted] Los Gatos | |
| Ramaswamy | Vinay | | [redacted] Los Gatos | |
| Ram | Amrith | | [redacted] Los Gatos | |
| Ramesh | Mythri | | [redacted] Los Gatos | Made verbal comments at GPAC |
| Reese | Dirk | | [redacted] Los Gatos | |
| Rennie | Isabella | | [redacted] Los Gatos | |
| Reyna | Melody | | [redacted] Los Gatos | |
| Reyna | Orlando | | [redacted] Los Gatos | |
| Rhine | Molly | | [redacted] Los Gatos | |
| Richter | Jessica | | [redacted] Los Gatos | |
| Riley | Kate | | [redacted] Los Gatos | |
| Rittenhouse | Simone | | [redacted] Los Gatos | |
| Robinson | Kari | | [redacted] Los Gatos | |
| Rovin | Lynne | | [redacted], Los Gatos | |
| Rovin | Stuart | | [redacted], Los Gatos | |
| Rubio | Karen | CERT volunteer | [redacted], Los Gatos | Made verbal comments at Town council meeting for 2040 General plan |
| Rubio | Fred | | [redacted], Los Gatos | |
| Rubio | Erik | | [redacted], Los Gatos | |
| Rude | Christina | | [redacted], Los Gatos | |
| Ry | Regina | | Los Gatos | |
| Sand | Gretchen | | [redacted], Los Gatos | |
| Sardana | Manan | | [redacted] Los Gatos | |
| Sarkar | Prasenjit | | [redacted]ane, Los Gatos | |
| Sathyamurthy | Shreelatha | | [redacted], Los Gatos | I strongly support this initiative. |
| Schirmer | Lisa | | Los Gatos | |
| Schwartz | Jan | | [redacted], Los Gatos | |
| Shah | Swati | | [redacted], Los Gatos | I support the local effort! |
| Shoff | Sue | | [redacted]. Los Gatos[redacted]. | |
| Seshadri | Sruba | | Los Gatos | |
| Smith | Angie | | [redacted], Los Gatos | |
| Smith | Rucy | Climate Rea ity presenter and activist | [redacted], Los Gatos | |
| Sneddon | Laura | | [redacted], Los Gatos | |
| Snyder | Stephen | | [redacted], Los Gatos | |
| Srinivasan | Kiran | | [redacted], Los Gatos | |
| Starov | Vladimir | | [redacted], Los Gatos | I fully support this worthy cause! |
| Stil inger | Kelsey | | [redacted], Los Gatos | Would love to see more emphasis on plant-based diet - through restaurants, education, community garden, etc. |
| Stone | Helen | | [redacted] Los Gatos | |
| Stone | Paul | | [redacted] Los Gatos | |
| Streicker | Robin | | Los Gatos | |

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|---|---|---|---|---|
| Tompkins | Liz | | [redacted] Los Gatos | |
| Venkatesan | Arun | | [redacted], Los Gatos | |
| Venkatsubramanyan | Shailaja | | [redacted] Los Gatos | Made verbal comments at GPAC |
| Von Luehrte | Missy | | [redacted] Los Gatos | |
| Vuckovich | Me issa | | [redacted], Los Gatos | |
| Wade | Christopher | | [redacted] Los Gatos | |
| Wade | Lisa | | [redacted] Los Gatos | Gave verbal comments at GPAC |
| Wade | Lucas | | [redacted] Los Gatos | |
| Wade | Stephen | | [redacted] Los Gatos | |
| Wade | Charles | Audobon Society Lifetime Achievement Award | [redacted] Los Gatos | |
| Wales | Pamela | CERT; Animal search and rescue disaster response team; animal sanctuary volunteer | [redacted] Los Gatos | |
| Walker | Kelsey | | Los Gatos[redacted] | |
| Waters | Michelle | | Los Gatos | |
| Wentzien | Erin | | [redacted], Los Gatos | |
| White | Tony | | [redacted] Los Gatos | |
| White | Hillary | | [redacted] Los Gatos | |
| Willey | Kathleen | | [redacted], Los Gatos | Gave verbal comments at GPAC |
| Willey | Mark | | [redacted], Los Gatos | |
| Willing | Lara | | [redacted], Los Gatos | Plant based eating is part of a long term solution. |
| Wilson | Beth | | [redacted] Los Gatos | |
| Yannoni | Mike | | [redacted] Los Gatos | |
| Yosfee | Hanley | | Los Gatos | |
| Zi ka | Stephanie | | [redacted], Los Gatos | Let's join the scientific community and educate people about the importance of plant based living!!! It's vital to the survival of our planet and species!!! |
| | | | | |
| **Organizations Endorsing our Proposal** | | | | |
| | | | | |
| Plant-Based Advocates of Los Gatos http://www.plantbasedadvocates.com/ | | | | |
| | | | | |
| TWW/Indivisible-Los Gatos https://www.twwlg.org/ | | | | |
| | | | | |
| Sierrra Club Loma-Prieta | | https://www.sierraclub.org/loma-prieta | | |
| | | | | |
| Center for Biological Diversity https://www.biologicaldiversity.org/ | | | | Provided Written testomony on behalf of our proposal |
| | | | | |
| Acterra: Action for a Healthy Planet https://www.acterra.org/ | | | | |
| | | | | |
| Eat for the Earth | (Based in Santa Cruz) | | | |
| https://www.eatfortheearth.org/ | | | | |
| | | | | |
| SAFE Worldwide https://www.safeworldwide.org/ (Based in Monte Sereno) | | | | |
| | | | | |
| Green Monday USA https://greenmondayus.org/ | | | | |
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|---|---|---|---|---|
| Factory Farm Awareness Coa ition https://www.ffacoalition.org/ | | | | |
| | | | | |
| **A Well-Fed World https://awellfedworld.org/** | | | | |
| | | | | |
| **Physicians Against Red Meat** | | https://pharm.org/ | | |
| | | | | |
| | | | | |
| **Other Community and Business Leaders** | | | | |
| Hicks | A ison | City Council Member of Mountain View | | |
| Ramirez | Lucas | Vice Mayor of Mountain View and Council Member | | |
| Brook | Dan | Professor at SJSU; author; environmentalist | [redacted] San Jose State University | |
| Gurunathan | Mohan | Environmentalist; designed Mountain View plant-based outreach program | Mountain View, CA | |
| Love | Beth | Environmentalist; Founder of Eat for the Earth, a Santa Cruz-based group promoting plant-based diets for sustainability | Santa Cruz, CA | |
| Mackey | Mary | Actress; Model; SAG BookPals program (reading to children in homeless shelters) and LIFE (Living in Freedom Everyday) Program, teaching life skills to inmates | [redacted] San Jose | |
| Middlesworth | Linda | Owner, V-Dog; health coach | Sacramento, CA | |
| Sehgal | Tony | Documentary Filmmaker | Saratoga, CA | |
| | | | | |
| **Support from Neighboring Residents** | | | | |
| | | | | |
| Adalja | Anish | | [redacted] San Jose | |
| Anand | Monico | | [redacted] San Jose | |
| Balachandran | Jackie | | [redacted] San Jose | As a vegetarian of 17 yrs and a registered nurse, I strongly support this plant-based education program because I believe it will help improve the health of members in our community. |
| Berlinberg | Jacque ine | | [redacted] Monte Sereno | |
| Bengt | Amanda | | San Jose[redacted] | |
| Bevard | Mariah | | [redacted] Ct Monte Sereno | |
| Castro | Jennifer | | [redacted] San Jose | I support adding an education component to the Los Gatos 2040 plan which would educate citizens about plant-based foods. |
| Chaykin | Lori | | [redacted]t, Monte Sereno | |
| Chugh | Rahul | | [redacted] San Jose | |
| Duguma | Jemanesh | | [redacted], Campbell | |
| East | Rowena | | San Jose | |
| Emerson | Ziba | | [redacted] San Jose | Good job. |
| Giacomini-McDonald | Cathy | | Monte Sereno | |
| Guh | Teresa | | [redacted] Monte Sereno | |
| Harrold | Kat | | [redacted]., Campbell | Thank you for this, I frequent Los Gatos so this would be great to see. Also I believe in the power of empowering our local farmers, and the more money we can get them, the better for everybody locally. Back to our roots! Better for the planet and better for everyone |
| Isis | Dawn | | [redacted], Campbell | Though I don't live IN Los Gatos, I hope my support will indicate interest in this important issue in the wider area, & that Los Gatos may become a model for addressing it. |

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|---|---|---|---|---|
| Jain | Beena | | [redacted] San Jose | I support the educational program. |
| Kinger | Amit | | [redacted] San Jose | |
| Lambert | Jennifer | | [redacted]enue, Monte Sereno | |
| Lanzl | Linda | | Monte Sereno | |
| Matar | Elizabeth | | [redacted]. Monte Sereno | Thank you! Yes!!! |
| Matar | Lisa | | [redacted], Monte Sereno | Thank you! I'm completely in for this!! |
| Mesler | Michelle | | [redacted], San Jose | |
| Mulchandani | Mukesh | | [redacted] Campbell | Moving to Los Gatos soon! |
| Petroff | Patrice | | [redacted], Monte Sereno | |
| Ramirez | Gustavo | | [redacted] San Jose | We need more plant based food options! The meat industry is cruel and unsustainable. |
| Renson | Kellee | | [redacted], Campbell | Yes need more veggie places to eat |
| Shearer | David | | [redacted] San Jose | I support this effort |
| Stolberg | Robb | Environmental Education: Veggielution, Walden West | [redacted], San Jose | |
| Streicker | Robin | | [redacted] Monte Sereno | |
| Thakur | Smita | | [redacted], Saratoga | I have been plant based for the last two years. It has made me healthier and it's the best thing for the planet. Would love to have more people join plant based way of life. |
| Woodhouse | Dori | | [redacted], San Jose | |

**From:** Rob Moore
**Sent:** Friday, October 1, 2021 4:21 PM
**To:** Council ; Jennifer Armer
**Cc:** karenr; Lisa Wade
**Subject:** Plant-Based Education in Los Gatos

Hello Town Council,

I want to write briefly to express my support of the efforts of Plant-Based Advocates to establish a dedicated plant-based education program for Los Gatos.

As an active resident of Los Gatos, I see educating community members about the importance of plant-based as vital to ensuring community health and moreover, meaningfully addressing climate change. I have seen plant-based eating growing in popularity throughout our town and I think encouraging that behavior is an excellent, easy step we can take as a town to take action against climate change.

Reducing consumption of meat and dairy is the single most impactful thing individuals can do to reduce greenhouse gas emissions and curb climate change. Please add this very important item to the Environmental Section of the General Plan 2040.

Thank you very much for your consideration and all that you do for the town.

Take care,

Rob Moore

**From:** btdodson
**Sent:** Saturday, October 2, 2021 4:13 PM
**To:** Town Manager
**Subject:** The 2040 Draft General Plan

Dear Ms. Prevetti:

Attached is a letter describing my feelings about the 2040 Draft General Plan.

Sincerely,

Barbara Dodson

**SUBJECT: THE 2040 DRAFT GENERAL PLAN**

Dear Town Officials:

I would like the following to happen as you review and revise the 2040 General Plan:

- Demand that the Plan specify that the Town will NEVER allow any more homes to be built than the number specified by RHNA, which for the period 2023-2031 is 1,993.
- Insist that the Housing Element be included in the General Plan. There is no reason to rush approval of the General Plan. Approval should be contingent upon inclusion of an acceptable Housing Element. (Without the Housing Element, the General Plan fails to provide a clear vision for the Town over the next 10-20 years. We need to know upfront where and in what volume new housing will be created. Near Pollard? Harwood? Los Gatos Boulevard?)
- Make it impossible for developers to create high-end housing without first creating affordable housing.

California needs more housing, but in the right places — near jobs, schools, parks, shopping centers, transportation. Los Gatos is already built out near its schools, parks, and shopping centers. It is not a job center—and doesn't have the potential to become one--and does not have good transportation. Building more homes in Los Gatos will not change this. It will only create more traffic, more greenhouse gas emissions, and more demand for ever-decreasing water resources. If we must add 1,993 homes, let's not go overboard and offer to build twice as many.

Los Gatos continues to be largely a bedroom community. Netflix is an aberration, not a new standard. People commute to work from Los Gatos. They chose to live in a town like Los Gatos so that they can come home to a certain amount of living and breathing space. Please keep in mind that Los Gatos was built up and built out around old-fashioned ideas about suburbia. A town like this cannot turn around on a dime and become any of the following.

- IT WILL NOT BE--A location for one or more transportation hubs around which high density housing can be created. (It seems clear that the VTA system will not be extended into Los Gatos.)

- IT WILL NOT BE--A location for new businesses and industries that can create large numbers of jobs to which local people can then commute by bicycle or public transportation. (The Plan's notion that we will reduce traffic emissions over the next 20 years by having people travel to work by bicycle or public transportation is just wishful thinking. What might really lower emission is the widespread use of electric vehicles—which might happen.)

A General Plan based on the above two premises is completely unrealistic. These premises are popular with urban planners; they don't reflect the realities of an already built-out suburban community like Los Gatos. Our Town planners seem to be getting on an urban-planning bandwagon that has absolutely no relevance to the Town of Los Gatos.

Sincerely,

Barbara Dodson

**From:** jvannada
**Sent:** Saturday, October 02, 2021 5:50 PM
**To:** Rob Rennie; Maria Ladle Ristow; Marico Sayoc; Matthew Hudes; Mary Badame
**Cc:** Shelley Neis
**Subject:** General Plan Meeting 10/6/21

Dear Los Gatos Town Council,

I support the efforts of Plant-Based Advocates to establish a dedicated plant-based consumption education program for Los Gatos. Reducing consumption of meat and dairy is the single most impactful thing individuals can do to reduce greenhouse gas emissions and curb our climate crisis. The source of this statement is the Oxford study noted at https://www.theguardian.com/environment/2018/may/31/avoiding-meat-and-dairy-is-single-biggest-way-to-reduce-your-impact-on-earth

I urge you to add this very important plant-based consumption education program to the Environmental Section of the General Plan 2040.

Jak VanNada

**From:** awhite
**Sent:** Sunday, October 3, 2021 6:06 PM
**To:** Jennifer Armer
**Subject:** Plant- Based Initiative

Hi Jenifer,

My wife and I are long-term residents of the town of Los Gatos. We have lived here for 35 years. I am involved in a conservation program to save rhinos from poaching and extinction using technology. My involvement in this project has opened my eyes to the dire situation facing so many species. A very important step we can take to protect wildlife is to protect their habitat. Raising animals for food uses huge amounts of land and cuts into the habitat of wild animals. Meat and dairy reduction is a powerful way to conserve land and therefore endangered species as well.

According to the Proceedings of the National Academy of Sciences, humans account for about 36 percent of the biomass of all mammals. Domesticated livestock, mostly cows and pigs, account for 60 percent, and wild mammals for only 4 percent. www.pnas.org/content/115/25/6506

Essentially we are replacing wild animals with livestock. I would like to believe that future generations will be able to enjoy the wildlife I have so appreciated throughout my life.

I am in full support of a program to educate residents about plant-based eating. Reducing meat and dairy consumption is an important step in protecting our planet and its amazing wildlife. I support including a plant-based education program in the Town's General Plan.

Thank you for the steps you have already taken in this regard. I look forward to seeing more programs to encourage healthy, environmentally friendly eating in Los Gatos.

Sincerely,

Antony G. White

From: Susan Burnett
Sent: Sunday, October 3, 2021 6:07 PM
To: Clerk; Town Manager; Council
Cc: Susan Burnett
Subject: Housing unit increase

Greetings,

Based on all my readings, on the subject for reasons to double the housing numbers for Los Gatos, I find there are NO REASONS! Please tell me what are you are basing this increase in housing on? ABAG's projection does not support the need, we have a lack of mass transportation, and how about the town's Greenhouse Gas ratio?? No one from the GPAC knew how our town manager arrived at 3904 units, there were no votes! I am against this, the general plan should be amended every 8 years when new information and future RHNA allocations become known.

Thank-you,
Susan Burnett

**From:** hwhite
**Sent:** Sunday, October 3, 2021 6:12 PM
**To:** Jennifer Armer
**Subject:** Plant- Based Initiative

Hi Jennifer,

My name is Hilary White, and I am a resident of the town of Los Gatos. I have lived here for 35 years. My address is 115 Casitas Boulevar, Los Gatos, 95032.

I would like to express my enthusiastic support for plant-based community education. Many people are becoming aware of the problems with raising animals for food, and they are eager to make changes. However, they don't always know how to even begin. Programs that teach people how to incorporate more plants into their diets and encourage them to take steps in this direction would go a long way in helping them eat more sustainable diets.

I enthusiastically support including a dedicated plant-based education program in the Environmental and Sustainability section of the general plan.

Meat and dairy reduction is an easy, cost-effective, and very powerful way to help the environment.

Thank you for your efforts!

Sincerely,

Hilary B. White

**Sent:** Monday, October 4, 2021 12:29 PM
**To:** GP2040 <GP2040@losgatosca.gov>
**Subject:** [#20211004192905] Comment from LosGatos2040 Website Los Gatos 2040 General Plan Update

Ticket: [#20211004192905]

**Name**: Jeff Benjamin
**Comments**:
I STRONGLY disagree with this radical change to our town's long standing building policies . This change to our community will dramatically change LG as we know it! I strongly encourage the delay of acceptance of this proposed general plan to later in 2022, not November 2021, for full evaluation and consideration by community members.

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**Sent:** Monday, October 4, 2021 12:58 PM
**To:** GP2040 <GP2040@losgatosca.gov>
**Subject:** [#20211004195827] Comment from LosGatos2040 Website Los Gatos 2040 General Plan Update

Ticket: [#20211004195827]

**Name**: David Lombardi
**Comments**:
This is a radical change to long standing building policies in our community and will dramatically change LG as we know it! I would like to demand delay of acceptance of this proposed general plan to later in 2022, not November 2021, for full evaluation. Announcing the details of this plan publicly through SJ Spotlight in mid-July 2021 with a plan to have it accepted by November 2021 is unacceptable and unfair to the citizens of this town.

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**From:** Marco Rolandi
**Sent:** Monday, October 4, 2021 5:40 PM
**To:** Matthew Hudes; GP2040 <GP2040@losgatosca.gov>
**Subject:** Re: Update on the Future

Dear Matthew,

I am not sure whether I will be available to attend, my answers below.

On Mon, Oct 4, 2021 at 5:22 PM Matthew Hudes <matthew@matthewhudes.com> wrote:

> Hi Marco
>
> A few weeks ago, I sent you a note about an opportunity to help **shape the future of Los Gatos** though our 2040 General Plan. There is another **Community Meeting this Wednesday at 6:00PM.**
>
> During the last meeting on September 20, it became apparent that many folks were not aware of the process or the recommendations of the Draft 2040 General Plan. (Can be viewed here: YouTube)
>
> As a Councilmember, I'd like to encourage you to participate in the process because this plan will **set the direction of the Town for the next 20 years**. And whether you agree or disagree with the recommendations, it is important that your voice is heard.
>
> Some of the points that were raised in that meeting and in conversations I've had around Town, include:
>
> - **1,993 or 3,904 units**: Whether to meet the State-mandated housing requirement of 1,993 units or whether to plan for 3,904 units, including Hillside Residential (as is in the current draft of the General Plan)

Even 1993 units are too many for Los Gatos. The issue is traffic, school, and fire danger. Every other town in the peninsula has pushed back on the mandate. Los Gatos should do the same. I grew up in a small coastal town

in Italy whose beauty and nature was destroyed by developers in the 1970s. I would not want the same to happen to Los Gatos. Building more units in Los Gatos now will only result in three things: (1) quality of life of current residents will be negatively affected, (2) quality of life of new residents will be much worse than other areas in the Bay with more room to grow, and (3) will end up attracting same demographics w/o increase in diversity. We have geographical constraints, the hills and reservoir on one side and 85 on the other, there is simply no room to expand w/o causing more traffic jams and dangerous situations in case of fire or earthquake. If you increase density in the hillsides, people leaving in high fire dangers areas will not be able to evacuate.

- **SB9:** If/how we should include in the count any housing that would be created under SB9, the recently enacted State law which made it easier to convert single-family homes into multi-family.

Any additional unit should count with the goal of increasing the number of housing as little as possible.

- **Affordable Housing:** How to get developers to *commit* to building affordable housing in Los Gatos

Build better infrastructure first and fix the traffic issues, then you can build houses. Developers should be fined if housing is not affordable, I have yet to see a real affordable development in Los Gatos or Saratoga. All the new high density housing is selling for multiple of millions, affordable to whom?

- **Phase-in:** Whether new development should be phased-in when improvements in infrastructure are completed, addressing issues such as traffic, bicycle and pedestrian improvements, wildfire prevention, water shortages, and public safety

No new developments until more schools and parks are built, roads are fixed, appropriate evacuation plans are studied for hillside residential, and high fire danger areas, and the 17 traffic jam over the weekend is taken care of.

- **Guide:** State the principles and values that the Town will use to identify areas around Town for increased housing

Ensure that the quality of life of the residents and their kids improves.

This sounds like a lot of discussion about housing and development, which is not surprising in a community such as Los Gatos, but the Draft General Plan 2040 is more than that—it is a **"constitution" for all future growth and development**. The General Plan is made up of a collection of "elements," or chapters, of which nine are mandatory. They are: **Land Use, Open Space, Conservation, Housing, Environmental Justice, Circulation, Noise, Air Quality and Safety**

In addition to the State-mandated elements, the Los Gatos Draft 2040 General Plan includes elements that address Racial, Social, and Environmental Justice, Mobility, Public Facilities, Services and Infrastructure, Environment and Sustainability.

We also received ideas about encouraging **plant-based diets** that could be incorporated into the Environment and Sustainability element.

The documents can be found at: http://losgatos2040.com/documents.html

**Becoming Part of the Conversation**

Your thoughts are vitally important as the 2040 General Plan emerges from a "Draft" to becoming the "Law of the Town," and I (as well as all of your Town Council and Commissions) want to hear from you. Here are some opportunities:

- **Wednesday, October 6, 2021 6:00PM**: Community Meeting

https://losgatosca-gov.zoom.us/j/82084075418?pwd=aENDOG5icmNlRU93S0diTm1QVVNqZz09

Password: 289135

- **Fall 2021**: Planning Commission meeting to review and approve the Draft 2040 General Plan as well as the Draft Environment Impact Report which covers the General Plan.
- **Later in 2021**: Town Council meeting to review and approve the 2040 General Plan as well as the Final Environment Impact Report which covers the General Plan.
- **Late 2021 and throughout 2022**: Ongoing public meetings of the Housing Element Advisory Board
- **Late 2022 and early 2023**: Public meetings of the Planning Commission and Town Council to review the recommendations for the Housing Element.

And for that matter, at any **Council Meeting during "Verbal Communications."** Our next one is **Tomorrow, Tuesday October 5, 2021 at 7:00PM**

Of course, if you would like to discuss the General Plan, or anything about the Town, I am always available. You can reach me by email at matthew@matthewhudes.com. The Town is accepting comments on the General Plan at gp2040@losgatosca.gov.

Thanks for reading my lengthy email.

Matthew

**Sent:** Monday, October 4, 2021 6:18 PM
**To:** GP2040 <GP2040@losgatosca.gov>
**Subject:** [#20211005011741] Comment from LosGatos2040 Website Los Gatos 2040 General Plan Update

Ticket: [#20211005011741]

**Name**: Julia Lombardi
**Comments**:
This is a radical change to our long standing building policies in our community and will dramatically change Los Gatos as we know it. I would highly request to deny the plan because our public resources will not be enough to sustain all the newly added living units. The traffic is already horrible and the public schools will not be able to handle all the new students. We need to have a detailed and reasonable plan to ask citizens who live in Los Gatos for approval. It is not fair to ask current Citizens to approve the plan in such a short notice.

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**From:** Dirk Reese
**Sent:** Monday, October 4, 2021 8:20 PM
**To:** Council <Council@losgatosca.gov>; Jennifer Armer

**Subject:** Dedicated plant-based education program

Dear Los Gatos Town Council:

I support the efforts of Plant-Based Advocates to establish a dedicated plant-based education program for Los Gatos. I support adding this to the environmental section of the General Plan 2040.

Best regards,

Dirk Reese

**From:** Babette Ito
**Sent:** Monday, October 4, 2021 8:25 PM
**To:** Clerk <Clerk@losgatosca.gov>; Town Manager <Manager@losgatosca.gov>; Council <Council@losgatosca.gov>
**Subject:** General Plan Community Meeting - Oct 6, 2021 - Pls consider lowering town's housing requirement

-The Town Manager decided to increase the number of homes LG has to plan for by doubling the number from 1993 to 3854. She did this without consulting the Council nor getting a vote by her General Plan Advisory Committee. Does that make sense?

- Los Gatos is a commuter community with some business, but is essentially a job exporter. The VTA will focus on transit in high density areas such as San Jose, Sunnyvale, etc. Los Gatos has **no mass transit in the 20 year VTA pipeline**, yet we are expected to build out 3854 homes over the next 20 years? Does it make sense to double our housing with no expected lite-rail in Los Gatos at all in the next 20 or more years? Doesn't look good where-in the 2040 VTA Plan, it already states they are "financially constrained" for the next 28 years.

- Based on ABAG's own forecast, the Town's population is forecasted to increase from 30,836 (current DOF forecast) to 33,050 (ABAG's forecast). Based on the 2.4 people per housing unit ratio, that means the Town only needs 923 new housing units to house the growth in population. But the latest number from the Town is 3,854 new units!

Pls consider lowering the town's housing requirement. The state isn't requiring it and I feel it is unnecessary. I'm all for being all inclusive, but can't we walk before we run? Our infrastructure isn't set up for it.

Babette Ito

Los Gatos Resident

**From:** gristconstruction
**Sent:** Monday, October 4, 2021 8:43 PM
**To:** Town Manager; Arn Andrews ; Marico Sayoc; Rob Rennie; Mary Badame; Matthew Hudes; Maria Ristow
**Cc:** Clerk@LosGatosCA.gov.
**Subject:** Comments regarding the General Plan Community Meeting - October 6, 2021

October 4, 2021

To: Los Gatos Town Mayor, Council Members, Town Manager and Town Clerk

Re: General Plan Community Meeting – October 6, 2021

The projected housing unit increases as proposed by the Town Manager, Laurel Prevetti, are completely out of line and impractical. How does a town manager, un-elected, get to make decisions as to the future of the town? Is there no oversight by the mayor and council? Who is listening to the citizens, residents, and taxpayers of Los Gatos?

More dense population means more traffic, of which we have more than our share due to our location at the base of the mountains and along the highway 17 corridor. More traffic means more pollution and more congestion, and more delays.

We already do not have enough water in the Santa Clara Valley to support the existing population, and more housing will put a bigger burden on what is available.

The State mandates that all new housing must be 100% electric. The electric grid is already challenged to keep up with the demand. More housing will mean more PG&E rolling blackouts and higher electric costs.

There is no mass transit available in Los Gatos except for a few VTA buses, and no plan for a mass transit hub in Los Gatos to help relieve the increase in traffic congestion caused by more housing development that will be caused by Ms. Prevetti's plan.

I have been a homeowner and resident of Los Gatos since 1978 (43 years) and a resident of Santa Clara County since 1956. I have seen Los Gatos grow and merge with other nearby areas (Campbell, Saratoga, and San Jose), and now there is no separation. Putting people on top of each other for the sake of the Town Manager's "goal" is to ruin the quality of life in Los Gatos for longtime residents and newcomers alike. Endless growth is not the answer.

Please reject the proposed 1993 new housing units, as other Town Managers have, and especially the 3954 that Ms. Prevetti has taken upon herself to propose before the Town of Los Gatos becomes the City of Los Gatos.

Thank you,

Dennis Grist

**From:** Sutton Roley/USA
**Sent:** Monday, October 4, 2021 8:46 PM
**To:** Clerk <Clerk@losgatosca.gov>
**Cc:** Town Manager <Manager@losgatosca.gov>; Council <Council@losgatosca.gov>
**Subject:** General Plan Community Meeting - October 6, 2021

Town Clerk,

As a 40 year resident of the Town, I want to share my opinion regarding the Town Manager's proposal to increase the planned housing over and above the State's requirement. The Town Manager must be completely out of touch with our community. We love this town and it's low density rural feel. None of us want to live in San Jose and we certainly do not want to change our Town to be like San Jose.

All we hear about is the traffic congestion through town and the North 40 is not even occupied yet. This increase in population that will result from this proposal is too much too soon. It should happen organically and naturally over time.

The State mandated requirement of 1,993 units is hard enough to accept without the Town volunteering to almost double that number. Please bring this to the Town residents' attention, and you will hear a loud and clear message that this ill conceived proposal is unacceptable.

Thank you!

**Sutton L. Roley**

Senior Director

CUSHMAN & WAKEFIELD

**Sent:** Monday, October 4, 2021 8:48 PM
**To:** GP2040 <GP2040@losgatosca.gov>
**Subject:** [#20211005034811] Comment from LosGatos2040 Website Los Gatos 2040 General Plan Update

Ticket: [#20211005034811]

**Name**: Joey Cheng
**Comments**:
The medium density zones in the downtown area of los gatos does seem like a recipe for traffic congestion. I would rather take a safer approach like having higher density near the 85 such as the north 40 project. See where that goes then bring the density down towards down town.

While there probably should be some high density housing to house people that work in the service industry there I don't think it require as much as indicated by the plan. I do strongly believe that people working there should be able to live near by.

Since I have some characters left let me add this. I am not as worried about the character of the town since from what I see character is imparted by someone caring enough to do something unique to their property. What I would start to worry is when apartments and other managed rental properties start spreading.

Page title: Documents

**Sent:** Monday, October 4, 2021 8:53 PM
**To:** GP2040 <GP2040@losgatosca.gov>
**Subject:** [#20211005035249] Comment from LosGatos2040 Website Los Gatos 2040 General Plan Update

Ticket: [#20211005035249]

**Name**: Joey Cheng
**Comments**:
The Vasona light rail station seems to be on an indefinite hold? I wonder if it is really a good idea to increase housing density given this. Don't get me wrong, I am not against higher density housing, just not very happy with it if there is no good way for people to move around.

Page title: Documents

**Sent:** Monday, October 4, 2021 9:15 PM
**To:** GP2040 <GP2040@losgatosca.gov>
**Subject:** [#20211005041451] Comment from LosGatos2040 Website Los Gatos 2040 General Plan Update

Ticket: [#20211005041451]

**Name**: Joey Cheng
**Comments**:
Recycling waste water even if it is just for landscaping use is probably going to be needed in the near future. I mean seriously I think we just barely got out of one drought to be thrown in another one. Is there a plan to create the infrastructure to have purple pipes supplying recycled water for landscaping of our commercial and other higher density areas?

Pulling dedicated recycled water pipes to single family home is probably too expensive. Though if someone would build all this to my home I won't be opposed to using recycled water.

Page title: Documents

**From:** Anne Roley
**Sent:** Monday, October 4, 2021 9:27 PM
**To:** Clerk <Clerk@losgatosca.gov>
**Cc:** Town Manager <Manager@losgatosca.gov>; Council <Council@losgatosca.gov>
**Subject:** RE: General Plan Community Meeting - October 6, 2021

Dear Town of Los Gatos

The impact of additional housing from 1993 to 3854 is not in alignment with the small town character that sets apart Los Gatos from the higher density Silicon Valley. The residents live in Los Gatos for the quaint family like atmosphere with more space, less traffic, good schools, and a safe environment. Adding housing above the 1993 required amount by the state will negatively effect the community feel we all love in Los Gatos. Traffic will increase, density will increase, which most likely will increase crime, school are already at capacity and growing from the new housing on the North 40. The North 40, a huge development, is not finished and occupied by residents and businesses, so we haven't seen the impact yet. Medical office complexes, which results in the largest traffic outcomes, continue to be built around Good Samaritan Hospital.

**Do Not Allow The Additional Housing Over The State Required Amount Of 1993 In The General Plan 2040!!!**

Thank you,

Anne Robinson Roley

**From:** Cathleen Bannon
**Sent:** Monday, October 4, 2021 10:17 PM
**To:** Clerk <Clerk@losgatosca.gov>; Council <Council@losgatosca.gov>; Town Manager <Manager@losgatosca.gov>
**Cc:** Grant Bannon
**Subject:** General Plan Community Mtg 10/6

We are writing to share our outrage at practically doubling of the states required housing numbers from 1993 to 3854 in the proposed general plan.

That can mean additional costs to administer; more cars on the road on limited roads; more Green House Gases; More students in school; about 9300 more residents; etc. We were ok doing our fair share of adding affordable homes in Los Gatos - but the town does not have the infrastructure to support doubling the number required by the state.

Based on ABAG's own forecast, the Town's population is forecasted to increase from 30,836 (current DOF forecast) to 33,050 (ABAG's forecast). Based on the 2.4 people per housing unit ratio, that means the Town only needs 923 new housing units to house the growth in population. But the latest number from the Town is 3,854 new units! That suggests a population growth of 9,250 which is **4.2x ABAG's own forecast of population growth**. The Town's projections are not based on any supporting population forecast and need to be revised downward.

We need to bring the 2040 General Plan housing number back to1993 and ensure that housing is zoned to make sure to flow with infrastructure limitations to promote ease of movement throughout town.

Thank you for listening to your residents.

Cathleen Bannon

Grant Bannon

**From:** John Mittelstet
**Sent:** Monday, October 4, 2021 10:31 PM
**To:** Clerk <Clerk@losgatosca.gov>
**Cc:** Town Manager <Manager@losgatosca.gov>; Council <Council@losgatosca.gov>
**Subject:** General Plan Community Meeting - October 6, 2021

Regarding: General Plan Community Meeting - October 6, 2021

I am concerned about the following:

1. The Town Manager has evidently decided **not** to appeal the 1993 housing units assigned to Los Gatos. Far more than needed for the forecasted growth anticipated by 2040. 27 other Town Managers or County managers did appeal. Los Gatos is the **only** Town that **increased** the planned number of homes that we can find. **Under what authority was the Town Manager not appealing? Is the Town Council asleep at the wheel?**
2. The Town Manager decided to increase the number of homes LG has to plan for by doubling the number from 1993 to 3854. She did this without consulting the Council nor getting a vote by her General Plan Advisory Committee. **Why was the Town Manager allowed to make this unilateral decision? If this is true, the Town Council should immediately, without hesitation, release the Town Manger from her duties, and find a someone who is more in tune with the population of Los Gatos.**
3. Los Gatos is a commuter community with some business, but is essentially a job exporter. The VTA will focus on transit in high density areas such as San Jose, Sunnyvale, etc. for years to come. Los Gatos has **no mass transit in the 20 year VTA pipeline**, yet we are expected to build out 3854 homes over the next 20 years? Does it make sense to double our housing with no expected lite-rail in Los Gatos at all in the next 20 or more years? How about 40 years? Doesn't look good where-in the 2040 VTA Plan, it already states they are "financially constrained" for the next 28 years**. This is just one more instance, among many, where the town is allowing for more traffic growth without thinking about how it is going to be handled. Our city streets are already too frequently congested to the point that someone who needs to get to a doctor must start a half hour earlier than normal driving time to not miss an appointment. It's ridiculous to subject ourselves to this kind of unthinking *planning.***
4. Based on ABAG's own forecast, the Town's population is forecasted to increase from 30,836 (current DOF forecast) to 33,050 (ABAG's forecast). Based on the 2.4 people per housing unit ratio, that means the Town only needs 923 new housing units to house the growth in population. But the latest number from the Town is 3,854 new units! That suggests a population growth of 9,250 which is **4.2x ABAG's own forecast of population growth**. The Town's projections are not based on any supporting population forecast and need to be revised downward. **Amen. Los Gatos proper is constrained by its geography at the base of the foothills from being able to support more housing than is necessary for the forecasted growth of population.**

5. Are you aware that the Town's Green House Gas (GHG) ratio goes from bad to worse? How will adding more housing improve our GHG? It will be bad enough with just the 1993 homes. **How will they improve the ratio by doubling the number of houses without the support of mass transit**?

**It appears we have a woke Town Manager taking unilateral action that certainly would not be supported at the polls by the citizens of our town. If our elected Town Council members cannot control this individual-on-a-mission by releasing her immediately from her duties, then they should expect to find themselves without a seat at the table come the next election.**

*Sincerely,*

***John Mittelstet***

**Concerned Los Gatos Citizen of forty-three years**

From: Jamie Fumia
Sent: Monday, October 4, 2021 10:47 PM
To: Clerk <Clerk@losgatosca.gov>; Town Manager <Manager@losgatosca.gov>; Council <Council@losgatosca.gov>
Subject: General Plan Community Meeting - October 6, 2021.

I am writing to you in regards to the general plan meeting scheduled for October 6th.

I was born and raised in Los Gatos and moved back here in 2013 to raise my family. I never expected life for my kids to be exactly the same as the one I was given growing up here because let's face it times have changed BUT I did move back here for many reasons. I love Los Gatos. I love the community, the schools and the beauty of the town. I love the people and the parks and the little downtown where you always run into people you know. But lately I'm concerned about the direction the town is heading. The North 40 was a tough pill to swallow but I listened and tried to understand the reasons it was needed and accepted that there was no way around it.

I do not, however, agree or accept this new idea that the town is adopting to add double the housing requirement in the next 20 years. Why? When is enough enough??? Have you tried to go downtown on a sunny Saturday? We live off of college and cannot leave our house on these days because our town doesn't even have the Infrastructure to handle beach traffic let alone overcrowding it with more housing. I have heard that we are the only town okaying these numbers…why? We've lost a lot of people in this community in the past year who have just had enough and moved away. Enough of the traffic and enough of the overcrowding.

Plan smart and plan accordingly, because obviously i get the need for new housing but please do not ruin the wonderful thing that is Los Gatos by pushing for more housing than we can possibly provide without exhausting all of the resources it takes to make this a wonderful place to live.

Thank you
Jamie fumia

**From:** Kathy Anderson
**Sent:** Tuesday, October 5, 2021 7:21 AM
**To:** Clerk <Clerk@losgatosca.gov>
**Subject:** Fwd: General Plan. Letter Council Meeting October 6, 2021

Begin forwarded message:

From Kathy Anderson

**Subject: General Plan**

Council,
Please do not rush to pass this flawed General Plan in November. Please care about the future of our town. Use common sense when viewing the Plan.

Much of the work on the General Plan was done during a pandemic. Most people were concerned about survival and were unaware of the work being done on the Plan. The LG citizens are just now beginning to read and understand what is in the Plan and the detrimental impact it will have on them and the town. So please do not rush to pass.

The Plan is flawed in so many ways. It does not address items mentioned in the EIR. It does not provide for the needed infrastructure for - traffic, water, safety, emergencies, etc . It is like building a house without a foundation.

Increasing density and height allowance, the zoning is just for developers not for the citizens who live here and who elected you.
We have always protected the view of our hills. Increasing the height allowance threatens that.
To provide increased density you ruin neighborhoods. You will need to tear down established shopping centers for high rise apartment buildings. Thus forcing citizens to drive further distances to do their daily shopping. This just adds more fumes, more traffic. What about climate change?
Just think in an emergency such as an evacuation more density means more cars trying to evacuate.
More density means more students attending the schools. It over crowds and provides an inferior education just by sheer numbers .
Increased density allows a single family home to be torn down and perhaps a 4 plex built .

There are so many features in this General Plan that need to be addressed in order to save Los Gatos. I would like a town wide vote on the Plan. If that doesn't happen it will be up to Council to use common sense, not political views, to address this General Plan.
Think first of what this town stands for, the citizens who live here, to preserve not destroy a very special town. It will be up to you to decide what the future of our town is like.
I hope you care !

**Sent:** Tuesday, October 5, 2021 8:46 AM
**To:** GP2040 <GP2040@losgatosca.gov>
**Subject:** [#20211005154551] Comment from LosGatos2040 Website Los Gatos 2040 General Plan Update

Ticket: [#20211005154551]

**Name**: Fernanda Tran
**Comments**:
Good morning,

I am totally again the project of building more and more houses at Los Gatos.
Traffic is already terrible. It will make the city lose the charme of Los Gatos!!
We want the same Los Gatos! No a city w double if people.
It sounds like the city just wants more taxes!!
Let's make sure homeless are out of the city and our kids are save! No crating more homes and have a over population and making Los Gatos to a Los Gatos anymore.
I love my Los Gatos!!!
No for the project that wants to create an absurd number of houses in our beautiful town!

Page title: Home

**From:** roberto anji
**Sent:** Tuesday, October 5, 2021 10:55 AM
**To:** Jennifer Armer <JArmer@losgatosca.gov>
**Cc:** Council <Council@losgatosca.gov>
**Subject:** Suggestion for the General Plan

Hi Jennifer,

My name is Roberto Anji living at 120 Hill Top Dr., Los Gatos since 2011.

I would like to add my voice to recommend a dedicated Plant-Based Education Implementation Program be added to Section 8 Environmental section of the General Plan. I travel around the world and notice that Veganism is growing in many places especially progressive locations like Berlin, London, Copenhagen etc and I also noticed that places like Bali and Chang Mai have many Vegan restaurants and tourists are flocking to them. I think Los Gatos can put itself on this map as well by encouraging and promoting Vegan options. I think you have already been made aware of the many benefits of switching fully or partially to a Vegan diet by some of my like minded friends :-)

Thank you in advance for considering this proposal.

- Roberto Anji

**From:** Eric Fox
**Sent:** Tuesday, October 5, 2021 11:38 AM
**To:** Clerk <Clerk@losgatosca.gov>; Town Manager <Manager@losgatosca.gov>; Council <Council@losgatosca.gov>
**Subject:** over-densification

Dear Town Council, Clerk and Manager -

Your efforts to ram more housing down the throats of the town's citizens is despicable. You have no plan to accommodate the people who live here or the people who would move here. I oppose your densification scheme on every level. You are accountable to the voters and citizens of the town. Your tenure in leadership in this community will come to a swift end if you continue to pursue this thoughtless goal and ignore the voices of the people.

Best regards,

Eric Fox

**From:** Mark Jamieson
**Sent:** Tuesday, October 5, 2021 12:30 PM
**To:** Clerk <Clerk@losgatosca.gov>; Town Manager <Manager@losgatosca.gov>
**Subject:** Objection to raise in housing numbers

As a 20 year citizen of Los Gatos, I disagree with the decision the Town Manager made to practically double the states required housing numbers from 1993 to 3854 in Los Gatos. That will mean additional costs to administer; more cars on the road; more Green House Gases; More students in school; about 9300 more residents; etc !

Please be more forthright in explaining your decision on this issue.

I am fine with doing our fair share of adding affordable homes in Los Gatos - but I am not in alignment with doubling the number required by the state.

Mark Jamieson, MD

G2 Anesthesia

Pediatric and Adult Anesthesiologist

Medical Director

Forest Surgery Center

**From:** Tedd W
**Sent:** Tuesday, October 5, 2021 12:45 PM
**To:** Clerk <Clerk@losgatosca.gov>
**Cc:** Town Manager <Manager@losgatosca.gov>
**Subject:** Los Gatos Housing

We are totally against your proposal of increasing the number of new houses in Los Gatos from 1993 to 3854. Isn't developing the North 40 enough. A person can hardly get home on HW17 in the afternoon as it is now. I distress to even think of the disaster waiting for us  when that projects gets completed. Please do not add more to this increasing problem.

**From:** Nancy Rollett
**Sent:** Tuesday, October 5, 2021 1:01 PM
**To:** Jennifer Armer
**Subject:** Amendments to GP2040

Hi Jennifer,

Thanks for our productive conversation last week. As suggested, I've summarized my recommendations to how the Agency is reflected in the GP2040 in the attached letter.

Please advise next steps.

Regards,

Nancy

Nancy Rollett

Executive Director

208 E. Main Street

Los Gatos, CA 95030

(408) 207-4900

LGS | RECREATION

*Building a Healthy Community Through Enrichment, Innovation and Fun!*

October 5, 2021

Town of Los Gatos

Jennifer Armer

Interim Planning Manager

Re: Amendments to GP2040

Dear Jennifer,

As a follow up to our discussion on September 29th I'm writing to request amendments to the Parks and Recreation Element and Services Infrastructure with regard to how Los Gatos-Saratoga Recreation is reflected in the plan.

Open Space, Parks and Recreation

Item 7.2 states that recreation services are provided on a full cost-recovery model and this does not accurately reflect the service model for recreation. Traditionally our childcare services were more profitable and offset the expense of offering other programs; this is no longer the case under COVID19 childcare restrictions. As facilities and park use fees have increased, it is now unprofitable for the Agency to provide recreation services to the community; this model must be re-evaluated it order for OSPR-6.3 and 6.4 to be continued. Also, the Town facilities and parks the Agency utilizes to offer programs are not discounted.

I recommend it be stated that the model used to offer recreation services to the community must be re-evaluted to achieve financial sustainability since most recreation departments receive subsidy and free use of community assets in order to offer programs.

Public Facilities, Services and Infrastructure Element

Page 6-14 identifies the scope of the Agency work. LGS Recreation should be mentioned as the childcare provider with four Clubhouse childcare sites on the LGUSD campuses.

For completeness it should be mentioned the Agency publishes a brochure of program offerings three times per year and offers several thousand programs and services for all ages.

Page 6-15 It is recommended that the map be moved to the end of the section so it doesn't break up the discussion of recreation and social activites.

PFS-13.4 should be restated to indicate the Town works with the Agency to develop programs for seniors and youth.

PFS 14.1 and 14.3 describe Senior Services and indicates that the Town Manager connects seniors with resources in the community. This is the role of the Agency along with other service providers.

PFS 25.3 and 25.4 and page 6-33 indicates a feasibility study should be performed to evaluate need for a Performing Arts Center. I recommend the study be expanded to evaluate interest and need for a Community Center.

I recognize these may appear to be subtle changes but each element reflects the importance of the Agency's role in the community. Please let me know if you need clarification on the requests or would like to discuss further.
Regards,

Nancy Rollett

Executive Director

LGS Recreation

208 E. Main Street

Los Gatos, CA 95030

**From:** Sandra Livinghouse
**Sent:** Tuesday, October 5, 2021 1:09 PM
**To:** Marico Sayoc; Rob Rennie; Mary Badame; Matthew Hudes; Maria Ristow
**Cc:** Clerk <Clerk@losgatosca.gov>; Town Manager <Manager@losgatosca.gov>
**Subject:** General Plan Community Meeting - October 6, 2021.

October 5, 2021

Dear Town Council,

I recognize that the town planning job is extremely complicated and at times a no win, as there is no way to make everyone happy. Nonetheless, the Los Gatos General Plan 2040 is an extreme miss and needs to be radically revised as it stands. I am also highly concerned about how transparent and ethical town operations are in the planning/town management department, which should also concern you as elected officials.

Los Gatos needs to be preserved as well as developed. You have an obligation as elected officials to improve the livability for the citizens who live and pay taxes here, as well as to manage responsible growth and development.

**My asks:**

- There is no need for you to approve a General Plan by the end of the year that is not due to the State until January 2023. Please allow for community involvement and plan to finalize by mid next year timeframe, 2022.
- Please reduce the housing element to the state's request of 1993 units, not the almost 4,000 you have planned.
- Please eliminate the new zoning proposals for the entire town and stick to our current zoning.
- Please evaluate whether the current Town staff is truly representing our town.

**Los Gatos cannot accommodate your ambitious growth plans for the following reasons:**

- **Traffic/Roads:** Los Gatos long ago made the decision not to allow Caltrans to widen 17 or to allow a south-bound exit onto highway 85 at Winchester. Both of these factors contribute to making traffic in LG intolerable. Until you have the funds to pay for these improvements (since CalTrans now won't), you cannot advocate for massive building of almost 4,000 units. In addition, VTA has no plans to extend light rail to LG-they are focusing on more centrally located commuter areas such as San Jose and Sunnyvale.
- **Schools:** Young families move here for Los Gatos schools, and they are extremely important to our community. If you impact our school quality with too many residents, the entire community and town suffer. And if a new school is needed, who is going to pay for it?
- **Environmental:** The environmental impacts of this plan are unconscionable. Where is the water and electricity coming from to accommodate all these new residents? The projected greenhouse gas emissions from additional vehicles will increase tremendously under your proposed plan. And why do you not make sure that new developments such as the North 40 are

done in an environmentally sound way, with solar, grey water recycling and other needed green building practices?

- **Fire Safety:** Los Gatos is a lower mountain town and largely in a high fire zone. And, our neighbors up 17 are also at high risk of fire. How will we evacuate safely if you overbuild the town and impact road access? On a safety basis alone, the LG General Plan 2040 is completely irresponsible.
- **Ongoing Costs to Service Residents:** More residential buildings cost money, and the property taxes received do not cover the costs of fire, police, schools and other services. Who is going to pay for all these additional costs? Where is the fiscal plan that justifies all this building from a financial perspective?

**I am also highly concerned about your town management operations, and here are a few examples:**

- **Non-transparency:** LG residents were hunkered down during the Covid public health crisis and were not at all aware of the town's plans for radically revising the town's buildings policies. Having lived in the town for a long time, there is a precedent of slower growth and preservation I had come to assume. I personally was not aware of the town's plans until the July 2021 SJ Spotlight interview appeared (after the deadline for appealing the State's housing units demands). Although you keep pointing to meetings you had, around 11 people attended those meetings, including the developer it seems. That is hardly representative of LG's 30K population. And, the town made no effort except for one mailing two years ago to alert citizens to the LG General Plan 2040. Where's the communication and transparency?
- **Randomly Increasing Housing Numbers:** How is it that the Town Manager randomly keeps increasing the housing numbers without the Town Council's approval or even knowledge of the GPAC? Who is driving this change in numbers and under whose direction? And, was the Town Council aware that Los Gatos was not challenging the state's requested housing numbers in July 2021?
- **Insufficient Reporting for Public Meetings:** Why are letters from the public that are prepared for town council and other meetings not being included in the public packets and posted on the website?

I hope you find my observations useful and that you will change your transparency and operational approach for the LG General Plan 2040. Los Gatos growth and development for the next 20 years should not be decided by just a few people on the town council and staff. Please make citizen input, safety and livability a priority.

Regards,

Sandra Livinghouse

**From:** Diane Dreher
**Sent:** Tuesday, October 05, 2021 1:50 PM
**To:** Clerk <Clerk@losgatosca.gov>; Town Manager <Manager@losgatosca.gov>; Council <Council@losgatosca.gov>
**Cc:** Diane Dreher
**Subject:** for the October 6 General Plan Community Meeting:

Please include this email in the packet for the October 6 General Plan Community Meeting:

As a longtime Los Gatos resident, I'm concerned and confused about the proposed increase in housing in the General Plan from the original 1993 to 3854.

My questions are: 1) What is the rationale for this increase? 2) We know that all of California needs to respond to the current housing crisis, but why is Los Gatos the only town that has exceeded its original housing allotment? And 3) how was this decision made without appropriate input from the Town Council?

I strongly support returning to the original 1993 housing allotment. Our small town cannot handle the proposed increase without exceeding its carrying capacity. The proposed increase would exceed:

1. Our limited water resources. We are experiencing a record drought and asked to conserve water. Where would there be enough water for the additional population?
2. Our transportation system. How will people commute to work? Los Gatos has no mass transit planned in the 20-year VTA pipeline
3. Our limited sewage system, designed decades ago,
4. Our limited fire department and other services.

For the future of our community, please return to the original 1993 housing allotment.

Diane Dreher

--

Diane Dreher, PhD
Professor Emerita of English

Associate Director, Applied Spirituality Institute

Santa Clara University

**From:** Lori Ingle
**Sent:** Tuesday, October 05, 2021 1:53 PM
**To:** Marico Sayoc; Rob Rennie; Mary Badame; Matthew Hudes ; Maria Ristow
**Cc:** Town Manager <Manager@losgatosca.gov>; Clerk <Clerk@losgatosca.gov>
**Subject:** General Plan Community Meeting - October 6, 2021

Dear Los Gatos Town Council Members,

First, thank you for what you do! I greatly appreciate all your efforts. I have been a lifelong citizen of Los Gatos and love our town. I am usually up to speed with what is going on in Los Gatos. Somehow I think that I have been late to the party and missed the news about the Los Gatos Town General Plan outlining development through 2040. I strongly feel like the Los Gatos General Plan 2040 is an extreme miss and needs to be radically revised as it stands. I am also highly concerned about how transparent and ethical town operations are in the planning/town management department, which should also concern you as elected officials.

My specific concerns are:

- There is no need for you to approve a General Plan by the end of the year that is not due to the State until January 2023. Please allow for community involvement and plan to finalize by mid next year timeframe, 2022.

- Please reduce the housing element to the state's request of 1993 units, not the almost 4,000 you have planned.

- No one has been able to clearly articulate why Los Gatos did not ask for an exemption like many other towns and cities around us did, and why Los Gatos proposed increasing the # of units. How is it that the Town Manager randomly keeps increasing the housing numbers without the Town Council's approval or even knowledge of the GPAC? Who is driving this change in numbers and under whose direction? And, was the Town Council aware that Los Gatos was not challenging the state's requested housing numbers in July 2021? These are all questions we need answered.

- Please eliminate the new zoning proposals for the entire town and stick to our current zoning.

- Please evaluate whether the current Town staff is truly representing our town.

The LG citizens are just now beginning to read and understand what is in the Plan and the detrimental impact it will have on them and the town. So please do not rush to pass.

The Plan is flawed in so many ways. It does not address items mentioned in the EIR. It does not provide for the needed infrastructure for - traffic, water, safety, emergencies, etc...

There are so many features in this General Plan that need to be addressed in order to save Los Gatos. **I would like a town wide vote on the Plan.**

Please make citizen input, safety and livability a priority.

Regards, Lori Ingle

**From:** Molly Fumia
**Sent:** Tuesday, October 05, 2021 2:08 PM
**To:** Clerk <Clerk@losgatosca.gov>; Town Manager <Manager@losgatosca.gov>; Council <Council@losgatosca.gov>
**Subject:** housing and soccer

We would like to voice an objection to the housing numbers decided on by the town manager. Low cost housing is important, but the environmental footprint is equally important. Half that number seems doable, sensible and responsible.

We would also like to ask about soccer fields. Do you all realize that Los Gatos United Soccer Club now has 900 players, doubled from 2 years ago when Shaun Tsakiris took over. The games bring out of towners every weekend, who eat at our restaurants and visit our shops.

LG United has been widely praised for the coaches' work ethic, knowledge of soccer, complex training and most of all, positive relationships with the players. Their biggest problem is fields.

Los Gatos High School fields are used by Liverpool, a shrinking soccer club. For Los Gatos United to be able to have just one space at the high school several days a week would be a wonderful benefit to the kids.

One soccer field, Creekside, is not enough for a club with 900 players. Please find a space and build at least one more soccer field. Many communities now have soccer complexes to serve their soccer families and visiting players. Los Gatos United, easily one of the best youth soccer organizations in California, could not host a tournament--which fill hotels and restaurants, because they don't have the fields.

Please put this concern, which is on the minds of many others, on one of your front burners. Los Gatos deserves better.

Thank you, Chuck and Molly Fumia

**From:** Susan Shyu Pinkel
**Sent:** Tuesday, October 5, 2021 2:55 PM
**To:** Clerk <Clerk@losgatosca.gov>
**Cc:** Town Manager <Manager@losgatosca.gov>
**Subject:** Meeting on General Plan

Dear Los Gatos Town Clerk,

We have lived in Los Gatos Main since 2012. We own three houses and an apartment complex. We have visited and/or owned a home in Los Gatos since 1992. When we first moved to Ellenwood Ave, our youngest son was not able to enrol in any of the elementary schools closest to our home (Daves, Van Meter or Blossom Hill). We were told that Daves, Van Meter and Blossom Hill were ALL impacted and that we had to send him up Highway 17 to Lexington Elementary. This, we found, was outrageous considering Daves and Van Meter were only about one mile away from where we live. In the end we had no choice but to send our sons to private schools.

With this background, we would like to voice our strong objection to the General Plan that will increase the number of new homes in Los Gatos from 1993 to 3854. If back in 2012, when we couldn't enrol our son into the local elementary school, and when the housing stock in Los Gatos had not even been increased yet, why would increasing the housing from 1993 to 3854 now be a good idea?

Further, Los Gatos already has huge traffic issues and without access to decent public transportation, how does the Town Manager envisage traffic to flow? Or does the Town Manager think that traffic will sort itself out or that the public will just get use to it?

To sum up, we strongly object to Los Gatos Town's General Plan for the increased housing stock. We do not agree with the original housing increase let alone the new number of 3854. We objected to North 40 and the Town took no notice. We now object to the new housing stock number and respectfully ask that the Town Council do not accept the new General Plan regarding the increase in housing stock.

Best regards,

Susan Pinkel

**From:** Amir Segev
**Sent:** Tuesday, October 05, 2021 3:28 PM
**To:** Town Manager <Manager@losgatosca.gov>; Council <Council@losgatosca.gov>; Clerk <Clerk@losgatosca.gov>
**Subject:** General Plan Community Meeting - October 6, 2021

Town Clerk,

It came to my attention that the Town Manager is proposing to increase the planned housing density way above the state's requirement and as a long time Los Gatos resident I would like to express my dismay and confusion about this. First, I just cannot understand how can a Town Manager be so out of touch and completely oblivious to the will, the needs, and the very basic priorities of the community it serves. No other town in the Bay Area found it necessary to accept, not to mention exceed, the state mandates. No other town in the Bay Area showed such a blatant dismissal of the community interests. Increasing the housing density in Los Gatos the way it is being proposed by the Town Manager will change its character, the quality of living, and the entire meaning of being a Los Gatos resident. Our roads are already standing still, our air is already more polluted than ever, our infrastructure is already having hard time supporting the town's needs, and our schools are already bursting at the seams. The proposed 2040 plan is not only irresponsible and unwarranted but also contradicting the Town Manager's very clear mission, which is to **"enhance the quality of life in Los Gatos…. and seek to meet the needs of the community"**. Moving forward with the 2040 plan as stated will not meet the needs of the community, it will betray them. It will not enhance the quality of life in Los Gatos, it will jeopardize it.

I cannot even begin to say how many people in the community are outraged and their voice will be heard as they send a very clear message – we came to Los Gatos for a very good reason and the ones who are entrusted with protecting this town cannot be those who end up undermining it.

Thank you,

Amir Segev

**From:** Bill Walker
**Sent:** Tuesday, October 5, 2021 3:44 PM
**To:** GP2040 <GP2040@losgatosca.gov>
**Cc:** Matthew Hudes
**Subject:** 2040 General Plan

Council Members and Town Manager:

Do not continue to further destroy our small town environment by planning for more than the state-mandated housing requirements. Over the past 26 years we have lived in LG we have seen extremely worsening traffic exacerbated by out-of-control housing and population growth yet to be further exemplified by Phase 1 of the North 40 with Phase 2 yet to come.

Secondly, while we accept minimal state-mandated low-income housing, it should be kept to the absolute minimal amount that is mandated not to be increased by those in the minority professing something more. We don't need more crime and homelessness both of which receive minimal attention from our police force or town management.

Thank you for listening.

Bill Walker

**From:** Mark Regoli
**Sent:** Tuesday, October 05, 2021 3:49 PM
**To:** jak; Clerk <Clerk@losgatosca.gov>; Town Manager <Manager@losgatosca.gov>
**Cc:** Maria Ristow; Marico Sayoc
**Subject:** General Plan 2040

Town Council, clerk and Manager,

Your efforts to increase the housing in Los Gatos above the state mandated amount is very disappointing.

There is no plan to accommodate the people who live here or the people who would move here. This will have a tremendous impact on everything from schools to water consumption. A change like this needs to be studied with an EIR and CEQA impacts.

I oppose this densification on every level. You need to address the impact on the citizens and get their approval prior to launching a program of such magnitude.

Mark

SOUTH BAY
DEVELOPMENT CO.

**MARK REGOLI**

**From:** Jeff Loughridge
**Sent:** Tuesday, October 5, 2021 5:49 PM
**To:** Clerk <Clerk@losgatosca.gov>; Town Manager <Manager@losgatosca.gov>; Council <Council@losgatosca.gov>
**Subject:** General Plan Community Meeting - October 6, 2021

**Date: October 5, 2021**

**To: Los Gatos Town Clerk, Los Gatos Town Manager, and Los Gatos Town Council**

**From: Jeff Loughridge**

**I recently heard some very distressing news regarding our towns new ABAG numbers and how the town staff is handling them. I have previously been a member of the Town of Los Gatos Affordable Housing Advisory committee as well as the Housing Element Advisory Commission.**

**What I heard was that our town manager, Laurel Prevetti, has suggested INCREASING the number of affordable housing units that Los Gatos is required to plan for, from 1993, up to 3854. This in no way representative of the what the Los Gatos residents want. This was also done without any input from either town residents or even the current Town Council.**

**Laurel Prevetti needs to be reminded that she REPRESENTS Los Gatos and its residents and needs to stop her irresponsible reaction to the State of California's new ABAG numbers.**

**Its NOT OKAY for her ignore appealing the original requested numbers to lower the required housing units.**

**Its NOT OKAY to increase these numbers without input from the town.**

**AND… Its NOT OKAY for her to disregard the detrimental effect of the consequences of the possible increase in population and traffic.**

**Believe me, having been on the two committees that had to deal with this exact problem for the previous Housing Element, this should not be happening. Laurel Prevetti sat in on most, if not all of those meetings and should have gotten the message LOUD AND CLEAR that the town has always wanted lower numbers, not higher ones.**

**As Los Gatos residents, we cannot let this stand. Stop Laurel Prevetti from raising our towns ABAG numbers. Get input from Town Council and the public on this issue. If 1993 is the number from the state and we have already past the opportunity for an appeal of that number to lower it, then stop this insanity of increasing it.**

**Jeff Loughridge**

**From:** Lisa Wade
**Sent:** Tuesday, October 5, 2021 5:59 PM
**To:** Jennifer Armer <JArmer@losgatosca.gov>; Council <Council@losgatosca.gov>
**Cc:** Karen Rubio
**Subject:** Plant- Based Implementation Program for General Plan

Hi Jennifer,

We have come up with some wording for a Plant-Based Education Implementatoin Program that could be easily inserted into section 8.12 Implementation programs in the General Plan.

**Plant-Based Education**

Implement programs to educate and support residents about the benefits of shifting to a plant-based diet, which includes improved health, curbing greenhouse gas emissions, reducing biodiversity loss and deforestation, reducing water usage, and reversing pollution of our air, land, and water.

I will add this to my comments for the meeting tomorrow.

Best,

Lisa

**From:** Kjirste Morrell
**Sent:** Tuesday, October 5, 2021 6:08 PM
**To:** GP2040 <GP2040@losgatosca.gov>
**Subject:** General Plan Community Meeting - October 6, 2021

Dear General Plan Committee,

I would like to request that that the Los Gatos General Plan 2040 reflect a commitment to grow as a walkable and bike-friendly community. The walkable nature of the town and public access to outdoor space were part of the reason that my family moved here. I know, from observation of so many of us walking and riding around town, that our town values:

- the ability to walk to businesses, services, and schools from many residential areas
- streets and paths which encourage riding bikes both as transportation and for exercise
- outdoor public spaces including paths and trails that can be used for exercise

Considering these factors during future development would help our community grow in a way that we could enjoy every day.

Thank you,

Kjirste Morrell

**From:** Sasha Braude
**Sent:** Tuesday, October 5, 2021 10:00 PM
**To:** Clerk <Clerk@losgatosca.gov>; Town Manager <Manager@losgatosca.gov>; Council <Council@losgatosca.gov>
**Subject:** General Plan Community Meeting - October 6, 2021

Hello, I received an e-mail and postcard about the General Community meeting on Tuesday. I will attend via Zoom, but given the high interest, may not have the opportunity to speak.

I wanted to voice my strong objection to the proposed housing portion of the 2040 General Plan. I understand that we need new housing, but to build up to 3853 units is extremely excessive. We already have terrible traffic not just on the main streets such as LG Blvd, Winchester, Santa Cruz, University, etc, but it's now spilling over to residential streets as people try to go around the traffic. And when it's school drop-off and pick up time, it's impossible to make it in or out of our neighborhood. Building double the number of homes that is required by the state is ridiculous, we simply do not have the infrastructure to support it. We already have a massive development at South 40, and are at a breaking point without those units being filled.

As residents of the town, I know you care about our future, and I strongly urge you to reconsider the current proposal.

Thank you,

Sasha Braude

Los Gatos, CA 95030

From: Susan Ward
Sent: Tuesday, October 5, 2021 11:34 PM
To: Clerk <Clerk@losgatosca.gov>; Town Manager <Manager@losgatosca.gov>; Council <Council@losgatosca.gov>
Subject: The Town was never meant to become a Megatropolis

The people who live in a Town shouldn't need to fight our elected officials to maintain our status. The other neighboring cities have kept their charm and relative size as the constituents prefer. Who is making money while destroying Los Gatos' charm? You know that Los Gatans do not want this change. It is not a necessity per the State. No other towns or cities are quadrupling. What's up Leaders?

Sent from my iPhon

Sorry I omitted my name
Susan Ward

From: Susan Ward
Sent: Tuesday, October 5, 2021 11:48 PM
To: Clerk <Clerk@losgatosca.gov>; Council <Council@losgatosca.gov>; Town Manager <Manager@losgatosca.gov>
Subject: General Plan Community Meeting Oct 6, 2021

I do not want my Town to grow much larger. I do not agree with the General Plan.
Susan Ward
Los Gatos

Sent from my iPhone

**From:** erafia
**Sent:** Wednesday, October 6, 2021 9:33 AM
**To:** GP2040 <GP2040@losgatosca.gov>
**Subject:** General Plan Comments

I am writing about the 2040 General Plan update. I disagree with the inclusion of this entire section into the general plan. First and foremost, this entire section does nothing to bring people together and is instead being pushed by those with an agenda to divide the community. It is filled with all the keywords meant to make it seem like it is well intentioned, but it **will** undoubtedly be weaponized against the town and cited in lawsuits, leading the town to waste valuable time and resources in the future.

In addition to what it will be used for in the future, take a look at the long list of administrative overhead it creates for staff. It is completely unnecessary, and a waste of taxpayer dollars.

Lastly, it is an overreach of the government's purpose. Take for example the provision RSEJ4, calling for town involvement in the coordination of allowing for acceptance of EBT cards at the local farmers market. First of all, why does an EBT card need to be used at a farmers market? That in and of itself is absurd. Secondly, what does this lead to - that no business license will be granted to any vendor not willing to adhere to this provision?

I strongly encourage you to eliminate this section of the general plan in its entirety except for any provisions that may be required under any applicable California law, if any. In fact, most of what is referenced in here is already covered under California and Federal laws against discrimination, and a duty of fair dealing. I would also be curious if you questioned those who pushed for it, to better understand where they actually live and who they are funded by before even considering including any elements of this section in the town's general plan.

Eric Rafia

From: CHRISTINA JANSSON
Sent: Wednesday, October 6, 2021 9:54 AM
To: Council <Council@losgatosca.gov>
Cc: Clerk <Clerk@losgatosca.gov>
Subject: GENERAL PLAN COMMUNITY MEETING 10/6/2021

I have three questions, I would like answers to:
1) 3,500+ homes would be built, “if/when the infrastructure is improved on”. How? Light Rail? More roads? The latter seems unrealistic.
2) 1993 homes. That is still 1993 cars! Does that not require “improvement of the infrastructure”? Or, is it the usual “act first and think later”?
3) What dollar number constitutes affordable housing in Los Gatos? Pleas point out to me, where, and how many there are.
Do I have to speak at the meeting, to have these questions answered? Or, can you answer them during the meeting?

Regards,
Christina J

**From:** kay maurer
**Sent:** Wednesday, October 6, 2021 11:55 AM
**To:** Clerk <Clerk@losgatosca.gov>; Town Manager <Manager@losgatosca.gov>; Council <Council@losgatosca.gov>
**Subject:** general plan

Hello,

I am writing to address an issue with the new proposed 2040 general plan. Specifically the below item, which if this is true, it is definitely way out of line.

The Town Manager decided not to appeal the 1993 housing units assigned to Los Gatos. 27 other Town Managers or County managers did appeal. Los Gatos is the only Town that increased the planned number of homes that we can find.

Why would our gridlocked town want more housing than is absolutely necessary? We don't have the infrastructure to support more homes, and have not even yet seen the impact of the housing in the north 40. Los Gatos officials need to work to improve the quality of life in our town, not pack it with cars and more people that it cannot adequately support. Things are out of control. We have no solution to the summer traffic issues, little to no improvement to infrastructure, and no viable plan to address overhead power wires that have started devastating fires in other areas of northern California.

Please do not move forward with this unforgiving plan to overpopulate the town at this point in time. Perhaps it can be revisited in 2040 if other issues have been resolved, but definitely not now.

Thank you for taking time to read my views.

Sincerely

Kay Maurer

Los Gatos, cA

**From:** Katie Hingle
**Sent:** Wednesday, October 6, 2021 12:25 PM
**To:** Clerk <Clerk@losgatosca.gov>
**Cc:** Town Manager <Manager@losgatosca.gov>
**Subject:** Fwd: Feedback before General Plan review on Oct 7

In reference to the General Plan Community Meeting - I would like to provide this feedback.

---------- Forwarded message ---------
From: **Katie Hingle**
Date: Wed, Oct 6, 2021 at 10:15 AM
Subject: Feedback before General Plan review on Oct 7

Dear Town Council,
I appreciate the outreach that the Town of Los Gatos has provided to ensure the community's voice is heard in the process of finalizing our current General Plan. I have read much (not all) of the proposed General Plan for 2040, and there are many components I believe will add value to the Town and some that are of concern.

The goal to make the Town more diverse by building more accessible housing that is also centrally located to walking/biking/alternative-to-car is a huge win. I am very excited by the points of the Plan that discuss increasing cycling and alternatives to cars, and maintaining expansion while managing our environmental impacts.

My concerns center on the fact that the Town's General Plan calls for practically doubling the amount of homes (3,738 new homes) required by the RHNA plan for Los Gatos (1,993). Although there are many good points in the General Plan to ensure that employers offer shuttles, and that we increase kids walking/cycling to schools, our Town is not set up for the population increase we would experience.

From https://www.demos.org/research/move-thrive-public-transit-and-economic-opportunity-people-color "If we want everyone to participate fully in the American economy, we have to make sure that everyone, regardless of race, ethnicity or class, has an efficient and affordable way to get to work, school, health care, and recreation."

Could the Town also do something to incent the workers to stay here in Los Gatos vs. commute far away? Not likely as we don't have sizeable businesses here. The new residents will commute, like the vast majority of residents here do today, then we will need more buses and other public transportation. The fact that the Future Vasona Light Rail Extension is on hold indefinitely until there is funding from the VTA means that adding 1,000's of more commuters will add 1,000's of more cars on the road.

And if we have more kids in our schools, and the parents are lower income and would need to commute by bus to get to their jobs, they will not be able to drop their kids off at school. We need school busses and/or other incentives for kids to walk/ride to schools, especially in bad weather or on days of bad air quality.

Last, I see the point about requiring employers with 100 + employees to provide shuttle services. Does that mean companies like Adobe, Salesforce, Google, Apple will be required to shuttle their Los Gatos employees? If yes, how does the Town have any leverage over these companies? Or does that mean that companies in Los Gatos who have 100+ employees must provide shuttle service. Is that even a thing here in Los Gatos besides Netflix?

I would suggest that the Town's General Plan focuses on building housing to meet realistic population growth goals vs. overdoing it with development close to downtown, get cars off the road by focusing with continued focus and development of ways to cycle, walk, etc, and get the VTA and other public transportation to increase.

Katie

**From:** Sue Ann Lorig
**Sent:** Wednesday, October 6, 2021 12:30 PM
**To:** Jennifer Armer
**Subject:** Comments to Los Gatos Planning Commission

Hello Ms. Armer,

As a heads up, these are the comments I will make by Zoom at the Planning Commission meeting this evening.

Best,
Sue Ann

**Comments to Los Gatos Planning Commission**
October 6, 2021

Hello. I'm Sue Ann Lorig. I've been a resident of Los Gatos for eight years.

Thank you for this opportunity to speak and thank you to all the members of the Planning Commission for the work you do for our beautiful town.

My request to you is this:
Will you please add a dedicated Plant-Based Education Implementation Program to Section 8.12 of the Environmental and Sustainability element of the General Plan?

I am asking this because I sincerely believe that we need to reduce our consumption of animal products if we are to have a real chance at reversing climate change.

As noted in Forbes, "In what the *Guardian* called "the biggest analysis to date," researchers concluded that shifting away from meat and dairy is the single most effective way to regenerate our ecosystems and prevent its destruction. " Additionally noted in the Forbes article: "Since livestock production is the single largest contributor of emissions around the globe (more than planes, trains and cars combined), removing it from our food system could allow the planet to regenerate."

Huge additional benefits from eating more plants and less meat include saving vast amounts of water, plus improving our health and reducing the strain on the the health care system.

There are so many things a Plant-Based Education Implementation Program could do, such as having cooking classes to teach people how to easily prepare delicious, nutritious plant-based meals. We could have speakers on a range of topics including how to improve your health with whole food plant-based eating, how eating less meat and dairy benefits the planet and is necessary if we want to halt and reverse climate change, how to plan plant-based meals, and more. I would love it if we could have a VegFest with plant-based vendors, socialization, and fun activities. Film screenings would be wonderful, too.

Thank you again for all you do. I urge you to help Los Gatos be part of the solution to climate change by adding a dedicated Plant-Based Education Implementation Program to Section 8.12 of the Environmental and Sustainability Element of the General Plan.

https://www.forbes.com/sites/michaelpellmanrowland/2018/06/12/save-the-planet/?sh=2a23f9bf3c81

**From:** Jared Ajlouny
**Sent:** Wednesday, October 6, 2021 1:41 PM
**To:** Clerk; Marico Sayoc; Rob Rennie; Mary Badame; Matthew Hudes; Maria Ristow
**Cc:** Town Manager
**Subject:** General Plan Community Meeting - October 6, 2021

Hello Town Council,

Los Gatos is a very special place. It has been developed and planned over the years to keep it a special place. While traveling I meet many people that have been to downtown Los Gatos and remark how beautiful it is. That is pretty remarkable for a small town. The reason for this is because of the town's special character. This includes the zoning rules that maintain the density of development in certain areas. While high density housing makes sense in certain areas (close to economical public transportation, work hubs, etc), downtown Los Gatos is none of that.

I wanted to address some of the 2040 general plan items that are keeping me up at night. My wife and I live on College Ave. College Ave is arguably one of the most known residential streets in Los Gatos due to the proximity to the park and the winery. It is visited by thousands of people every week. On weekends it is almost impossible to find parking. If high density housing is allowed in this area it would make the traffic and parking a larger mess than it already is.

During the summer beach traffic it takes about 30 minutes to get from highway 9 to College Ave. Imagine if there was a fire on a large multi family building that was newly built in a fire hazard zone. Per the towns own "Fire Hazard Map" https://losgatosca.gov/DocumentCenter/View/64/General-Plan---Fire-Hazards-Map?bidId= , College Ave and the entire hillside is a fire hazard zone. Why would anyone consider high density housing in a fire hazard zone? Especially with what has been going on with the fires the last few years.

Our parcel on College Ave has a shared driveway with three houses. The driveway is also very difficult to access from College Ave. If that driveway suddenly had 4 times the amount of vehicles on it, it would completely ruin the traffic up and down College Ave. It would also be a hazard with the pedestrians walking and biking up and down the road.

Please put reasonable thought into this terrible plan. California is already losing more of its standard of living every year. Please don't add to that.

Thank you.

_____

Jared Ajlouny

From: Jeff Rippin
Sent: Wednesday, October 06, 2021 1:17 PM
To: Clerk <Clerk@losgatosca.gov>
Subject: General Plan Community Meeting - October 6, 2021 - bring the 2040 General Plan housing number back to 1993

Hi,

I understand that the state requires Los Gatos to increase housing units by 1993 by the year 2040.

But, the Los Gatos Town Manager wants to increase the states required housing numbers from 1993 to 3854?

Please keep the number at 1993. I feel the city is busy enough with cars.

Why do we need more than the state requires? Maybe I'm missing something?

Take care,
Jeff Rippin

**From:** MARY PATTERSON
**Sent:** Wednesday, October 06, 2021 6:03 PM
**To:** PublicComment <PublicComment@losgatosca.gov>
**Subject:** 2040 General Plan

Dear Council,

I am totally against adding another 3,000+ homes to Los Gatos. Let's consider that proposal.....we have no water

we've had to buy generators because we lose electricity

the town traffic is congested and stressful

we've had to add an area code when calling due to no lines

there is no room in our schools and no land or money to build

AND no one lives in the North Forty yet.

Does this proposal make any sense???? NO!!

Please leave Los Gatos the quaint little town that we know and love!!!

Thank you,

Mary M. Patterson

**From:** KENNETH ARENDT
**Sent:** Wednesday, October 6, 2021 6:29 PM
**To:** GP2040 <GP2040@losgatosca.gov>
**Cc:** Matthew Hudes; Neuner, Gary
**Subject:** GP 2040 - ideologies that are not to be placed in the GP

Hello,

All of this plant based stuff is fine, on a personal basis. It has NO PLACE in the general plan for LG.

If you were to allow this, it opens the door and sets a precedent for other ideologies of ANY nature, to burden the GP process.

Ken Arendt

NOTE: this email is being sent to thousands of Los Gatos residents

**From:** KENNETH ARENDT
**Sent:** Wednesday, October 6, 2021 6:41 PM
**To:** GP2040 <GP2040@losgatosca.gov>
**Subject:** Fwd: Trouble here in Town - the General Plan and more

To the GP2040 Planning Committee

The below email and attachment was sent to the Town Council. Please do read my concerns. Thank you.

Ken Arendt

---------- Original Message ----------
From: KENNETH ARENDT
To: Marico Sayoc <MSayoc@losgatosca.gov>, "rrennie@losgatosca.gov" <rrennie@losgatosca.gov>, "mbadame@losgatosca.gov" <mbadame@losgatosca.gov>, "mhudes@losgatosca.gov" <mhudes@losgatosca.gov>, "mristow@losgatosca.gov" <mristow@losgatosca.gov>
Date: 10/04/2021 8:25 PM
Subject: Trouble here in Town - the General Plan and more

Hello TC members. This is a very difficult email for me to send, as I never thought that I would have to do this. I know most of you, and vice versa, and have been supportive of all you have done for the Town in the past. Several of you have had gone through a gauntlet of issues over the years, and it hasn't been easy.

But now, the real issues facing us are at least two-fold, most likely more. One is definitely the growth and how to accomplish it without damaging the Town, its residents and character. The other issue is perhaps more serious. It is the blatant actions of the Town Manager to get us in this trouble in the first place. I know that some of you might be friendly towards her and her staff. And you rely on the Town employees to support you and not ignore you. So this is probably distasteful. But you must do your jobs and honor the oath of office that you took.

Please read my attached paper to you. I do trust that you will take the right actions to bring us back on track.

Thanks for all that you do.

Ken Arendt
LG 95032

October 4, 2021

LG Town Manager and Staff

**Topic: MIS-BEHAVIOR and BAD JUDGEMENT**

**REFERENCE: TOWN COUNCIL POLICY MANUAL , 2-04, PAGE 8**
**Town Study Session of September 20, 2021**
**General Plan for 2040**

After reading many of the Town Documents regarding Town code, RHNA requirements, General Plan, I am very concerned about the recent behavior of the Town Manager and staff. How did the Town land use element and Town's housing needs get de-railed? Specifically, I am addressing not so much the resulting numbers that are being floated around, but the inappropriate process of getting to where we are.

According to the TC Policy Manual referenced above, and other documents of the Town, it is clear that the Town Council establishes policy and direction for the Town and the TM and her staff are responsible for carrying out the directions set forth. It is NOT within the preview of the TM to establish policy and take actions that ignore TC approved directions. Nor is it proper for the TM to go public with local media about Town housing element numbers that have not been approved by the TC. That is called insubordination.

I refer specifically to the TM's specific change of General Plan Preferred Alternative numbers that were approved initially by the TC, at about 2800 units. In fact the TM set forth and disseminated to the public new arbitrary numbers which were made PRIOR to the State mandated RHNA numbers, which were substantially lower, at 1993 units. The TM created numbers almost doubled those RHNA numbers without TC approval. This action negatively impacts the charter of the Town as to the authority placed within the Town Council. Why wasn't the TC notified and involved, especially along the way? As such, the following points are made:

- The TM stepped outside her bounds of authority
- Failure to properly notify the TC and/or the Mayor of dramatic changes to housing numbers
- Did not notify the TC when appropriate as to when any appeals to the State could be made by the Town
- Published newly created housing element numbers without TC authorization
- When asked "why" she did this at the most recent study session, her answers were without merit; ie, lots of work, we were all busy, etc
- It appears that her own personal agenda overrides decisions that are supposed to be in the best interests for the Town
- Housing numbers that she proposes may have significant negative impacts on the Town –
    - Exceeding RHNA numbers opens the door to developers to do most anything they want
    - Water – we are in a drought; what is the plan to address this?
    - Traffic – we are already complaining about traffic all over; what is the plan?
    - Schools – what are the metrics regarding teacher/student acuity ratios? New schools? What is the plan?

    - Character of the Town as to what the residents bought into and what we want; we have all worked very hard to get here and be what we are! We do not want to change into something we are not!
    - Housing values and neighborhood impacts
    - Other unforeseen impacts
- Impacts of this nature need to be studied, analyzed and voted upon and NOT arbitrarily set into place by the TM who has no authority to do so. Arbitrary action beyond authority levels in the TM's position weakens the TC and its authorities.
- **Town Attorney** – he should have advised the TM of her actions, but apparently did not, or did not know about it, or was ignored. Either way, the TA should have advised the TC as to this action as well as advised the TC about potential appeal dates and requirements. This did not happen.

**RECOMMENDED ACTIONS:**

The Mayor and the TC should take actions to address these bad judgment actions, review both the TM and TA performance and set forth consequences as appropriate. In regular corporate situations, a board of directors might even fire the position. Please do your job and take whatever actions are necessary to correct the problem.

**DESIRED OUTCOMES:**

- The TC needs to formally accept the State mandated RHNA numbers with further study done as to density issues and how to address them without damaging the Town further.
- The TC needs to address the TM and her staff as to their limits of authority and determine why the TC was essentially ignored in the process.
- The TC should evaluate these actions of the TM and determine if the job has grown beyond her level of competency to continue.
- The TC needs to set forth its mandates to itself, the citizens of the Town and the Town management and staff, that although we see the need for diversity, inclusion, public safety, etc, we can and will do so while retaining the nature and character of the Town. We have many many citizens, current and long standing, who have worked very hard and have sacrificed much to reside here. Some were lucky, others worked two jobs. But we did what we did to be here and become part of this community. We do not want it changed.
- Create studies to understand what impacts SB 9 and 10 will have on our community and create ways to accommodate those laws without damaging our Town.

**Sent:** Wednesday, October 6, 2021 8:22 PM
**To:** GP2040 <GP2040@losgatosca.gov>
**Subject:** [#20211007032212] Comment from LosGatos2040 Website Los Gatos 2040 General Plan Update

Ticket: [#20211007032212]

**Name**: Cameron Tulee
**Comments**:
Regarding Fire safety:
One way to help reduce the fire risk it to have the utilities buried. Overhead utilities have been the cause of multiple devastating CA state fires in recent years. I didn't see this mentioned in the general plan - Is this something we can push for as a Town government and in the general plan? Especially in the hillside areas which are much less accessible and could cause an out-of-control fire situation.
Thanks,
Cameron Tulee

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**Sent:** Wednesday, October 6, 2021 9:56 PM
**To:** GP2040 <GP2040@losgatosca.gov>
**Subject:** [#20211007045548] Comment from LosGatos2040 Website Los Gatos 2040 General Plan Update

Ticket: [#20211007045548]

**Name**: Cameron Tulee
**Comments**:
Regarding the housing target confusion:
Perhaps it's worth updating the actual plan with the breakdown - the state's mandated target (for the first 8 years) + some buffer, then the next 12 years target is the difference, etc, etc.. Then with it all outlined in the plan folks wouldn't have to look elsewhere for an explanation of the numbers and it should reduce the confusion with this issue.

With regards to the proposal to add vegan diet education: It's a good initiative but I feel it's miss-placed and that the Town general plan is not where this should be. An education campaign like this should start in the schools and the Town shouldn't be expected to be an educator for the residence for such issues as this. It's outside it's scope.
Thanks, Cameron Tulee

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**Sent:** Wednesday, October 6, 2021 11:07 PM
**To:** GP2040 <GP2040@losgatosca.gov>
**Subject:** [#20211007060704] Comment from LosGatos2040 Website Los Gatos 2040 General Plan Update

Ticket: [#20211007060704]

**Name**: J R
**Comments**:
I'm a Los Gatos resident for years and listened to tonight's meeting, good to hear many voices from different perspectives. Thanks for organizing it! Here are my comments:
1. Overall I oppose the 2040 general plan. Fire safety issue, negative financial impacts in terms of residential housing price and town's budget, worse traffic, etc. They're valid concerns and real problems! I hope political interests should not be put over Los Gatos people's benefits.
2. Please make writing comments available to public. If privacy is the concern, can be anonymous and have an option to let people choose to opt out. Moreover, I suggest to have a survey/voting on this site. Those can help transparency of the process.
3. If I heard correctly, a lady suggested "if you like small town feel, go to Yosemite (or 17miles?)". How ironic and how dare she! Most exclusive words I've heard tonight! People live here have every right to preserve the small town image they like.

Page title: Home

**From:** Nick Struthers
**Sent:** Friday, October 8, 2021 3:51 PM
**To:** Council; Jennifer Armer
**Subject:** Plant - based Education Program for Los Gatos

Dear Los Gatos Town Council,

As a Los Gatos resident since 1999, I support the efforts of Plant-Based Advocates to establish a dedicated Plant Based Education Program. I support adding this to the environmental section of The General Plan 2040.

sincerely

Nicolas Struthers

**From:** Julie Struthers
**Sent:** Friday, October 8, 2021 3:54 PM
**To:** Council; Jennifer Armer
**Subject:** Plant - based Education Program for Los Gatos

Dear Los Gatos Town Council,

As a Los Gatos resident since 1999, I support the efforts of Plant-Based Advocates to establish a dedicated Plant Based Education Program. I support adding this to the environmental section of The General Plan 2040.

sincerely

Julie Struthers

**From:** Kavin Kankeshwar <kavinkankeshwar@gmail.com>
**Sent:** Friday, October 8, 2021 9:06 PM
**To:** GP2040 <GP2040@losgatosca.gov>
**Subject:** Comments for consideration for Los Gatos 2040 Plan

Hi,

I am a Los Gatos resident in University-Edelen Historic District, I have few comments for the Town Council/Planning commission to consider as we work on the Los Gatos 2040 plan.

1. It's great to see in Los Gatos 2040 Plan sections LU-9.4, LU-15 and CD-3 to protect historic neighborhoods which everyone in the city benefits. But the City of Los Gatos has not adopted Mills Act, By not providing any financial incentives and having additional regulations for historic districts, it places an additional often unfair burden on owners of structures contributing to the historic district, Even though all residents of Los Gatos benefit from and enjoy how the historic neighborhoods looks and feels. Also more often historic properties go into a state of disrepair which reduces the desirability for dilapidated houses and its order of magnitude more expensive to fix those. I would strongly urge the City council to adopt Mills act and any other measures which can provide incentives to preserve Historic property or loosen the regulatory burden in historic districts.
2. Traffic on **17**, This topic I'm sure has come up before. But I would really like the Town Council to raise the priority and make it the top of agenda item to work with County and State officials to escalate and make it priority #1. It is critical and urgent we solve this ASAP. Traffic on **17** will reduce the desirability of the area if the commute is horrible. We need to improve the Quality of life for the residents of Los gatos to move around without being stuck in traffic.
3. I support the Los Gatos 2040 plan for more houses, so it's critical to address the traffic which comes with existing and newer residents. Reducing the regulatory burden for developers or owners of property to build more housing is a good thing and a healthy sign for a growing community. But planning for growth is critical. I would encourage the City to do whatever to help reduce regulations, fast track applications and allow more construction. Anyways, construction in the bay area is very expensive because of the high cost of living for workers plus the amount of building regulations and long delays in permit applications/sign off. So whatever the city can do to reduce red tape on construction is a good thing, Because if any project takes years to get off the ground that delay costs will be passed on to consumers which just means the new houses won't be affordable for the middle class which won't benefit because their income is more than median income so they still cannot buy houses because it's expensive to build new houses. It is very important for the City to go into high gear to fix the traffic issue to support this growth.
4. Dedicated bike and pedestrian only streets in Downtown Los Gatos. I would recommend making Downtown Los Gatos and adjacent streets pedestrian only and also have a Class 4 dedicated bike lane on University Ave from Main street to Vasona lake and taking other measures to reduce/discourage traffic on collector roads like University ave, and promote bike/walking and other environmentally friendly way to get around town. It might also be a good idea to plan for parking structures so people can park there and walk downtown. Also if

University Ave does have a Class 4 dedicated bike lane, there has to be some plan for permit parking for residents in the parking lots in between University and N Santa Cruz ave.

Thanks for your time and consideration of these comments! I really appreciate the effort which everyone is taking to draft and plan the Los Gatos 2040 future.

Regards,

--

Kavin Kankeshwar

**From:** karen
**Sent:** Saturday, October 9, 2021 2:02 PM
**To:** Jennifer Armer; Council
**Cc:** 'Lisa Wade'
**Subject:** Education Programs for Plant-Based Diets in General Plan

Hi Jennifer and council members,

I am grateful I was able to speak on October 6 at the General Planning meeting about our objective of including education about plant-based diets in Section 8.12 of the general plan.

As I stated, the reduction of animal foods (meat, dairy and eggs) holds the promise of addressing the widespread problems we face today. Briefly:

- Greenhouse gas emissions: Animal ag is a major source of greenhouse gases methane, carbon dioxide, nitrous oxide, that are rapidly warming our climate. This is making extreme weather, such as drought, fires, hurricanes, etc more frequent and more intense.
- Pollution of air, water and land by enormous CAFOS (concentrated animal feeding operations); 80 billion land animals are killed worldwide every year
- Deforestation: 90% of the Amazon that has been cut down is due to cattle and their feed crops
- Water consumption: People who eat no animal foods require HALF the amount of water (National Geographic)
- Inequality and suffering caused by our food system: converting plants to animal foods is inefficient; we can feed the world population plus more, on less land, by shifting to plant foods
- Social injustice: Farm and slaughterhouse workers are often immigrants who are subject to dangerous workplace conditions. Many died from Covid because slaughterhouses continued operations under the Defense Procurement Act.
- Health: Eating a plant-based diet is proven to help avoid illnesses such as heart disease, diabetes, hypertension, some types of cancers, and more

These and the many other reasons for shifting to plant-based are the reason we feel that education is necessary. I'd like to address some of the concerns raised by other speakers at the General Plan meeting.

1. "I don't want anyone forcing me to eat a plant-based diet."
   No one is forcing any diet. We want to provide education so people can make informed choices.
2. "This isn't the domain of local government."
   We disagree. The Town already has programs and education for reducing water usage, implementing native landscaping, etc. Our plan follows the same guidelines, and in fact greatly helps with other efforts, such as saving water.

3. “This is a frill. We need basic services such as fire safety.”
   In fact, shifting to plant-based diets *helps* with issues such as fire safety. Animal agriculture is a major driver of greenhouse gas emissions, which is warming our climate and turning forests into tinder boxes – as evidenced by the major fires of the last few years. Switching to a plant-based diet is the single most impactful thing we can do to reduce GHG and start curbing global warming.

Thank you for taking our ideas into consideration. As we stated, we have a very active group that is ready to help implement these programs, and we have widespread community support. Thank you for all your hard work on this Plan.

Best regards,

Karen Rubio
Plant-Based Advocates



**From:** ILENE DICKINSON
**Sent:** Sunday, October 10, 2021 10:41 PM
**To:** Council; Jennifer Armer
**Subject:** Plant-Based Education Program for Los Gatos

Dear Los Gatos Town Council:

I support the efforts of Plant-Based Advocates to establish a dedicated plant-based education program for Los Gatos. Reducing consumption of meat and dairy is the single most impactful thing individuals can do to reduce greenhouse gas emissions and curb climate change. Please add this very important item to the Environmental Section of the General Plan 2040.

Best regards,

Ilene Dickinson

**From:** Laura Douglas
**Sent:** Saturday, October 9, 2021 10:58 AM
**To:** Clerk <Clerk@losgatosca.gov>
**Cc:** Town Manager <Manager@losgatosca.gov>
**Subject:** voicing objection to the housing development plans for the Town of Los Gatos.

To Whom It May Concern,

I object to adding additional housing units to Los Gatos. Many towns have appealed the addition of the minimum number of housing units assigned. Los Gatos should do the same or at least only meet the minimum number mandated rather than adding even more.

Also, I **strongly object** to the development of multi-unit housing in areas that are zoned for single-family housing. This will destroy what makes Los Gatos unique and desirable. So while the multi-unit housing in the North 40 is unfortunately ugly, cheap-looking, and does not even attempt to match the character of the homes found in Los Gatos overall, at least it is out of established neighborhoods and on the edge of town thankfully where the impact is minimized.

The addition of high-density housing should be done in large city centers next to large employers and centrally located mass transit lines, such as what Google is doing in downtown San Jose and in other cities bordering high tech clusters (like Sunnyvale).

Overburdening Los Gatos with more housing units will further overburden our schools and services and bring even more traffic to a town that is paralyzed during school start/end and beach traffic times and highway 17/880 which is already at gridlock during commuter hours and is the corridor for the beach towns. There is also a shortage of sports fields for our kids. It would have been great to develop at least one full-sized sports field on the North 40 but that isn't in the plan last I looked.

And please do not develop more of the hillsides as again that will destroy the charm of Los Gatos.

Los Gatos is an exceptional place with families and retirees who actively take part in communities, beautiful homes and yards that are well-maintained and radiate pride in ownership, and people who generously support our downtown and schools. There is a community and relaxed vibe of a bedroom community rather than an urban center. Plopping down multi-unit housing in quaint neighborhoods or adding a large number anywhere will destroy all of that.

Thank you for your consideration.

Laura Douglas
Los Gatos, CA 95030

**From:** Nancy Neipp
**Sent:** Monday, October 11, 2021 9:26 AM
**To:** GP2040 <GP2040@losgatosca.gov>
**Subject:** Re: Los Gatos Draft 2040 General Plan Community Meeting - Thank You! - NEIPP FEEDBACK ON GENERAL PLAN

Hi Jennifer

Thank you for the opportunity to provide feedback.

I am very concerned about the aggressive housing goals being proposed by the Town Manager. My concerns are related to the lack of a plan to deal with several issues -

- **Roads/transportation/parking** – as a resident of Los Gatos for nearly 40 years, I am deeply concerned by the current traffic situation. I've experienced many days during the summer where we can't run errands on the weekends without getting stuck in beach traffic. What is being done to mitigate the current situation, let alone the future impact of more residents? Is there a plan for alternative forms of transportation to address the parking problem around town?

- **Fire danger** – after being a customer of Nationwide Insurance for 20+ years, I was cancelled this year due to the extreme fire hazard around my home. I live on Harding Ave, so I am not a mountain resident. How can we add more density when we can't safely protect the existing homes?

- **Schools** – our schools are already at capacity. What's the plan to accommodate more students? Our award-winning school status will diminish with over-crowded classrooms.

- **Property values** – adding high density housing alongside SFRs will diminish the character of our neighborhoods and thus, the value of our properties. HDH should be built along transportation corridors, not in existing neighborhoods.

I fail to understand the logic of nearly doubling the minimum housing requirement, especially without any plans to deal with the consequences. This has caused many in the community to question the motivation of the town.

Thanks

Nancy and James Neipp

**From:** Jak Van Nada
**Date:** October 11, 2021 at 1:39:09 PM PDT
**To:** Jak Van Nada
**Subject: Conflating the Allocation of up to 3904 Housing Units in the 2040 General Plan is the Wrong Decision**

The LGCA has received the question below from several concerned residents about the number of houses the Town wants in the General Plan. We thought we should share our reply with you. After reading this, if you agree that the Town needs to maintain the RHNA number of 1993, please email Sandra and ask her to put you on our list of supporters. We want the Town to grow incrementally, fully knowing that we can amend the number higher if needed when the "unknowns" become "knowns".

**Question:**

The Town has stated that 3,904 units are necessary because the RHNA allocation cycle is every 8 years and the General Plan is a 20-year planning horizon. When comparing the current RHNA allocation of 1,993 units to the Town's proposed 3,904 units, aren't we just talking about different time horizons? Wouldn't it make sense to plan for the most likely total RHNA allocations over 20 years? To just plan for one 8-year cycle would seem to ensure failure over the longer 20-year timeframe. Go here to see the Executive Summary and the Detail.

LOS GATOS COMMUNITY ALLIANCE

11 OCT 2021

# Allocation up to 3904 Housing Units in the 2040 General Plan is the Wrong Decision

by **Jak** | posted in: **2040 Draft General Plan**, **2040 General Plan DEIR**, **Finance Commission**, **Financial Impact Report**, **Financial Impact Report**, **General News That Affects Us**, **Housing Element**, **latest news**, **Our Town** | 0

**Executive Summary:**

Why does LGCA want the town to reduce the number of housing units in the Los Gatos General Plan 2040 to 1993, per State requirements, rather than up zone to the 3,904 units the town wants?

- There is no need for the housing element of our general plan to exceed the 8-year housing planning cycle as directed by the State. This portion of the plan can be updated in 8 years as demand and State requirements become known. People are leaving California and remote work is growing. Let's digest the State-required housing demand which is already sizeable at 1993 units. Let's grow incrementally. The General Plan can easily be amended at any time.
- In fact, our population forecast justifies only 619 units, so to assume a need for almost 4K units at this juncture is fatally flawed.
- And most importantly: The town proposes to rezone the entire town to dramatically increase density by 2 or 3x for all residential land uses! Los Gatos will have to up zone to accommodate building almost 4K units. And worst of all, up zoning is permanent. Once the Town up-zones, California law will not permit it to down-zone. In short, if the LG 2040 General Plan is approved as proposed, our town will be permanently rezoned for massive development.

**LGCA Response:**

The Town is legally required to adopt a 2040 General Plan that includes an internally consistent Housing Element which designates and maintains an adequate supply of land for the development of housing. It also must be sufficient to meet the Town's 6th cycle RHNA allocation for all income levels. The 6th cycle RHNA allocation is 1,993 units as proposed by the Association of Bay Area Governments (ABAG).

It is possible to approach long-range planning in the manner proposed by the Town, which is to double using the 6th cycle RHNA allocation. But we believe the far superior method is to plan on an incremental approach that includes only the current RHNA allocation. Later, the **General Plan can be amended at any time** as more information becomes known, such as the actual 7th cycle RHNA allocation.

To put the 3,904 units in perspective, ABAG and the Metropolitan Transportation Commission have forecasted that over the next 20 years the Town needs to add only 619 units based on ABAG's 2040 population forecast of 33,050. Using the 2040 General Plan's planned housing number of 3,904 and the current 2.4 people per housing unit, the Town's population could increase by nearly 9,300 people to more than 42,000 residents. This is 27% higher than the ABAG's forecast! It is the State's view that more of the regional housing needs should be allocated to the town because the Town is a "high opportunity area". Therefore the State established the RHNA allocation from 619 to 1993. There are no population forecasts that provide underlying support for the development of 3904 housing units.

It is also important to understand that the 3,904 new units is a "manufactured" number. It is based on an assumed redevelopment rate of lots (ranging from 5% to 20%) for all residential land uses designations Town-wide (excluding the

Hillside.) Because an unreasonable number of new units are being planned, the development of 3,904 units can only be accomplished by radically increasing building densities for all residential land uses Town-wide. In the Town's proposed plan, residential land uses have been "up-zoned" to allow increases in housing densities that are two to three times the current allowable land use densities.

The "cost" of adopting an aggressive growth plan is the up-zoning of 100% of the residential land use densities. That is a massive change from the current 2020 General Plan and the implications of this change cannot be fully projected. Once the Town up-zones, California law will not permit it to down-zone. It is a one-way ratchet. So, there are massive ramifications to this action.

If the actual redevelopment rates turn out to be higher than the currently assumed rates, the number of new units developed could be two to three times, or even more, than the 3,904 units. There is no objective evidence to support 3,904 units over the next 20 years to be correct as opposed to 6,000 or even 9,000. The number is simply the result of a redevelopment assumption without any objective evidence to support it.

And who is to say that the 7th cycle will be anything close to 6th cycle since it hasn't been developed? Interestingly the Town's 5th cycle was 619 and at that time the 2020 General Plan was adopted, the Town only planned for 621 new units, 2 units above the RHNA allocation. Factor in that the populations of California and Los Gatos recently declined, SB9 and SB 10 were just signed into law, VTA is financially challenged for the next 28 years; cars are switching from gas to electric; Los Gatos has increased fire risks greater than Paradise and the State is facing extraordinary water shortages. It will be very hard to predict the 7th cycle RHNA allocation, so why "assume" it will be the same as the 6th cycle?

Given this, why would the Town adopt such an aggressive growth strategy in housing that is clearly unsupported by ANY data? There is no objective evidence that supports planning for 3,906 units over the next 20 years.

A more prudent approach, which LGCA is promoting, is to plan only for the "knowns" and **amend** the General Plan when new information becomes "known". The 2040 General Plan specifically sets forth a policy to "*implement and maintain the 2040 General Plan to reflect the changing needs of the community and remain consistent with State law*". This policy supports our proposed incremental approach to make only the required changes now and then review and update the General Plan every 8 to 10 years. It's an approach based on data rather than an assumption as to future growth. No other City in the State that LGCA can find has adopted the Town's approach. What is so wrong with planning for 1,993 units plus a slight buffer and then amend the General Plan in eight years when the 7th cycle RHNA allocation is known?

If this incremental approach is used, the Town would not be forced to up-zone 100% of the Town's land uses. A more focused approach to land redevelopment would be sufficient to deliver the affordable housing mandated by RHNA allocation. By concentrating on only those areas that can be appropriately developed at higher densities, affordable housing can be developed as opposed to $2m condos such as the ones recently developed in the North 40.

This gets to the final point, which is, who should decide between the two planning approaches? Is it 3 people on the Council or should it be the citizens of Los Gatos by a vote?

Given the massive impact of up-zoning to all residential land uses (excluding the Hillside) and the shift in the Council's message from "we like the 2020 General Plan" and we only need to "fine tune it" to a massive and radical overhaul in the Land Use Element of 2040 GP, we believe the residents should decide.

It is our elected official's responsibility to make the compelling case to all residents to adopt their planning strategy and then let the voters decide. It should not be decided by 3 people on the Council. Based on what we now know, the current planning approach is not widely supported.

Hopefully this explains why the LGCA believes an incremental approach to planning for growth for the next 20 years is the appropriate strategy for the Town.

Contact Sandra and join our protest of this completely unreasonable increase of our housing over the next 20 years.

LOS GATOS COMMUNITY ALLIANCE

**www.lgca.town**

**From:** Carleen
**Sent:** Monday, October 11, 2021 3:52 PM
**To:** GP2040 <GP2040@losgatosca.gov>
**Subject:** General plan

Planning committee members,

As a 3rd generation Los Gatos resident, I have to say that I have witnessed a steady and very sad decline in the quality of life for the residents of our town. Those who haven't lived here for the past 50+ years probably can't understand what I'm talking about. All our beautiful orchards are gone, as is most of our open space. Housing has become very dense and with that comes serious traffic congestion. It is more dangerous than ever, traffic wise, for children going to and from school. Now there is talk of further development in the hills, endangering animal species and views. Chain stores and greedy landlords are driving small business owners and unique shops from town.

All in all, the beautiful, friendly town I grew up in has been handed over to the wealthy and powerful. Had I not bought my home in the 70's, I would have been forced to leave the town I love. I fervently hope decisions about the future can be made with consideration of the environment and the welfare of those of us who already live here and not about selling off the town for millionaire estates or to the highest bidding developers.

Thank you for considering what i have said.

Carleen Ambrosini Schomberg

**From:** Lisa Wade
**Sent:** Tuesday, October 12, 2021 12:46 PM
**To:** Jennifer Armer; Council
**Subject:** Specific Ask Plant - Based Education General Plan

Dear Jennifer and Planning Commission,

Thank you for all your hard work on the General plan. I wanted to send a quick note with our specific ask.

We would like you to please consider adding a Plant-Based Education Program to Section 8 Environmental and Sustainability Element. Specifically Section 8.12 Implementation Programs.

**Section 8.12 Implementation Programs**

**Plant-Based Education**
Implement programs to educate and support residents about the benefits of shifting to a plant-based diet, which includes improved health, curbing greenhouse gas emissions, reducing biodiversity loss and deforestation, reducing water usage, and reversing pollution of our air, land, and water.

Thank you for your consideration!
Lisa Wade

**From:** Karyn Meadows
**Sent:** Tuesday, October 12, 2021 3:38 PM
**To:** GP2040 <GP2040@losgatosca.gov>
**Subject:** Comment on the plan

Hello, thank you for including me in this proposal. I will review all of the documents but my immediate concern is SB9 and what that will do to single family homes. We are against any planning that will convert a single family home to a multi-family home in our neighborhood since our lots are already small, 10K or less square foot ones. If homeowners or developers are allowed to convert the homes, privacy will be completely lost. And we will have to move. Out of LG which we have lived in for over 30 years.

best, Karyn Meadows

**From:** Barbara McInerney
**Sent:** Wednesday, October 13, 2021 10:34 AM
**To:** GP2040 <GP2040@losgatosca.gov>
**Subject:** Re: Los Gatos Draft 2040 General Plan Community Meeting - Thank You!

Hello Town and Planning Committee,

I have spoken my concerns at the meetings but would like to submit them in writing.

My concern with the 2040 plan is that the population increase has not been well thought out with respect to our safety and our schools.

The EIR states that the population increase with the amounts of new housing proposed will require and increase in police, fire personnel as well as either new schools or expanding our existing schools due to the increase in students (a conservative estimate of 2,617 new students).

Even thought the EIR makes this statement, I have not seen any information to address the details of fulfilling these requirements. It seems to take a "wait-and-see" approach which is not good planning.

Questions I have are

- Where will we put the new schools in town (especially after we add more housing). Will we have the space?
- Where will we add a new fire station?
- How will we hire more police and where will we find them when older police are retiring early and younger folks are choosing not to go into policing due to a lack of support.

These questions should be fully addressed and answered before moving forward with any new building.

Additionally the EIR considers the town as a "low crime" area, however, based on recent events I don't believe this is true anymore and it seemed like most residents on the last zoom meeting agreed. So I believe we really need to think through addressing the requirement for an increase of our police staff before we start building any more housing.

Thank you,

Barbara McInerney

**From:** Phil Koen
**Sent:** Friday, October 15, 2021 11:22 AM
**To:** Matthew Hudes; Marico Sayoc; Mary Badame; Maria Ristow; Rob Rennie
**Cc:** Laurel Prevetti; jvannada; Rick Van Hoesen; Sandra Livinghouse ; Joanne Benjamin
**Subject:** Letter from Mountain View

Council Members,

While MV did not appeal their RHNA allocation, they did submit this thoughtful letter which outlines a number of critical issues. It is unfortunate and questionable that Los Gatos did nothing to respond to our allocation.

I thought you should be aware of these points, especially given the Town's current direction of embracing policies to add housing which is 2x the RHNA allocation.

Thank you.

Los Gatos Community Alliance

https://abag.ca.gov/sites/default/files/documents/2021-07/Mountain_View_RHNA_Comment_Letter.pdf

CITY OF MOUNTAIN VIEW
OFFICE OF THE CITY MANAGER
500 Castro Street • Post Office Box 7540 • Mountain View • California • 94039-7540
650-903-6301 • Fax 650-962-0384

July 2, 2021

Mr. Dave Vautin
Assistant Director, Major Plans
Bay Area Metro
375 Beale Street
San Francisco, CA 94105

**Via Email**

DRAFT PLAN BAY AREA AND REGIONAL HOUSING NEEDS ALLOCATION

Dear Mr. Vautin:

The City of Mountain View congratulates ABAG/MTC for the completion of the Draft Plan Bay Area, the culmination of three years of regional planning work, and commends the regional agencies' staff for their openness and cooperation with local jurisdictions. Plan Bay Area is a momentous effort that incorporates a broad range of diverse stakeholder goals and values, State laws, and good planning principles.

Despite these accolades, the City of Mountain View has several comments on the Draft Plan Bay Area and some suggestions for future iterations of the Plan. We would appreciate you sharing these comments with your peers and decision-makers.

**Plan Bay Area Baseline in the Regional Housing Needs Allocation Methodology**

Over the last decade, Mountain View has been a proactive leader in zoning for housing, including the following:

- New Precise Plans that increased allowed densities along the El Camino Real transit corridor and allowed new high-density housing in the commercial and office areas of San Antonio, North Bayshore, and East Whisman.

- Authorization and approval of rezoned development projects that target high-density housing to key opportunity sites.

- Updates to the City's Below-Market-Rate (BMR) code to increase office impact fees and inclusionary requirements.

- Partnerships with nonprofits and other jurisdictions to create affordable and supportive housing.

- Leadership in housing production, including the most units permitted of all cities in the County (including San Jose) in 2020.

Mountain View's Draft Regional Housing Needs Allocation (RHNA) is 11,135 units. At 32% of existing households, Mountain View received the third most in the region (as a percentage of existing households) and the most of any jurisdiction larger than 5,000 population. A major input of this allocation is the Plan Bay Area model. The model adds significant variation between similar jurisdictions, such as between Mountain View and the City's neighbors in northwest Santa Clara County, all of which are built-out with similar land uses and have similar access to jobs, high-opportunity areas, and transit. To illustrate this, Table 1 below shows Mountain View and nearby cities' RHNA as a percentage of existing population, with and without the Plan Bay Area forecast baseline, but keeping the RHNA adjustment factors the same (the equity adjustment is not shown, but it is relatively small and only applies to Mountain View and Santa Clara below).

**Table 1: RHNA Comparison of Similar Cities in Northwest Santa Clara County**

| City | RHNA as a Percentage of Existing Households with Plan Bay Area Baseline and with Factors | RHNA as a Percentage of Existing Households without Plan Bay Area Baseline but with Factors |
|---|---|---|
| Mountain View | 32% | 24% |
| Palo Alto | 22% | 24% |
| Sunnyvale | 21% | 21% |
| Santa Clara | 25% | 20% |

Mountain View recognizes that the methodology cannot be revised for the sixth cycle at this time. However, future RHNAs should not use Plan Bay Area growth forecasts as the RHNA baseline. There are multiple reasons for this:

- The Plan Bay Area forecast is less transparent and intuitive than the RHNA factors, and the technical inputs and methodology have less stakeholder input.

- The forecast results in dissimilar allocations between similar cities, focusing growth into fewer jurisdictions and bringing equity concerns.

- Model outcomes, though reasonable at the regional level, may be arbitrary at the local level. For example, an area near downtown Sunnyvale was projected to add

only 195 units to the year 2050—despite having approximately 30 acres of underutilized office near their baby-bullet Caltrain station, while an area near downtown Mountain View was projected to add almost 3,000 units, with similar amount or even less area of underutilized land. In addition, model outcomes are not the only, or even the most preferred, possible future of Plan Bay Area policy.

- RHNA should not have existing zoning as an input. The purpose of the RHNA is to support housing construction where it is needed, not where it has already been zoned for. Putting more RHNA where cities have proactively zoned for more housing simply encourages jurisdictions to wait until the RHNA to zone for housing.

- The Housing Methodology Committee (HMC) and other stakeholders did not have an opportunity to review the final forecast before the methodology was recommended.

While it is important to ensure consistency between Plan Bay Area and RHNA, there are other ways to achieve this. For example, RHNA could be an input to Plan Bay Area, RHNA could include growth geographies as a factor, Plan Bay Area modeling could be an adjustable factor rather than the baseline, or marginal cases of inconsistency could be adjusted after the factors are applied.

RHNA disparities between similar cities raise concerns about the allocation, including concerns about equity, transparency, and the relationship between regional goals and the RHNA outcomes. In addition, such a high RHNA on a single small city actually works counter to the region's housing goals since it is unrealistic for so much development activity to occur in one small city in eight years, no matter how much land that city zones for it.

**Environmental Impact Report Alternative 2—High-Resource Area Focus Alternative**

San Francisco proposed a Plan Bay Area Environmental Impact Report (EIR) alternative that focused more growth to high-resource areas. This alternative was studied in the EIR and resulted in significantly more housing growth in northwest Santa Clara County, including Mountain View.

San Francisco's stated reason for studying the alternative was to help preserve their equity priority communities by reducing housing targeted to their city and increasing housing targeted to higher-resource areas elsewhere in the Bay Area. However, according to the EIR, this alternative actually had the opposite effect, increasing

displacement and gentrification in San Francisco. While this may be a positive "pull" effect, where poorer residents of San Francisco decide to move to Santa Clara County, where more housing is being built, it is more likely a negative "push" effect, where higher housing prices as a result of constrained supply in San Francisco disrupt and displace existing communities. Mountain View has deep concerns about this effect and encourages ABAG and MTC to preserve and protect vulnerable communities throughout the Bay Area by rejecting this alternative.

This process provides more evidence to remove Plan Bay Area modeling from RHNA inputs. In the future, Plan Bay Area should be based on best practices to achieve regional goals and should not be subject to various demands by local agencies, which may be motivated by RHNA. Divorcing Plan Bay Area from the RHNA inputs would reduce these demands. Planners, modelers, and technical experts should have the flexibility to use their expertise to build models that provide the regional analysis of impacts that policy-makers and the public demand. However, the process should recognize that the Plan Bay Area process is generally reasonable and well-documented at the regional scale and is not suited to be applied at a small scale, such as the RHNA.

**Transportation Funding**

Major transportation projects planned for North San Jose have limited benefit to Mountain View. No matter how the North First Street corridor is improved, it will likely be easier to access most destinations in San Jose by Caltrain than by light rail. However, the increased densities prescribed to Mountain View between the Draft and Final Blueprint presumed that these improvements amount to a change in transit accessibility.

San Jose wields outsized influence in collecting transportation funds for the South Bay. Meanwhile, Northwest County cities are expected to grow more than San Jose. Plan Bay Area should include provisions to ensure jurisdictions receive funding for transportation and other public services consistent with the Plan Bay Area growth geographies and the City's obligations under RHNA. Specifically, future transportation funding decisions should look more carefully at the beneficiaries of the improvements and weigh them directly against RHNA.

**Conclusion**

The comments above are intended to provide feedback and guidance on Plan Bay Area implementation and future iterations of Plan Bay Area and RHNA. We appreciate the effort that MTC/ABAG has undertaken in this difficult process. We also recognize

Mountain View's important role in the future sustainability and success of the region, and look forward to continuing collaboration toward those ends.

Please contact me or Assistant City Manager/Community Development Director Aarti Shrivastava at aarti.shrivastava@mountainview.gov or 650-903-6306 if you have any questions. We look forward to implementing this regional plan with you.

Sincerely,
Kimbra McCarthy
City Manager

KMC/EA/1/CDD
899-07-02-21L

**Sent:** Saturday, October 16, 2021 9:45 AM
**To:** GP2040 <GP2040@losgatosca.gov>
**Subject:** [#20211016164434] Comment from LosGatos2040 Website Los Gatos 2040 General Plan Update

Ticket: [#20211016164434]

**Name**: Lon Fenchel
**Comments**:
Please leave my beautiful Town of Los Gatos with the now population. We do not need to expand with more building sites upon building sites.
The State mandate is still too high.

Page title: Home

**Sent:** Saturday, October 16, 2021 1:20 PM
**To:** GP2040 <GP2040@losgatosca.gov>
**Subject:** [#20211016201930] Comment from LosGatos2040 Website Los Gatos 2040 General Plan Update

Ticket: [#20211016201930]

**Name**: Leela Hann-Soden
**Comments**:
Hi!

I am a resident of Los Gatos due to give birth to a new resident in November. I would like there to be more fruit trees throughout Los Gatos to secure our supply of locally grown fresh, healthy food.

Los Gatos is in growing zone 10, so it can grow a wide variety of substantial fruit, such as: avocado, cherimoya, dragonfruit, durian, jackfruit, lychee, persimmons, plums, rambutan, sapote, etc. Growers in San Jose and the broader Bay Area, have experienced success growing these fruits.

By growing locally, we can provide Los Gatos citizens resilient, environmentally-friendly resources.

Thank you 🙏

Page title: Home

**From:** Karl Shultz
**Sent:** Friday, October 22, 2021 9:25 AM
**To:** Jennifer Armer
**Cc:** Ban Kathleen

**Subject:** General plan zoning map update. and 15810 Los Gatos Blvd.

Jennifer,

Regarding the above-mentioned address, APN# 523-01-001,

The lot, currently in the County of Santa Clara, is adjacent to The town of Los Gatos and borders Los Gatos Blvd. & Farely Road.

The county of Santa Clara has this site zoned in the OA Administrative/Professional Office district classification which is appropriate as it is on a major commercial street and surrounded by like uses located in the town of Los Gatos.

In the general plan for the Town of Los Gatos, I understand that the proposed zoning for this site is residential use as it is adjacent to other existing residential uses on the side and rear property lines.

With the upcoming general plan update we would like the review board to consider changing the general plan zoning classification for this site to a classification that would be more in line with the existing use and able to accommodate our proposed project which is a 2 story building that will accommodate dental office and similar office type uses.

We understand that we will be required to accommodate the existing adjacent residential uses as part of the approval process for our commercial office project.

Please let me know it there's any additional information that you may need from us for this consideration.

Regards,

Karl Shultz

**Shultz & Associates**
39111 Paseo Padre Pkwy.
Suite 309
Fremont, CA 94538
Office: 510.796.7801
Cell: 510.326.4112

**From:** Phil Koen
**Sent:** Wednesday, October 27, 2021 10:51 AM
**To:** Laurel Prevetti; Joel Paulson
**Cc:** Matthew Hudes; Mary Badame; Maria Ristow; Marico Sayoc; Rob Rennie; jvannada, Rick Van Hoesen; Robert Schultz
**Subject:** Land Use Alternative C and 2040 GP

Hello Laurel and Joel,

In reviewing the 2040 General Plan supporting documents, I am having difficulty reconciling the number of new units to be added for Land Use Alternative C.

On page 8 of the attached September 20, 2021 staff memo for the joint TC and Planning Commission study session, it was stated that 2,303 additional housing units, including accessory dwelling units, were the total additional units for Alternative C. I have also attached the Preferred Land Use Alternative C and the Capacity at Buildout schedules taken from the Preferred Land Use Alternative report.

If you look at the footnote on the Capacity Buildout schedule, it is noted that the 2,303 includes 475 pending and approved projects. There is no mention of ADU's, but the assumption is they are included in the 2,303 number. **Can you please confirm that the 2,303 does include 475 pending units AND the 500 ADU's.** Excluding the 475 pending units, but including the 500 ADU's, the adjusted Alternative C would be 1,828 additional units. Since the Town will not get credit for pending projects, the analysis should exclude the 475 pending units.

It should also be noted that the 2,303 number **does not include any units from the CBD**. Those units have been identified to be 136 units. If we add the 136 CBD units to the adjusted Alternative C 1,828 units, the **total number of new units would be 1,964** which is very close to the 6th cycle RHNA allocation of 1,993.

In summary, the current draft of 2040 GP has gone from an adjusted Alternative C of 1,964 additional new units (including ADU's and the CBD) , to the Adopted Preferred Land Use of 2,464 additional new units, to finally 3,429 additional new units as shown in the schedule on page 9 of the Staff memo. These increases reflect the changes made in land use densities as the 2040 General Plan moved away from targeted rezoning in Opportunity Areas to Town-wide rezoning for all land uses. The impact of these changes is to **increase the number of new units by 75% or 1,465 units over the adjusted Alternative C Land use**. I don't believe that the Town Council or the Planning Commission is aware of the magnitude of the increase over the adjusted Land Use Alternative C when measured on a fully comparable basis.

The more troubling issue is the draft 2040 GP does not disclose how many BMP units will be developed if the Town adds 3,429 additional units (which excludes 450 pending units). To determine that number I reviewed the housing affordability section of the Alternative Land Use report. Table 5-3 (which is attached) shows a comparison of housing types per Alternative. Under Alternative C the report estimates that out of the 2,303 new units (which includes the 475 pending units) a total of 293 BMP units would be developed. Under Alternative D, the number of BMP units increases to 464 units, which is 14.6% of all new units.

The analysis states that "the average percentage of BMP units would be 15%, which is the mid-point between the high and low requirements depending on project size". If we assume 20%, which is the requirement under the Town's BMP program, the current draft of the 2040 GP would generate only 686 BMP units. The critical assumption here is that **ALL** new units would be part of a development project with more than 5 units. This obviously is a max case assumption, and extremely unlikely to occur. If it were to occur, **the number of additional BMP units developed would be 689 units which is only 59% of the 6th Cycle RHNA allocation for BMP units.** That allocation is 1,167 units out of the total 1,993 RHNA allocation.

Stated another way, the 2040 GP will develop 1,465 (3,429-1,964) incremental units over the adjusted Alternative Land Use C. Of these, only 440 units will be BMP units and the remaining 1,025 units will be MP. How is this consistent with the overall goal of developing affordable housing as mandated by ABAG and the State? This plan appears to strongly favor the development of MP housing over affordable housing, something developers will certainly cheer.

Can you please confirm that the assumptions regarding BMP are consistent with the supporting documents? You may want to confirm with the TC that my analysis is correct.

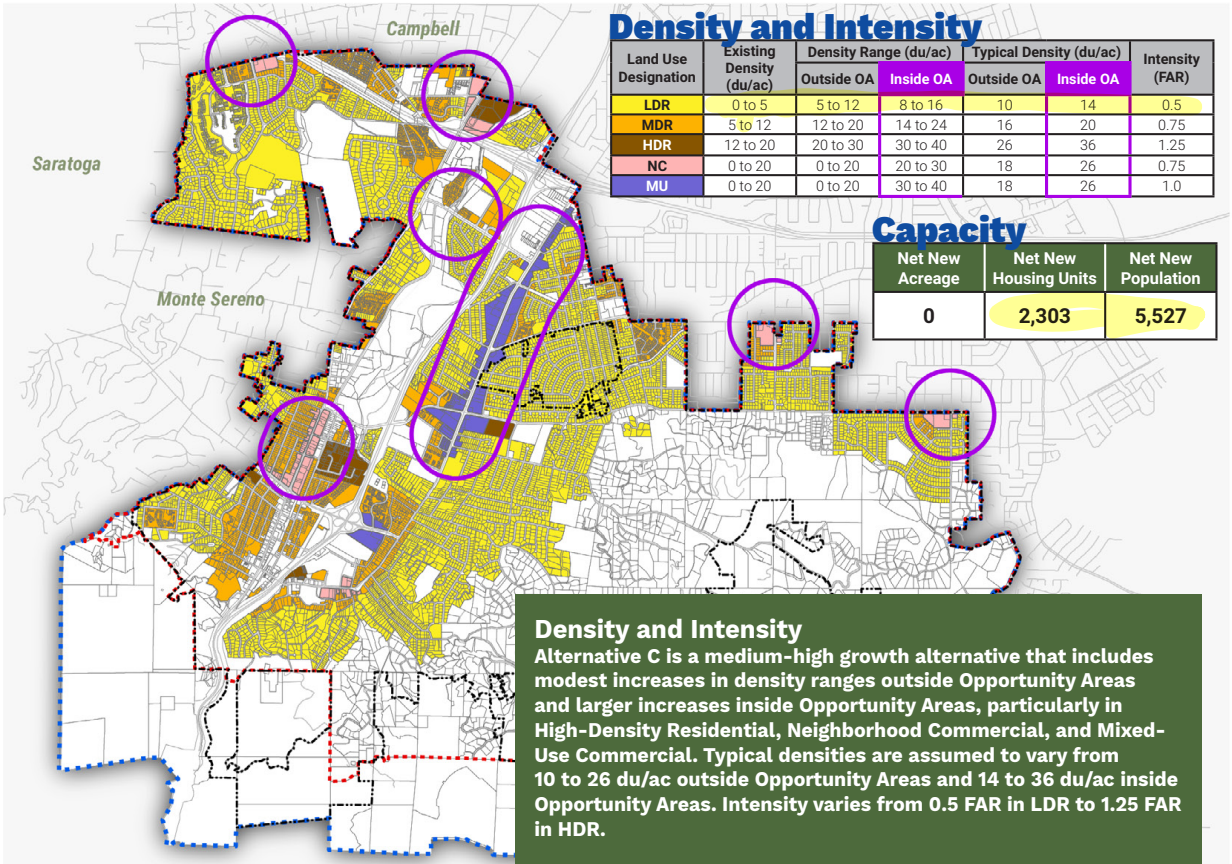
Thank you.

Phil Koen

LGCA

# C

## Alternative C: Medium-High Growth




## Density and Intensity

| Land Use Designation | Existing Density (du/ac) | Density Range (du/ac) | | Typical Density (du/ac) | | Intensity (FAR) |
|---|---|---|---|---|---|---|
| | | Outside OA | Inside OA | Outside OA | Inside OA | |
| LDR | 0 to 5 | 5 to 12 | 8 to 16 | 10 | 14 | 0.5 |
| MDR | 5 to 12 | 12 to 20 | 14 to 24 | 16 | 20 | 0.75 |
| HDR | 12 to 20 | 20 to 30 | 30 to 40 | 26 | 36 | 1.25 |
| NC | 0 to 20 | 0 to 20 | 20 to 30 | 18 | 26 | 0.75 |
| MU | 0 to 20 | 0 to 20 | 30 to 40 | 18 | 26 | 1.0 |

## Capacity

| Net New Acreage | Net New Housing Units | Net New Population |
|---|---|---|
| 0 | 2,303 | 5,527 |

**2020 General Plan Land Use Designation**

- Low-Density Residential (LDR)
- Medium-Density Residential (MDR)
- High-Density Residential (HDR)
- Neighborhood Commercial (NC)
- Mixed-Use Commercial (MU)

- Town of Los Gatos
- Urban Service Area
- Planning Area/Sphere of Influence
- Opportunity Area (OA)

N

0 0.25 0.5 0.75 Miles

### Density and Intensity

**Alternative C is a medium-high growth alternative that includes modest increases in density ranges outside Opportunity Areas and larger increases inside Opportunity Areas, particularly in High-Density Residential, Neighborhood Commercial, and Mixed-Use Commercial. Typical densities are assumed to vary from 10 to 26 du/ac outside Opportunity Areas and 14 to 36 du/ac inside Opportunity Areas. Intensity varies from 0.5 FAR in LDR to 1.25 FAR in HDR.**

### Redevelopment

**Under Alternative C, redevelopment is projected to be between five and 15 percent outside Opportunity Areas and 10 and 20 percent inside Opportunity Areas.**

### Capacity

**At build-out of this Alternative, the Town could accommodate an additional 2,303 housing units and 5,527 residents.**

## Redevelopment

| Land Use Designation | Redevelopment Percent | |
|---|---|---|
| | Outside OA | Inside OA |
| LDR | 5% | 10% |
| MDR | 10% | 10% |
| HDR | 15% | 15% |
| NC | 10% | 15% |
| | 10% | 20% |

DATE: September 16, 2021

TO: Mayor, Town Council, and Planning Commission

FROM: Laurel Prevetti, Town Manager

SUBJECT: Joint Town Council and Planning Commission Study Session regarding the Draft 2040 General Plan

RECOMMENDATION:

Discuss the Draft 2040 General Plan.

BACKGROUND:

On February 6, 2018, Town Council began the process of updating the 2020 General Plan with a discussion of the scope and process for the General Plan update. At that meeting, the Town Council indicated that the General Plan is serving the community well, and an update provides the opportunity to refine the General Plan, address emerging trends and recent State laws, and consider new issues.

Over the following three and a half years, the General Plan update process has included multiple community engagement opportunities, meetings with the Planning Commission and Town Council, and the following key milestones:

- On April 17, 2018, the Town Council established the General Plan Update Advisory Committee (GPAC) and identified initial guiding principles to support their work.
- On July 9, 2018, after approval by the Town Council, the Town Manager executed an agreement with Mintier Harnish Planning consultants for preparation of the General Plan update and Draft Environmental Impact Report (EIR).
- On October 30, 2018, the GPAC held its first meeting.
- On March 15, 2019, the Background Report (available online here: http://losgatos2040.com/documents.html) was released.
- On June 20, 2019, the GPAC reviewed the Issues, Opportunities, and Constraints Report (available online here: http://losgatos2040.com/documents.html).

PREPARED BY: Jennifer Armer, AICP
Interim Planning Manager

Reviewed by: Town Manager, Assistant Town Manager, Town Attorney, and Finance Director

BACKGROUND (continued):

- On August 20, 2019, the Town Council adopted the General Plan Vision and Guiding Principles (available online here: http://losgatos2040.com/documents.html).
- In December 2019, the Land Use Alternatives Report (available online here: http://losgatos2040.com/documents.html) was released.
- On March 3, 2020, the GPAC started review and discussion of the initial drafts of individual elements of the General Plan.
- On April 7, 2020, the Town Council approved the Preferred Land Use Alternatives Framework (available online here: http://losgatos2040.com/documents.html).
- On May 6, 2021, the GPAC recommended approval of the Draft 2040 General Plan (available online here: http://losgatos2040.com/documents.html).
- On June 18, 2021, the Draft 2040 General Plan was released for public review.
- On July 31, 2021, the Draft EIR (available online here: http://losgatos2040.com/documents.html) was released for public review. The public comment period ended on September 13, 2021.

Over the course of two and a half years and 35 meetings, the GPAC has worked with staff and the consultant to create an updated General Plan. The GPAC reviewed each General Plan Element to ensure a forward-looking document that is consistent and accessible. Each Element was considered over multiple meetings (between two and five GPAC meetings per Element) with the GPAC providing comments to staff and the consultant, and then further review and direction on the implementation of those comments in a revised draft of each Element. The Draft 2040 General Plan (Attachment 1, previously provided) is the result of this extensive work and outreach.

Additional outreach activities conducted throughout the process have included social media posts, online engagement activities, newsletters, two in-person community workshops, numerous in-person and online community meetings, informational booths at the farmers market, the library, Spring into Green, and Music in the Park.

DISCUSSION:

The joint study session is intended for a discussion by the Town Council and Planning Commission before the formal hearings for consideration, recommendation, and final decision on the 2040 General Plan and EIR.

A. GPAC Recommendation

After the thorough work described above, on May 6, 2021, the GPAC recommended approval of the Draft 2040 General Plan. The discussion at this meeting also included a recommendation for some modifications to the Vision and Guiding Principles to better

DISCUSSION (continued):

reflect the direction developed over the previous years' work. These changes are shown in Attachment 2 and summarized here:

- Revise the Vision for added clarity and add a sentence about racial, social, and environmental justice;
- Delete "downtown" from the Community Vitality Guiding Principle so that it applies throughout Town;
- Add a new Guiding Principle titled "Connectivity" to state the importance of connecting all facets of the Town to build a strong sense of community through building design, walkability, and safe streets;
- Delete "the Town's" from the Fiscal Stability/Responsibility Guiding Principles; and
- Replace the word "Recognize" with the word "Value" in the Inclusivity Guiding Principle.

B. Summary of Proposed Changes

Through the General Plan update process, the GPAC has refined the goals of the update based on direction from Town Council at the start and at key points throughout the process. The initial direction from Town Council was that the 2020 General Plan was serving the Town well, and this update provides the opportunity for the Town to refine the General Plan, address emerging trends and recent State laws, and consider new issues. The work that was done to fulfill this direction and provide opportunities for the approximately 2,000 residential units that were expected to be required by Regional Housing Needs Allocation (RHNA), and the need for inclusivity that came to the forefront in 2020, lead to updates within every Element of the General Plan. The most substantial changes are:

- A new Racial, Social and Environmental Justice Element;
- Increased housing opportunities for mixed-use developments in commercial areas and missing middle housing in neighborhoods with design requirements;
- New Community Commercial land use designation;
- New Community Place Districts to provide more objective design standards and focus on community form for all development;
- Shift in focus of transportation policies to street design, connectivity, and mobility for all users (bicycles, pedestrians, vehicles, etc.) to reduce Vehicle Miles Traveled;
- New goals in the Environment and Sustainability Element; and
- Expanded policies to prepare for wildfire, climate change, and community health threats.

The increased housing opportunities are provided through changes in the maximum allowed densities and heights. The increases to the maximum allowed residential density are seen in most areas, excluding the hillsides, with a focus on the commercial, mixed-use,

DISCUSSION (continued):

and medium/high density residential designations. This coincides with the location of the Community Place Districts, where the Plan also includes new design standards. The next section discusses the housing numbers in greater detail. The following table depicts the changes in density and height for all land use designations:

| | Density Range (du/ac) | | Maximum Height | |
|---|---|---|---|---|
| Land Use Designations | Existing General Plan | Draft General Plan | Existing General Plan | Draft General Plan |
| Hillside Residential | 0 to 1 | 0 to 1 | 30 | 25 |
| Low Density Residential | 0 to 5 | 1 to 12 | 30 | 30 |
| Medium Density Residential | 5 to 12 | 14 to 24 | 30 | 35 |
| High Density Residential | 12 to 20 | 30 to 40 | 30 | 45 |
| Mixed-Use | NA | 30 to 40 | 35 | 45 |
| Neighborhood Commercial | NA | 10 to 20 | 35 | 35 |
| Community Commercial | NA | 20 to 30 | 35 | 45 |
| Central Business District | NA | 20 to 30 | 45 | 45 |
| Office Professional | NA | 30 to 40 | 35 | 35 |
| Service Commercial | NA | 20 to 30 | 35 | 35 |
| Light Industrial | NA | None | 35 | 35 |
| Public | NA | None | NA | 35 |
| Open Space | NA | None | NA | 30 |
| Agriculture | NA | 0 to 1 | NA | 30 |
| Albright Specific Plan | See Specific Plan | No Change | See Specific Plan | No Change |
| North Forty Specific Plan | See Specific Plan | No Change | See Specific Plan | No Change |

C. Housing Units

As described above, the modifications included in the Draft 2040 General Plan include increases to the maximum allowed residential density in most areas, excluding the hillsides, and with a focus on the commercial, mixed-use, and medium/high density residential designations. Throughout the process there has been an understanding that the updated General Plan would need to have sufficient capacity to allow, at a minimum, the Housing Element update to provide at least 2,000 dwelling units through vacant parcels, redevelopment capacity, and new programs. While the Housing Element update is conducted in a separate process from the General Plan update, and on an 8-year cycle rather than the General Plan's 20-year cycle, the regulations and policies in the General Plan

DISCUSSION (continued):

need to be consistent with the changes that will be needed to complete the Housing Element to accommodate the Town's RHNA.

The Town anticipated a high RHNA number of approximately 2,000 units for the next Housing Element cycle and the Town Council approved a Preferred Land Use Alternative Framework to accommodate the RHNA for the next Housing Element cycle. The following list lays out how the housing numbers evolved through the General Plan update process:

- Land Use Alternative C in the Land Use Alternatives Report (available online here: http://losgatos2040.com/documents.html): **2,303** housing units including Accessory Dwelling Units (ADUs).
- GPAC Recommended Preferred Alternative: **2,464** housing units including ADUs and downtown.
- Town Council adopted Preferred Land Use Alternative Framework: **2,464** housing units including ADUs and downtown.
- Staff and the consultant developed an implementation of the Framework: **2,950** housing units. This approximately 400-unit increase is primarily a result of an increase in the assumed typical density for the Mixed-Use Designation (previously 26 dwelling units per acre, currently proposed 36 dwelling units per acre), and inclusion of a new Community Commercial land use designation so that Neighborhood Commercial designated shopping centers like Pollard and Harwood could remain at a lower height and density.
- GPAC added 313 housing units to Office Professional and Service Commercial: **3,263** housing units.
- With the 475 existing/previously approved projects included: **3,738** housing units as shown in the General Plan Buildout table in the Draft 2040 General Plan.

Staff has prepared the following table to present the information from the General Plan Buildout Table (Table 3-1 in the Land Use Element of the Draft 2040 General Plan) along with comparable information from the existing 2020 General Plan. Please note that Table 3-1 in the Draft 2040 General Plan represented changes to density and did not include the Hillside Residential units on vacant land. The table below includes those units and staff will be working with the consultants to clarify this in the Draft 2040 General Plan.

DISCUSSION (continued):

| Land Use Designation | Density Range (du/ac) | | Typical Density (du/ac) | | Assumed Redevelop-ment (Redev) | Existing General Plan | | Draft General Plan | |
|---|---|---|---|---|---|---|---|---|---|
| | Existing General Plan | Draft General Plan | Existing General Plan | Draft General Plan | | New Housing (Vacant Land) | New Housing (Redev) | New Housing (Vacant Land) | New Housing (Redev) |
| Hillside Residential | 0 to 1 | 0 to 1 | 1 | 1 | 0% | 116 | - | 166 | - |
| Low Density Residential | 0 to 5 | 1 to 12 | 4 | 12 | 5% | 75 | 13 | 283 | 84 |
| Medium Density Residential | 5 to 12 | 14 to 24 | 10 | 20 | 10% | 107 | 133 | 224 | 343 |
| High Density Residential | 12 to 20 | 30 to 40 | 18 | 36 | 15% | 53 | 111 | 110 | 268 |
| Neighborhood Commercial | 10 to 20 | 10 to 20 | 16 | 18 | 10% | 11 | 39 | 26 | 91 |
| Community Commercial | 0 | 20 to 30 | 0 | 26 | 15% | - | | - | 156 |
| Mixed-Use | 10 to 20 | 30 to 40 | 16 | 36 | 20% | 55 | 242 | 126 | 605 |
| Central Business District | 10 to 20 | 20 to 30 | 16 | 26 | 15% | 12 | 46 | 21 | 113 |
| Office Professional | 0 | 30 to 40 | 0 | 36 | 15% | - | | 4 | 255 |
| Service Commercial | 0 | 20 to 30 | 0 | 26 | 15% | - | | 10 | 44 |
| Subtotal | | | | | | 429 | 584 | 970 | 1,959 |
| Housing Units, New and Redeveloped | | | | | | | 1,013 | | 2,929 |
| Housing Units, ADUs | | | | | | | 500 | | 500 |
| Subtotal | | | | | | | 1,513 | | 3,429 |
| Housing Units, Existing Projects | | | | | | | 475 | | 475 |
| TOTAL | | | | | | | 1,988 | | 3,904 |

DISCUSSION (continued):

The State is requiring jurisdictions to plan for housing and the GPAC, Planning Commission, and Town Council have chosen to do so on our terms through Goals and Policies in the Community Design Element of the General Plan. Additionally, the Town has begun an effort to create Objective Standards to provide additional requirements for new development to address the character of the Town. Planning for these State mandates provides the Town more control than if the General Plan did not to plan for them. However, as can be seen in the Housing Element Annual Progress Report (Attachment 3), the planned housing units do not always get built. A table showing the full RHNA allocation for all jurisdictions within Santa Clara County is available as Attachment 4.

Many jurisdictions have appealed their RHNA allocations. The Town did not choose to file an appeal. Appeals are nearly always unsuccessful absent unique extenuating circumstances. For example, the Southern California Association of Governments (SCAG) is on a slightly different Housing Element cycle than the Bay Area and they have already concluded their appeals process which resulted in two jurisdictions receiving reductions in their RHNA of the 47 jurisdictions that filed appeals. Appeals also often provide false hope to residents that there will be a significant reduction in their RHNA as evidenced by the SCAG appeal process.

D. Public Outreach

As described in the background section of this report, in addition to the 35 public meetings held by the GPAC, the General Plan update process also included extensive public outreach. Since the GPAC's final meeting on May 6, 2021, the Town has received public comments on the Draft 2040 General Plan, which are included as Attachment 5. Many of the public comments include concerns about the potential impact of the new housing that would be allowed under the Draft 2040 General Plan. As described under Environmental Assessment Section below, the Draft EIR has been prepared and includes analysis of many of the subjects of concern mentioned in the public comments including utilities, wildfires, and transportation.

COORDINATION:

This report has been coordinated with the Town Manager's Office and Town Attorney's Office.

ENVIRONMENTAL ASSESSMENT:

A Draft Environmental Impact Report (EIR) analyzed the Draft 2040 General Plan as required under State law. The Draft EIR evaluated a wide range of topics as listed on the next page.

ENVIRONMENTAL ASSESSMENT (continued):

- Aesthetics;
- Agriculture and Forest Resources;
- Air Quality;
- Biological Resources;
- Cultural and Tribal Cultural Resources;
- Energy;
- Geology and Soils;
- Greenhouse Gas Emissions;
- Hazards and Hazardous Materials;
- Hydrology and Water Quality;
- Land Use and Planning;
- Noise;
- Population and Housing;
- Public Services and Recreation;
- Transportation;
- Utilities and Service Systems; and
- Wildfire.

The Draft EIR found that the Draft 2040 General Plan would have the potential to cause significant and unavoidable impacts with Greenhouse Gas Emissions and Transportation. For a community without high quality public transit, it is common for there to be significant unavoidable impacts in the areas of Greenhouse Gas Emissions and Transportation. The Draft EIR does show that while these emissions and vehicle miles traveled (VMT) would increase under the proposed Plan, the focus on infill development helps reduce the per person emission and VMT.

The public, government agencies, and other organizations were given 45 days to comment on the environmental document. A Final EIR is currently being prepared with responses to comments received on the Draft EIR.

CONCLUSION:

The GPAC recommended Draft 2040 General Plan includes changes and updates, including increases in housing capacity to meet State requirements. To ensure that this is accomplished, there are multiple factors beyond the 1,993 housing units required by RHNA. These factors include a State Housing and Community Development Department (HCD) recommendation for an additional 20 to 30 percent buffer in the number of housing units. It is also a best practice that a General Plan should have capacity for multiple different methods for meeting the Town's RHNA in recognition of the fact that HCD may not certify a Housing Element if it disagrees with the assumptions, housing sites, or programs. A certified Housing Element is essential for the

CONCLUSION (continued):

Town to receive State infrastructure dollars. The GPAC completed its work on the Draft 2040 General Plan by listening to the community and Town Council and by identifying goals, policies, and action items to protect the special character of Los Gatos, meet emerging needs, and plan proactively for State requirements.

Staff looks forward to additional public input and the Town Council and Planning Commission discussion regarding the Draft 2040 General Plan.

NEXT STEPS:

The next steps in the General Plan update process include:

- Community Meeting via teleconference at 6:00 p.m. on Wednesday, October 6, 2021.
- Planning Commission review and recommendation on the Draft 2040 General Plan and Final EIR, pending completion of the responses to the EIR comments.
- Town Council consideration of the Draft 2040 General Plan and Final EIR.

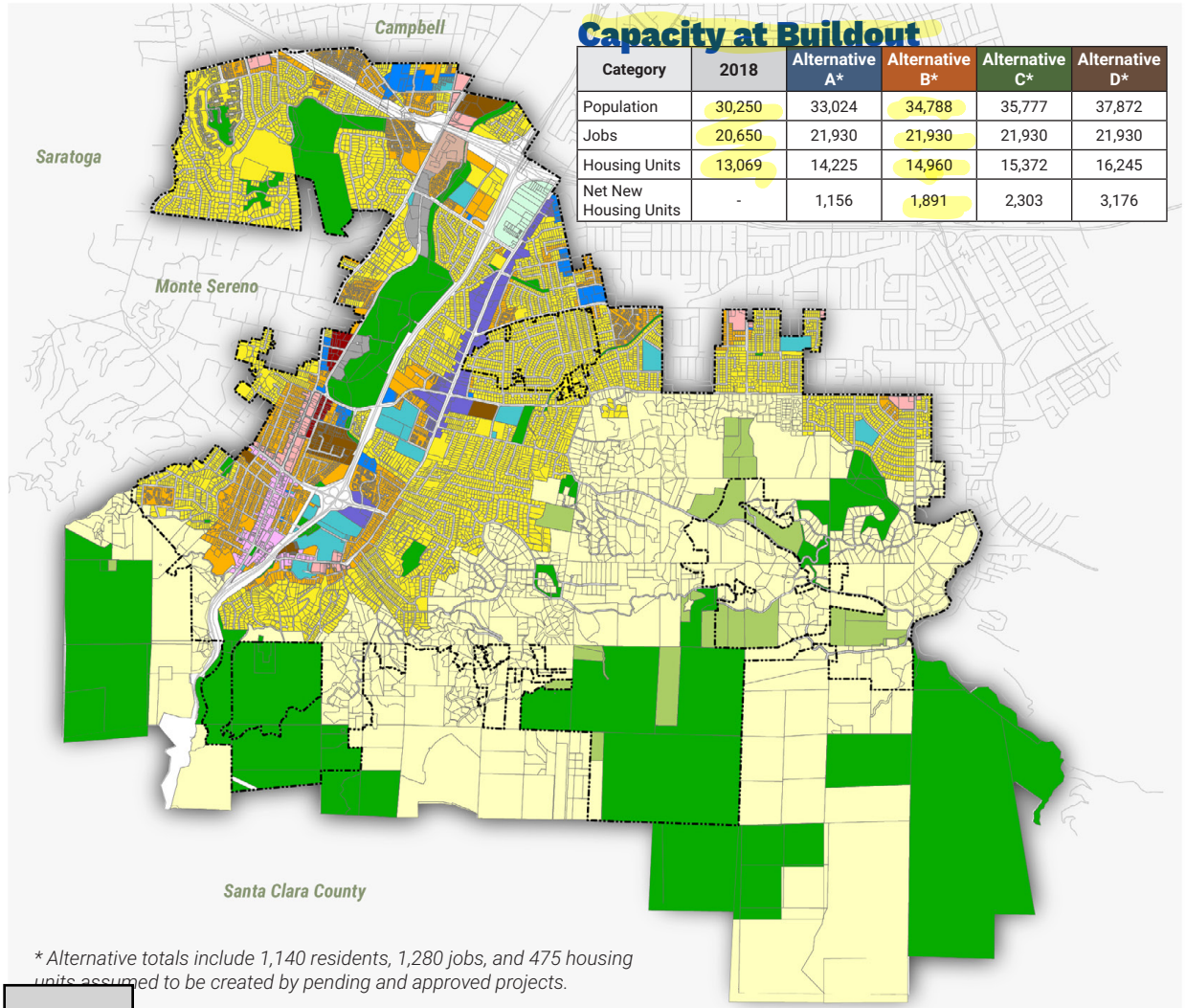
ATTACHMENTS:

Attachments previously provided:
1. Draft 2040 General Plan (available online here: http://losgatos2040.com/documents.html)

Attachments received with this report:
2. GPAC Recommended Changes to the Vision and Guiding Principles
3. Housing Element Annual Progress Report
4. Santa Clara County RHNA Allocations
5. Public Comments received by 11:00 a.m. on September 16, 2021

## Capacity at Buildout

| Category | 2018 | Alternative A* | Alternative B* | Alternative C* | Alternative D* |
|---|---|---|---|---|---|
| Population | 30,250 | 33,024 | 34,788 | 35,777 | 37,872 |
| Jobs | 20,650 | 21,930 | 21,930 | 21,930 | 21,930 |
| Housing Units | 13,069 | 14,225 | 14,960 | 15,372 | 16,245 |
| Net New Housing Units | - | 1,156 | 1,891 | 2,303 | 3,176 |




TOWN OF LOS GATOS
GENERAL PLAN 2040

**Figure 4-1: Capacity at Buildout by Alternative**

** Alternative totals include 1,140 residents, 1,280 jobs, and 475 housing units assumed to be created by pending and approved projects.*

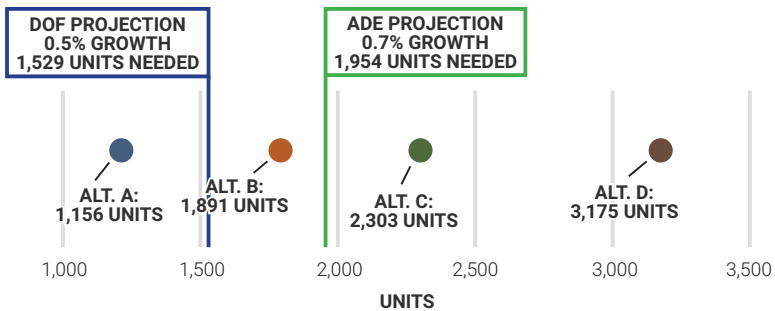
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# Housing Units

According to DOF, Los Gatos had a total inventory of about 13,300 housing units in 2018, which represented an increase of less than 300 housing units (0.2 percent CAGR) since 2010. The four land use alternatives project between about 1,200 (Alternative A) and 3,200 (Alternative D) additional housing units, with the projected growth rates ranging from 0.4 to 1.0 percent annually.

The General Plan land use alternatives would produce between 1,156 and 3,175 units. Out of all four land use alternatives, only Alternative B (Medium Growth) falls within the projected demand range with 1,891 units (Figure 5-2).

**Figure 5-2: Market Demand Projections**




# Housing Affordability

The mix of housing units in the land use alternatives affects the overall affordability of housing. As discussed in the market demand section (page 6), multi-family units are typically more affordable than single-family units.

Market rate prices and rents are currently unaffordable to many households in Los Gatos and throughout the Bay Area. The Town has established a program to require Below Market Price (BMP) units to be included in housing projects with more than five units in order to increase the supply of affordable units in Los Gatos. The requirement for BMP units ranges from 10 percent for small housing projects and up to 20 percent for larger housing projects. The housing units must be provided at two affordable income levels: Moderate Income, which is 80 to 100 percent of the median income, and Low Income, which is 50 to 80 percent of median income. For 2019, the household income levels that meet these thresholds are shown in Table 5-2.

In the land use alternatives analysis, the average household size is assumed to be 2.4 persons. At the three-person household level, the estimated allowable housing sales prices would be approximately $390,000 for those meeting the Low-Income eligibility requirements and BMP rent would be approximately $2,300 per month. At the Moderate-Income level for a three-person household, the allowable housing sales price would be approximately $500,000. For comparison, the median sales price for [illegible] Los Gatos this past year exceeded $1.7 million.

**Table 5-2: Income Thresholds**

| Household Size | Low-Income Limit at (80% AMI) | Median-Income Limit at (100% AMI) |
|---|---|---|
| 1 person | Not eligible | Not eligible |
| 2 people | $75,600 | $100,150 |
| 3 people | $85,050 | $112,700 |
| 4 people | $94,450 | $125,200 |
| 5 people | $102,050 | $135,200 |
| 6 people | $109,600 | $145,250 |
| 7 people | $117,150 | $155,250 |

Table 5-2 shows the number of single-family and multi-family housing units in each alternative and the estimated number of BMP units that may be provided using the Town's BMP requirements. The land use projections for the land use alternatives are not detailed enough to know precisely how many projects of five or more units may be subject to the BMP ordinance. However, for purposes of this analysis, it is assumed that all housing units developed at a density of 16 DU/AC or greater would be in projects large enough to be subject to providing BMPs. This would include most Medium-Density Residential (MDR) units which may be either single-family or multi-family housing units, but generally not Low Density single-family housing units. Furthermore, the analysis assumes the average percentage of BMP units would be 15 percent, which is the mid-point between the high and the low requirements depending on project size. On this basis, Alternative D provides not only the highest number of BMP units but also the highest percentage of BMP units. Alternative B provides the lowest percentage, but the difference is not large between the first three alternatives as shown in Table 5-3.

### Table 5-3: Comparison of Housing Units Type per Alternative

| Residential Units | Alt. A | Alt. B | Alt. C | Alt. D |
|---|---|---|---|---|
| Total | 1,156 | 1,891 | 2,303 | 3,175 |
| Single Family | 391 | 328 | 371 | 550 |
| Multi-family | 765 | 1,563 | 1,932 | 2,625 |
| BMP Units | 149 | 238 | 293 | 464 |
| Percent of Total | 12.9% | 12.6% | 12.7% | 14.6% |

## Jobs

All four land use alternatives assume no additional jobs beyond those created within the pending and approved development projects currently in the pipeline (see Section 2).

*The Town has several other land use designations (i.e., Office Professional, Central Business District, Light Industrial, Public, Service Commercial, etc.) that have the potential for additional employment capacity. These additional land use designations will be analyzed for additional employment as part of the Environmental Impact Report after the selection of a Preferred Land Use Alternative.*

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**From:** karen
**Sent:** Monday, December 6, 2021 3:27 PM
**To:** Jennifer Armer; Council
**Cc:** 'Lisa Wade' <lisawade444@gmail.com>
**Subject:** Education about Plant-Based Diets

Hello Jennifer and Town Council,

Thank you so much for your hard work on getting the General Plan done. I appreciate the professional way you've handled collaboration and input from the community!

As a Los Gatos resident of 36 years and **member of Plant-Based Advocates**, I'd like to ask you once again to **include our Plant-Based Education Program in the 2040 General Plan** so we can work together to provide education about the environmental benefits of eating more plants. Specifically, we are asking for:

- A dedicated Plant-Based Education Implementation Program added to Section 8 Environmental and Sustainability Element of the General Plan. This could go into Section 8.12.
- This program could include things like cooking classes, speaker series, a Vegfest, film screenings, etc.
- Our group has already been working together for two years (funded solely by our members) to accomplish actions such as meal outreach to homeless people, cooking classes, outreach to restaurants, and more. So we already have much of the work done, and we're ready to hit the ground running!

It's absolutely essential that the human race work together to start abating greenhouse gas emissions. According to the United Nations, if meat consumption continues on its current trajectory, we cannot limit global warming to 2°C, the level necessary to avoid the potential collapse of human society.

Oxford University study published in Science says, "A vegan diet is probably the single biggest way to reduce your impact on planet Earth, It is far bigger than cutting down on your flights or buying an electric car.
https://science.sciencemag.org/content/360/6392/987

Together, we can change the trajectory we are on and ensure a habitable planet for our children. Thank you for your leadership and consideration!

Plan can be found here:
https://docs.google.com/document/d/1plEi8kQh1DIjSv79RfgqeK4Bb50cUZ-qK9qY0dZj_jY/edit

Best,
Karen Rubio
Plant-Based Advocates
CFO

Plant-Based Advocates
LOS GATOS

**From:** Sue Shoff
**Sent:** Tuesday, December 7, 2021 9:33 AM
**To:** Jennifer Armer
**Subject:** Plant-Based Education Implementation Program

Dear Ms. Jarmer,

I am a Los Gatos resident and have lived in Los Gatos for over 30 years. I am writing in support of the proposal that a dedicated Plant-Based Education Implementation Program be added to Section 8 Environmental and Sustainability Element of the General Plan. Specifically, I would like such a program to be added to Section 8.12. This program could include things like cooking classes, speaker series, a Vegfest, film screenings, etc.
While there are many health and environmental benefits to a plant based diet, the overriding issue is that according to the United Nations, if meat consumption continues on its current trajectory, global warming will exceed the level necessary to avoid the potential collapse of human society.
Thank you for your consideration of this request.
Please forward this email to the town Council.
Sincerely,
Susan Shoff

**From:** vacarpio
**Sent:** Tuesday, December 7, 2021 7:00 PM
**To:** Jennifer Armer
**Subject:** Please add a dedicated plant based education to the General Plan.

Dear Jennifer,

I have lived in Los Gatos since 1974 and have always taken an interest in the future of our great small town. One of the most important signals of our future is climate change, which does not purport well for the kind of future I want for Los Gatos.

A plant based education program added to the General Plan, specifically to Section 8.12, would promote nutrition, speakers, and classes to educate the citizenry of how to depend less on meat in our diets and more on minimal to zero methane gas sources, i.e., plants.

Thank you and may I request that you cc my message to each member of the Town Council?

Sincerely,

Virginia Carpio

**From:** Sutton Roley/USA
**Sent:** Tuesday, December 7, 2021 9:50 PM
**To:** GP2040
**Subject:** 2040 General Plan Housing Elements

Town Council,

As a concerned citizen of the Town, I am against the 3,904 affordable units. 1,993 are more than enough as a goal. I would like to know what the definition of affordable is when a single room studio ADU in my neighborhood rents for $2,000 per month? With land and construction costs so high today, it seems very unlikely that true affordable housing ca be built and delivered in our town. SB9 should be included in the number of units. The General Plan needs to be a plan with designated geographic areas close to services and public transportation. The Plan needs to identify how utilities like water will be delivered and how our schools will accommodate additional students. Only once additional infrastructure has been completed should these units be approved. The EIR should examine traffic and air quality. This General Plan should provide for additional affordable housing units gradually and organically to maintain our small town character. That is the reason many of us choose to live here.

There is so much to be accomplished, the idea of doubling our affordable housing units is irresponsible.

Thank you,

**Sutton L. Roley**

**Senior Director**

**CA License 00793235**

CUSHMAN & WAKEFIELD

**300 Santana Row, Fifth Floor**

**San Jose, CA 95128 | USA**

**cushmanwakefield.com**

SIOR | NORTHERN CALIFORNIA CHAPTER

**From:** Anne Roley
**Sent:** Tuesday, December 7, 2021 10:54 PM
**To:** GP2040
**Subject:** RE: Comments on the 2040 General Plan

Please include my comments regarding the 2040 general plan.

Thank you,

Anne Roley

Los Gatos, CA 95032

12/8/2021

RE: Comments on the 2040 General Plan

The discussion on whether to increase the number of homes over the state required number of 1993 homes in the 2040 General Plan is perplexing and debatable. I would like my kids as well as workers, who support our infrastructure like teachers and town staff to be able to afford to live in Los Gatos. I also wish there was more diversity. But before we start deciding to increase housing numbers - let's talk about what affordable means and ask some developers how realistic it is to build housing that is "affordable" for people who support our infrastructure. Land is very expensive in Los Gatos, construction costs have gone up in price as well as many other living expenses. What's the goal by increasing our housing numbers past the 1993 state required number? Is the goal to provide Affordable housing? What's does "affordable" mean - what is realistic? You can't find a home for under a million dollars and rents are over $2,000 a month. What do developers say about developing affordable housing in LG? What does the most affordable housing look like? Where will you put the high density housing? What is the plan? Also, many residents moved to Los Gatos for its small town character, low density, quiet neighborhoods, and safe schools. How will you take the needs of those residents into consideration when making a decision? How will you alleviate the concerns of increased traffic, crowded schools, less safety, and more stress that comes with an increase in density? Do we have the resources and infrastructure in place to accommodate housing over the 1993 homes required by the state. I feel it is irresponsible to increase the number of homes over the 1993 required by the state before we have a clear plan and answer the above questions.

Warmly,
Anne Roley
[redacted]
Los Gatos, CA 95032

**From:** Pam Bond
**Sent:** Wednesday, December 8, 2021 4:12 PM
**To:** Planning Comment
**Subject:** verbal communications - non agenda item

Dear Planning Commissioners,

I don't think my comment fits with the EIR review for the General Plan but it is in reference to page 6-34 of the General Plan related to artificial turf. I would like to implore you to consider moving artificial turf up in the discussion to the soonest possible time frame in the plan.

A group of concerned parents have been gathering evidence which we have been sending to LGUSD district staff and board cautioning against the use of artificial turf. LGUSD staff have recommended that artificial turf be installed in three elementary school courtyards (Van Meter, Daves and Blossom Hill) as well as a kindergarten yard (at Daves elementary) - decision to be made Dec. 14. The board will also decide whether Van Meter and Daves' fields will be converted to artificial turf, a decision to be made in the Spring. The courtyards will be installed this summer and the fields will be installed over the following two summers.

We first became concerned when we saw Valley Water's recommendation against the use of artificial turf ( see attached pdf). This led us to organizations who have been fighting the installation of turf all over the country. We also learned about Millbrae's recent moratorium on installations in their city until more can be learned. There are so many issues with this material and so many unknown and known human and environmental concerns that it does not seem prudent to allow unrestricted use of this material in our town, particularly with our proximity to an important waterway or two.

I am particularly worried about Creekside Sports Park which has crumb rubber. Two studies, by the EPA and by CalEPA's Office of Environmental Health Hazard Assessment are looking into toxicity and other concerns related to crumb rubber fields. It has already been shown that one chemical found in tire crumb is responsible for massive Coho Salmon decline in Puget Sound which doesn't bode well for the salmon in Los Gatos Creek. I read the MND for Creekside from 9 or 10 years ago and it looks like it was seriously lacking in runoff mitigation and concerns about tire and plastic blades getting into the environment and the creek.

I wanted to just send a message to get this on your radar if it isn't already. I would like to share more if there is an avenue to do so. We also have many expert letters and other information in a website that we cobbled together for the purposes of compiling what we've learned or what has been shared with us about artificial turf. www.questionfakegrass.org

I want to share with you this article linked below that has some big news in the artificial turf debate related to the presence of PFAS chemicals in the plastic blades and a great example of industry efforts at denial. Various experts including Dr. Graham Peaslee and The Ecology Center have tested artificial turf for the presence of PFAS chemicals using a testing method that has not been employed by the turf industry or its experts (like Dr. Green highlighted in the article for her false reporting and lies). The PFAS experts have found PFAS but the industry denied its presence, then admitted recently to a PFAS chemical called PVDF which they asserted to be inert. This article describes much more but reveals that Kristen Mello discovered a research paper wherein PVDF was shown to break apart in sunlight from its inert form into PFAS chemicals that are available to the environment and can wash off into our water supply.

https://www.eenews.net/articles/epa-linked-consultant-undercuts-agencys-pfas-concerns/

This alone should be a huge cause for concern. We have video testimony from Dr. Peaslee, Dr. Bennett and Kristen Mello on our website.

There is so much I could share but what I'd like to mention is that UCSF's Pediatric Children's Health Department echoes concerns of Mt. Sinai Children's Environmental Health in saying that they do not recommend the use of artificial turf and they cannot say that it is safe, particularly for schools and children. The long term health effects are unknown and testing of the materials is imperfect. A recent report shows that there there is huge cause for concern related to the use of plastic. *"There are thousands more chemicals in plastic than we thought"* (link ot research paper in this article) https://www.fastcompany.com/90649480/there-are-thousands-more-toxic-chemicals-in-plastic-than-we-thought

Thank you for considering and if you have time, we have a lot of information compiled on our website.

Sincerely,

Pam Bond

Los Gatos, CA

Louise Van Meter Elementary Parent

Girl Scout Leader

Home and School Club garden program lead

Water Conservation Fact Sheet

# Artificial Turf

Santa Clara Valley Water District

Through the Landscape Rebate Program, the Santa Clara Valley Water District is helping to promote water conservation while at the same time encouraging the installation of healthy, sustainable landscapes that will enhance our local environment. The district is not only responsible for safe, clean drinking water, we are also stewards of our entire watershed and have designed our program to go beyond simply saving water.

While artificial turf requires less water than a natural turf lawn, there are healthier and more ecologically sound alternatives that we would like to promote with our Landscape Rebate Program. For the following reasons, artificial turf is not included in our Landscape Rebate Program.

## Artificial turf is not a living landscape and does not:

- Increase biodiversity of plant, animal and insect populations;
- Provide habitat for local fauna;
- Foster healthy soils (healthy soils increase moisture holding capacity, support healthy microbes and insects, filter pollutants and improve water quality);
- Cool surrounding air temperatures (artificial turf can get significantly hotter than surrounding air temperatures, contributing to the heat island effect by increasing air temperatures in urban settings);
- Sequester carbon or produce oxygen like living plant material can.

## Artificial turf is not water free

- For sanitation purposes, water is needed to periodically clean the turf. Chemicals may also be needed occasionally.
- Because artificial turf can get very hot in direct sunlight, water is sometimes needed to cool the turf before it can be used comfortably.



***An example of a front yard lawn conversion that reduces water use while also creating a sustainable landscape.***

## Artificial turf has potential environmental concerns

- Runoff from artificial turf may contain pollutants like heavy metals and chemicals that can reach surface water or groundwater. Results may vary for different artificial turf products, but more scientific research is needed (See report from Environmental and Human Health, Inc: **http://www.ehhi.org/reports/turf/** and the district's report on artificial turf fields at: **http://valleywater.org/Programs/conservationannualreports.aspx**).
- Artificial turf is a synthetic material with a relatively short lifespan ranging from 10-20 years that may eventually end up in landfills.

Fortunately, the Landscape Rebate Program allows many beautiful, low water using options that result in more sustainable and beneficial landscapes. For additional information about the Landscape Rebate Program or our extensive Qualifying Plant List, please call the Water Conservation Hotline at **408-630-2554** or visit **www.valleywater.org**.












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# PFAS polymers pose serious health and environmental threats

Per- and polyfluoroalkyl substances (PFAS) are toxic chemicals used in thousands of products ranging from cookware and clothing to paint and firefighting foam. Known as "forever chemicals" because they remain in the environment for such a long time, PFAS have contaminated more than 2,300 sites across 49 states[1], including drinking water of an estimated 200 million Americans.[2] The threat of these toxic and persistent chemicals is so great that many states, manufacturers and retailers are phasing out PFAS in products and processes. The state of Maine[3] and the European Union[4] are in the process of eliminating all uses of PFAS.

**The backlash against PFAS has scared the chemical industry.**

**Manufacturers are now falsely claiming that many polymer versions of PFAS are safe, but this simply isn't true.**

## As we have learned with Teflon®, PFAS polymers have a toxic lifecycle.

PFAS polymers[5] are a type of plastic used in a vast array of products such as smartwatch bands, nonstick pans, and waterproof clothing. The chemical industry, which previously claimed that the mostly phased-out first generation of PFAS chemicals were totally safe, now claims the same thing about many PFAS polymers. But the fact is that these compounds have a toxic lifecycle that threatens human and environmental health.

**Water supplies for millions of people have been contaminated by the highly toxic and persistent PFAS chemicals DuPont and 3M used to make the PFAS polymer known as Teflon®.** Many people have fallen ill after being exposed to the toxic byproducts of Teflon® manufacturing, and exposures continue today.[6,7] With this history, the chemical industry's claims that PFAS polymers are safe must be recognized as highly suspect.

## ***Why all PFAS polymers must be phased out:***

- **PFAS polymer production and use creates toxic PFAS pollution**
  PFAS polymers are made using other harmful PFAS chemicals, which are subsequently released into the environment when waste byproducts enter air and waterways.[8] In fact, when scientists studied the fate of a commonly used group of toxic PFAS, they estimated 80% of those chemicals made since the 1950's have been released to the environment from PFAS polymer "manufacture and use."[9] Certain PFAS polymers release toxic PFAS chemicals during their use, posing acute and chronic risk to human and ecological health.[10,11] Workers in plants making or using PFAS polymers also may be exposed to serious hazards.[12]

- **PFAS polymers can leave PFAS in our environment forever**
  Many PFAS polymers are extremely persistent in the environment, which poses unique concerns. Other types of PFAS polymers break down, only to form persistent PFAS chemicals. As a recent scientific paper noted: "if a chemical is highly persistent, its continuous release will lead to continuously increasing contamination" that will take "decades, centuries or even longer to reverse" and lead to "increasing probabilities of the occurrence of known and unknown effects."[13] With few exceptions, highly persistent organic chemicals should never be used.[14]

- **PFAS polymers can cause illness and injury**
  Respiratory illnesses associated with normal consumer uses of PFAS polymer-containing products such as waterproofing agents and sealants remains an ongoing problem that has "occurred for many years in many different countries."[15] The Centers for Disease Control and Prevention have reported cases of "severe acute respiratory illness" linked to the use of a PFAS polymer-based shoe spray which was later recalled by the manufacturer.[16] The Plastics Industry Association has noted in their own materials that PFAS polymer exposure can cause the flu-like condition known as "polymer fume fever."[17] It has also been known for decades that fumes from Teflon® pans can kill birds.[18] The chemical industry simply can't claim that PFAS polymers are safe when exposures during production and use have caused illness and injury.

- **PFAS polymer production emits "climate super-pollutants"**
  PFAS polymer production emits climate super-pollutants such as HCFC-22 and HFC-23, which are 5,280 and 10,800 times respectively more potent at warming the atmosphere than carbon dioxide, on a twenty year timescale.[19] The emissions of these two compounds from just a single PFAS polymer manufacturing plant are the equivalent of the annual carbon dioxide pollution from 750,000 passenger cars.[20] HCFC-22 also destroys the health-protective stratospheric ozone layer.[21]

- **Disposal of PFAS polymers poses serious threats**
  Landfilling of PFAS polymers can lead to contamination of nearby soil and groundwater and can contribute to releases of microplastics and, in some cases, other PFAS chemicals.[22] [23] Deep well injection of manufacturing waste relocates the threat and creates the possibility of

spills and leaching into drinking water.[24] Incineration of PFAS polymers creates toxic emissions that can harm frontline communities and spread far beyond their source. Most municipal incinerators are not designed to handle highly corrosive materials formed when PFAS polymers break down.[25] These same serious disposal issues are also present for the PFAS chemicals used to make the polymers.

- **Safer alternatives exist for many PFAS polymer uses**
  In many cases, safer alternatives to PFAS polymers are readily available and being used in products. For some applications, they were never necessary in the first place: no one needs their watch band or dental floss to be made from a PFAS polymer. For other uses where alternatives are not yet available, immediate efforts should be made to develop replacements, or products should be redesigned to eliminate the use of PFAS polymers. In the meantime, all currently avoidable uses should be phased out as quickly as possible.

- **The PFAS crisis began with polymers – let's not repeat history**
  PFAS pollution first came to light from DuPont's manufacture of the PFAS polymer Teflon® which led to massive contamination still causing harm today.[26,27] We should learn from this disastrous history and take action to protect public health and the environment from these persistent toxic chemicals.

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**From:** Defeo Home
**Sent:** Thursday, December 9, 2021 12:02 PM
**To:** Maria Ristow
**Subject:** Town General Plan

Hi Maria!

I hope this message finds you well! First, thanks for your careful consideration regarding the 17200 Los Robles Way lot line discussion. Although it didn't go the way we were hoping, I was impressed by the seriousness and attention which you and your colleagues took in making your decision, thanks!

I am sending you a message today regarding the 2040 Town General Plan. I was not able to attend yesterday's zoom call regarding the plan so I thought I would send you my thoughts here (feel free to share it with others collecting feedback on the plan).

I (and my family) support the draft plan. Generally we are pleased with some of the aggressive growth targets specifically addressing the 'missing middle housing', and the increased emphasis on non-auto related mobility in town, as well as the racial equity components of the plan. We would love to see an even greater emphasis on affordable housing and racial equity but this is a great step in the right direction.

Feel free to contact me in case you would like to discuss further. Good luck in your efforts to drive the adoption of the plan!

Respectfully,

The de Feo family (Gianfranco, Eileen, Arianna and Francesco)

From: William Walker
Sent: Thursday, December 9, 2021 10:32 PM
To: GP2040
Subject: General Plan Feedback

I strongly disagree with section MOB11 in the draft general plan. Instead, the town should insist that the state increase the capacity of SR17 at least to Bear Creek Road. This is required for both safety and quality of life. Cut-thru traffic and gridlock will only increase unless this is done. Nobody takes public transportation to the beach on Sunday. The town government is tone-deaf if they don't understand how frustrated residents are with cut-thru induced gridlock. It is already a crisis, and will only get worse as the population increases.

SR17 near the Cats is a disaster waiting to happen. A strong earthquake or a heavy winter storm could bring down the hillside killing motorists and isolating residents living above the town. Currently, chain link fences are holding back the hillside!

In addition, the Town should insist that the state rebuild the route 9 to SR 17 intersection to address both capacity issues and safety of pedestrians and bicycles. A flyover overpass isolating pedestrians and bicycles
from cars would be ideal. My wife and I have almost been struck by cars more than once while attempting
to walk across the overpass because cars exiting the freeway apparently don't realize that pedestrians have
the right-of-way. In one case, we counted ten cars that refused to yield the right-of-way to us before we
finally found a gap large enough for us to scramble across. The town should not have to pay for any of this.
Make Sacramento pay, it's their obsolete infrastucture!

William Walker

**From:** Terry Rinehart
**Sent:** Friday, December 10, 2021 1:42 PM
**To:** Council
**Subject:** General Plan

I am against the General Plan doubling the number of homes to be built in LG. I think we should definitely stick to the number of 1993. I would also like to see the requirement of all new homes/duplexes/ADU's to provide off street parking. If my neighbor decides to put 2 duplexes and 2 ADU's on their property that could be 12 or more cars parked on the street and 12 or more trash cans that need to be put on the street. The duplexes should also be limited to 2 stories.

I really hope that the town adopts a zoning area for these additional dwellings and not be mixed into the single family home areas.

How about taking that huge lot on the corner of LG Blvd and LG Almaden Rd and build a high rise condo? It is close to transit and across from a grocery store. I know you have to find a buyer and builder, but can the town look into that?

Thank you for your time,

TL Rinehart

From: William Walker
Sent: Friday, December 10, 2021 1:45 PM
To: GP2040
Subject: General Plan Feedback

I strongly disagree with section CD9.2.

Reducing lanes and speed limits on Los Gatos Blvd. will reduce its capacity, consequently pushing traffic onto neighboring residential streets. I know this is already a problem as I have to admit that when I am in a hurry, I often take shortcuts through residential neighborhoods to get to my destination faster. Shame on me, but shame on LG for making LGB slower.

A basic principle of main arterial roads design is they must be faster than secondary roads. CD9.2 contradicts this principle.

Instead of reducing capacity of Los Gatos Blvd, the plan should increase capacity by, for example, eliminating unnecessary traffic lights such as the ill-advised one  at the Trader Joes strip mall. In addition, eliminating street parking will improve flow and make LGB safer for bicycles. Currently, even with the recent improvements, LGB is not safe for bicycles — too many curb cut access points with bicycles hidden from view by parallel parked cars.

From: William Walker
Sent: Friday, December 10, 2021 4:23 PM
To: GP2040
Subject: General Plan Feedbavck

Section MOB-9.5 is self-contradictory.  Keeping traffic on SR 85 and SR 17 requires increasing capacity.

My wife and I live in the Alta Vista neighborhood between Blossom Hill Rd. (BHR) and Los Gatos-Almaden Rd. (LGAR). Before SR 85 opened, both BHR and LGAR were grid-locked during rush hour. The day SR 85 opened, in spite of inadequate capacity from day 1, we felt like we could breathe again. We could actually access BHR during rush hour.
Fast forward 25 years later, and BHR is beginning to look the way it did before SR 85 opened.  The lack of capacity on SR-85 has caught up with population growth. When I need to get to South San Jose, I used to take SR 85 at all hours, now I need to take BHR or LGAR during rush hour.

The solution is to add more capacity to SR-85. This will reduce LG cut-thru traffic, which improves the quality of life for our residents.

The general plan should insist that the state increase capacity on both SR-85 and SR-17.

From: William Walker
Sent: Friday, December 10, 2021 4:35 PM
To: GP2040
Subject: General Plan Feedback - Mobility

I couldn't find any section addressing a fundamental error in the design of SR-85 access to Los Gatos, namely, the lack of on/off ramps from SR-85 south to Winchester Blvd. The result is gridlock on Lark Avenue. Netflix campus expansion and the north 40 build-out make this problem worse.

The town should insist that the state correct the SR-85/Winchester access deficiency. It would greatly improve the quality of life for our residents by reducing gridlock on our streets.

**From:** Pam Bond
**Sent:** Friday, January 7, 2022 8:43 PM
**To:** GP2040
**Subject:** Draft EIR/green space input for General Plan

To whom it may concern,

I would like to highly recommend that the Town become a partner with the school districts to support school fields remaining green space for community sports use as well as for the school day uses.

LGUSD is poised to convert 2 2-acre fields on elementary campuses to artificial turf (decision this Spring 2022) siting maintenance as one concern. Why can't the Town assist with maintenance since these fields are used the hardest by community sports teams? Support the community and keep this town green.

Artificial turf off-gases methane and ethylene and creates heat islands. There are viable drought tolerant options for sports fields. The Sports Turf Managers Association is just one national organization with information on how to achieve sustainable grass fields.

These fields have the potential to afford green space for students who are and will be coming from high density housing as Los Gatos Blvd area and other lands get built up. The school fields may be their only green space 160 days a year. This is an equity issue as well as an environmental health and justice issue.

Sincerely,

Pam Bond

Louise Van Meter parent

Garden program lead

Green team member

Girl Scout leader

www.questionfakegrass.org

**From:** Sylvie Hurat
**Sent:** Wednesday, January 12, 2022 8:43 PM
**To:** Council; Planning
**Subject:** Support for Inclusive General Plan

I support the creation of an inclusive General Plan focused on creating affordability, by increasing density, height, and mixed used developments.

Keep on the good work and thank you for your service.

--

**Sylvie Hurat**

From: Jan Schwartz
Sent: Wednesday, January 12, 2022 8:46 PM
To: Council; Planning
Subject: Housing

Dear Town Council and Planning Commission,

We need to make sure that Los Gatos offers affordable housing to create an inclusive community and make sure that the people who work here can afford to live here.

I support efforts to get us close to meeting the state-wide housing requirements.

Thank you,

Jan Schwartz

**From:** Joy Tani
**Sent:** Wednesday, January 12, 2022 8:47 PM
**To:** Council; Planning
**Subject:** Housing

Please, please, please, create an inclusive General Plan

Focus on creating affordability

Achieve this through greater density and below market rate housing

SB9 does not address affordability- the Town Council should work intentionally to create affordability while also implementing SB9

Fourplexes and mixed-used develops fit within the character of our Town

Thank you,

Joy

From: Karla Albright
Sent: Wednesday, January 12, 2022 8:48 PM
To: Council; Planning
Subject: Housing

Dear wonderful council members,

Thank you for your work supporting LG.

I am writing in regards to the General plan and hope that we create an inclusive general plan which means increasing a broad range of housing types aimed at different people, single people, elderly, low income, multi generational etc.

It is critical that we focus on affordability. Which means that we need greater density, higher height restrictions, less space saved for parking, more intra LG mass transit, connection with light rail.

We need more  mixed use plus duplexes, four-plexes, apartments

I hope the Town Council will work intentionally to create affordability while also implementing SB9.

Best,
Karla Albright

**From:** Stephanie Brown
**Sent:** Wednesday, January 12, 2022 8:48 PM
**To:** Council; Planning
**Subject:** Housing in Los Gatos - General Plan, Affordability

Dear Town Council and Planning Commision:

I request that Los Gatos:

Create an inclusive General Plan
Focus on creating affordability
Achieve this through greater density and below market rate housing

Also, SB9 does not address affordability - the Town Council should work intentionally to create affordability while also implementing SB9. Fourplexes and mixed-used developments fit within the character of our Town. We want them.

We need to provide housing for all the people who want to work and teach and police and fight fires here.

My regards,

Stephanie Brown

**From:** Shannon Edwards
**Sent:** Wednesday, January 12, 2022 8:51 PM
**To:** Council; Planning
**Subject:** Create an inclusive General Plan- housing matters!

Dear Town Council members and Planning commission,

Thank you for your service!

I am writing tonight to let you know that it will be important for you to focus on creating affordable housing for Los Gatos.
We can do this through greater density and below market rate housing.
SB9 does not address affordability- the Town Council should work intentionally to create affordability while also implementing SB9.
Fourplexes and mixed-used developments fit within the character of the Town of Los Gatos.
$2,459 per month as an average rental cost is out of range for the working class who will be working in the town.

Many thanks, Shannon Edwards, Los Gatos

**From:** Bernadette Frager
**Sent:** Wednesday, January 12, 2022 8:54 PM
**To:** Council; Planning
**Subject:** Affordable Housing

Dear All,

I am writing to you after having been brought up to date on affordable housing requirements.

I am aware the town of Los Gatos is quite behind in housing.

I am in support of looking for solutions for housing as it raises the value of our community for everyone.

I'm also hoping we can add some urgency to getting housing projects going that will improve our percentage of compliance in the different housing categories. SB9 does not address affordability.

Part of the issue must include community engagement so that we can address the common NIMBY issues (Not In My Back Yard).

And please, don't only consider that areas of Los Gatos that are outside of the LGSD. There's a tendency to keep low income housing away from Los Gatos school district.

Thank you for all you do and the many challenges you have before you,

Bernadette

Bernadette Frager

We spend
precious hours
fearing the inevitable.

It would be wise
to use that time
adoring our families,
cherishing
our friends,
and living our lives.
—MAYA ANGELOU

**From:** Rob Moore
**Sent:** Wednesday, January 12, 2022 8:57 PM
**To:** Council
**Cc:** Planning
**Subject:** Housing Affordability

Hello Mayor, Town Council, and Planning Staff,

I hope you are all well and had some much-deserved R&R over the holidays.

I am writing to you after having a great discussion with dozens of Los Gatans on housing in town. We discussed housing affordability, increasing density, and how excited we are for the future of the Town.

While you all know my opinion on this, I want to emphasize how important I feel it is to create a General Plan that builds more housing and, additionally, incentivizes the construction of more Affordable housing.

State laws like SB9 will continue heavy-handedly building housing that is not ideal for our town. The only way to keep the state from passing more SB9 type laws is to actually build the housing mandated from ABAG via RHNA.

I live in a lovely fourplex on Carlton Avenue, right behind Trader Joe's. I am so very excited for more housing like this. My partner, Kylie Clark, and I will be hosting a "missing middle housing tour" of our fourplex and our neighborhood. This sort of housing allows for the creation of a beautiful little community.

Thank you all for everything you do.

In solidarity,

Rob Moore
(Town resident, not writing in any official capacity)

**From:** rude tina
**Sent:** Wednesday, January 12, 2022 8:51 PM
**To:** Council
**Subject:** housing

Dear LG Town Council and Planning Department:

I am in favor of increasing affordable housing in our town. In order to convert our traditional single house neighborhoods, my suggestion is to allow/promote ADU, and then duplexes first, as people become accustomed to more "infill".

Thank you,

Christina Rude

**From:** Rob Stump
**Sent:** Saturday, January 22, 2022 6:41 PM
**To:** GP2040
**Subject:** General Plan Considerations In and Around the Wildland Urban Interface

2040 General Plan Team,

As the General Plan moves toward finalization, the Town Staff in particular cannot lose sight of the threat that Wildfire poses to the Town of Los Gatos. In one Wildfire study, the Town of Los Gatos was rated a higher threat for wildfire prior to the Camp Fire that destroyed the community of Paradise resulting in 89 deaths and billions of dollars in economic losses. The Town of Los Gatos is not exempt from the threat of wildfire so those working on the General Plan need to take this into account. Here is the link for "The Republic" study/article: https://www.azcentral.com/in-depth/news/local/arizona-wildfires/2019/07/22/wildfire-risks-more-than-500-spots-have-greater-hazard-than-paradise/1434502001/

The top strategic priority for the Town of Los Gatos is Public Safety. So, in the fall of 2020, the Town Council formed an Ad Hoc Committee to make specific recommendations to the Town Council to expedite our efforts surrounding preparation and prevention of wildfire. The Ad Hoc Committee members were:

- Mayor Marcia Jensen
- Vice Mayor Barbara Spector
- Assistant Town Manager Arn Andrews
- Director of Parks and Public Works Matt Morley
- Assistant Santa Clara County Fire Chief Brian Glass
- Resident member Rob Stump (Served as Chair)
- Resident member Brad Gordon

This Committee determined, the top priority for our work was to focus on saving lives. As a result, the top two priorities were emergency communication and evacuation. The final report is attached for your reference.

From an emergency communications standpoint, the Ad Hoc Committee recommended installation of a siren system (more likely a Long Range Acoustical speaker system including sirens). This system will include installations throughout the WUI and surrounding areas. The goal of this system is to offer one more layer of emergency communication that can provide clear direction, not rely on the cellular network and SAVE lives.

From an evacuation standpoint, the Town of Los Gatos has two major challenges. First, many streets that provide ingress/egress into the WUI, not including roadways within the WUI, do not meet California Vehicle Code or State Fire Code for street width. Streets are required to be 36 feet wide to accommodate parking on both sides of a street, and at least 28 feet wide to accommodate parking on one-side of the street. So any street that is less than 28 feet should not have on-street parking period! Anyone familiar with the roadways throughout the foothills of Los Gatos knows that we have many substandard streets from the standpoint of width. Proper street width/clearance in an emergency will save lives.

The second evacuation issue is seasonal traffic impacts due to beach traffic. And as we have seen, this problem is not easily solved.

What do the General Planners need to keep in mind regarding our General Plan?

1. Los Gatos is under serious threat of wildfire. Similar to the Tunnel Fire in the Oakland Hills in 1991 that resulted in the loss of over 3,000 homes in less than 48 hours, the Town of Los Gatos has eerie comparisons. We have just over 3,000 homes in the WUI with about the same amount of square mileage as the Oakland Hills. We live under the threat of wildfire from April thru December and our WUI has never had the massive amount of vegetation and forest in our history as a Town as it does today.
2. Before allowing additional development in the WUI or even outside of the WUI where residential streets are critical to evacuation, the Town needs to ensure our streets meet California Vehicle and State Fire Codes street width standards. To allow additional development along key evacuation routes out of the WUI would be irresponsible. The Town cannot overlook these requirements and still claim that Public Safety/Fire Protection is a top strategic priority.

Serious wildfire mitigation measures, specifically those measures recommended by the Ad Hoc Wildfire Committee need to be incorporated into the Town's General Plan in specific and tangible ways. We need to ensure our community is as safe as possible from the threat of wildfire.

Feel free to contact me if you have any questions.

Rob Stump

DATE: November 20, 2020

TO: Mayor and Town Council

FROM: Laurel Prevetti, Town Manager

SUBJECT: Accept the Ad Hoc Wildfire Committee Report and Direct Staff to Return to Council in One Year with an Action Item Progress Update

RECOMMENDATION:

Accept the Ad Hoc Wildfire Committee Report and direct staff to return to Council in one year with an action item progress report.

BACKGROUND:

On October 6, 2020, the Town Council approved the creation of a Town Council Ad Hoc Committee to study wildfire mitigation in the Wildland Urban Interface (WUI). The Council confirmed that the Committee should study a broad variety of wildfire mitigation policy and project options to improve the Town's wildfire resiliency and return to Council with a report of their findings. The Committee examined best practices of similar WUI communities, lessons learned from recent fires, and other relevant areas of wildfire science. The Committee was directed to complete the report in time for Council consideration on December 1, 2020 to align with the annual Strategic Priority and budget development process.

The Committee was comprised of the following members:

- Mayor Marcia Jensen
- Vice Mayor Barbara Spector
- Assistant Town Manager Arn Andrews
- Director of Parks and Public Works Matt Morley
- Assistant Santa Clara County Fire Chief Brian Glass
- Resident member Rob Stump
- Resident member Brad Gordon

PREPARED BY: Arn Andrews
Assistant Town Manager

Reviewed by: Town Manager, Town Attorney, and Director of Parks and Public Works

BACKGROUND (Continued):

The Ad Hoc Committee met on October 21, 2020, October 29, 2020, November 9, 2020, and November 16, 2020. The elements and findings of the report are described in the Discussion section below.

DISCUSSION:

The Ad Hoc Wildfire Committee Report (Attachment 1) is the culmination of peer reviewed best practices, lessons learned from recent statewide fires, mitigation characteristics unique to Los Gatos, and significant input from the Santa Clara County Assistant Fire Chief. The Committee Report is structured around five primary strategic goals accompanied by relevant action items. The identified goals in the report appear sequentially in their order of initial priority focus. Goal sequencing is not intended to reflect attainment of one goal prior to initiating another but rather a function of prioritizing protection of life followed by property and the environment. It should be noted that goals and many action items are anticipated to often be addressed concurrently. Following are the identified goals of the Committee:

- Emergency Communication
- Emergency Evacuation
- Roadside Fuel Reduction
- Open Space and Residential Land Management
- Emergency Partnerships

In addition to the sequencing of goals, action items have been individually ranked into either Priority 1 (within 2 years) or Priority 2 (within 3 to 5 years). The priority ranking of action items is a byproduct of establishing reasonable and attainable actions as opposed to signifying certain action items are less important then others. The report also establishes quantifiable metrics for each goal to measure progress of goal/action item attainment.

And lastly, the report identifies additional action items for consideration which include potential for legislative engagement and potential mitigation funding strategies.

CONCLUSION:

The Ad Hoc Wildfire Committee Report establishes a roadmap for concrete action items that mitigate the risks associated with wildfire in the WUI and the community consequences associated with those risks.

COORDINATION:

This staff report was coordinated with the Town Manager, Town Attorney, and Director of Parks and Public Works.

FISCAL IMPACT:

No fiscal impact with acceptance of report

ENVIRONMENTAL ASSESSMENT:

This is not a project defined under CEQA, and no further action is required.

Attachment:
1. Ad Hoc Wildfire Committee Report

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# Town of Los Gatos Ad Hoc Wildfire Committee Report

**December 1, 2020**

**Town of Los Gatos**
**110 East Main Street**
**Los Gatos, CA 95030**

**Prepared by**
Ad Hoc Wildfire Committee

**Coordinated with**
Santa Clara County Fire Department

ATTACHMENT 1

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## Committee Introduction and Goals

Los Gatos is listed as a Community at Risk from wildfires on the Federal and the California Fire Alliance list of Communities at Risk in Santa Clara County. Wildfires occur in the vicinity of Los Gatos and present a significant danger to people and property within the Town. The Town of Los Gatos considers wildfire mitigation to be a top tier priority for the safety of its citizens and an economic imperative.

Recognizing this significant risk, the Los Gatos Town Council convened an Ad Hoc Wildfire Committee to study a broad variety of wildfire mitigation policy and project options to improve the Town's wildfire resiliency. The Committee consisted of Mayor Marcia Jensen, Vice Mayor Barbara Spector, Assistant Fire Chief Brian Glass, Community Member Rob Stump, Community Member Brad Gordon, Assistant Town Manager Arn Andrews, and Parks and Public Works Director Matt Morley. Mr. Stump chaired the Committee.

The Committee's goal was to identify a variety of mitigation strategies that could be implemented within the next two years and three to five-year timeframes, and collectively identify strategies that may assist in reducing wildfire risk while improving community preparedness in response to wildfire. The Committee examined best practices of similar communities within the Wildland Urban Interface (WUI), lessons learned from recent fires, and other relevant areas of wildfire science. The following report identifies areas for emphasis of future Council wildfire mitigation efforts.

This report describes the Los Gatos WUI and then identifies specific mitigation topics. For each topic, goals, action items, and metrics are identified.

## Key Terms

**Defensible Space** An area around the perimeter of structures in which vegetation, debris, and other types of combustible fuels are treated, cleared, or reduced to slow the rate and intensity of potentially approaching wildfire or fire escaping from structures.

**Hillside Collector Streets** A low-to-moderate-capacity road which serves to move traffic from local streets to arterial roads. Unlike arterials, collector streets are designed to provide access to residential properties.

**Home Ignition Zone (HIZ)** A concept of the home ignition zone was developed by a retired USDA Forest Service fire scientist in the late 1990s, following some breakthrough experimental research into how homes ignite due to the effects of radiant heat. The HIZ is divided into three zones; immediate (0 to 5 feet), intermediate zone (5 to 30 feet), extended zone (30 to 100 feet).

**Temporary Refuge Areas (TRAs)** Pre-identified area(s) where firefighters and members of the public can immediately take refuge for temporary shelter and short-term relief in the event that access to an established safety zone is compromised.

**Very High Fire Hazard Severity Zone (VHFHSZ)** State law requires that all local jurisdictions identify Very High Fire Hazard Severity Zones within their jurisdictions. Inclusion within these zones is based on vegetation density, slope severity and other relevant factors that contribute to fire severity.

**Wildland Fire Specialist** Conducts inspections for residents living in the high fire hazard areas, providing information, advice, and assistance to property owners. Initiates defensible space surveys and develops and maintains a positive and productive dialog with the community. Identifies and coordinates hazard abatement projects to mitigate the effects of wildfire within the District.

## Los Gatos Wildland Urban Interface (WUI)

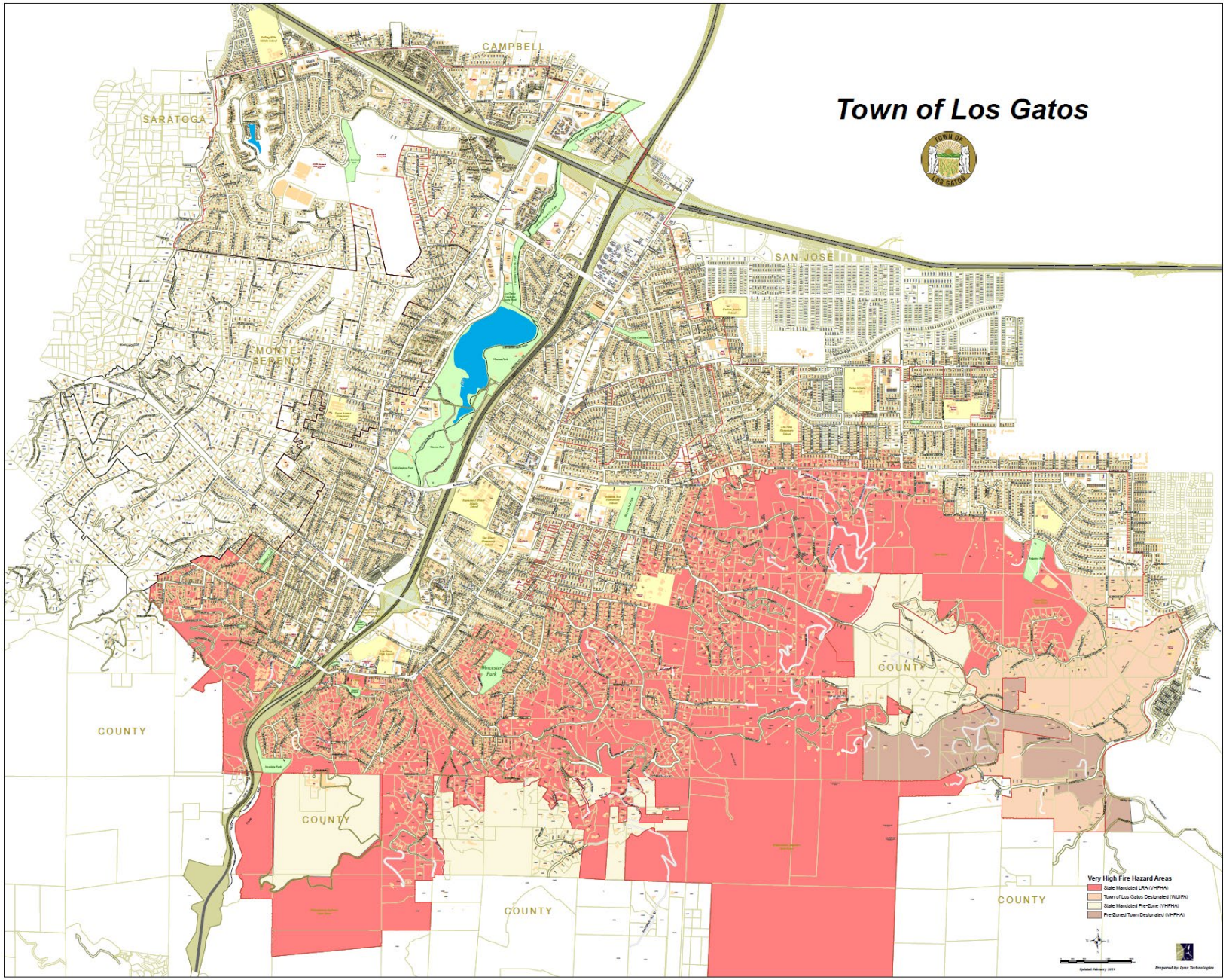
The Wildland Urban Interface (WUI) area is best described as an area that transitions from a natural condition (wildland) to a developed area (urban). Homes and other development in the WUI are at risk of catastrophic wildfire due to the presence of vegetation that could fuel a wildfire. The WUI creates an environment in which fire can move readily between structural and vegetative fuels, increasing the potential for wildland fire ignitions and the corresponding potential loss of life and property.

The Los Gatos WUI planning area includes primarily Very High Fire Hazard Severity Zone areas on the southern side of Los Gatos. The areas shaded in red in Figure 1 illustrate the extent of WUI lands within the Town. Approximately a quarter of the Town's total residences are located within the WUI. Of an estimated 2018 Town total of 13,299 residences, the WUI contains approximately 3,091. In addition, at an estimated 2.2 residents per household the WUI is home to approximately 6,800 residents among a Town total of 30,250.

The majority of the northern perimeter of the WUI tends be flatter terrain with higher concentrations of residences. To illustrate this residential concentration, 1,784 of the 3,091 residences in the WUI are located within a quarter mile of the northern boundary.

Town currently utilizes preestablished areas for the maintenance and execution of its Community Emergency Response Team (CERT) program. The CERT maps contained in the Appendix also provide a detailed mapping of the Town WUI area, as well as routes of ingress/egress within CERT boundaries.

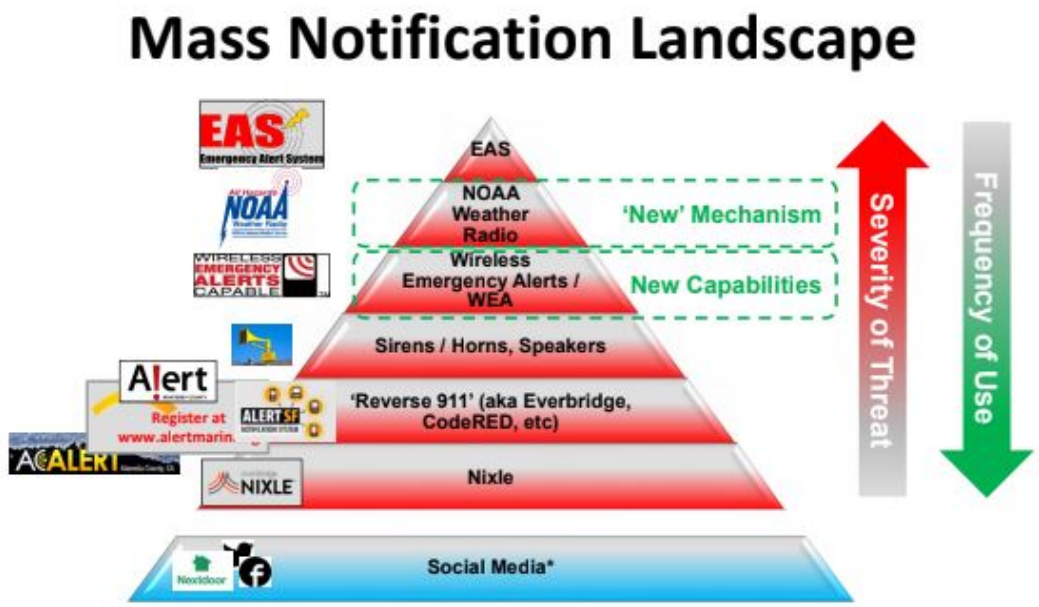
Figure 1


Town of Los Gatos
CAMPBELL
SARATOGA
SAN JOSE
MONTE SERENO
COUNTY
COUNTY
COUNTY
COUNTY
Very High Fire Hazard Areas
State Mandated LRA (VHFHA)
Town of Los Gatos Designated (WUIFA)
State Mandated Pre-Zone (VHFHA)
Pre-Zoned Town Designated (VHFHA)

# Emergency Communication

In the event of an emergency, it is an inherent responsibility of local government organizations to keep the public informed about natural, human-caused, and technological disasters. Studies show that people rarely act on a single warning message alone. To be effective, warnings should be delivered in various formats across multiple media platforms. The use of multiple platforms helps to increase the reliability of warning delivery, while also providing a sense of corroboration that will encourage recipients to take protective actions. In addition, many emergency subscription platforms are opt-in systems which leave non-adopters out of the information loop. In Los Gatos approximately only 23% of residents (6,942) have opted into the cell notification systems of Alert SCC and Nixle.

As illustrated below many notification systems are dependent on functioning internet and cell service. As evidenced by conditions created by recent fires, neither cell service nor internet service may be relied upon during large scale events, particularly when such an event coincides with a planned Public Safety Power Shutoff (PSPS).




**GOAL:**
All residents should receive emergency communications in a timely manner.

| ACTION ITEMS | PRIORITY TIMEFRAME |
|---|---|
| Maximize the use of Nixle/AlertSCC and ensure that existing communication systems are fully utilized. | Priority 1 – within 2 years |

| | |
|---|---|
| Increase resident adoption of Town social media platforms and SCCFD Twitter feed | Priority 1 – within 2 years |
| Explore additional non-cell/internet reliant emergency communication systems e.g. siren system. | Priority 1 – within 2 years |
| Increase SCCFD Ready, Set, Go Programs in Town | Priority 1 – within 2 years |
| Explore adding electronic message boards in front of fire stations and possibly police station | Priority 1 – within 2 years |

| METRICS |
|---|
| • Percentage of residents opting into Alert SCC and Nixle<br>• Percentage of residents signing up for Town/SCCFD social media platforms<br>• Number of Alert SCC/Nixle promotions per year<br>• Percentage of residents with secondary means of receiving communications<br>• Number of residents receiving Ready, Set, Go trainings in Town per year |

## Emergency Evacuation

The majority of the Town's WUI neighborhoods are served by Hillside Collector Streets which serve properties located in hillside areas, carrying traffic to arterial streets and additional neighborhood collectors. Many of these roadways are designed as one-way routes. During emergency events, both emergency responders and evacuees will be attempting to use the same roadways, thereby hindering access for both groups. Due to the critical importance of providing ingress for emergency vehicles and equipment to the fire area while simultaneously allowing egress to residents attempting to evacuate, the Town will evaluate the existing width, grade, and turning radius on these critical routes in order to improve access.

**GOAL:**
To the greatest extent feasible, create and maintain conditions necessary for efficient and effective evacuations.

| ACTION ITEMS | PRIORITY TIMEFRAME |
|---|---|
| Identify and explore the development of roadside and other Temporary Refuge Areas (TRAs) throughout the WUI. | Priority 1 – within 2 years |

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| | |
|---|---|
| Assess and address evacuation feeder routes leading out of the WUI throughout Los Gatos.<br><br>Examine elimination of on-street parking where appropriate | Priority 1 – within 2 years<br><br>Priority 2 – within 3 to 5 years |
| Implement reflective home address signage throughout the WUI. | Priority 2 – within 3 to 5 years |
| Study/identify and develop alternate evacuation routes throughout the WUI. | Priority 2 – within 3 to 5 years |
| Identify potential road widening, turnout projects throughout the WUI. Develop a multi-year project to implement needed improvements. | Priority 2 – within 3 to 5 years |
| Develop plan to practice annually simulated evacuations in WUI neighborhoods. | Priority 2 – within 3 to 5 years |
| Leverage SCCFD Zone Haven GIS platform for the planning/implementation of evacuations. | Priority 2 – within 3 to 5 years |

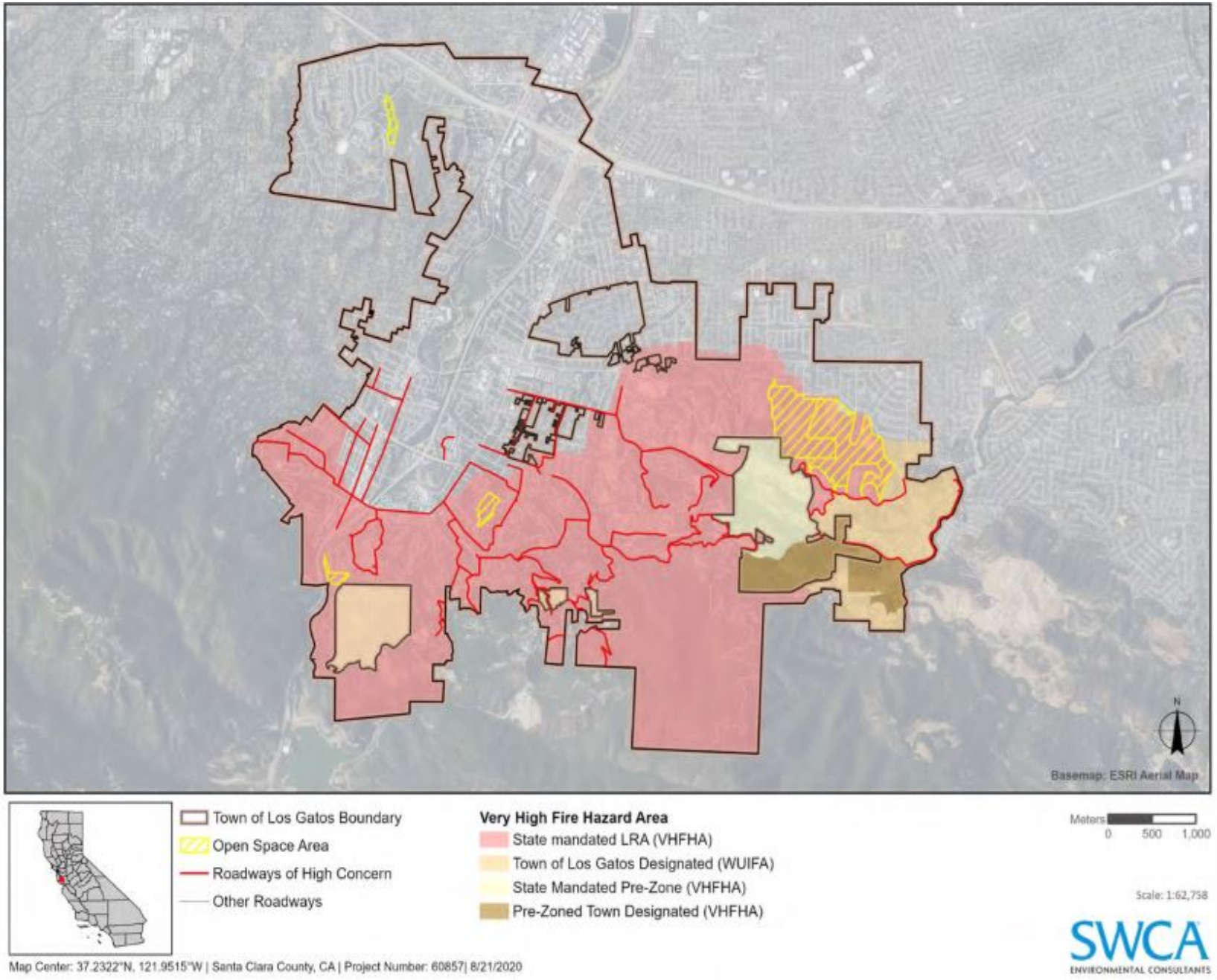
| METRICS |
|---|
| • TRAs developed within each of the 7 CERT zones in the WUI<br>• Percentage of WUI roadways with 20 ft of clear width<br>• Percentage of identified WUI roadway improvement projects completed<br>• Number of reflective home signs deployed per year<br>• Number of residents participating in simulated evacuations per year |

## Roadside Fuel Reduction

Generally, roads are maintained to serve the transportation needs of the public; however, because roadsides are frequently the site of ignition for wildfires and evacuees may need to use the roadways to leave the area even if the vegetation on both sides of the road is on fire. Routes may also be blocked due to consequences associated with an incident including; fallen trees, spot fires, smoke, intense heat, long flame lengths, downed power lines, or vehicle accidents. The following map illustrates 31.09 miles of roadways of highest concern (colored red) for vegetation management.

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**Figure 2**


Basemap: ESRI Aerial Map
N
Town of Los Gatos Boundary
Open Space Area
Roadways of High Concern
Other Roadways
Very High Fire Hazard Area
State mandated LRA (VHFHA)
Town of Los Gatos Designated (WUIFA)
State Mandated Pre-Zone (VHFHA)
Pre-Zoned Town Designated (VHFHA)
Meters
0 500 1,000
Scale: 1:62,758
SWCA
ENVIRONMENTAL CONSULTANTS
Map Center: 37.2322°N, 121.9515°W | Santa Clara County, CA | Project Number: 60857| 8/21/2020

**GOAL:**
Vegetation along primary hillside roadways should be maintained to achieve a clearance of 20 feet horizontally and 13 feet six inches vertically above roadways, as well as clearance of non-fire-resistant vegetation within 10 feet of the roads.

| ACTION ITEMS | PRIORITY TIMEFRAME |
|---|---|
| Complete current 11-mile Fuel Reduction project by February 28, 2021. | Priority 1 – within 2 years |
| Develop a plan to ensure that the 31.09 miles of highest roadway concern identified in Exhibit 2 achieve a 6-year management cycle (5 miles per year). | Priority 1 – within 2 years |
| Identify/map all private roadways in the WUI. | Priority 1 – within 2 years |
| Work with residents to educate and implement vegetation management practices for these private properties. | Priority 2 – within 3 to 5 years |

| METRICS |
|---|
| • Number of miles of new vegetation management performed per year<br>• Number of continuous miles of vegetation management maintenance per year<br>• Percentage of private roadways mapped<br>• Percentage of private roadway residents contacted per year<br>• Percentage of private roadway residents implementing vegetation management |

## Open Space and Residential Land Management

California Public Resources Code (PRC) Section 4291 mandates 100 feet of defensible space around structures in high fire severity zones, within which vegetation, debris, and other types of combustible fuels are treated, cleared, or reduced to slow the rate and intensity of potentially approaching wildfire or fire escaping from structures.

The creation of reasonable and adequate Defensible Space focuses on measures to modify and break up hazards created by continuity of available fire fuels, both horizontal (across the ground) and vertical (from the ground up into the crowns of brush and trees). Fuels that exhibit a large degree of both vertical and horizontal continuity are the most hazardous; in particular, when they are on slopes. Thus, mitigation of these fuel sources through clearing and treatment, while simultaneously addressing environmental concerns such as protection of native habitats and the potential for erosion, is

particularly important. In addition to the Defensible Space requirements around structures in the WUI, the Town and other public/private agencies are stewards of large open spaces and undeveloped parkland.

**GOAL:**
Ensure that all public and private property owners are maintaining the mandated defensible spaces.

| ACTION ITEMS | PRIORITY TIMEFRAME |
|---|---|
| Conduct annual defensible space inspections and enforce compliance with state and local fire codes.<br>• Develop strong neighborhood relationships to educate all property owners of their defensible space obligation.<br>• Partner on a pilot Wildland Fire Specialist program to develop relationships with VHFHZ homeowners and drive compliance through education and inspection.<br>• Educate residents about Home Ignition Zone (HIZ) inspection program.<br>• Explore region partnership with SCCFD fuels crews (once developed) and defensible space inspectors. | Priority 1 – within 2 years<br>Priority 1 – within 2 years<br>Priority 1 – within 2 years<br>Priority 2 – within 3 to 5 years |
| Explore SCCFD performing defensible space citation function. | Priority 2 – within 3 to 5 years |
| Develop private driveway fuel reduction initiative | Priority 2 – within 3 to 5 years |
| Develop Eucalyptus eradication plan for Town property within the WUI. | Priority 1 – within 2 years |
| Develop incentive program (cost share) for residential Eucalyptus removal possibly utilizing tree replacement fund. | Priority 2 – within 3 to 5 years |
| Develop policy for prohibition of highly flammable plants for new construction within the WUI. | Priority 1 – within 2 years |
| Develop Community chipping program | Priority 2 – within 3 to 5 years |

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| METRICS |
| --- |
| • Number of residential contacts performed by WFS per year<br>• Number of residential defensible space inspections coordinated by WFS per year<br>• Percentage of vegetation on Town owned Open Space maintained<br>• Percentage of WUI residents participating in HIZ trainings per year<br>• Number of SCCFD fuel crews (once developed) deployed in LG per year<br>• Number of SCCFD defensible space inspections conducted in LG per year<br>• Number of private driveways implementing vegetation management per year<br>• Number of Town Eucalyptus trees removed per year<br>• Number of residential eucalyptus trees removed per year<br>• Dollar amount of residential eucalyptus grants per year<br>• Number of tons community chipping removed per year |

## Emergency Partnerships

The nature of wildfire spread requires a regional approach to wildfire mitigation. A partial list of governmental and private entities with vegetation management responsibilities appears below. Additional regional partners which provide educational and other assistance in creating community resilience to wildfire are also listed.

**Santa Clara County Fire District (SCCFD):** Santa Clara County Fire Department is an all-risk fire department and provides fire suppression inclusive of structure and vegetation/wildland fire mitigation, technical rescue operations, emergency medical services (EMS), hazardous materials (HazMat) mitigation, fire prevention, community education and risk reduction services (CERRS), disaster preparedness, community emergency preparedness and service responses.

**Pacific Gas & Electric (PG&E):** PG&E provides electricity to the Town of Los Gatos, and controls rights-of-way necessary to maintain overhead transmission and distribution lines, many of which run through the WUI areas. The Town collaborates with PG&E to treat vegetation in the WUI along PG&E's electric transmission line right-of-way to increase power reliability and reduce ignition potential and resulting wildland fire hazard.

**Santa Clara County Firesafe Council:** The Town of Los Gatos supports and collaborates with the Santa Clara Firesafe Council. The Firesafe Council is a non-profit organization that provides resources to coordinate public and private landowners in Santa Clara County to reduce the threat of wildfire.

**Santa Clara County Parks:** Periodically, the Parks Department makes use of prescribed burns to manage non-native vegetation, reduce fuel loading, promote

biodiversity and native vegetation. The Department also provides training in conducting managed burns and in wildfire fighting techniques and principles.

**West Valley Cities:** The West Valley cities of Monte Sereno and Saratoga share with Los Gatos a large number of Very High Fire Severity Zones within their borders (see appendices). Because wildfire extends across community borders, an incident in one jurisdiction can be expected to spread to neighboring jurisdictions. Communication between West Valley cities and coordination of wildfire prevention strategies is therefore critical to the prevention of wildfire.

**Mid-Peninsula Open Space District (Midpen):** Midpen is an independent Special District that manages 26 Open Space Preserves, containing nearly 65,000 acres of public land. In Los Gatos, Midpen manages and maintains significant land holdings along the Town's southern border (see Appendix). Wildland fire prevention, preparedness, and response are all critical components of Midpen's ongoing land stewardship which is largely accomplished through the management of vegetation within its preserves in order to reduce the risk and severity of wildfire, with a focus on ecological health and wildland fire resilience.

**County Roads, Valley Water, and CalTrans:** These regional governmental partners each have properties and rights-of-way within and/or adjacent to the Town of Los Gatos. These agencies must meet a shared specification for roadside fuel reduction and support safety in general.

**San Jose Water Company (SJW):** San Jose Water is an investor-owned public utility, and is one of the largest urban water systems in the United States, serving over 1 million people in the greater San Jose metropolitan area. It maintains critical infrastructure in Town essential to fire suppression and manages watershed lands near Los Gatos.

**GOAL:**
Ensure all regional partners are implementing consistent land management practices to reduce wildfire risk on their properties and right-of ways.

| ACTION ITEMS | PRIORITY TIMEFRAME |
|---|---|
| Work with neighboring cities of Monte Sereno and Saratoga to coordinate mitigation efforts and jointly advocate for the continuation and increased vegetation management among Town partners. | Priority 1 – within 2 years |
| Ensure timely communications between the Town and these entities regarding activities that may affect another partner's land management. | Priority 1 – within 2 years |
| | |

| | |
|---|---|
| Explore regional projects outlined in CWPP for possible grant funding. | Priority 2 – within 3 to 5 years |

| METRICS |
|---|
| • Number of coordination meetings per year<br>• $ amount of grants issued/received<br>• Number of veg mgt miles performed by partner organizations per year |

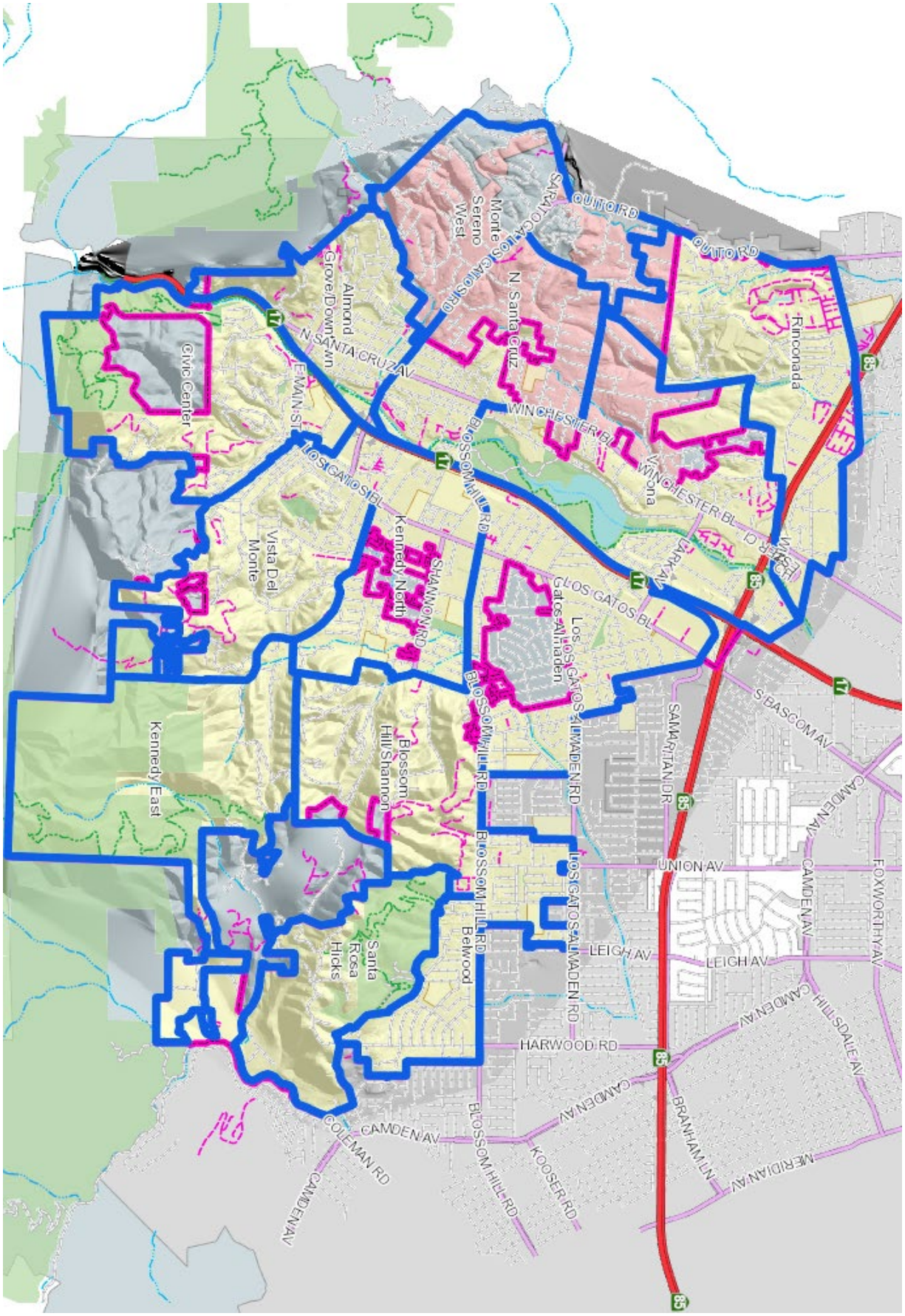
## Additional Action Items

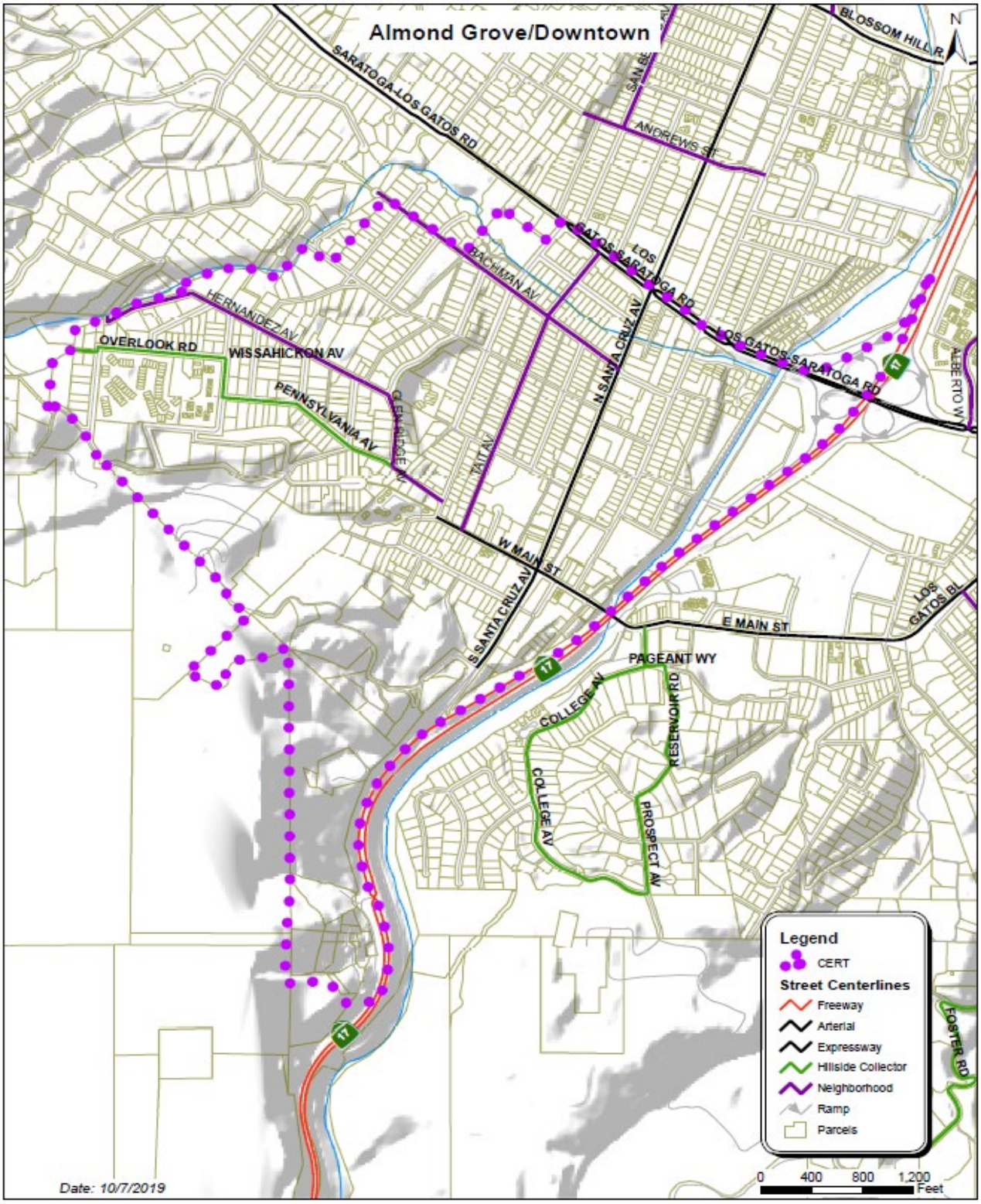
| ACTION ITEMS | Priority Timeframe |
|---|---|
| Homeowners Insurance Availability<br>• Advocate for legislative efforts toward the continuation of homeowner's insurance in the WUI.<br>• Pursue Firewise Community status for WUI hillside neighborhoods to satisfy homeowners Insurance requirements. | Priority 1 – within 2 years<br>Priority 1 – within 2 years |
| Address areas within the hillside that do not have public fire hydrant systems. | Priority 2 – within 3 to 5 years |
| Explore additional funding sources<br>• Parcel Tax<br>• Assessment Districts | Priority 2 – within 3 to 5 years<br>Priority 2 – within 3 to 5 years |

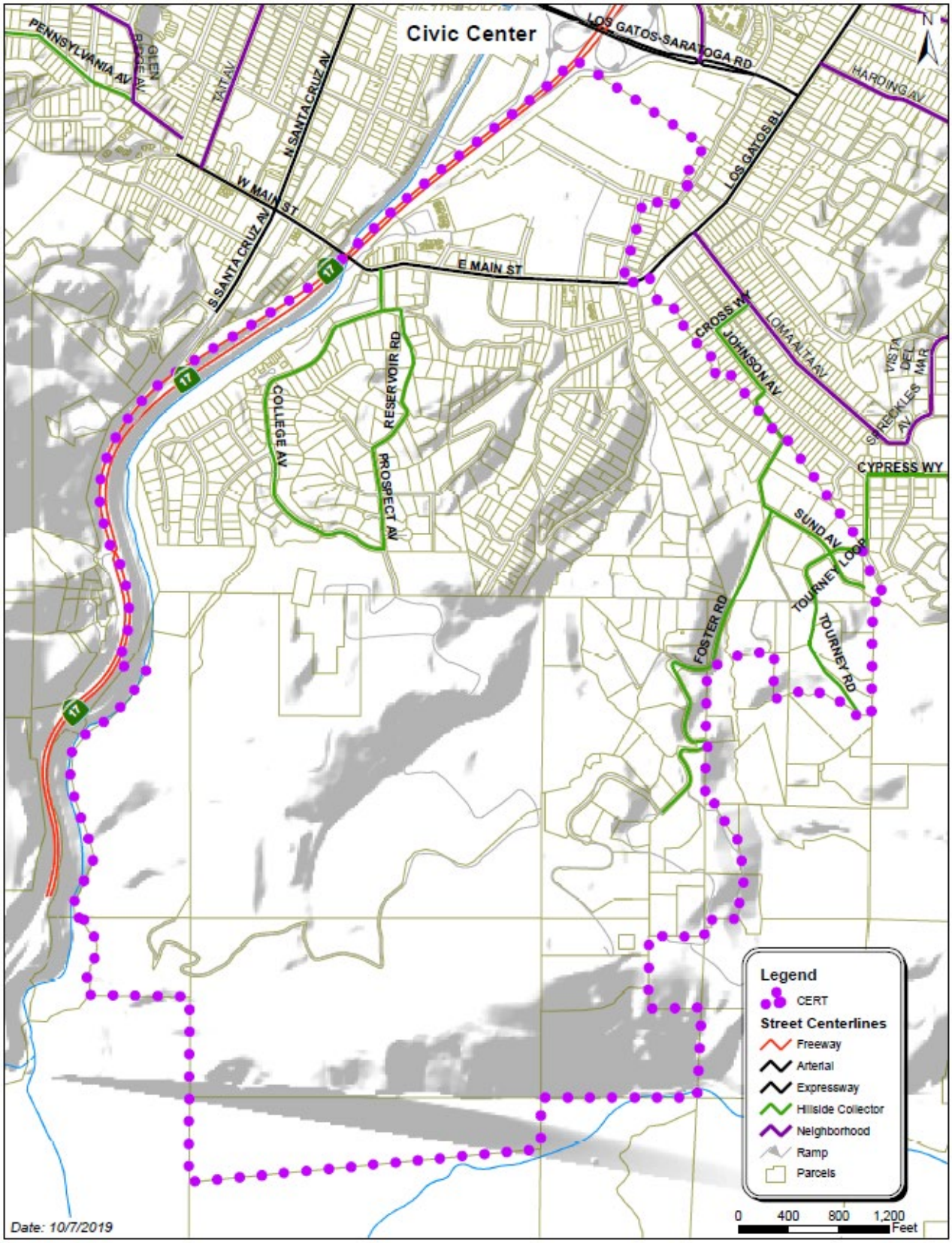
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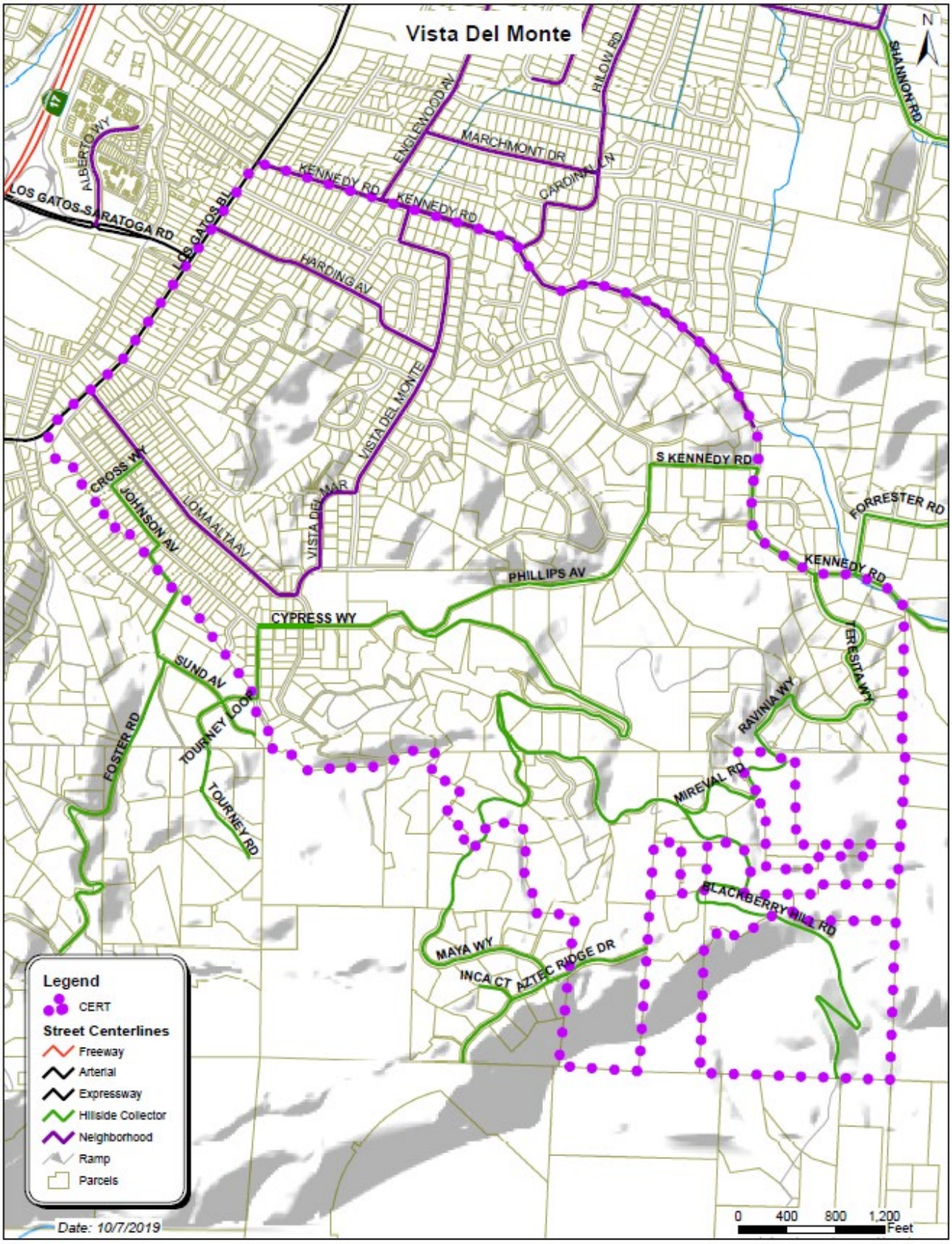
# APPENDICES

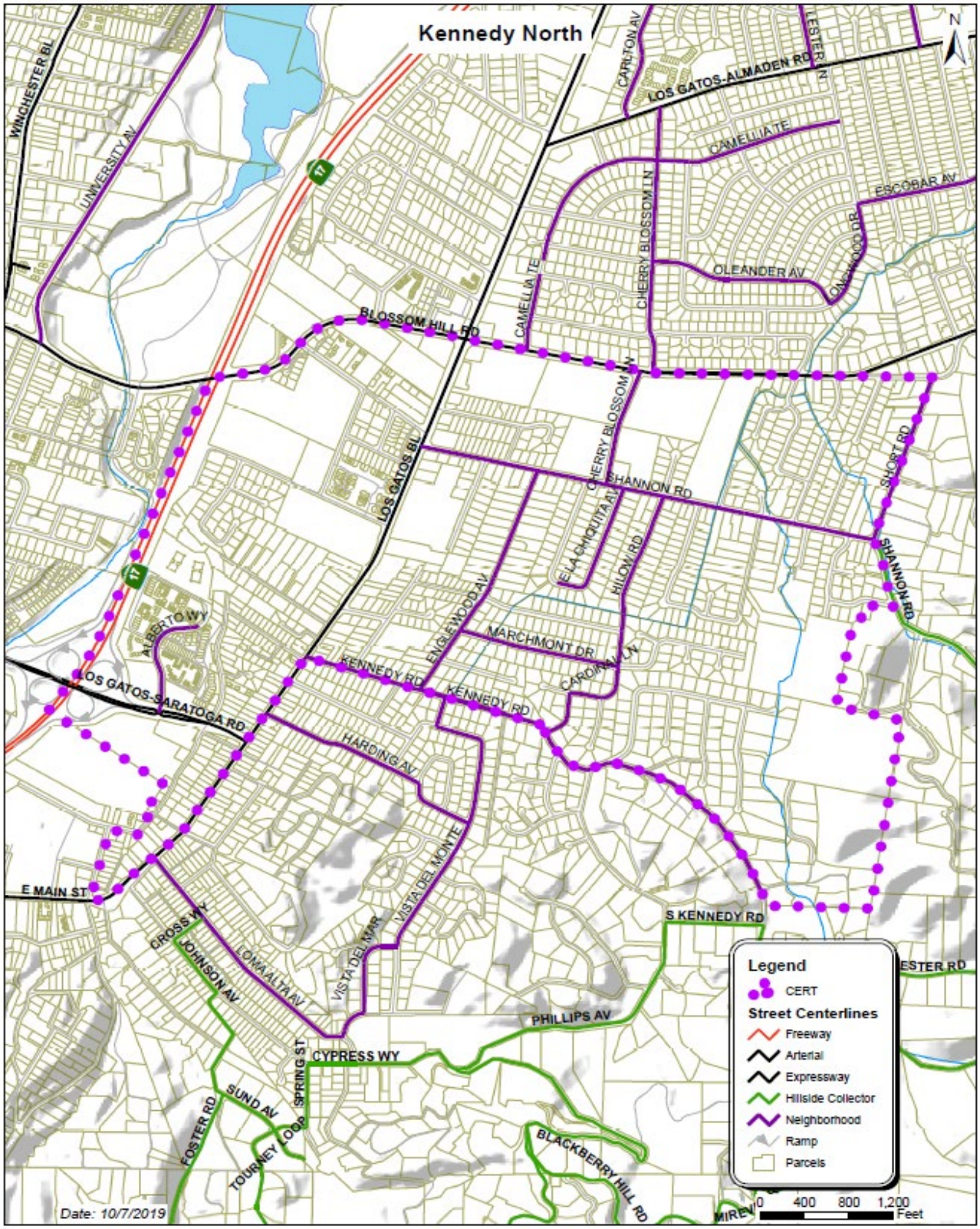
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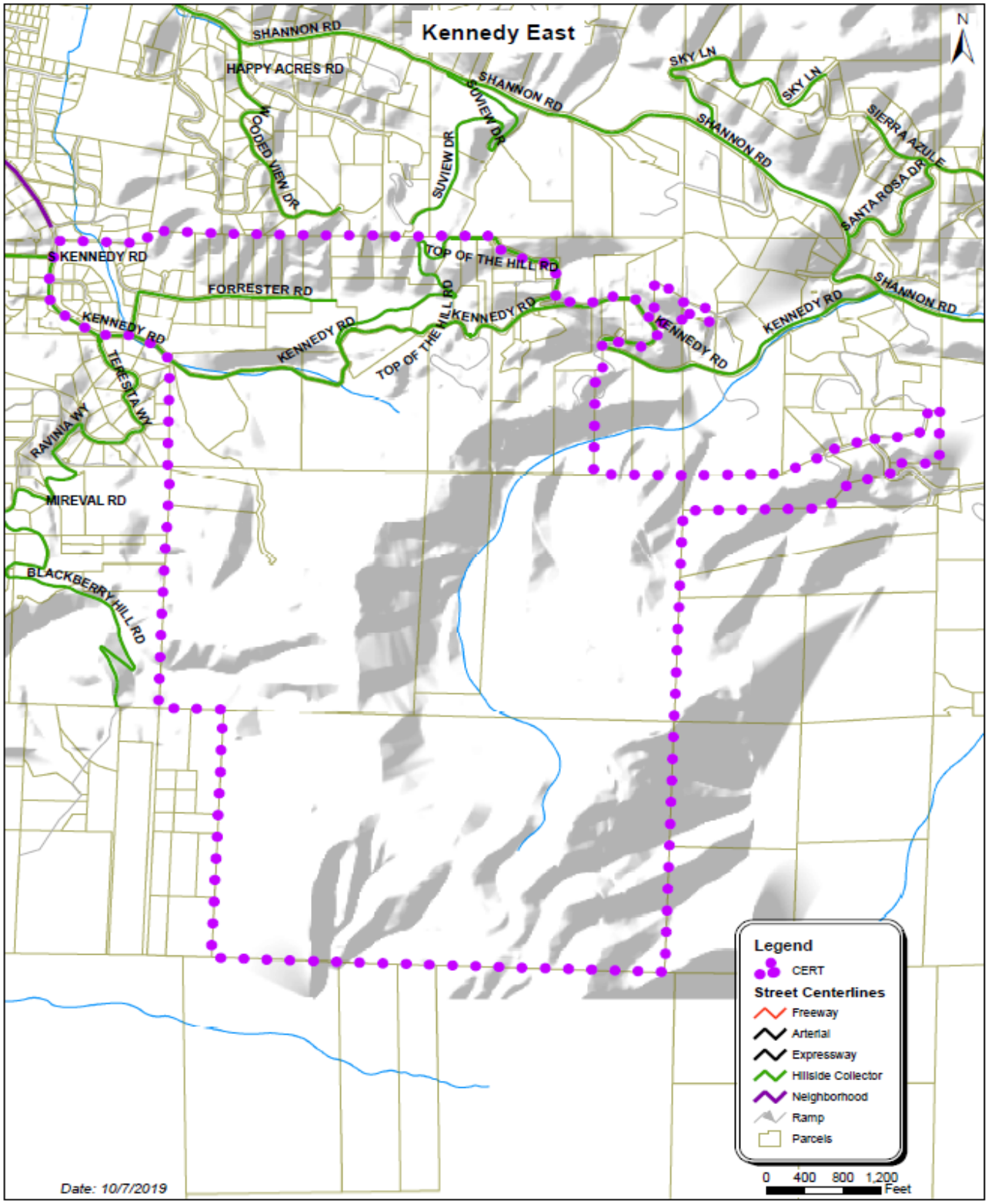

QUITO RD
SARATOGA LOS GATOS RD
Monte Sereno West
N Santa Cruz
Rinconada
Almond Grove/Downtown
N SANTA CRUZ AV
Civic Center
E MAIN ST
LOS GATOS BL
BLOSSOM HILL RD
WINCHESTER BL
Winona
ESTATES DR
ESTATES CT
Vista Del Monte
Kennedy North
SHANNON RD
Gatos-Alhaden
LOS GATOS-ALMADEN RD
S BASCOM AV
SAMARITAN DR
Kennedy East
Blossom Hill/Shannon
Santa Rosa Hicks
Belwood
UNION AV
CAMDEN AV
FOXWORTHY AV
LEIGH AV
HILLSDALE AV
HARWOOD RD
BRANHAM LN
MERIDIAN AV
COLEMAN RD
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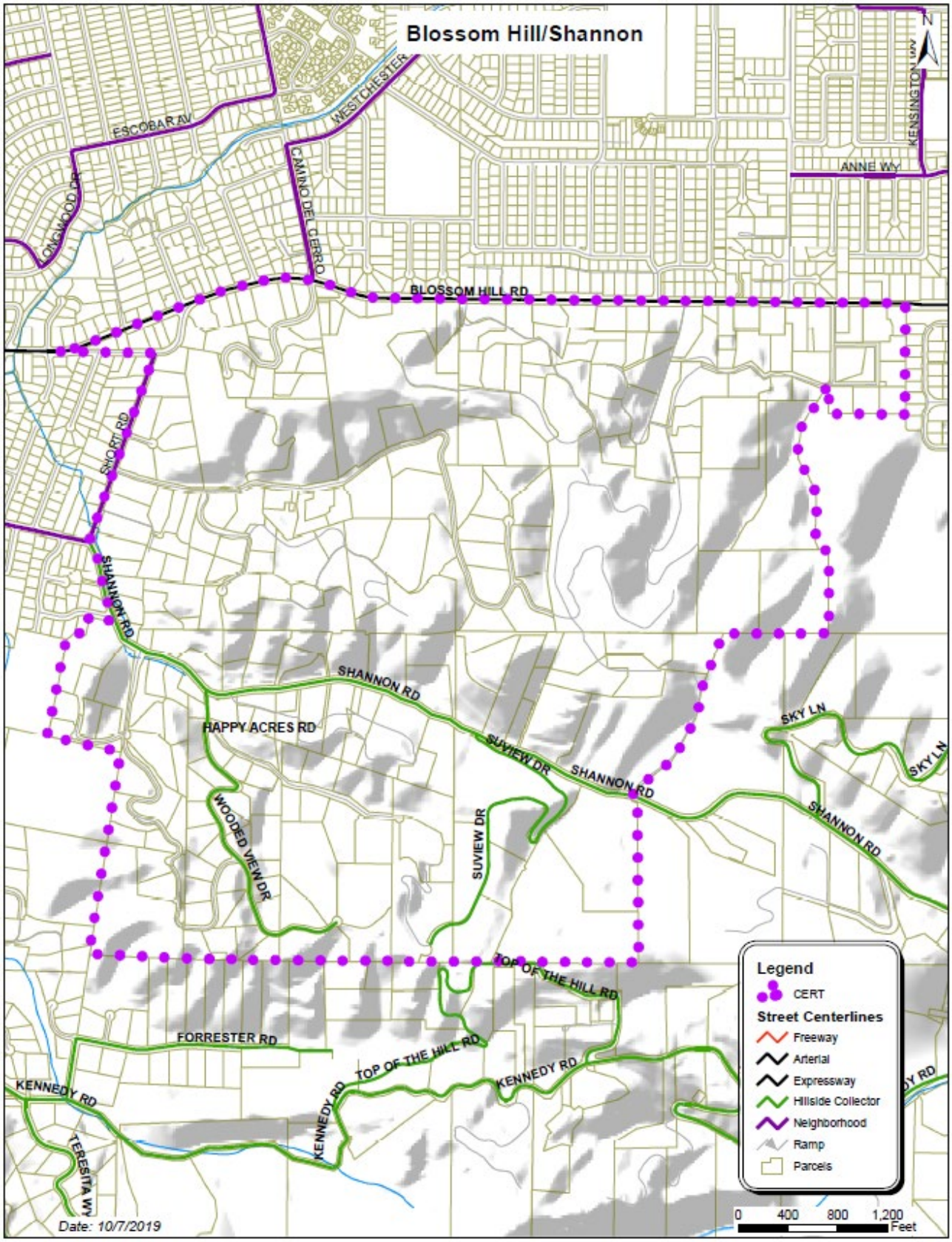

Almond Grove/Downtown
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BLOSSOM HILL R
ANDREWS ST
LOS GATOS-SARATOGA RD
BACHMAN AV
HERNANDEZ AV
OVERLOOK RD
WISSAHICKON AV
PENNSYLVANIA AV
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Date: 10/7/2019

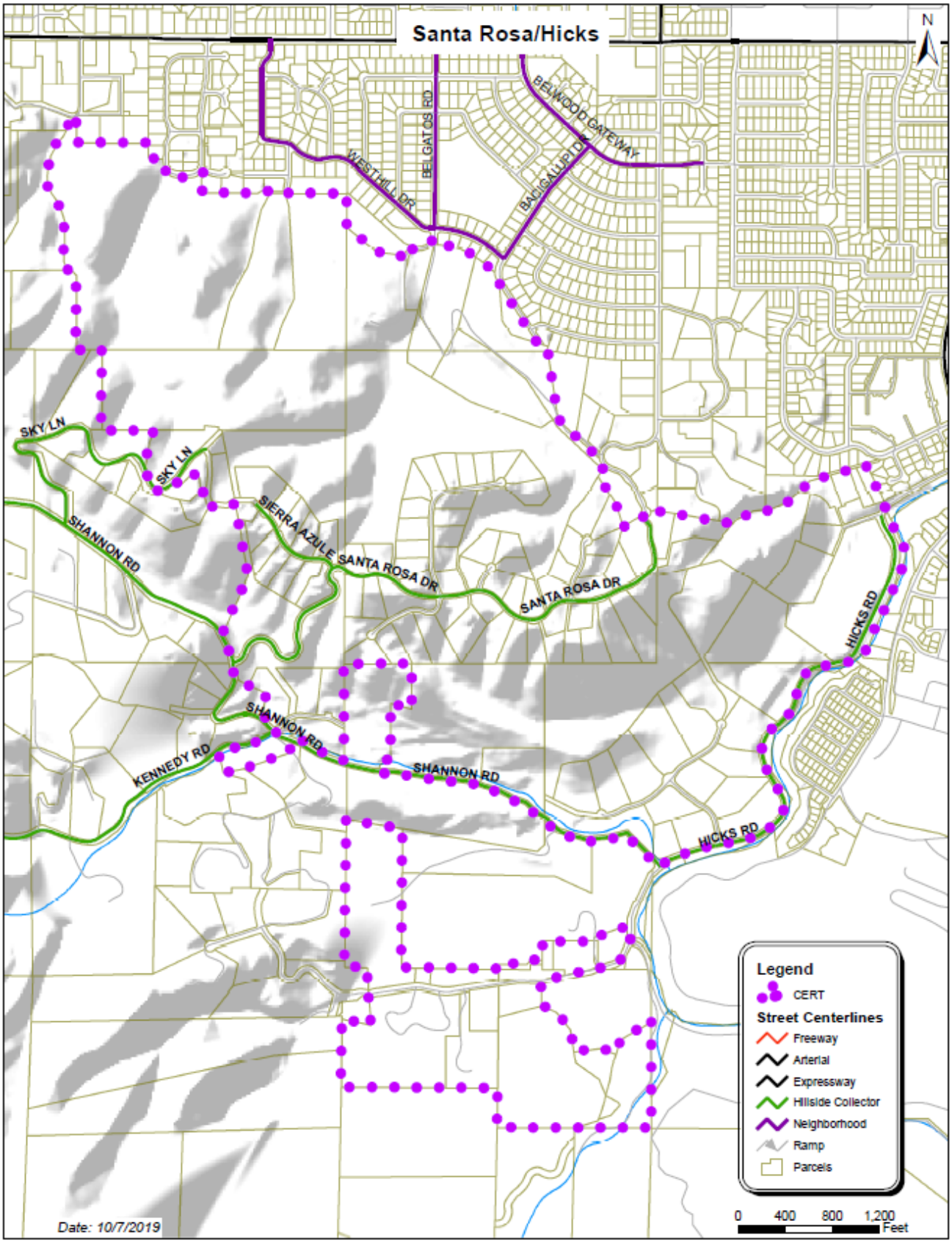

Civic Center
LOS GATOS-SARATOGA RD
HARDING AV
PENNSYLVANIA AV
GLEN RIDGE AV
TAT AV
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LOMA ALTA AV
VISTA DEL MAR
SHECKLES AV
CYPRESS WY
SUND AV
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TOURNEY RD
FOSTER RD
COLLEGE AV
RESERVOIR RD
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Legend
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Expressway
Hillside Collector
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Date: 10/7/2019


Vista Del Monte
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KENNEDY RD
ENGLEWOOD AV
MARCHMONT DR
CARDINAL LN
HILOW RD
SHANNON RD
HARDING AV
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VISTA DEL MAR
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FORRESTER RD
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ESCOBAR AV
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SHANNON RD
SHORT RD
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ENGLEWOOD AV
MARCHMONT DR
CARDINAL LN
KENNEDY RD
LOS GATOS-SARATOGA RD
HARDING AV
ALBERTO WY
E MAIN ST
CROSS WY
JOHNSON AV
LOMA ALTA AV
VISTA DEL MAR
VISTA DEL MONTE
S KENNEDY RD
PHILLIPS AV
CYPRESS WY
SPRING ST
SUND AV
FOSTER RD
TOURNEY LOOP
BLACKBERRY HILL RD
Legend
CERT
Street Centerlines
Freeway
Arterial
Expressway
Hillside Collector
Neighborhood
Ramp
Parcels
0 400 800 1,200
Feet
Date: 10/7/2019


Kennedy East
N
SHANNON RD
HAPPY ACRES RD
WOODED VIEW DR
SUVIEW DR
SKY LN
SIERRA AZULE
SANTA ROSA DR
S KENNEDY RD
FORRESTER RD
TOP OF THE HILL RD
KENNEDY RD
TERESITA WY
RAVINIA WY
MIREVAL RD
BLACKBERRY HILL RD
Date: 10/7/2019
Legend
CERT
Street Centerlines
Freeway
Arterial
Expressway
Hillside Collector
Neighborhood
Ramp
Parcels
0 400 800 1,200
Feet


Blossom Hill/Shannon
N
ESCOBAR AV
WESTCHESTER
CAMINO DEL CERRO
LONGWOOD DR
KENSINGTON WY
ANNE WY
BLOSSOM HILL RD
SHORT RD
SHANNON RD
SHANNON RD
HAPPY ACRES RD
SUVIEW DR
SHANNON RD
SKY LN
SKY LN
SHANNON RD
WOODED VIEW DR
SUVIEW DR
TOP OF THE HILL RD
FORRESTER RD
KENNEDY RD
TOP OF THE HILL RD
KENNEDY RD
KENNEDY RD
TERESITA WY
Legend
CERT
Street Centerlines
Freeway
Arterial
Expressway
Hillside Collector
Neighborhood
Ramp
Parcels
0 400 800 1,200
Feet
Date: 10/7/2019


Santa Rosa/Hicks
N
WESTHILL DR
BEL GATOS RD
BELWOOD GATEWAY
BAC/GALLUP
SKY LN
SKY LN
SHANNON RD
SIERRA AZULE
SANTA ROSA DR
SANTA ROSA DR
HICKS RD
SHANNON RD
KENNEDY RD
SHANNON RD
HICKS RD
Legend
CERT
Street Centerlines
Freeway
Arterial
Expressway
Hillside Collector
Neighborhood
Ramp
Parcels
0 400 800 1,200
Feet
Date: 10/7/2019

# Existing and Potential Treatments
## El Sereno/Felton Station/St. Joseph's Hill

**Existing Treatments**
- Fuelbreak 200-foot
- Non-Shaded Fuelbreak
- Shaded Fuelbreak
- Discline
- Wildland Type 3 Ingress/Egress

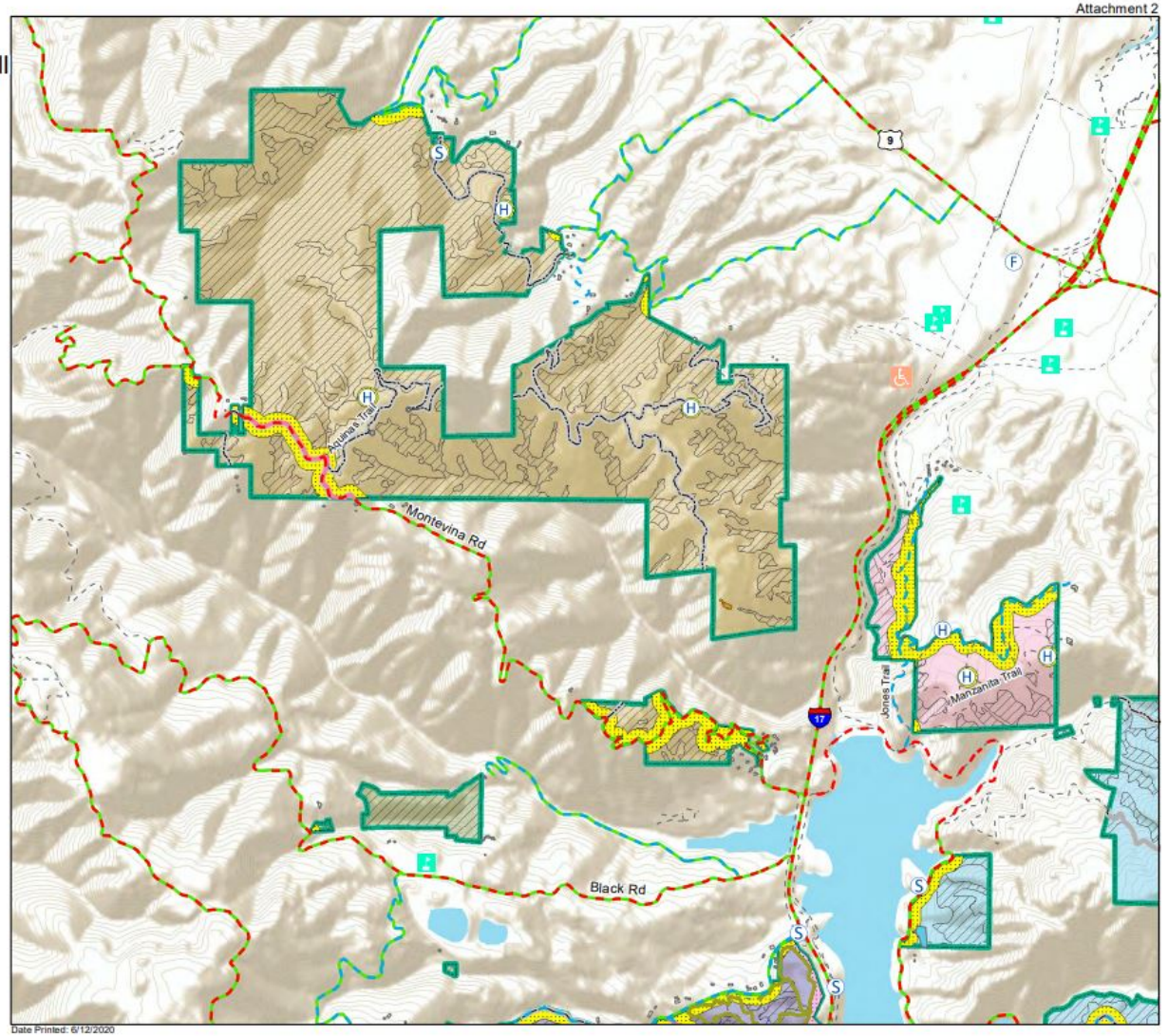
**Potential Fuels Treatments**
- Fuelbreak 200-foot
- Eucalyptus and Acacia Removal
- Shaded Fuelbreak
- Potential FRAs for Ecosystem Resiliency
- Wildland Type 3 Ingress/Egress

**Critical Infrastructure**
- Primary Evacuation Route
- Secondary Evacuation Route
- Structure Type 1 (Tender)
- Road or Trail
- (F) Fire Station

**Target Hazards**
- Assisted Living Facility
- School/Day Care

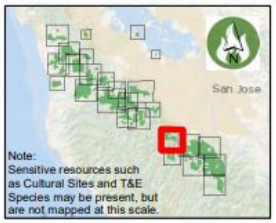
**Fire Management Logistics**
- (H) Helispot
- (S) Staging Area

**OSP & Managed Properties**
- Boundary
- Bear Creek Redwoods
- El Sereno
- Felton Station
- Sierra Azul
- St. Joseph's Hill




Date Printed: 6/12/2020

* See Table of Contents page for additional symbology.
** Fuel break widths are maximums. Fuelbreaks may be constructed at any width up to the maximum width.




0 0.25 0.5 Miles

# Existing and Potential Treatments
## Sierra Azul (1 of 5)

**Existing Treatments**
- Defensible Space 100-foot
- Fuelbreak 200-foot
- Non-Shaded Fuelbreak
- Shaded Fuelbreak
- Discline
- Wildland Type 3 Ingress/Egress

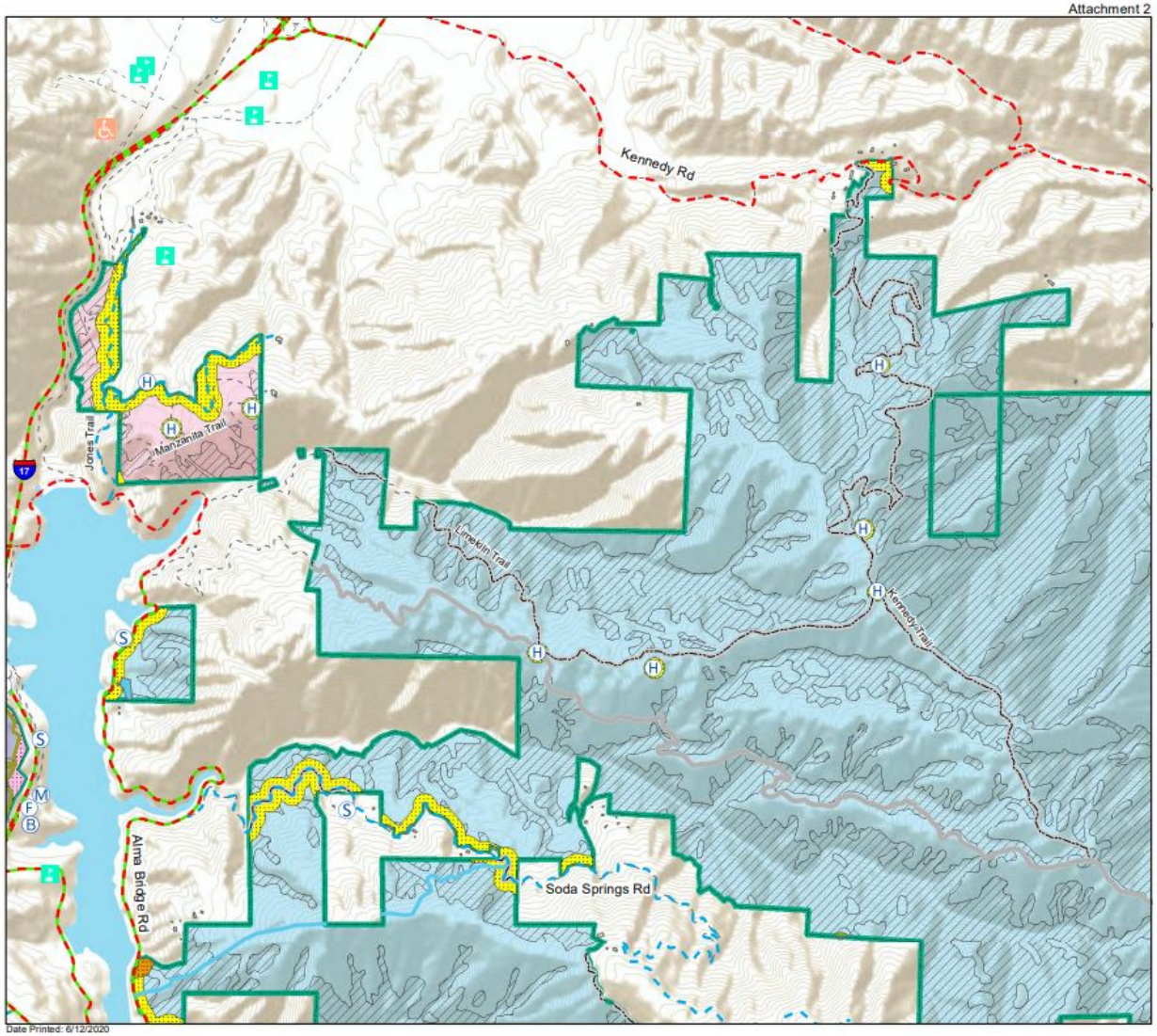
**Potential Fuels Treatments**
- Fuelbreak 200-foot
- Eucalyptus and Acacia Removal
- Shaded Fuelbreak
- Potential FRAs for Ecosystem Resiliency
- Wildland Type 3 Ingress/Egress

**Critical Infrastructure**
- Primary Evacuation Route
- Secondary Evacuation Route
- Structure Type 1 (Tender)
- Road or Trail
- (F) Fire Station
- (B) Incident Command Post
- (M) Medivac Site

**Target Hazards**
- Assisted Living Facility
- School/Day Care

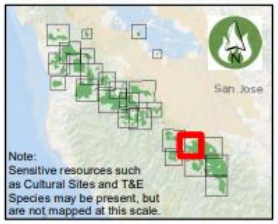
**Fire Management Logistics**
- (H) Helispot
- (S) Staging Area

**OSP & Managed Properties**
- Boundary
- Bear Creek Redwoods
- Sierra Azul
- St. Joseph's Hill

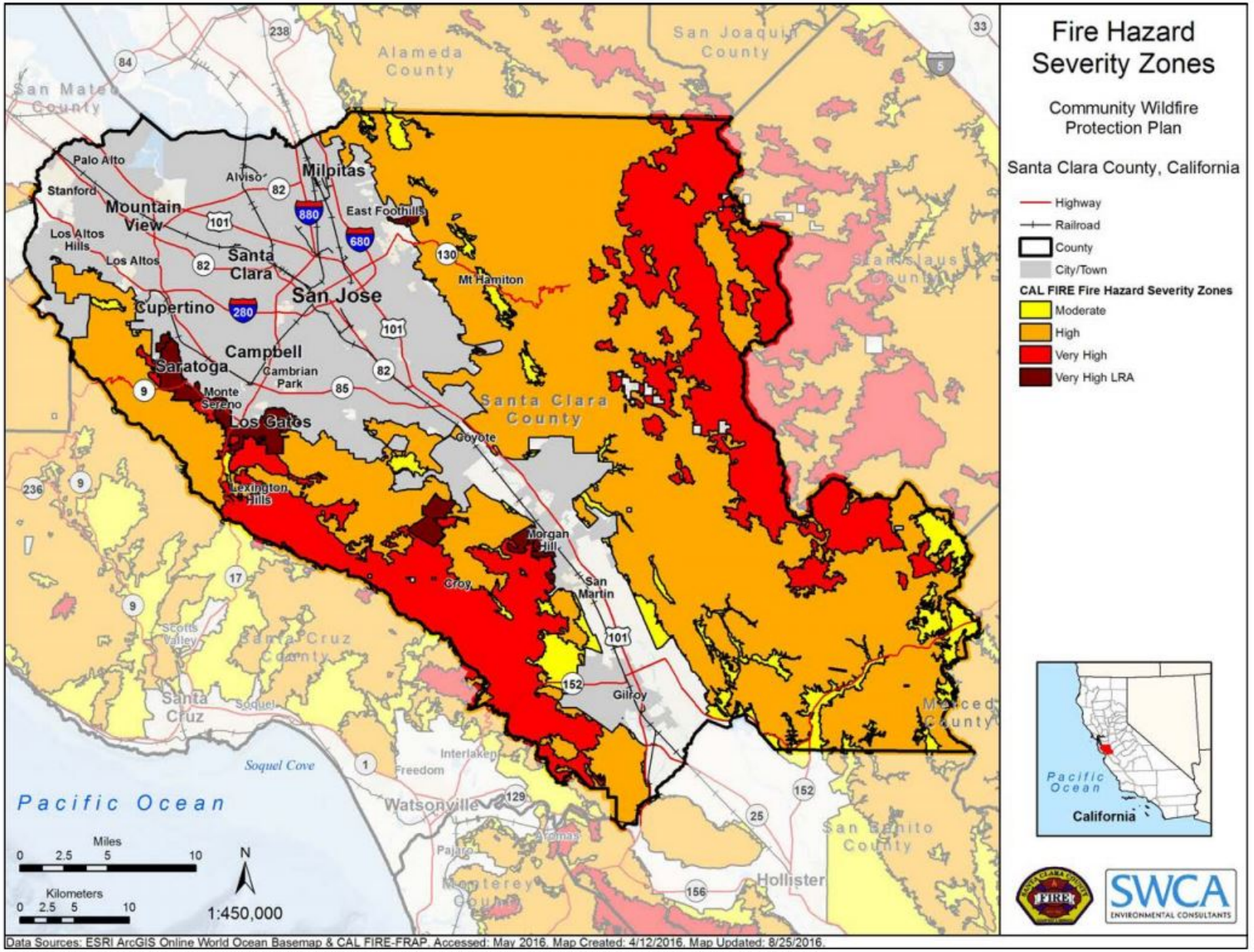



Date Printed: 6/12/2020

* See Table of Contents page for additional symbology.
** Fuel break widths are maximums. Fuelbreaks may be constructed at any width up to the maximum width.




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Data Sources: ESRI ArcGIS Online World Ocean Basemap & CAL FIRE-FRAP. Accessed: May 2016. Map Created: 4/12/2016. Map Updated: 8/25/2016.

DRAFT




https://www.azcentral.com/in-depth/news/local/arizona-wildfires/2019/07/22/wildfire-risks-more-than-500-spots-have-greater-hazard-than-paradise/1434502001/

**From:** Michelle Waters Art
**Sent:** Wednesday, March 16, 2022 5:27 PM
**To:** Jennifer Armer
**Cc:** Council
**Subject:** Plant-based education program

Dear Ms. Armer,

I'm a resident of Los Gatos, and am writing to ask the town to add a plant-based education program to Section 8 Environmental and Sustainability section of the town's General Plan.

I think it's quite important for the public to understand the great environmental benefits of foregoing meat, dairy and eggs in favor of a plant-based diet, as much as possible. Animal agriculture is one of the largest contributors of greenhouse gas emissions, as well as the number one user of freshwater in California, with 47% of freshwater in the state used by the meat, dairy and egg industries. With our state in a climate-induced drought, one crucial step we can all take to help our water situation is to eat a plant-based diet, but most people are unaware of this as there hasn't been much education on these issues.

Thank you for your time, and for considering my request.

Best regards,

Michelle Waters

Animal and Environmental Artist

**From:** Debbie Parsons
**Sent:** Wednesday, March 16, 2022 11:52 PM
**To:** Jennifer Armer
**Subject:** Plant - based education

*Dear Town Council,*

*Thank you for your service to our beautiful town. I have lived in Los Gatos for 24 years.*

*I would like to see a Plant-Based Education program included in the Environmental section of the Town's 2040 General Plan in the Environmental section.*

*I grew up eating a meat-heavy diet like most Americans. However, when I learned about the health and environmental benefits of a plant-based diet I drastically shifted my eating patterns and I am now mostly plant-based. I know that a lot of people are not yet aware of the advantages such a diet can provide. A town-sponsored program to educate residents about the powerful health and environmental benefits of a plant-based diet would be a very valuable and cost-effective step for the Town.*

*Sincerely,*

*James Parsons*

**From:** Mendoza, Clarissa
**Sent:** Tuesday, March 22, 2022 3:19 PM
**To:** Planning Comment
**Cc:** Francois, Matthew; Rob Rennie; Maria Ristow; Mary Badame; Matthew Hudes; Marico Sayoc; Laurel Prevetti; Joel Paulson; Robert Schultz
**Subject:** Comments Regarding Proposed 2040 General Plan

Dear Chair Hanssen and Members of the Planning Commission:

Attached please find written correspondence from Mr. Francois on behalf of Los Gatos Community Alliance, in regards to the above-referenced matter.

Best,

**Clarissa Mendoza**
Legal Secretary

455 Market Street, Suite 1870 | San Francisco, CA 94105
O. (650) 263-7900 | D. (650) 320-1500 x7725

CMendoza@rutan.com | www.rutan.com

RUTAN
RUTAN & TUCKER, LLP

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**Matthew D. Francois**
Direct Dial: (650) 798-5669
E-mail: mfrancois@rutan.com

March 22, 2022

**VIA E-MAIL [PlanningComment@losgatosca.gov]**

Honorable Melanie Hanssen, Chair
and Members of the Planning Commission
Town of Los Gatos
110 E. Main St.
Los Gatos, CA 95030

**Re: Comments Regarding Proposed 2040 General Plan**

Dear Chair Hanssen and Members of the Planning Commission:

We write on behalf of the Los Gatos Community Alliance ("LGCA"), a group of concerned citizens, in regard to the Proposed 2040 General Plan (the "Proposed Plan").[1] In previous correspondence to the Town of Los Gatos (the "Town"), LGCA expressed its significant concerns with the Proposed Plan's major upzoning of every residential and commercial land use district in the Town, potentially resulting in up to 75,000 new housing units and 45 million square feet of new commercial development.[2] We pointed out how such intensification violated the California Environmental Quality Act ("CEQA") as it was not studied in the environmental impact report ("EIR") prepared by the Town for the Proposed Plan. We also explained that such intensification was entirely unnecessary to accommodate the 1,993 additional housing units needed per the Town's Regional Housing Needs Allocation ("RHNA").

By January 2023, the Town Council must adopt a Housing Element which includes an inventory of sites suitable and available for residential development to meet the Town's RHNA. Given the pending statutory deadline and in light of LGCA's substantial concerns with the Proposed Plan, the Town should focus first on updating its Housing Element. The housing sites inventory will provide critical information to determine what area(s) of the Town, if any, need to be re-designated in the General Plan to meet the RHNA. Updating the General Plan prior to and apart from updating the Housing Element is tantamount to putting the cart before the horse.

[1] Members and/or supporters of LGCA include: former Mayor Joanne Benjamin, former Mayor Sandy Decker, former Mayor Tom Ferrito, former Mayor Steve Rice, former Mayor Barbara Spector, former County Superintendent of Schools Colleen Wilcox, Tim Lundell, Phil Koen, Don Livinghouse, Sandra Livinghouse, Lee Fagot, Ann Ravel, Rob Stump, Rick Van Hoesen, and Jak Vannada.

[2] *See* September 13, 2021 and January 5, 2022 letters from Matthew Francois to Jennifer Armer.


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San Francisco, CA 94105 | 650-263-7900 | Fax 650-263-7901
Orange County | Palo Alto | San Francisco | www.rutan.com

**1. Background.**

In terms of background, the current 2020 General Plan planned for 1,600 additional units to be constructed between 2009 and 2020. The majority of these units—some 1,423 units—were projected to be developed on the Housing Element opportunity sites and the North Forty Specific Plan area. We understand that of the 1,600 additional units projected, only approximately 500 have been built thus far. This leaves capacity for approximately 1,100 additional units with no changes whatsoever to existing residential densities.

When the Town began the process of updating the 2020 General Plan, Staff acknowledged that "the existing General Plan is serving the community well," and that the Proposed Plan "provides the opportunity to refine the General Plan, address emerging trends and recent State laws, and consider new issues." (Staff Report to the Town Council, November 17, 2020, p. 5; *see also* General Plan Update, September 2019 [further noting that the General Plan update effort was "intended to be a fine-tuning of the existing General Plan, rather than a comprehensive overhaul of the document."].)

A December 2019 Land Use Alternatives Report prepared by Town Staff presented four growth alternatives (labeled A-D) with net new housing ranging from 1,156 to 3,176 units.[3] At its April 7, 2020 meeting, the Town Council approved Land Use Alternative C. That alternative called for 2,303 additional housing units. At the November 17, 2020 Town Council meeting, Councilmembers indicated that new housing should be focused in Community Place Districts without increasing the allowed densities in Low Density Residential areas or changing the Downtown/Central Business District.

The Draft EIR ("DEIR") for the Proposed Plan states that one of the Proposed Plan's "central objectives" is to achieve the RHNA figure assigned to the Town. (DEIR, pp. 2-7, 6-1.) The RHNA figure assigned to the Town is 1,993 units. Yet, the DEIR then proceeds to analyze 3,738 dwelling units—nearly double the assumed RHNA figure. In reality, the Proposed Plan, with its increased densities across almost all land use designations, could enable development of tens of thousands of new housing units. This growth was not acknowledged let alone factored into the DEIR, as legally required.

In its December 2, 2021 report to the Town Council on the Proposed Plan, Staff noted that the Planning Commission had the authority to recommend a lower housing number than that studied and assumed in the DEIR, with commensurate changes to the Proposed Plan. Staff also indicated that the report to the Planning Commission would include an option for approximately 2,000 units with associated modifications needed to the Proposed Plan to achieve this lower housing capacity.

[3] The Land Use Alternatives report also identified the range of likely market demand for new housing between 2020 and 2040 to be approximately 1,500-2,000 dwelling units.

In December 2021, the Association of Bay Area Governments ("ABAG") approved its final RHNA Plan for Bay Area cities. Under that Plan, the Town will need to identify housing sites for 1,993 units. As is typical, the Town's allocation is separated into four income categories: Very Low: 537 units, Low: 310 units, Moderate: 320 units, and Above Moderate: 826 units. ABAG's RHNA Plan was approved by the State Department of Housing & Community Development ("HCD") on January 12, 2022.

**2. The Town Should Focus First On Updating Its Housing Element, Which Will Guide And Shape Any Other Updates To The General Plan.**

Unlike the General Plan update, the Town is under a statutory deadline to submit the updated Housing Element to HCD by January 2023. On June 15, 2021, the Town Council retained EMC Planning Group to prepare the Housing Element update. In its Scope of Services, EMC states that it will rely on the Town Council's Preferred Land Use Alternative C, which proposes residential development of 2,303 additional units to be located primarily in Community Place Districts.

By law, the Housing Element update must include an inventory of land suitable and available for residential development to meet the Town's regional housing need by income level. (Gov. Code §§ 65583, 65583.2.) "Suitable" means the parcel is zoned appropriately for residential development and has available infrastructure and is not environmentally constrained. (*Id.*) "Available" means that the site has a likelihood for development during the Housing Element planning period. (*Id.*) If the housing sites inventory demonstrates that there are insufficient sites to accommodate the housing allocation for each income category, the inventory must identify potential sites for rezoning and a program to effectuate such rezoning early in the 2023-2031 planning period. Per the schedule included in its Scope of Services, EMC stated that the housing sites inventory would be completed by Winter 2021-2022.

The Town must update the Housing Element by January 31, 2023 and submit it to HCD for certification. If the Town does not secure HCD certification of its Housing Element within that required timeframe, it could become ineligible for state and regional funding programs, be placed on an accelerated Housing Element cycle, and/or face legal challenges. (Gov. Code §§ 65585, 65588, and 65889.11.)

The Town's website devoted to the Housing Element update refers simply to the formation of the Housing Element Advisory Board, with no documents, information on meetings, or updates concerning a critical statutory deadline that is less than 12 months away.[4] Other Bay Area cities have been laser-focused on updating their Housing Elements. For instance, since May 2021, the City of Palo Alto held over a dozen meetings on its Housing Element update, and the Palo Alto City Council recently provided feedback on the housing sites inventory.

[4] https://www.losgatosca.gov/2711/Housing-Element-Advisory-Board

The Town should follow both common sense and the lead of other cities and focus now on updating its Housing Element. Doing so will guide and provide critical information for the Proposed Plan. Updating the General Plan prior to and apart from updating the Housing Element is tantamount to putting the cart before the horse.

**3. When Resumed, the Proposed Plan Should Be Modified to Reflect the Housing Element Update and Other Changes.**

Once the Housing Element update has been adopted by the Town Council and certified by the State, the Proposed Plan should be updated to reflect it. Other recommended changes to the Proposed Plan are detailed below.

**A. Restore Existing Low Density Residential Development Standards.**

For lands designated Low Density Residential, the current General Plan allows for single-family development at densities of up to 5 units per acre. The Proposed Plan would more than double the permitted densities, allowing for development of up to 12 units per acre. No change in land use designation or densities should be made to the Low Density Residential land use category.

First, no such changes are needed to meet the Town's RHNA figure. Higher density development is already provided for in other areas, such as Community Place Districts. Further, the densities proposed in Low Density Residential areas (up to 12 units per acre) would not count toward the Town's fair share of affordable housing. (Gov. Code § 65583.2(c)(3)(B) [requiring densities of at least 20 units per acre to be deemed appropriate to accommodate housing for lower income households].)

Second, state law has already added density to low density residential areas. Senate Bill 9, which took effect on January 1, 2022, allows for up to four units per single family residential lot. The Town has enacted an urgency ordinance to implement Senate Bill 9. Adding further density to single-family neighborhoods would not be appropriate as such areas are generally not in close proximity to public transit, employment, or commercial services. Local upzoning on top of state upzoning would also be contrary to policies in the Proposed Plan that emphasize maintaining and enhancing a sense of place in residential neighborhoods and requiring new construction to be compatible with existing neighborhoods. (*See, e.g.*, Proposed Plan, Goals LU-5 and LU-17 and Policies LU-2.1, LU-4.1, and LU-5.8.)

Third, given the relatively high land costs, much higher development densities are required to achieve the unit development economics to incentivize the production of duplexes and triplexes. The desired development would not likely ever materialize given the high land cost. The resulting housing would instead likely consist of denser, single-family detached housing that is market rate and not affordable.

**B. Add Low-Medium Density Residential in Appropriate Locations.**

The Proposed Plan contains policies that encourage development of "missing middle" housing. (*Cf.* Proposed Plan, Policies LU-1.2, LU-3.5, and LU-5.1; *see also* Proposed Plan, pp. 3-5 to 3-6.) The Proposed Plan describes missing middle housing as "multiple units on a single parcel (whether attached or detached) that are compatible in scale and form with detached single-family homes." (Proposed Plan, p. 3-3.) The plan goes on to state that common missing middle housing types include, among others, duplexes, triplexes, and townhomes. (*Id.*)

To encourage the development of this type of housing, the Town should establish a new Low-Medium Density Residential land use category that allows for the development of duplexes and triplexes at a density range of between 6 and 13 dwelling units per acre. The City of Campbell has a similar land use designation in its General Plan, which it describes as consisting generally of duplexes, small apartment buildings, and small lot, single-family detached homes. This new land use designation would be between Low Density Residential, designed for single-family residential development, and Medium Density Residential, designed for multiple-family residential development. Staff could identify appropriate sites in Community Place Districts for this new land use designation.

**C. Amend Permitted Intensities Allowed in Central Business District.**

As currently written, the Proposed Plan would change the permitted floor area ratio ("FAR") in the Central Business District ("CBD") from 0.6 to 2.0 and allow for residential densities of 20-30 units per acre. This change would increase allowed intensities in Los Gatos's unique and charming Downtown by over 200 percent. Such a change would conflict with policies emphasizing the small-scale retail development envisioned in the CBD district that is consistent with the Town's identity, character, and style. (*Cf.* Proposed Plan, Policies LU-8.2, LU-8.3, LU-9.1, and LU-9.4.) Such high density development could threaten the commercial viability of the Downtown area.

The City of Campbell limits FAR in its Central Commercial ("CC") district to 1.25. Similar to Los Gatos's CBD district, Campbell's CC district is intended to promote retail commercial uses on the ground floor with office or other uses on upper floors. The Town should likewise limit FAR in the CBD to 1.25.

**D. Make Other Changes As Needed to Accommodate The Town's Assigned RHNA.**

In addition to the above changes, the Town should modify land use designations and densities so that build-out under the Proposed Plan would accommodate no more than approximately 2,300 units. This figure reflects the Town's RHNA of 1,993 units, plus a 15 percent buffer. It also reflects the economic demand and the City Council's preferred land use alternative. By proceeding with

this reasonable growth figure, the Town could ensure that development is phased and does not outpace necessary infrastructure and service improvements.

The current Proposed Plan allows for the development potential of nearly 75,000 housing units at maximum allowable densities. There is no need to maximize densities in each and every residential and commercial land use category to achieve the Town's RHNA and doing so would fundamentally change the nature and character of the entire Town. This underscores why the Housing Element update and its critical housing sites inventory should precede any further work on the Proposed Plan.

**********

We respectfully ask the Town to focus first on the Housing Element update prior to considering the Proposed Plan or any other General Plan update. The Housing Element update will provide critical information on what area(s), if any, need to be re-designated in the General Plan to accommodate the Town's projected housing growth. Once the Housing Element update has been finalized, the Proposed Plan should be revised to reflect it as well as the other recommended changes detailed above.

Thank you for your consideration of LGCA's views on these important matters. Please do not hesitate to contact the undersigned with any questions concerning this correspondence.

Very truly yours,

RUTAN & TUCKER, LLP

Matthew D. Francois

cc (*via e-mail*):
Honorable Rob Rennie, Mayor, and Members of the Town Council
Laurel Prevetti, Town Manager
Joel Paulson, Community Development Director
Robert Schultz, Town Attorney

From: Sonny Stearns
Sent: Tuesday, March 22, 2022 4:58 PM
To: GP2040
Subject: Housing!

Sent from my iPad. This whole WOKE, PC nonsense is sickening. Build the least amount of houses. People moved to Los Gatos to be in housing that IS NOT DENSE. Look at the mess you allowed on the Yuki property across from Lark Ave Carwash. It looks like a giant scoop of Daily City was plopped into Los Gatos——— what an eyesore, non- Los Gatos abomination! Town Council discussed this issue for years ,and, left us with this !!?!?! Also , Town Council, thanks for destroying traffic flow on Blossom Hill Road, Winchester , Los Gatos Blvd. if you are going to jam in houses we don't want, can't you see they will be ,for the most part in cars, not bikes! The town should fight for Los Gatos residents, and fight against the state mandates, but, you won't! Fellow Stearns, DDS

From: Mike Verga
Sent: Tuesday, March 22, 2022 7:36 PM
To: GP2040
Subject: Housing

I absolutely do not believe in “low income housing”. You can buy a house in Akron Ohio for less than 100K

What right does anybody have to living in one of the most desirable places on the planet if you can’t afford it??? Move!

We are ruining the make up of Los Gatos
with absolutely no infrastructure to support (new roads, public transport etc…)the increase in population. Just more housing, more housing.

Traffic thru town on a warm day,  even during the week now is an absolute nightmare, yet we are going to pack in more people. It is absolute insanity!

I am being taxed to death in California with ZERO improvement to my standard of living. The roads here are embarrassing, homeless (they are actually drug addicts and mentally ill, read San Fransicko if you want to know the truth) everywhere, and now we are going to pack even more into the area? Insane!!

Air quality, traffic, water and safety will obviously be negatively affected by more housing, yet here we are trying to push thru more housing while I can only water my lawn twice a week. Insanity is winning.

Mike Verga
LG

From: Joseph Gemignani
Sent: Wednesday, March 23, 2022 4:56 PM
To: GP2040
Subject: Housing

Hi,  I prefer the least amount of housing as possible. I guess that means 1993 units.
I would like to see traditional architecture such as Mediterranean or Craftsman. Anyway s pitched roof. Not modern, boxy buildings.

Maybe areas of Los Gatos boulevard and/ or Winchester area.

Thanks,

Joseph (amateur weatherman)

**From:** Varily Isaacs
**Sent:** Monday, March 28, 2022 4:51 PM
**To:** Jennifer Armer
**Cc:** Council
**Subject:** Please add Plant-based Education Program to General Plan

My name is Varily Isaacs and I live in Los Gatos. I am writing to ask that we include a plant-based education program to Section 8 Environmental and Sustainability section of the General Plan. I feel that it is important for residents of Los Gatos to be aware of the huge environmental benefits of a plant-based diet, and I'd like to see the Town fund education on this topic.

The world's leading climate scientists agree that we have very few years to mitigate greenhouse has emissions before we experience catastrophic consequences, and animal agriculture is responsible for much of those climate-warming emissions. Shifting to a more plant-based food system is our best chance to curb global warming and address the other impacts of factory farming: pollution of our air, land and water, species extinction, deforestation, ocean depletion and dead zones, and more.

Varily Isaacs

Los Gatos, CA 95032

**From:** John Parsons
**Sent:** Monday, March 28, 2022 8:51 PM
**To:** Jennifer Armer
**Subject:** Plant Based Education

Dear Jennifer,

My name is John Parsons. I am a Junior at San Jose State and a Los Gatos resident. I am writing to ask that we include a plant-based education program to Section 8 Environmental and Sustainability section of the General Plan. I feel that it is important for residents of Los Gatos to be aware of the huge environmental benefits of a plant-based diet, and I'd like to see the Town fund education on this topic.

Thank you for your time and consideration.

Regards,

John Parsons

**From:** Cynthia K
**Sent:** Tuesday, March 29, 2022 8:59 AM
**To:** Jennifer Armer
**Cc:** Council
**Subject:** General Plan request

Hello,

My name is Cyndi and I live in Los Gatos. I am writing to ask that we include a plant-based education program in Section 8 Environmental and Sustainability section of the General Plan. I feel that it is important for residents of Los Gatos to be aware of the huge environmental benefits of a plant-based diet, and I'd like to see the Town fund education on this topic.

Appreciate your time.

Best,

Cyndi

**From:** Kristine Goldberg
**Sent:** Tuesday, March 29, 2022 2:17 PM
**To:** Jennifer Armer
**Cc:** Council
**Subject:** Plant Based Education

Hi Jennifer,

My name is Kristine Goldberg and I live in Los Gatos. I am writing to ask that we include a plant-based education program to Section 8 Environmental and Sustainability section of the General Plan. I feel that it is important for residents of Los Gatos to be aware of the huge environmental benefits of a plant-based diet, and I'd like to see the Town fund education on this topic.

Thank you,

Kristine

**From:** Bhanik Shah
**Sent:** Tuesday, March 29, 2022 6:35 PM
**To:** Jennifer Armer
**Cc:** Council
**Subject:** Vegan food options in Los Gatos restaurants

Hello Jennifer / Council of Los Gatos

My name is Bhanik Shah and I live in Los Gatos. I am writing to ask that we include a plant-based education program to Section 8 Environmental and Sustainability section of the General Plan. I feel that it is important for residents of Los Gatos to be aware of the huge environmental benefits of a plant-based diet, and I'd like to see the Town fund education on this topic.

Thanks
Bhanik

From: Karen Aidi
Sent: Wednesday, March 30, 2022 12:48 PM
To: Jennifer Armer
Cc: Council
Subject: Plant-based Education component

Hi Jennifer,

My name is Karen Aidi and I've talked to you before at the Los Gatos Farmer's Market about the Los Gatos 2040 General Plan. I have lived in Los Gatos since 1992.

I am writing to ask that we include a plant-based education program to the Section 8 Environmental and Sustainability in the 2040 General Plan. I think that it is important for residents of Los Gatos to be aware of the huge environmental benefits of a plant-based diet, and I'd like to see the Town fund education on this topic.

In the past five years I've gone completely plant-based (no meat, dairy, or fish). As a result, I lost 40 pounds and have been able to keep the weight off as well as getting off of blood pressure medication.

Along the way, I've also learned that a plant-based diet is the best thing I can do as an individual to mitigate the effects of climate change, deforestation, habitat loss, animal extinction, and so on. But, I can't do this all on my own. And, I despair of the way we are leaving our planet for the next generations.

As you know, in our area, we are in a terrible drought, and suffering from constant wildfires. It's not enough to just refuse a glass of water at a local restaurant. It's not enough to drive an electrical car, either. We have to reduce our greenhouse gas emissions at the local level. We can do this by reducing meat consumption or going meatless.

We need to do more as a town to educate our residents on what a shift to plant-based diet can do for our environment.

Thank you for your time and consideration.

Best Regards,

Karen Aidi

From: Suzanne Meinhardt
Sent: Wednesday, March 30, 2022 3:33 PM
To: Jennifer Armer
Cc: Council
Subject: Plant Based Diet Awareness

My name is Suzanne Meinhardt and I live in the Almond Grove of Los Gatos. I am writing to ask that a plant-based education program be added to the Section 8 Environmental and Sustainability section of the General Plan.
It is important that residents of Los Gatos are aware of the huge environmental/personal benefits of a plant-based diet. Town funding of education on this topic is key to success.
Respectfully,
Suzanne Meinhardt
Los Gatos, 95030

Sent from my iPhone

**From:** Kevin Arroyo
**Sent:** Wednesday, March 30, 2022 8:20 PM
**To:** Jennifer Armer
**Cc:** Council
**Subject:** Plant Based Education - Draft Plan

Hello Jennifer,

My name is Kevin and I live in Los Gatos, on Anne Way. Please include a plant-based education program in Section 8 Environmental and Sustainability section of the General Plan. It's important for residents of Los Gatos to be aware of the huge environmental benefits of a plant-based diet, and I'd like to see the Town fund education on this topic.

Thank you,

Kevin Arroyo

**From:** Cindy Walker
**Sent:** Thursday, March 31, 2022 7:39 AM
**To:** Jennifer Armer; Council
**Cc:** Kevin Arroyo; Maria Ristow
**Subject:** Plant Based Education Program for Los Gatos

Hello:

I am working w/ Kevin Arroyo on the Los Gatos Alamden Pollinator Garden. This is such an amazing project and I have had such a great experience working w/ Kevin.

**Please consider adding a Plant Based Education Program for Los Gatos – Section 8 - Environmental and Sustainability section to the Town General Plan – April 13th Meeting.**

The world's leading climate scientists agree that we have very few years to mitigate greenhouse emissions before we experience catastrophic consequences, and animal agriculture is responsible for much of those climate-warming emissions. Shifting to a more plant-based food system is our best chance to curb global warming and address the other impacts of factory farming: pollution of our air, land and water, species extinction, deforestation, ocean depletion and dead zones, and more.

Thank you for all that you do to make our town the great place it is to live!

Namaste,

Cindy Walker  B.A. eRYT CLC

Mindful Movement Yoga & Life Coaching
(408) 234-6430

www.mindfulmovementylc.com

**From:** Kathleen Willey
**Sent:** Thursday, March 31, 2022 7:48 AM
**To:** Jennifer Armer
**Cc:** Council
**Subject:** Support for Plant Based education in General Plan

Hello my name is Kathleen Willey and I have lived in Los Gatos with my family for 10 years. Around 5 1/2 years ago our family became vegan for many reasons but mainly because of the devastating impact animal agriculture has on our environment. It saddens me how few people know this and how little effort our local schools make to educate the kids on this topic. We often dine outside of Los Gatos because there are very few options here.

I am asking the Town to please include a plant based education program along with funding to section 8 Environmental and Sustainability section in the General Plan.

Climate change is here, we need to face it and do something about it. Cutting back on fossil fuels is important but even if everyone drove an electric car, if we do not address our food system we will not avoid catastrophic rising temperatures on this planet. Shifting towards a plant based diet is one of the most impactful thing an individual can do to help.

https://www.nytimes.com/interactive/2019/04/30/dining/climate-change-food-eating-habits.html

Please make the Town of Los Gatos a leader in the fight against climate change.

Thank you!

Kathleen Willey

**From:** Tara Moseley
**Sent:** Thursday, March 31, 2022 12:28 PM
**To:** Jennifer Armer
**Cc:** Council
**Subject:** Section 8 Environmental and Sustainability section of the General Plan

Hello Ms. Armer and Council Members;

I'm writing to request that you consider including a plant-based education program in Section 8 Environmental and Sustainability section of the General Plan. The world's leading climate scientists agree that we have very few years to mitigate greenhouse emissions before we experience catastrophic consequences, and animal agriculture is responsible for much of those climate-warming emissions. Shifting to a more plant-based food system is our best chance to curb global warming and address the other impacts of factory farming: pollution of our air, land and water, species extinction, deforestation, ocean depletion and dead zones, and more.

It would be wonderful if Los Gatos restaurants were required to include some plant based options on their menus, including deserts. We should be encouraging a plant based diet in our restaurant options in downtown Los Gatos. It is better for us and our planet.

Thank you for your consideration.

Best,

Tara Moseley

Los Gatos Resident 95032

**From:** Karla Albright
**Sent:** Thursday, March 31, 2022 1:12 PM
**To:** Council; Jennifer Armer
**Subject:** plant based education

To whom it may concern,

I am a proud long term resident of LG for the past 27 years. I am writing to express my support for plant based education. I understand there is the option for town support in the general plan.

I am not a vegetarian or a vegan but I admire such people and aspire to embrace their values. A plant based diet is hugely beneficial for ones personal health and the health of our plant. Education is the key to making changes. We need to make support education for the general public to help make the cultural shift that is needed to help burb global warming and its negative repercussions.

Thank you for your consideration.

Karla Albright

**From:**
**Sent:** Thursday, March 31, 2022 9:16 PM
**To:** Jennifer Armer; Council
**Subject:** To: Jennifer Armer and Town Council re General Plan

To: Jennifer Armer and Town Council

Please include a plant based education program in the Town's general plan. Anything you and the residents of Los Gatos can do to help mitigate greenhouse gases is important. The photosynthetic activity of plants sequesters CO2 . Locally grown produce in our yards and community areas helps sequester carbon dioxide and reduces the need to transport food from long distances in trucks that produce greenhouse gas.

Respectfully

Les an Susan Kishler

50 year residents and taxpayers Los Gatos

**From:** Ilene
**Sent:** Friday, April 1, 2022 10:02 AM
**To:** Council; Jennifer Armer
**Subject:** Re: support plant based education program

My name is Ilene Dickinson and I live in Los Gatos. I am writing to ask that we include a plant-based education program to Section 8 Environmental and Sustainability section of the General Plan. I feel that it is important for residents of Los Gatos to be aware of the huge environmental benefits of a plant-based diet, and I'd like to see the Town fund education on this topic."

I wish I was educated on Plant base diets when I was younger!

Thank you,

Ilene Dickinson

**From:** Smita Jain
**Sent:** Saturday, April 2, 2022 1:38 PM
**To:** Jennifer Armer; Council
**Subject:** Plant Based food system education program

Hi Jennifer,

I live in Los Gatos and fully support efforts to combat climate change and a more eco friendly society. Please include a plant-based education program in Section 8 Environmental and Sustainability section of the General Plan. The world's leading climate scientists agree that we have very few years to mitigate greenhouse emissions before we experience catastrophic consequences, and animal agriculture is responsible for much of those climate-warming emissions. Shifting to a more plant-based food system is our best chance to curb global warming and address the other impacts of factory farming: pollution of our air, land and water, species extinction, deforestation, ocean depletion and dead zones, and more.

Thanks,

Smita Kanungo

Los Gatos resident

**From:** Mythri Ramesh
**Sent:** Sunday, April 3, 2022 9:21 AM
**To:** Jennifer Armer
**Subject:** My support for Plant Based advocates

Hi Jennifer,

I am Mythri Ramesh and I live in Los Gatos. I am writing to ask that we include a plant-based education program to Section 8 Environmental and Sustainability section of the General Plan. I feel that it is important for residents of Los Gatos to be aware of the huge environmental benefits of a plant-based diet, and I'd like to see the Town fund education on this topic

Thanks,
Mythri

**From:** Gretchen Sand
**Sent:** Sunday, April 3, 2022 9:38 PM
**To:** Jennifer Armer
**Cc:** Council
**Subject:** Plant-Based Eductation on Los Gatos

Greetings Jennifer,

My name is  Gretchen Sand, I live in Los Gatos. I am writing to ask that our Los Gatos town leaders include a plant-based education program to Section 8 Environmental and Sustainability section of the General Plan. It is important for residents of Los Gatos to be aware of the huge environmental benefits of a plant-based diet, and I'd like to see the Town fund education on this topic.

There are benefits to our health as well as to the environment in plant-based eating.  Our long term well-being and that of our planet depends on awareness of our diet's impact on not only ourselves but our planet.  Just as I would not advocate use of pesticides to eliminate unwanted pests in my garden, I need to be aware of what I purchase for feeding myself and my family and of the impact of animal products and by-products has on the atmosphere, the waterways, the soil, and my personal health.

I appreciate your support on this critical need.  The well-being of generations to come depends on the actions we take today.

Thank you,

Gretchen

Gretchen Sand

**From:** Anna Lonyai Harbison
**Sent:** Monday, April 4, 2022 3:08 PM
**To:** Jennifer Armer; Council
**Subject:** Plant based education to Section 8

My name is  Dr. Anna Harbison and I live in Monte Sereno. I am a pediatrician and pediatric cardiologist. I am writing to ask that we include a plant-based education program to Section 8 Environmental and Sustainability section of the General Plan. I feel that it is important for residents of Los Gatos to be aware of the huge environmental benefits of a plant-based diet, and I'd like to see the Town fund education on this topic. In addition there are enormous health benefits of incorporating more plants into our diets.

Thank you for your support,

Dr. Harbison

**From:** Peter Harbison
**Sent:** Monday, April 4, 2022 4:12 PM
**To:** Jennifer Armer; Council
**Subject:** Plant based education to Section 8

My name is Peter Harbison and I live in Monte Sereno. I work at Google & have seen the huge impact of going plant based over the past 3 years personally.

I am writing to ask that we include a plant-based education program to Section 8 Environmental and Sustainability section of the General Plan. I feel that it is important for residents of Los Gatos to be aware of the huge environmental benefits of a plant-based diet, and I'd like to see the Town fund education on this topic. In addition there are enormous health benefits of incorporating more plants into our diets.

Thank you for your support,
Peter Harbison

**From:** Tony White
**Sent:** Monday, April 4, 2022 4:16 PM
**To:** Jennifer Armer; Council
**Subject:** Plant based foods

Dear Jennifer and planning commission members,

This is to let you know how appreciative I and many of our fellow citizens are for the steps that the town has taken to encourage the adoption of plant-based foods. I understand that the town is considering including a plant-based education program in the 2040 General plan to support the promotion of meat and dairy reduction. I would like to add my support to this proposal as an important step forward in promoting this important goal.

I have personally been involved in a program that will use technology to protect rhinos from poaching and certain extinction if the situation is not addressed. A major issue in achieving our goal as well as protecting multiple other threatened species is the encroachment of land on wilderness areas by cattle and other ranching activities. The only solution is to reduce or eliminate meat consumption and every small step helps.

We have been residents of Los Gatos for 35 years and our address is:

Sincerely,

Antony G White

**From:** H White
**Sent:** Monday, April 4, 2022 4:19 PM
**To:** Jennifer Armer; Council
**Subject:** Reduction of meat and dairy products

Dear Jennifer,

I understand that the town is considering including a plant-based education program in the 2040 General plan to support the promotion of meat and dairy reduction. I would like to add my support to this proposal as an important step forward in promoting this worthy goal.

We have been residents of Los Gatos for 35 years and our address is:

Sincerely,

Hilary B White

**From:** Laura Sneddon
**Sent:** Monday, April 4, 2022 9:53 PM
**To:** Jennifer Armer
**Cc:** Council
**Subject:** Adding a plant-based education program to Section 8

Dear Planning Commission,

My name is Laura Sneddon and I'm a resident of Los Gatos.

I am writing to ask that Los Gatos include a plant-based education program to Section 8 Environmental and Sustainability section of the General Plan. I feel that it is important for residents of Los Gatos to be aware of the huge environmental benefits of a plant-based diet, and I'd like to see the Town fund education on this topic.

As a vegan, Iwould frequent restaurants in LG more often if I knew they had vegan options on their menus. Serving vegan food is a win/win- it helps the environment and animals AND creates a business opportunity for local restaurants.

Thanks for your consideration.

best,

Laura

**From:** Karen Rubio
**Sent:** Tuesday, April 5, 2022 3:26 PM
**To:** Jennifer Armer; Council
**Cc:** Lisa Wade; Karen Rubio
**Subject:** Please support plant-based education in Los Gatos

Hello Jennifer, Los Gatos Town Council:

My name is Karen Rubio and I live in Los Gatos. I am a co-founder of Plant-Based Advocates.

I am writing to ask for your support to include a plant-based education program to Section 8 Environmental and Sustainability section of the General Plan. We feel that it is crucial for residents of Los Gatos to be aware of the huge environmental benefits of a plant-based diet, and I'd like to see the Town fund education on this topic.

The world's leading climate scientists agree that we have very few years to mitigate greenhouse has emissions before we experience catastrophic consequences, and animal agriculture is responsible for much of those climate-warming emissions. Shifting to a more plant-based food system is our best chance to curb global warming and address the other impacts of factory farming: pollution of our air, land and water, species extinction, deforestation, ocean depletion and dead zones, and more.

The number one cause of biodiversity loss is our food system that is heavily dependent on animal agriculture. Shifting to a plant-based diet reduces food's associated greenhouse gas emissions by as much as 73 percent and cuts in half the water needed to produce our food.

**These are critical facts that need to be shared with our residents so they can contribute toward ensuring our planet remains livable for us and future generations!**
I recently had an op-ed published in the Mercury News and East Bay Times that addresses the need for a shift to plant-based eating. In case the link doesn't work, I've also attached it.
https://www.mercurynews.com/2022/03/31/opinion-its-time-for-californians-to-talk-about-the-cow-in-the-room/

Finally, many thanks to you all for your hard work in guiding the planning process for our Town's future. Los Gatos is an amazing place to live, and I appreciate your work in preserving the beauty and viability of our precious Town.

Sincerely,
Karen Rubio
Plant-Based Advocates

Plant-Based Advocates
LOS GATOS

**OPINION** > **COMMENTARY** • News

# Opinion: It's time for Californians to talk about the cow in the room

## Few realize that meat and dairy production devour a full 47% of the state's water



A rancher's cattle relax at the new La Honda Creek Open Space Preserve in La Honda, California, Tuesday, Nov. 28, 2017. On Friday, the MidPeninsula Regional Open Space District, which purchased the land in 2006, will open six miles of trails for hikers and horse riders through the former Driscoll Ranch, which it now calls the La Honda Creek Open Space Preserve. (Patrick Tehan/Bay Area News Group)

No one can deny that we're in the mother of all megadroughts.

The seven hottest years on record have happened in the last seven years. The U.S. Drought Monitor just reported that 93% of California, including the Bay Area, is in severe drought and 35% is in extreme drought. Last year, dangerous heat killed hundreds of people in Oregon and Washington and nearly buckled California's power grid. Federal forecasters say that this year conditions will worsen in California and the West with hotter-than-normal temperatures and little chance of rain.

Gov. Gavin Newsom is urging Californians to cut water consumption, but is reducing residential usage — taking shorter showers, pulling out lawns — really an effective solution? As it turns out, not so much. According to Pacific Institute, a leading nonprofit research and policy group based in Oakland, only 4% of California's water footprint goes to direct household water consumption.

So, where is our water going? In the midst of the turmoil over our diminishing water supply, an often-overlooked industry operates without scrutiny — consuming the lion's share of California's diminishing water, churning out massive amounts of greenhouse gas emissions and polluting our environment with impunity.

Few realize that meat and dairy production devour a full 47% of California's water, their huge water footprints due to the amount of water-intensive feed required to raise the animals. In fact, the largest water-consuming crop in California is the alfalfa grown to feed animals. The third largest? Irrigated pasture — again, for animals.

"Almonds are made out to be the villain in our drought story, but blaming excessive water use on this crop is simply not true," says Mohan Gurunathan, a local environmental activist. "In fact, the water used to grow just animal feed — not including water to grow and slaughter them — uses more than double the water used to grow almonds and pistachios."

As California grapples with drought and a year-round fire season sparked by a rapidly-warming climate, the hefty costs of water usage, environmental harm

A new bill, AB-2764, sponsored by Assembly members Adrin Nazarian, D-Van Nuys, and Alex Lee, D-Milpitas, would halt construction and expansion of factory farms and slaughterhouses in California.

Why so long to take action? The meat and dairy industries typically fly under the radar, and regulations are often lax, says filmmaker Raven Deerbrook. Her recent investigation of "One World Beef" (a major Costco supplier) in Brawly and resulting short documentary, "Imperial Dust," found numerous violations of the Humane Methods of Slaughter Act, including routine misuse of electric prods on "downed" (non-ambulatory) cows.

Meat and dairy producers habitually disregard regulations in their quest for profits. In fact, 96% of slaughterhouses in the United States are in violation of waste water regulations; the EPA has been sued for failing to enforce effluent standards.

The livestock industry produces 35-40% of all human-caused methane emissions. Because this key greenhouse gas accounts for 25% of global emissions and is 86 times more powerful than carbon dioxide at trapping heat over a 20-year period, reduction is essential. NASA has identified a large methane "hot spot" over California's Central Valley, the second largest one in the United States.

Shifting to a plant-based diet reduces food's associated greenhouse gas emissions by as much as 73% and cuts in half the water needed to produce our food.

We urgently need to make smart choices to ensure the habitability of our planet. So, by all means, tear out your lawn and take shorter showers. But if we really want to make an impact, we need to put plants on our plates.

*Karen Rubio is a co-founder of Plant-Based Advocates, a Los Gatos group that is working to address climate change, increase human health and alleviate animal suffering by accelerating the shift to plant-based diets.*

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Tags: Agriculture, California-legislature, Gavin Newsom, Water



## Karen Rubio




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**From:** Rosilene Martins
**Sent:** Wednesday, April 6, 2022 9:09 AM
**To:** Jennifer Armer; Council
**Subject:** Request for a Plant-Based Education Program

Dear Los Gatos Town Council Representatives:

My name is Rosilene Martins and I have been a Los Gatos resident since 1994.

I very much appreciate the health and environmental benefits of a plant-based diet, and I would like a Plant-Based Education Program added to Section 8 of the Environmental section of the General Plan.

I thank you in advance for your attention to this matter,

Rosilene Martins

Los Gatos, CA 95032

From: Georgia Hamilton
Sent: Wednesday, April 6, 2022 5:05 PM
To: Jennifer Armer
Cc: Council
Subject: Plant Based Solutions

Dear Town Council members,

II live in the Town of Los Gatos and I'm writing to ask you to please include a dedicated Plant-Based education program in the Environmental section of the 2040 General Plan.

It would be great to have programs such as cooking classes, talks, and events to teach people how to incorporate more plants into their diets. This would be healthy for people and the planet.

Thank you for your consideration!

Sincerely.
Georgia Hamilton

DATE: April 11, 2022

TO: Planning Commission

FROM: Joel Paulson, Community Development Director

SUBJECT: Review and Make Recommendations on the Draft 2040 General Plan and Final Environmental Impact Report to the Town Council.

REMARKS:

Exhibit 11 includes public comment received between 11:01 a.m., Thursday, April 7, 2022, and 11:00 a.m. on Monday, April 11, 2022.

EXHIBITS:

Exhibits previously provided (available online here: http://losgatos2040.com/documents.html):

1. Draft 2040 General Plan
2. Draft EIR
3. Revised NOA and Transportation section
4. Final EIR

Exhibits previously received with the April 13, 2022 Staff Report:

5. Draft Findings of Fact and Statement of Overriding Considerations
6. GPAC Recommended Changes to the Vision and Guiding Principles
7. Modifications Proposed in Public Comment
8. Board of Forestry Recommended Changes
9. Public Comments received between 11:01 a.m., Thursday, May 6, 2021, and 11:00 a.m. Monday, September 20, 2021
10. Public Comments received between 11:01 a.m., Monday, September 20, 2021, and 11:00 a.m. on Thursday, April 7, 2022

PREPARED BY: Jennifer Armer, AICP
Planning Manager

Reviewed by: Planning Manager and Community Development Director

EXHIBIT (continued):

Exhibit received with this Addendum:

11. Public Comments received between 11:01 a.m., Thursday, April 7, 2022, and 11:00 a.m. on Monday, April 11, 2022

**From:** Levine, Joshua
**Sent:** Thursday, April 7, 2022 1:13 PM
**To:** Jennifer Armer
**Cc:** Council
**Subject:** plant based education

Dear Jennifer,

My name is Joshua Levine and I am a resident in Los Gatos. I am writing to ask that we include a plant-based education program to Section 8 Environmental and Sustainability section of the General Plan. I feel that it is important for residents of Los Gatos to be aware of the huge environmental benefits of a plant-based diet, and I'd like to see the Town fund education on this topic.

Thank you for your consideration

Best

Josh

**Joshua Levine** | *Senior Vice President – Financial Advisor*

**RBC Wealth Management**

City National Bank NMLS ID 1594861

**From:** Lisa Wade
**Sent:** Thursday, April 7, 2022 7:43 PM
**To:** Jennifer Armer; Council
**Subject:** Fwd: Petition for Plant-Based Education in Los Gatos

Hi Jennifer,

We would like to see Plant-Based Eating Education added to section 8.12 Environmental Sustainability Element Implementation Programs. Section 8.12 has several Implementation Programs. We are requesting that you add a Plant-Based Eating Education Program to this section.

I am submitting our petition with 265 names and 11 organizations asking for a plant-based education program in the Los Gatos 2040 General Plan. We have the names of 225 residents (including community and business leaders who live in Los Gatos). In addition, we have 40 names of residents living in neighboring towns including Cambell, Monte Sereno, and Cambrian who frequent Los Gatos businesses.

We also have the support of 11 local groups, Health and Environmental NGOs including The Sierra Club Loma Prieta Chapter and the Center for Biological Diversity. We also have the support of prominent citizens both in Los Gatos and neighboring cities such as Lucas Ramirez vice mayor of Mountian View and Alison Hicks city council member in Mountian View.

In addition, we have written testimony from the Center for Biological Diversity attached below.
Dashiel Leeds from the Sierra club gave verbal testimony at an earlier planning commission meeting expressing the support of the Sierra Club Loma Prieta Chapter for our initiative.

We want to thank you and the planning commission for all your hard work on the General Plan.
Our petition is attached below.

| Supporters of Adding Plant-Based Education to Los Gatos General Plan 2040 | | | | |
|---|---|---|---|---|
| | | | | |
| **Name, Last** | **Name, First** | **Position / Affiliation** | **Address / Town Area** | **Comments** |
| | | | | |
| **Community and Business Leaders of Los Gatos** | | | | |
| | | | | |
| Albright | Karla | Together We Will/Indivisible Los Gatos | Los Gatos, CA | |
| Arroyo | Kevin | Pinehurst Community Garden organizer | Los Gatos, CA | Great idea and I support this plan! |
| Brown | Elisabeth | Educator | Los Gatos, CA | I am a teacher in town. I'd love to incorporate any lessons into my curriculum. I also lead student council and would be willing to organize an assembly. |
| Chan | Wendy | Business owner: Tai Zhan Plant-Based Microbakery | Los Gatos, CA | |
| Goetz | Alicia | Owner, Los Gatos Theatre | Los Gatos, CA | |
| Hertan | Peter | Vice President, Los Gatos-Saratoga Union High School District Board | Los Gatos, CA | |
| Iyar | Rupar | Owner, Pura Wellness; philanthropist | Los Gatos, CA | |
| Montonye Reese | Laura | Agriculture Fairness Alliance; Vegan Justice League | Los Gatos, CA | |
| Moore | Rob | LG Anti-Racism Coalition; Plant-Based Advocates | Los Gatos, CA | |
| Owens | Heidi | Community leader | Los Gatos, CA | |
| Preville | Bruce | CERT Leader, Los Gatos | Los Gatos, CA | |
| Romano | Andrea | Owner, Centonove Restaurant | Los Gatos, CA | |
| Spargo | Alicia | Outreach Coordinator, Los Gatos Anti-Racism Coalition | Los Gatos, CA | |
| | | | | |
| | | | | |
| **Residents of Los Gatos** | | | | |
| | | | | |
| Aidi | Karen | | Los Gatos, CA | |
| Anji | Roberto | | Los Gatos, CA | |
| Arienzo | Wendy | | Los Gatos, CA | |
| Arroyo | Frank | | Los Gatos, CA | |
| Arroyo | Susie | | Los Gatos, CA | |
| Bagatelos | Mary Ann | | Los Gatos, CA | |
| Balijepalli | Priya | | Los Gatos, CA | |
| Balakrishnan | Jeyendran | | Los Gatos, CA | |
| Barden | Ben | | Los Gatos, CA | |
| Barden | Sue | | Los Gatos, CA | |
| Barnett | Kaitlyn | | Los Gatos, CA | |
| Bay | Juliana | | Los Gatos, CA | |
| Bayne | Daphne | | Los Gatos, CA | |
| Bernholz | Malte | | Los Gatos, CA | |
| Biller | Jason | Physician | Los Gatos, CA | |
| Bolen | JP | | Los Gatos, CA | |
| Bolen | Rachel | | Los Gatos, CA | |
| Booth | Sandra | | Los Gatos, CA | |
| Bora | Anita | | Los Gatos, CA | |
| Bosworth | Mary Ann | | Los Gatos, CA | |

| | | | | |
|---|---|---|---|---|
| Boyd | Sandy | | Los Gatos, CA | |
| Brzak | Lukas | | Los Gatos, CA | |
| Burkhart | Chris | | Los Gatos, CA | |
| Bz | Linda | | Los Gatos, CA | |
| Cao | Xuong | | Los Gatos, CA | |
| Cappon-Javey | Maureen | | Los Gatos, CA | |
| Carol | Amy | | Los Gatos, CA | |
| Carpio | Virginia | | Los Gatos, CA | I support putting into the General Plan a plant based education program. There are several benefits from such a program, including potentially better general health and a healthier air quality in our community from consuming less meat, i.e., raising fewer animals that contribute to the increase of methane gas.<br>I think this program would be very good for our community and far beyond it. |
| Chavez | Vana | | Los Gatos, CA | |
| Christensen | Beverly | | Los Gatos, CA | |
| Christensen | John | | Los Gatos, CA | |
| Cisneroz | Diane Larson | | Los Gatos, CA | |
| Corini | Tamara | | Los Gatos, CA | |
| Dai Biller | Jenny | Physician | Los Gatos, CA | |
| Davies | Tiffany | Physician | Los Gatos, CA | |
| Davies | Mark | Physician | Los Gatos, CA | |
| De Cesare | Anne Marie | | Los Gatos, CA | |
| De Louraille | Karen | | Los Gatos, CA | |
| Czinski | Laura | | Los Gatos, CA | |
| Deak | David | | Los Gatos, CA | |
| Dempsey | Caroline | | Los Gatos, CA | |
| DeMaria | Dawn | | Los Gatos, CA | |
| Dickinson | Ilene | | Los Gatos, CA | |
| Dickinson | Roger | | Los Gatos, CA | |
| Dillehay | Kristine | | Los Gatos, CA | |
| Dreiger | Jeannie | | Los Gatos, CA | |
| Dreher | Diane | | Los Gatos, CA | |
| Erdengiz | Sevgi | | Los Gatos, CA | |
| Evjenth | Gail | | Los Gatos, CA | |
| Evjenth | Tim | | Los Gatos, CA | |
| Fletcher | Lisa | | Los Gatos, CA | |
| Fox | Audrey | | Los Gatos, CA | |
| Fox | Larry | Owner, Valet Custom Cabients | Los Gatos, CA | |
| Frager | Bernadette | | Los Gatos, CA | |
| Freedom | Rea | | Los Gatos, CA | Pollution and waste in Factory Farms;, use of land for meat production, killing of wildlife and use acres of land to support livestock; nets in the ocean killing millions of sea creatures; all contribute to climate change. Reducing meat consumption is something we all can do. Please place plant based education in the general plan. It is the right thing to so. |
| Garland | Lynette | | Los Gatos, CA | |
| Gibbons | Maria Eugenia | | Los Gatos, CA | |

| | | | | |
|---|---|---|---|---|
| Goldberg | Kristine | | Los Gatos, CA | |
| Goldberg | Michael | | Los Gatos, CA | |
| Griffin | Julie | | Los Gatos, CA | |
| Gupta | Reeta | | Los Gatos, CA | |
| Gummow | Todd | | Los Gatos, CA | I support plant based diet education programs |
| Hamilton | Georgia | | Los Gatos, CA | |
| Hamilton | Scott | | Los Gatos, CA | |
| Harrison | Julia | | Los Gatos, CA | |
| Hassoun | Joe | | Los Gatos, CA | |
| Haylock | Archna | | Los Gatos, CA | Yes we need more options at school and at local restaurants. |
| Hemmis | Matt | | Los Gatos, CA | |
| Hendry | Dan | | Los Gatos, CA | |
| Hendry | Wendy | | Los Gatos, CA | |
| Hinsche | Danielle | | Los Gatos, CA | I am a resident of Los Gatos and I support the addition of a plant-based education program in the Town's 2040 General Plan. |
| Hiroshima | Kevin | | Los Gatos, CA | |
| Hojjat | Sara | District Leader Volunteer- California Congressional District 18. Member of Plant-Based Advocates | Los Gatos, CA | |
| Honorio | Mia | | Los Gatos, CA | |
| Houghton | John | | Los Gatos, CA | |
| Howe | Chelsea | | Los Gatos, CA | |
| Hsieh | Cynthia | | Los Gatos, CA | I would love to see a vegan, zero waste restaraunt in Los Gatos. |
| Huang | Jenny | | Los Gatos, CA | |
| Hussey | Jacklyn | | Los Gatos, CA | Anything that will help save our planet I will definitely support! |
| Ingle | Lori | | Los Gatos, CA | |
| Isaacs | Varily | | Los Gatos, CA | |
| Iyer | Harish | | Los Gatos, CA | |
| Javey | Shahram | | Los Gatos, CA | |
| Jog | Chetan | | Los Gatos, CA | |
| Johnson | Karen | | Los Gatos, CA | |
| Johnston | Jan | | Los Gatos, CA | |
| Juhl | Linda | | Los Gatos, CA | Thank you |
| Kamali | Kristine | | Los Gatos, CA | |
| Karavelioglu | Sevil | | Los Gatos, CA | |
| Keating | Kathleen | | Los Gatos, CA | I believe it is to the best interest of Los Gatos to establish a plant based education program at the high school and for the general public. I believe many of our children and others need to know that plant based eating is good for their bodies if done right. Please provide funding for an education for plant based eating. Please sponsor cooking classes as well. |
| Keller | Lisa | | Los Gatos, CA | Love it. Yes!! |
| Koch | Charlene Foster | | Los Gatos, CA | I would LOVE to see this happen!! So very needed. |
| Koke | Cynthia | | Los Gatos, CA | |
| Kollu | Badrinath | | Los Gatos, CA | |
| Kurlin | Carolyn | | Los Gatos, CA | |
| Kurlin | Gregg | | Los Gatos, CA | |
| Kurtz | Karen | | Los Gatos, CA | |
| Lasso | Alberto | | Los Gatos, CA | |

| | | | | |
|---|---|---|---|---|
| Lawton | Ann | | Los Gatos, CA | YES! |
| Lazzarino | Dominic | | Los Gatos, CA | |
| Le | Denise | | Los Gatos, CA | I'm not a vegan or vegetarian but I'd love to incorporate more plant based and less meat protein to my diet. |
| Leeds | Felice | | Los Gatos, CA | |
| Lesko | Camille | | Los Gatos, CA | Cooking classes are a great idea! |
| Levine | Joshua | | Los Gatos, CA | |
| Levine | Marni | | Los Gatos, CA | |
| Lewis | Jessica | | Los Gatos, CA | Education is key for this important information. Thanks to all involved in making this happen! |
| Lammers | Victoria | | Los Gatos, CA | Need more vegetarian places/options |
| Li | Van | | Los Gatos, CA | |
| Liu | Andre | | Los Gatos, CA | |
| Liu | Calista | | Los Gatos, CA | |
| Liu | Gabriela | | Los Gatos, CA | |
| Lockman | Juliana | | Los Gatos, CA | |
| Lorig | Glenn | | Los Gatos, CA | |
| Lorig | Sue Ann | | Los Gatos, CA | |
| Lowe | Debbie | | Los Gatos, CA | |
| McKinnon | Skyler | | Los Gatos, CA | |
| Madduri | Sandeep | | Los Gatos, CA | |
| Malhotra | Priti | | Los Gatos, CA | |
| Malhotra | Neeraj | | Los Gatos, CA | |
| Mandurrago | Gloria | | Los Gatos, CA | A fantastic idea! |
| Margolis | Sonya | | Los Gatos, CA | |
| McGill | Alex | | Los Gatos, CA | |
| McInerny | Celeste | | Los Gatos, CA | |
| Menhardt | Trixi | | Los Gatos, CA | |
| Mordaunt | Joshua | | Los Gatos, CA | |
| Newlin | Kerry | | Los Gatos, CA | |
| Mager | Nan | | Los Gatos, CA | |
| Mano | Robin | | Los Gatos, CA | |
| Martins | Rosilene | | Los Gatos, CA | |
| Meinhardt | Suzanne | | Los Gatos, CA | |
| Miramontes | Emily | | Los Gatos, CA | |
| Morley | Eric | | Los Gatos, CA | |
| Nguyen | Kim | | Los Gatos, CA | |
| Niederauer | Tricia | | Los Gatos, CA | |
| North | Pamela | | Los Gatos, CA | |
| O'Connor | Rebecca | | Los Gatos, CA | |
| O'Toole | June | | Los Gatos, CA | |
| Park | Monica | | Los Gatos, CA | |
| Parker | Dana | | Los Gatos, CA | |
| Parsons | Daniel | | Los Gatos, CA | |
| Parsons | Debbie | | Los Gatos, CA | |

| | | | | |
|---|---|---|---|---|
| Parsons | Jackie | | Los Gatos, CA | |
| Parsons | James | | Los Gatos, CA | |
| Parsons | John | | Los Gatos, CA | |
| Patel | Minal | | Los Gatos, CA | |
| Rai | Vivek | | Los Gatos, CA | Yes, I am in for plant based projects. |
| Raad | Mona | | Los Gatos, CA | |
| Raad | Ellie | | Los Gatos, CA | |
| Ramaswamy | Vinay | | Los Gatos, CA | |
| Ram | Amrith | | Los Gatos, CA | |
| Ramesh | Mythri | | Los Gatos, CA | Made verbal comments at GPAC |
| Reese | Dirk | | Los Gatos, CA | |
| Rennie | Isabella | | Los Gatos, CA | |
| Reyna | Melody | | Los Gatos, CA | |
| Reyna | Orlando | | Los Gatos, CA | |
| Rhine | Molly | | Los Gatos, CA | |
| Richter | Jessica | | Los Gatos, CA | |
| Riley | Kate | | Los Gatos, CA | |
| Rittenhouse | Simone | | Los Gatos, CA | |
| Robinson | Kari | | Los Gatos, CA | |
| Rovin | Lynne | | Los Gatos, CA | |
| Rovin | Stuart | | Los Gatos, CA | |
| Rubio | Karen | CERT volunteer | Los Gatos, CA | Made verbal comments at Town council meeting for 2040 General plan |
| Rubio | Fred | | Los Gatos, CA | |
| Rubio | Erik | | Los Gatos, CA | |
| Rude | Christina | | Los Gatos, CA | |
| Ry | Regina | | Los Gatos, CA | |
| Sand | Gretchen | | Los Gatos, CA | |
| Sardana | Manan | | Los Gatos, CA | |
| Sarkar | Prasenjit | | Los Gatos, CA | |
| Sathyamurthy | Shreelatha | | Los Gatos, CA | I strongly support this initiative. |
| Schirmer | Lisa | | Los Gatos, CA | |
| Schwartz | Jan | | Los Gatos, CA | |
| Shah | Bhanik | | Los Gatos, CA | |
| Shah | Swati | | Los Gatos, CA | I support the local effort! |
| Shoff | Sue | | Los Gatos, CA | |
| Seshadri | Sruba | | Los Gatos, CA | |
| Smith | Angie | | Los Gatos, CA | |
| Smith | Rucy | Climate Reality presenter and activist | Los Gatos, CA | |
| Sneddon | Laura | | Los Gatos, CA | |
| Snyder | Stephen | | Los Gatos, CA | |
| Srinivasan | Kiran | | Los Gatos, CA | |
| Starov | Vladimir | | Los Gatos, CA | I fully support this worthy cause! |
| Stillinger | Kelsey | | Los Gatos, CA | Would love to see more emphasis on plant-based diet - through restaurants, education, community garden, etc. |
| Stone | Helen | | Los Gatos, CA | |

| | | | | |
|---|---|---|---|---|
| Stone | Paul | | Los Gatos, CA | |
| Streicker | Robin | | Los Gatos, CA | |
| Tompkins | Liz | | Los Gatos, CA | |
| Venkatesan | Arun | | Los Gatos, CA | |
| Venkatsubramanyan | Shailaja | | Los Gatos, CA | Made verbal comments at GPAC |
| Von Luehrte | Missy | | Los Gatos, CA | |
| Vuckovich | Melissa | | Los Gatos, CA | |
| Waters | Michelle | | Los Gatos, CA | |
| Wade | Christopher | | Los Gatos, CA | |
| Wade | Lisa | | Los Gatos, CA | Gave verbal comments at GPAC |
| Wade | Lucas | | Los Gatos, CA | |
| Wade | Stephen | | Los Gatos, CA | |
| Wade | Charles | Audobon Society Lifetime Achievement Award | Los Gatos, CA | |
| Wales | Pamela | CERT; Animal search and rescue disaster response team; animal sanctuary volunteer | Los Gatos, CA | |
| Walker | Kelsey | | Los Gatos, CA | |
| Waters | Michelle | | Los Gatos, CA | |
| Wentzien | Erin | | Los Gatos, CA | |
| White | Tony | | Los Gatos, CA | |
| White | Hillary | | Los Gatos, CA | |
| Willey | Kathleen | | Los Gatos, CA | Gave verbal comments at GPAC |
| Willey | Mark | | Los Gatos, CA | |
| Willing | Lara | | Los Gatos, CA | Plant based eating is part of a long term solution. |
| Wilson | Beth | | Los Gatos, CA | |
| Yannoni | Mike | | Los Gatos, CA | |
| Yosfee | Hanley | | Los Gatos, CA | |
| Zilka | Stephanie | | Los Gatos, CA | Let's join the scientific community and educate people about the importance of plant based living!!! It's vital to the survival of our planet and species!!! |
| | | | | |
| **Organizations Endorsing our Proposal** | | | | |
| | | | | |
| Plant-Based Advocates of Los Gatos http://www.plantbasedadvocates.com/ | | | | |
| | | | | |
| TWW/Indivisible-Los Gatos https://www.twwlg.org/ | | | | |
| | | | | |
| Sierrra Club Loma-Prieta | | https://www.sierraclub.org/loma-prieta | | |
| | | | | |
| Center for Biological Diversity https://www.biologicaldiversity.org/ | | | | Provided Written testomony on behalf of our proposal |
| | | | | |
| Acterra: Action for a Healthy Planet https://www.acterra.org/ | | | | |
| | | | | |
| Eat for the Earth | (Based in Santa Cruz) | | | |
| https://www.eatfortheearth.org/ | | | | |
| | | | | |
| SAFE Worldwide https://www.safeworldwide.org/ (Based in Monte Sereno) | | | | |

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|---|---|---|---|---|
| | | | | |
| Green Monday USA https://greenmondayus.org/ | | | | |
| | | | | |
| Factory Farm Awareness Coalition https://www.ffacoalition.org/ | | | | |
| | | | | |
| **A Well-Fed World https://awellfedworld.org/** | | | | |
| | | | | |
| **Physicians Against Red Meat** | | **https://pharm.org/** | | |
| | | | | |
| | | | | |
| **Other Community and Business Leaders** | | | | |
| Hicks | Alison | City Council Member of Mountain View | | |
| Ramirez | Lucas | Vice Mayor of Mountain View and Council Member | | |
| Brook | Dan | Professor at SJSU; author; environmentalist | San Jose State University | |
| Gurunathan | Mohan | Environmentalist; designed Mountain View plant-based outreach program | Mountain View, CA | |
| Love | Beth | Environmentalist; Founder of Eat for the Earth, a Santa Cruz-based group promoting plant-based diets for sustainability | Santa Cruz, CA | |
| Mackey | Mary | Actress; Model; SAG BookPals program (reading to children in homeless shelters) and LIFE (Living in Freedom Everyday) Program, teaching life skills to inmates | San Jose, CA | |
| Middlesworth | Linda | Owner, V-Dog; health coach | Sacramento, CA | |
| Sehgal | Tony | Documentary Filmmaker | Saratoga, CA | |
| | | | | |
| **Support from Neighboring Residents** | | | | |
| | | | | |
| Adalja | Anish | | San Jose, CA | |
| Anand | Monico | | San Jose, CA | |
| Balachandran | Jackie | | San Jose, CA | As a vegetarian of 17 yrs and a registered nurse, I strongly support this plant-based education program because I believe it will help improve the health of members in our community. |
| Berlinberg | Jacqueline | | Monte Sereno, CA | |
| Bengt | Amanda | | San Jose, CA | |
| Bevard | Mariah | | Monte Sereno, CA | |
| Castro | Jennifer | | San Jose, CA | I support adding an education component to the Los Gatos 2040 plan which would educate citizens about plant-based foods. |
| Chaykin | Lori | | Monte Sereno, CA | |
| Chugh | Rahul | | San Jose, CA | |
| Duguma | Jemanesh | | Campbell, CA | |
| East | Rowena | | San Jose, CA | |
| Emerson | Ziba | | San Jose, CA | Good job. |
| Giacomini-McDonald | Cathy | | Monte Sereno, CA | |
| Guh | Teresa | | Monte Sereno, CA | |

| | | | | |
|---|---|---|---|---|
| Harrold | Kat | | Campbell, CA | Thank you for this, I frequent Los Gatos so this would be great to see. Also I believe in the power of empowering our local farmers, and the more money we can get them, the better for everybody locally. Back to our roots! Better for the planet and better for everyone |
| Isis | Dawn | | Campbell, CA | Though I don't live IN Los Gatos, I hope my support will indicate interest in this important issue in the wider area, & that Los Gatos may become a model for addressing it. |
| Jain | Beena | | San Jose, CA | I support the educational program. |
| Kinger | Amit | | San Jose, CA | |
| Lambert | Jennifer | | Monte Sereno, CA | |
| Lanzl | Linda | | Monte Sereno, CA | |
| Matar | Elizabeth | | Monte Sereno, CA | Thank you! Yes!!! |
| Matar | Lisa | | Monte Sereno, CA | Thank you! I'm completely in for this!! |
| Mesler | Michelle | | San Jose, CA | |
| Mulchandani | Mukesh | | Campbell, CA | Moving to Los Gatos soon! |
| Petroff | Patrice | | Monte Sereno, CA | |
| Ramirez | Gustavo | | San Jose, CA | We need more plant based food options! The meat industry is cruel and unsustainable. |
| Renson | Kellee | | Monte Sereno, CA | Yes need more veggie places to eat |
| Shearer | David | | San Jose, CA | I support this effort |
| Stolberg | Robb | Environmental Education: Veggielution, Walden West | San Jose, CA | |
| Streicker | Robin | | Monte Sereno, CA | |
| Thakur | Smita | | Saratoga, CA | I have been plant based for the last two years. It has made me healthier and it's the best thing for the planet. Would love to have more people join plant based way of life. |
| Woodhouse | Dori | | San Jose, CA | |

May 5, 2021

Jennifer Armer, Senior Planner
Community Development Project
Town of Los Gatos
*Via JArmer@losgatosca.gov*

Dear Ms. Armer,

On behalf of the Center for Biological Diversity and our California members, I thank you for considering food sustainability initiatives and emissions strategies in the Los Gatos General Plan. The Center strongly **supports** these actions.

The Center for Biological Diversity is a national conservation nonprofit with nearly 2 million members and supporters. Our expertise is grounded in a staff of scientists and legal experts tackling crucial issues like climate change and effective mitigation strategies. Food emissions are a substantial part of global and national human-induced greenhouse gas emissions.

Studies show we cannot meet climate mitigation targets without tackling emissions from the food and agriculture sector, and namely by shifting diets toward lower emissions foods. The agriculture sector accounts for as much as 37%[1] of global greenhouse gas emissions. Food procurement is an important opportunity to reduce consumption-driven emissions.

Most emissions come from only a few types of foods. The foods with the highest emissions are meat and dairy products,[2] which are responsible for approximately half of all food-related emissions and 16%[3][4] of global greenhouse gases. The overproduction (and consumption) of meat and dairy come with a high cost to the climate,[5] as well as to water[6], land[7], and biodiversity[8]. Tracking institutional food purchases and shifting toward climate-friendly foods is a crucial climate solution that also has health and other environmental benefits.

Unfortunately, some sustainability initiatives overlook the need to address overproduction of animal-based foods in their commitments. Instead, municipal plans should build on frameworks of supporting

[1] Intergovernmental Panel on Climate Change (2019). Special Report on Climate Change and Land Use. https://www.ipcc.ch/srccl/.
[2] Our World in Data (2020). Environmental Impacts of Food Production. https://ourworldindata.org/food-choice-vs-eating-local.
[3] Calculated using the 2017 online update to the FAO 2013 GLEAM assessment that estimates the livestock sector emitted 8.1 GT CO2eq in 2010 (using 298 and 34 as global warming potentials for N20 and CH4, based on the IPCC 2014 report). The IPCC 2014 report estimates total anthropogenic GHG emissions in 2010 of 49 GT CO2eq. See: FAO, Global Livestock Environmental Assessment Model (GLEAM) [online], Rome, www.fao.org/gleam/en/ and IPCC [Intergovernmental Panel on Climate Change], Climate Change 2014: Synthesis Report. Contribution of Working Groups I, II and III to the Fifth Assessment Report of the Intergovernmental Panel on Climate Change, [Core Writing Team, R.K. Pachauri & L.A. Meyer (eds.)], IPCC, Geneva, Switzerland (2014), http://www.ipcc.ch/pdf/assessment-report/ar5/syr/SYR_AR5_FINAL_full_wcover.pdf.
[4] Gerber, P. J., Steinfeld, H., Henderson, B., Mottet, A., Opio, C., Dijkman, J., ... & Tempio, G. (2013). Tackling climate change through livestock: a global assessment of emissions and mitigation opportunities. Food and Agriculture Organization of the United Nations (FAO). http://www.fao.org/3/i3437e/i3437e.pdf.
[5] University of Michigan. Center for Sustainable Systems (2017). Carbon Footprint Factsheet. http://css.umich.edu/sites/default/files/Carbon%20Footprint_CSS09-05_e2020_0.pdf.
[6] Water Footprint Network (2021). Water Footprint of Crop and Animal Products: A Comparison. https://waterfootprint.org/en/water-footprint/product-water-footprint/water-footprint-crop-and-animal-products/.
[7] Carbon Brief (2021). Interactive: What is the Climate Footprint of Eating Meat and Dairy? CarbonBrief.org. https://interactive.carbonbrief.org/what-is-the-climate-impact-of-eating-meat-and-dairy/.
[8] Center for Biological Diversity (2021). Extinction Facts. TakeExtinctionOffYourPlate.com.

environmental goals through procurement, in line with similar efforts regarding recycled and sustainable products and local food. Food procurement has a significant impact[9] on the environment and overall municipal emissions and can often be addressed by resolution or executive directive requiring government food purchases to meet specific guidelines.

Making a moderate shift toward climate-friendly menus can make a big difference in advancing sustainability goals, particularly emissions targets. The 2018 Intergovernmental Panel on Climate Change[10] affirmed we have only a decade left to avoid irreversible climate damage. This fact has driven municipalities to include meat and dairy reductions as key factors in emissions reductions and sustainability policies, including the initiatives recommended to add to the Los Gatos General Plan.

For example, Los Angeles, California recently joined the C-40 cities initiative; and Santa Monica, CA integrated food procurement commitments into their Climate Action Plan and committed to a 15% reduction of meat and dairy procurement to meet its emissions targets; Carrboro, North Carolina has set food emissions targets in their Climate Action Plan and set a goal to reduce emissions from consumption by 50% by 2025; Denver, CO found emissions from food procurement accounted for 14% of overall emissions, nearly equal to emissions from residential energy and gasoline-powered vehicles.

Reducing beef procurement – if replaced with plant-based foods - would immediately help reduce the city's emissions as beef emits more greenhouse gases than any other food.[11] Beef is also a particularly water-intensive process that depletes vital watersheds, from the Colorado River to local waterways.[12] Thus, reducing beef procurement also supports water conservation goals. Given California's drought, wildfires and extreme weather, municipalities must do what they can to support water-saving efforts.

Cities and townships must strive to mitigate the emissions associated with municipal operations. Increasing support for local produce growers will also improve engagement with farmers markets and local food hubs, bringing economic benefits to your community. Similarly, increasing access to healthy, climate-friendly foods with city-supported neighborhood-based community gardens bring equitable solutions for those who lack access to healthy, sustainable foods.

Sustainable food policies can increase climate resilience, help eradicate poverty[13], improve public health and equity, and protect biodiversity.[14] The urgency of these issues and the health of the planet demand action to transform unsustainable food systems.

Sincerely,

Jennifer Molidor, Ph.D.
Senior Food Campaigner
Center for Biological Diversity
BiologicalDiversity.org
jmolidor@biologicaldiversity.org

[9] United Nation System Standing Committee on Nutrition (2017). Sustainable Diets for Healthy People and a Healthy Planet. https://www.unscn.org/uploads/web/news/document/Climate-Nutrition-Paper-EN-WEB.pdf.
[10] Intergovernmental Panel on Climate Change (2018). Special Report on Global Warming of 1.5c. https://www.ipcc.ch/sr15/.
[11] Our World in Data (2020). Environmental Impacts of Food Production. https://ourworldindata.org/food-choice-vs-eating-local.
[12] Richter, B. (2020). Water Sustainability and Fish Imperilment Driven by Beef Production. *Nature Sustainability.* https://www.fs.usda.gov/treesearch/pubs/59918.
[13] Smith, P. (2012). "Climate Change and Sustainable Food Production." Cambridge University Press. https://www.cambridge.org/core/journals/proceedings-of-the-nutrition-society/article/climate-change-and-sustainable-food-production/DE02043AE462DF7F91D88FD4349D38E7.
[14]Food and Agriculture Organization (2010). Sustainable Diets and Biodiversity. http://www.fao.org/3/i3004e/i3004e.pdf.

**From:** Phil Koen
**Sent:** Friday, April 8, 2022 4:06 AM
**To:** Jennifer Armer; Shelley Neis
**Cc:** jvannada; Rick Van Hoesen; David Weissman; Lee Fagot; Tran Nguyen
**Subject:** Agenda item #3 - Planning Commission

Shelley and Jennifer,

Please include the attached white paper in the Planning Commission package.

Thank you

## What is driving the massive increase in Los Gatos' RHNA allocation?

***4th Cycle – 562 units  5th cycle – 619 units  6th Cycle – 1,993 units***

**Background**

Each California city is required to plan for new housing to accommodate a share of regional needs. The Regional Housing Needs Assessment ("RHNA") is the process established in State law by which housing needs are determined.

Prior to each planning cycle the total new housing need for each region of California is determined by the California Department of Housing and Community Development (HCD) based largely upon economic and demographic trends. HCD is responsible for determining the number of housing units for which each region must plan, known as the Regional Housing Needs Determination (RHND). The RHND is based on a population forecast for the region from the California Department of Finance (DOF).

Los Gatos is located within the Association of Bay Area Governments (ABAG) region, which includes Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo, Santa Clara, Solano, and Sonoma counties. The total housing need for the ABAG region is distributed to cities and counties by ABAG based upon objectives and criteria established in State law.

In 2021 HCD determined that the total new housing need for the entire ABAG region in the 6th Housing Element cycle (2023 – 2031) is 441,176 units. The 6th cycle RHND is significantly larger than the previous 4th cycle and 5th cycles. For comparison the 5th cycle RHND (2015 – 2023) was 187,990 units and the 4th cycle (2006 – 2014) was 214,500. The 6th cycle represents a 2.4x increase over the 5th cycle and 2.1x increase over the 4th cycle.

**What's different in the 6th cycle RHND from the 5th and 4th cycles?**

For the 6th cycle the State made major modifications to the process for determining RHND. In prior RHND cycles total housing was based primarily only on **projected population growth**. However, for the 6th cycle the State added **existing need** to the total RHND calculation. Existing need includes households that are currently overcrowded (defined as more than on person per room) or are overpaying for housing (defined as more than 30% of gross income). Additionally, the 6th cycle made a major modification to the region's current **vacancy percentage** to provide healthy market vacancies to facilitate housing availability and resident mobility.

The total 6th cycle RHND for the ABAG region is comprised of the sum of projected growth, existing need, and a vacancy adjustment as follows:

| | |
|---|---|
| Projected growth | 223,550 |

| | |
|---|---|
| Existing need | 118,827 |
| Vacancy adjustment | 98,799 |
| Total 6th Cycle RHND | 441,176 |

The important point to note is **the need for additional housing units based on projected population growth is only 50% of the total 6th cycle RHND** with the other half coming from first-time adjustments the State has made to address existing needs and to improve regional vacancy rates. As seen from this breakdown, if these adjustments were excluded (as was the case in prior RHND cycles) the total need for the 6th cycle would be 223,550 which is very similar to the 4th cycle RHND of 214,500 and only a 19% increase over the 5th cycle.

**Los Gatos 6th Cycle RHNA Allocation Explained**

Once the RHND has been determined, ABAG must now allocate the 441,176 new housing units to each jurisdiction beginning with a share of the RHND. This allocation process is called the Regional Housing Needs Allocation (RHNA). The baseline allocation used to begin the assignment is the jurisdiction's total number of forecasted households for the year 2050, which was determined by the Plan Bay Area 2050 Blueprint.

For Los Gatos, the baseline allocation was .3% of the 223,550 projected growth in regional units. The .3% represents Los Gatos' share of Bay Area Households in year 2050. The calculation is as follows:

223,550 Projected growth x .00326 = 730 units

This number is 18% above the 5th cycle RHNA of 619 units.

The next step is to allocate the existing need and vacancy adjustment of 217,626 new units to Los Gatos. Again, using the baseline allocation of .3%, the additional units assigned to the Town is computed as follows:

217,626 existing need and vacancy adjustment x .00326 = 710 units

This amount combined with the projected growth increased the RHNA to 1,440 new units.

The ABAG methodology also places greater emphasis on assigning new housing units to those areas which have been determined to be a High Opportunity Area or areas that are in proximity to jobs and public transit rather than vacant deployable land. This methodology shifts the regional growth pattern, with more household growth directed to transit-rich, high resource places to support the Pan Bay Area 2050 Blueprint.

Since Los Gatos has been determined to be a High Opportunity Area, the RHNA methodology allocates more housing than the .3% baseline percentage. This results in an additional 553 units being allocated to Los Gatos. Essentially, Los Gatos is "exporting" this additional housing to other regional areas to balance the regional housing needs.

In summary, the 6th cycle RHNA allocation for Los Gatos is compromised of the following elements:

| | |
|---|---|
| Projected growth | 730 |
| Existing need and vacancy adjustment | 710 |
| High Opportunity and Job allocation | 553 |
| Total 6th cycle RHNA | 1,993 |

**Conclusion**

It is important to understand how the 6th cycle RHNA was constructed especially if one is trying to project future RHNA allocations for the Town. First, the 6th cycle has embedded in it a long-term element since the baseline allocation is based on the Town's **projected share** of Bay Area households in 2050. Secondly, the number of new units required based on projected population growth is only 730 units, which is close to the 5th cycle RHNA allocation. If one is trying to project future RHNA allocations, it would be prudent to only use the units required to meet the population growth since it is impossible to determine what the State may want to do regarding future adjustments for existing need and access to opportunity areas.

The last point is the adjustments made by the State in the 6th cycle, were done **to compel** local governments to take immediate action to implement policies, strategies, and zoning changes to accommodate their RHNA allocations. The 6th cycle RHNA allocation will establish a pattern of housing growth in the near term (2023 to 2031) that will anchor the foundation for how the Bay Area jurisdictions move forward on implementing the longer-term vision in Plan Bay Area 2050. The hope is that these adjustments will be made in the near term and that future RHNA will then only reflect the population growth as done in prior cycles.

**From:** Phil Koen
**Sent:** Friday, April 8, 2022 4:35 AM
**To:** Jennifer Armer; Shelley Neis
**Cc:** jvannada; Rick Van Hoesen; David Weissman; Lee Fagot
**Subject:** Comments on general,plan

Please include in the Planning Commission packet these previously submitted comments on the General Pkan that aren't in the package.

Thank you

**From:** Phil Koen
**Sent:** Saturday, July 31, 2021 8:40 PM
**To:** GP2040 <GP2040@losgatosca.gov>
**Cc:** Laurel Prevetti; Robert Schultz
**Subject:** Comments on the Draft General Plan 2040 and the Draft General Plan 2040 EIR

Please accept these comments as attached.

Thank you.

Phil Koen

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Comments on the Draft General Plan 2040 and the Draft EIR

Population and Growth

The Land Use Element of the General Plan 2040 allows for the development of 3,738 new dwelling units, 475 of which are units from existing approved projects, by 2040. This is accomplished by materially increasing all residential zoning densities, mixed use densities, central business district densities, office professional densities and the creation of a new community commercial land use designation.

As documented by the draft General Plan 2040 EIR (page 4.13-6) at full build out, the population of Los Gatos will be approximately 42,021 through the addition of 3,738 dwelling units. This represents a 27% increase in the population over the 2021 estimate of 30,832 and a 27% increase in housing units. The annual growth rate in population would be 1.6% for the period 2021 to 2040.

As documented in the 2007 Housing Element, the population of Los Gatos was 28,813 in 2008. Over the past 13 years the population has increased at an annual rate of .5%.

The Plan Bay Area 2040, which was adopted by ABAG and the MTC, projected the Town's population to be 33,050 by 2040. This represents an annual growth of .3% which is slightly below the historical 13-year growth rate of .5% but substantially in-line with historical long-term growth rate.

Therefore, the General Plan 2040 would induce substantial unplanned population growth beyond the ABAG population forecast and the 13-year historical growth rate. The General Plan 2040 provides no evidentiary support for the projected 27% increase in population and an annual growth rate that is over 300% greater than the 13-year historical rate.

The projected level of growth is not reasonably expected to occur in the absence of the proposed General Plan 2040. Simply put, the projected population growth in the General Plan 2040 is not

projected to occur under any alternative and fosters growth rather than managing and accommodating the reasonably expected growth forecasted by ABAG.

The proposed General Plan 2040 fosters this growth by implementing material increases in zoning densities Town-wide. For example, under current land use zoning densities, potential low density and medium density residential units would be 328 dwelling units. However, under the proposed densities in the General Plan 2040 the total potential housing production increases to 934 – a 184% increase.

This induced population growth directly conflicts with the Town's own assessment of housing opportunities and constraints. In the jurisdiction survey submitted to ABAG, the Town identified land suitability, impact of climate change and natural hazards, construction costs, availability of vacant land and funding for affordable housing as constraints for the development of additional housing by 2030. Additionally, the Town identified that public transit and the lack of a transit hub was a constraint in encouraging more jobs and housing near public transportation. Lastly, the Town stated that residential areas near jobs were largely built out.

Growth inducement may constitute an adverse impact if the growth is not constrained or accommodated by land use plans and policies for the area affected. The General Plan 2040 and the General Plan 2040 EIR do not adequately analyze and address the potential impacts of non-orderly expansion of urban development on public services such as water supply, roadway infrastructure, sewer services, solid waste service and police services.

Amazingly the Draft General Plan 2040 after adopting a 27% increase in population as the part of the project definition dismisses this forecast by stating "these projections do not reflect actual growth trends" and therefore concludes "no mitigation measures are required, and impacts would be less than significant without mitigation". Apparently, the Draft General Plan EIR studied a different project than what was defined in the Draft General Plan 2040 and the NOP of the EIR.

Furthermore, conclusory statements which are unsupported by facts do not equate to a good faith and reasoned analysis. The substantive question that is left unexamined and unanswered is, what are the environment impacts based on the growth in population and dwelling unit development defined in the Draft General Plan 2040.

Jobs/Housing Ratio

The Draft EIR states on page 4.13-7 that "growth under the 2040 General Plan would result in a more balanced jobs-housing ratio in 2040 by increasing housing available in Los Gatos". The EIR concludes that "such growth would not result in any adverse effects associated with an increased imbalance of jobs and housing in the Town". Again, this is a conclusory statement which is not supported by any facts or reasoned analysis.

As documented by the 2015 Housing Element, according to ABAG there were approximately 2.1 jobs per household in 2010. The ratio jobs/housing ratio increased from 2005, when it was 1.5 jobs for every household. This increase was attributed to the recovery of the economy and Los Gatos businesses expandeing, creating new jobs to support the immediate community. An increasing jobs/housing ratio indicates the potential for increased demand for more housing to accommodate the growth in new jobs.

As documented in the Background Report, in 2018, there were 19,300 jobs in Los Gatos with 13,299 households. This equates to a jobs/housing ratio of 1.45. This ratio is widely viewed as “in balance” since the assumption is for every household there are 1.5 workers. The ratio improved because more dwelling units added over the eight- year period while jobs remained relatively flat.

The Draft General Plan 2040 assumes that only 1,280 new jobs will be added over the next 20 years. These new jobs are entirely attributed to the current 475 projects that have been approved. The Draft General Plan 2040 assumes no new jobs will be created from the 3,263 new dwelling units to be added over the next 20 years.

Based on this, in 2040 the jobs/housing index will fall to 1.2, which indicates that the Town is a “net provider” of housing to the surrounding community. This decrease is directly attributable to the growth in housing with no corresponding increase in local jobs. On an incremental basis, the Draft General Plan 2040 calls for only 1,280 jobs for 3,736 new dwelling units, which is a jobs/housing ratio of .34. This shows that the individuals living in these new dwelling units will be driving to jobs located outside of the Town, which will further negatively impact VMT generated in Los Gatos, air quality, and will not achieve the goal of increasing non-vehicle transportation modes. This result is also inconsistent with the statutory objective to promote intraregional job-housing relationships.

The EIR conclusion of a “more balanced ratio” is not supported and in fact suggests just the opposite, that the new dwelling units will be occupied by workers who will be driving to jobs outside of Los Gatos.

**From:** Phil Koen
**Sent:** Friday, April 8, 2022 7:18 AM
**To:** Jennifer Armer; Shelley Neis
**Cc:** jvannada; Rick Van Hoesen; David Weissman; Lee Fagot; Tran Nguyen
**Subject:** Planning Commission - Agenda item #3

Hello Jennifer and Shelley,

Please include the following in the meeting package for the up coming Planning Commission.

Dear Planning Commission,

Below is the housing buildout schedule that was presented to the Town Council at their September 20, 2021 Joint Study Session that is referenced in the Staff memo.

It should be pointed out the projected number of units developed in that schedule included 166 Hillside residential units. The total number of units was 3,904.

The Staff memo references total units of 3,738. This is obviously an error since it does not include Hillside Residential units. This is a failing since the Land Use Element includes zoning for the Hillside Residential area.

For the public to understand the discussion and come to their own conclusion regarding the Land Use Element, it is critical that the project definition and numbers be stable. They aren't, as shown here by the inconsistency in the treatment of Hillside Residential.

Please make sure that the public understands that the latest buildout schedule was the one presented at the September 20, 2021 Town Council meeting. I do not believe there has been anything published regarding this schedule for the public to review since that meeting.

Thank you,

Phil Koen

DISCUSSION (continued):

| Land Use Designation | Density Range (du/ac) | | Typical Density (du/ac) | | Assumed Redevelop-ment (Redev) | Existing General Plan | | Draft General Plan | |
|---|---|---|---|---|---|---|---|---|---|
| | Existing General Plan | Draft General Plan | Existing General Plan | Draft General Plan | | New Housing (Vacant Land) | New Housing (Redev) | New Housing (Vacant Land) | New Housing (Redev) |
| Hillside Residential | 0 to 1 | 0 to 1 | 1 | 1 | 0% | 116 | - | 166 | - |
| Low Density Residential | 0 to 5 | 1 to 12 | 4 | 12 | 5% | 75 | 13 | 283 | 84 |
| Medium Density Residential | 5 to 12 | 14 to 24 | 10 | 20 | 10% | 107 | 133 | 224 | 343 |
| High Density Residential | 12 to 20 | 30 to 40 | 18 | 36 | 15% | 53 | 111 | 110 | 268 |
| Neighborhood Commercial | 10 to 20 | 10 to 20 | 16 | 18 | 10% | 11 | 39 | 26 | 91 |
| Community Commercial | 0 | 20 to 30 | 0 | 26 | 15% | - | | - | 156 |
| Mixed-Use | 10 to 20 | 30 to 40 | 16 | 36 | 20% | 55 | 242 | 126 | 605 |
| Central Business District | 10 to 20 | 20 to 30 | 16 | 26 | 15% | 12 | 46 | 21 | 113 |
| Office Professional | 0 | 30 to 40 | 0 | 36 | 15% | - | | 4 | 255 |
| Service Commercial | 0 | 20 to 30 | 0 | 26 | 15% | - | | 10 | 44 |
| Subtotal | | | | | | 429 | 584 | 970 | 1,959 |
| Housing Units, New and Redeveloped | | | | | | | 1,013 | | 2,929 |
| Housing Units, ADUs | | | | | | | 500 | | 500 |
| Subtotal | | | | | | | 1,513 | | 3,429 |
| Housing Units, Existing Projects | | | | | | | 475 | | 475 |
| TOTAL | | | | | | | 1,988 | | 3,904 |

**From:** Phil Koen
**Sent:** Friday, April 8, 2022 7:45 AM
**To:** Jennifer Armer; Shelley Neis
**Cc:** jvannada; Rick Van Hoesen; David Weissman; Lee Fagot; Tran Nguyen
**Subject:** Planning Commission Meeting - Agenda Item #3

Hello Jennifer and Shelley,

Please include the following in the Planning Commission package,

Dear Planning Commission,

There has been tremendous confusion regarding the Land Use Element and the rational for the proposed increases in Town wide land use densities which are In the 2040 GP.

Much of the discussion has focused on RHNA 6th cycle number and the need to accommodate enough capacity in the Town's Land Uses for these units.

What has been totaled ignored is the independent forecast, which was published by the Town, of the likely growth of the Town over the next 20 years. The most likely range of growth is between 1,529 and 1,954. Please see the attached pages from the Alternative Land Uses report.

This range of units should establish the appropriate baseline for informing the Town as to what is required through appropriate Land Use zoning to accommodate growth over the next 20 years. Since the State has mandated a slightly higher number of unit (eg 1,993) above the high end of the range, it would be prudent to plan for an additional number of units to give the Town an appropriate buffer. The Staff has suggested a number of 2,292.

This makes total sense given that number will be sufficient to meet the high end of the growth forecast AND meet the mandated 1,993 units in the 6th cycle.

We should be very clear on this point- there is no objective forecast that supports making the drastic changes in the Land Use densities Town wide as outlined in the 2040 GP which would allow for the development of 3,901 and even more units.

Thank you,

Phil Koen



# Housing

## Residential Market Demand

The demand for housing in a particular location is based on a number of factors, including natural increase in the resident population (births over deaths), in-migration due in part to job opportunities, and the relative price of housing in the area. Since 1980, Los Gatos has increased population at the rate of about one-half percent per year. This has generally been about half as fast as the County. Between 2010 and 2019, Los Gatos grew by 5.4 percent while Santa Clara County grew 9.7 percent.

The actual pace of growth is also a function of the growth in the supply of housing, which the General Plan will consider. If market demand is higher than the available housing supply, residential prices increase faster than they would otherwise. Home prices in Los Gatos have increased significantly in recent years, similar to many communities in the Bay Area and Santa Clara County.

The DOF prepares population projections for counties based on the age and ethnic demographics of the population, and also taking into account regional shifts in population due to migration. DOF projects Santa Clara County to grow at a rate of about one percent per year between 2020 and 2040. In the early years of this projection, in-migration to the County accounts for just over half of the population growth, but by 2040, in-migration accounts for 64 percent of growth. If Los Gatos were to continue to see growth at about half the County rate, then the total population would increase by approximately 3,478 persons between 2020 and 2040. If the average household size stays at 2.4 persons and the vacancy rate remains constant at about 5.5 percent, then 1,529 housing units would be needed to accommodate this population growth.

**GROWTH**
**2010-2019**

**Los Gatos**
**5.4%**
**(0.6% annually)**

**Santa Clara County**
**9.7%**
**(1.1% annually)**



**Units Needed to Accommodate Growth:**
**1,529**
**at 0.5% annual growth**

However, considering the age demographics of the Los Gatos population, the overall demand for housing could be higher than using DOF populations projects as the base. One of the fastest growing population segments are senior, otherwise known as the "Baby Boomers." Currently, 19 percent of the Los Gatos population is 65 years or older, compared to 12 percent for the County as a whole. Applying age-specific growth rates to the existing Los Gatos population, based on the DOF demographic projections, shows an annual growth rate of 0.7 percent for Los Gatos, compared to 0.5 percent based only on the countywide growth as discussed on the previous page. This latter projection also accounts for a share of County in-migration being attracted to Los Gatos. Given the income and housing price differentials between the Town and the County, we estimate that housing demand from in-migration to Los Gatos is about one third the rate of the County. Using this combined approach of age demographics and in-migration, we project an increase of 4,446 people and 1,954 housing units between 2020 and 2040.

**Units Needed to Accommodate Growth:**

**1,954**

**at 0.7% annual growth**

Therefore, the range of likely market demand for housing in Los Gatos between 2020 and 2040 is 1,529 (DOF Projection) to 1,954 (ADE Projection) units.

Market demand also relates to the anticipated mix of unit types. With the acceleration of housing costs in the Bay Area, there is increased demand for smaller, less expensive units, that are more affordable to the broad populace. This will likely be reinforced in Los Gatos with additional demand for senior housing. Both of these trends emphasize the need for multi-family housing. Alternative A (Low Growth) has the lowest share of multi-family housing at 66 percent, while the other alternatives have a greater percentage of multi-family housing ranging from 82-83 percent, which is more likely to meet future market demand.



**From:** Lisa Wade
**Sent:** Friday, April 8, 2022 9:25 AM
**To:** Jennifer Armer; Council
**Subject:** Fwd: My Verbal Comments for Planning Commission Meeting (April 3)

My name is Lisa Wade and I am with Plant-based Advocates in Los Gatos. I have lived in Los Gatos for over 30 years.

Thank you for your hard work on the General Plan. We appreciate your efforts.

We also want to thank you for adding the words Plant-based to a couple of sections. When the GPAC added the words plant-based to these 2 sections of the General Plan they also stated that they would do more because of the widespread public support for plant-based eating education in Los Gatos.

**Our specific ask is this. We would like to see Plant-Based Eating Education added to section 8.12 Environmental Sustainability Element Implementation Programs. Section 8.12 has several Implementation Programs. We are requesting that you add a Plant-Based Eating Education Program to this section.**

We have come up with some wording for an implementation program that could be easily inserted into section 8.12 (Implementation programs) in the General Plan.

## Plant-Based Education Implementation Program Description:

I**mplement programs to educate and support residents about the benefits of shifting to plant-based diets, which include: curbing greenhouse gas emissions, reducing biodiversity loss and deforestation, reducing water usage, and reversing pollution of our air, land, and water.**

We have a petition with 265 signatures asking for a plant-based education program in the General Plan. We have the names of 225 residents (including community and business leaders who live in Los Gatos). In addition, we have 40 names of residents living in neighboring towns including Cambell, Monte Sereno, and Cambrian who frequent Los Gatos businesses.
.

We also have the support of 11 groups including local groups, Health and Environmental NGOs (including The Sierra Club Loma Prieta Chapter and the Center for Biological Diversity.) In addition prominent citizens (both in Los Gatos and neighboring cities) such as Lucas Ramirez vice mayor of Mountian View and Alison Hicks city council member in Mountian View. support our efforts.

Also, the planning commission and council have received numerous emails requesting a plant-based eating education program be added to the General Plan 2040.

It is important to include such a program because numerous peer-reviewed scientific studies agree that plant-based eating is the most effective way for individuals to help the planet. For this reason, any plan to address climate and sustainability should include the promotion of plant-based eating. Please do not leave out this powerful, cost-effective solution and add a Plant-based education program to section 8.12. This section will not be complete without such a program.

According to Project Drawdown, the third- and fourth-best climate change solutions are reducing food waste and eating a plant-rich diet. (The top two solutions aren't things the average person can easily control: refrigerant management and onshore wind turbines.) **Making the transition to a plant-based diet may well be the most effective way an individual can stop climate change." page 40 Project Drawdown The Most Comprehensive Plan Ever Proposed TO Reverse Global Warming edited by Paul Hawken.**

I am attaching our petition below. I've also attached testimony from the Center for Biological Diversity.

Thank you for your consideration!

| Supporters of Adding Plant-Based Education to Los Gatos General Plan 2040 | | | | |
|---|---|---|---|---|
| | | | | |
| **Name, Last** | **Name, First** | **Position / Affiliation** | **Address / Town Area** | **Comments** |
| | | | | |
| **Community and Business Leaders of Los Gatos** | | | | |
| | | | | |
| Albright | Karla | Together We Will/Indivisible Los Gatos | Los Gatos, CA | |
| Arroyo | Kevin | Pinehurst Community Garden organizer | Los Gatos, CA | Great idea and I support this plan! |
| Brown | Elisabeth | Educator | Los Gatos, CA | I am a teacher in town. I'd love to incorporate any lessons into my curriculum. I also lead student council and would be willing to organize an assembly. |
| Chan | Wendy | Business owner: Tai Zhan Plant-Based Microbakery | Los Gatos, CA | |
| Goetz | Alicia | Owner, Los Gatos Theatre | Los Gatos, CA | |
| Hertan | Peter | Vice President, Los Gatos-Saratoga Union High School District Board | Los Gatos, CA | |
| Iyar | Rupar | Owner, Pura Wellness; philanthropist | Los Gatos, CA | |
| Montonye Reese | Laura | Agriculture Fairness Alliance; Vegan Justice League | Los Gatos, CA | |
| Moore | Rob | LG Anti-Racism Coalition; Plant-Based Advocates | Los Gatos, CA | |
| Owens | Heidi | Community leader | Los Gatos, CA | |
| Preville | Bruce | CERT Leader, Los Gatos | Los Gatos, CA | |
| Romano | Andrea | Owner, Centonove Restaurant | Los Gatos, CA | |
| Spargo | Alicia | Outreach Coordinator, Los Gatos Anti-Racism Coalition | Los Gatos, CA | |
| | | | | |
| | | | | |
| **Residents of Los Gatos** | | | | |
| | | | | |
| Aidi | Karen | | Los Gatos, CA | |
| Anji | Roberto | | Los Gatos, CA | |
| Arienzo | Wendy | | Los Gatos, CA | |
| Arroyo | Frank | | Los Gatos, CA | |
| Arroyo | Susie | | Los Gatos, CA | |
| Bagatelos | Mary Ann | | Los Gatos, CA | |
| Balijepalli | Priya | | Los Gatos, CA | |
| Balakrishnan | Jeyendran | | Los Gatos, CA | |
| Barden | Ben | | Los Gatos, CA | |
| Barden | Sue | | Los Gatos, CA | |
| Barnett | Kaitlyn | | Los Gatos, CA | |
| Bay | Juliana | | Los Gatos, CA | |
| Bayne | Daphne | | Los Gatos, CA | |
| Bernholz | Malte | | Los Gatos, CA | |
| Biller | Jason | Physician | Los Gatos, CA | |
| Bolen | JP | | Los Gatos, CA | |
| Bolen | Rachel | | Los Gatos, CA | |
| Booth | Sandra | | Los Gatos, CA | |
| Bora | Anita | | Los Gatos, CA | |
| Bosworth | Mary Ann | | Los Gatos, CA | |

| | | | | |
|---|---|---|---|---|
| Boyd | Sandy | | Los Gatos, CA | |
| Brzak | Lukas | | Los Gatos, CA | |
| Burkhart | Chris | | Los Gatos, CA | |
| Bz | Linda | | Los Gatos, CA | |
| Cao | Xuong | | Los Gatos, CA | |
| Cappon-Javey | Maureen | | Los Gatos, CA | |
| Carol | Amy | | Los Gatos, CA | |
| Carpio | Virginia | | Los Gatos, CA | I support putting into the General Plan a plant based education program. There are several benefits from such a program, including potentially better general health and a healthier air quality in our community from consuming less meat, i.e., raising fewer animals that contribute to the increase of methane gas.<br>I think this program would be very good for our community and far beyond it. |
| Chavez | Vana | | Los Gatos, CA | |
| Christensen | Beverly | | Los Gatos, CA | |
| Christensen | John | | Los Gatos, CA | |
| Cisneroz | Diane Larson | | Los Gatos, CA | |
| Corini | Tamara | | Los Gatos, CA | |
| Dai Biller | Jenny | Physician | Los Gatos, CA | |
| Davies | Tiffany | Physician | Los Gatos, CA | |
| Davies | Mark | Physician | Los Gatos, CA | |
| De Cesare | Anne Marie | | Los Gatos, CA | |
| De Louraille | Karen | | Los Gatos, CA | |
| Czinski | Laura | | Los Gatos, CA | |
| Deak | David | | Los Gatos, CA | |
| Dempsey | Caroline | | Los Gatos, CA | |
| DeMaria | Dawn | | Los Gatos, CA | |
| Dickinson | Ilene | | Los Gatos, CA | |
| Dickinson | Roger | | Los Gatos, CA | |
| Dillehay | Kristine | | Los Gatos, CA | |
| Dreiger | Jeannie | | Los Gatos, CA | |
| Dreher | Diane | | Los Gatos, CA | |
| Erdengiz | Sevgi | | Los Gatos, CA | |
| Evjenth | Gail | | Los Gatos, CA | |
| Evjenth | Tim | | Los Gatos, CA | |
| Fletcher | Lisa | | Los Gatos, CA | |
| Fox | Audrey | | Los Gatos, CA | |
| Fox | Larry | Owner, Valet Custom Cabients | Los Gatos, CA | |
| Frager | Bernadette | | Los Gatos, CA | |
| Freedom | Rea | | Los Gatos, CA | Pollution and waste in Factory Farms;, use of land for meat production, killing of wildlife and use acres of land to support livestock; nets in the ocean killing millions of sea creatures; all contribute to climate change. Reducing meat consumption is something we all can do. Please place plant based education in the general plan. It is the right thing to so. |
| Garland | Lynette | | Los Gatos, CA | |
| Gibbons | Maria Eugenia | | Los Gatos, CA | |

| | | | | |
|---|---|---|---|---|
| Goldberg | Kristine | | Los Gatos, CA | |
| Goldberg | Michael | | Los Gatos, CA | |
| Griffin | Julie | | Los Gatos, CA | |
| Gupta | Reeta | | Los Gatos, CA | |
| Gummow | Todd | | Los Gatos, CA | I support plant based diet education programs |
| Hamilton | Georgia | | Los Gatos, CA | |
| Hamilton | Scott | | Los Gatos, CA | |
| Harrison | Julia | | Los Gatos, CA | |
| Hassoun | Joe | | Los Gatos, CA | |
| Haylock | Archna | | Los Gatos, CA | Yes we need more options at school and at local restaurants. |
| Hemmis | Matt | | Los Gatos, CA | |
| Hendry | Dan | | Los Gatos, CA | |
| Hendry | Wendy | | Los Gatos, CA | |
| Hinsche | Danielle | | Los Gatos, CA | I am a resident of Los Gatos and I support the addition of a plant-based education program in the Town's 2040 General Plan. |
| Hiroshima | Kevin | | Los Gatos, CA | |
| Hojjat | Sara | District Leader Volunteer- California Congressional District 18. Member of Plant-Based Advocates | Los Gatos, CA | |
| Honorio | Mia | | Los Gatos, CA | |
| Houghton | John | | Los Gatos, CA | |
| Howe | Chelsea | | Los Gatos, CA | |
| Hsieh | Cynthia | | Los Gatos, CA | I would love to see a vegan, zero waste restaraunt in Los Gatos. |
| Huang | Jenny | | Los Gatos, CA | |
| Hussey | Jacklyn | | Los Gatos, CA | Anything that will help save our planet I will definitely support! |
| Ingle | Lori | | Los Gatos, CA | |
| Isaacs | Varily | | Los Gatos, CA | |
| Iyer | Harish | | Los Gatos, CA | |
| Javey | Shahram | | Los Gatos, CA | |
| Jog | Chetan | | Los Gatos, CA | |
| Johnson | Karen | | Los Gatos, CA | |
| Johnston | Jan | | Los Gatos, CA | |
| Juhl | Linda | | Los Gatos, CA | Thank you |
| Kamali | Kristine | | Los Gatos, CA | |
| Karavelioglu | Sevil | | Los Gatos, CA | |
| Keating | Kathleen | | Los Gatos, CA | I believe it is to the best interest of Los Gatos to establish a plant based education program at the high school and for the general public. I believe many of our children and others need to know that plant based eating is good for their bodies if done right. Please provide funding for an education for plant based eating. Please sponsor cooking classes as well. |
| Keller | Lisa | | Los Gatos, CA | Love it. Yes!! |
| Koch | Charlene Foster | | Los Gatos, CA | I would LOVE to see this happen!! So very needed. |
| Koke | Cynthia | | Los Gatos, CA | |
| Kollu | Badrinath | | Los Gatos, CA | |
| Kurlin | Carolyn | | Los Gatos, CA | |
| Kurlin | Gregg | | Los Gatos, CA | |
| Kurtz | Karen | | Los Gatos, CA | |
| Lasso | Alberto | | Los Gatos, CA | |

| | | | | |
|---|---|---|---|---|
| Lawton | Ann | | Los Gatos, CA | YES! |
| Lazzarino | Dominic | | Los Gatos, CA | |
| Le | Denise | | Los Gatos, CA | I'm not a vegan or vegetarian but I'd love to incorporate more plant based and less meat protein to my diet. |
| Leeds | Felice | | Los Gatos, CA | |
| Lesko | Camille | | Los Gatos, CA | Cooking classes are a great idea! |
| Levine | Joshua | | Los Gatos, CA | |
| Levine | Marni | | Los Gatos, CA | |
| Lewis | Jessica | | Los Gatos, CA | Education is key for this important information. Thanks to all involved in making this happen! |
| Lammers | Victoria | | Los Gatos, CA | Need more vegetarian places/options |
| Li | Van | | Los Gatos, CA | |
| Liu | Andre | | Los Gatos, CA | |
| Liu | Calista | | Los Gatos, CA | |
| Liu | Gabriela | | Los Gatos, CA | |
| Lockman | Juliana | | Los Gatos, CA | |
| Lorig | Glenn | | Los Gatos, CA | |
| Lorig | Sue Ann | | Los Gatos, CA | |
| Lowe | Debbie | | Los Gatos, CA | |
| McKinnon | Skyler | | Los Gatos, CA | |
| Madduri | Sandeep | | Los Gatos, CA | |
| Malhotra | Priti | | Los Gatos, CA | |
| Malhotra | Neeraj | | Los Gatos, CA | |
| Mandurrago | Gloria | | Los Gatos, CA | A fantastic idea! |
| Margolis | Sonya | | Los Gatos, CA | |
| McGill | Alex | | Los Gatos, CA | |
| McInerny | Celeste | | Los Gatos, CA | |
| Menhardt | Trixi | | Los Gatos, CA | |
| Mordaunt | Joshua | | Los Gatos, CA | |
| Newlin | Kerry | | Los Gatos, CA | |
| Mager | Nan | | Los Gatos, CA | |
| Mano | Robin | | Los Gatos, CA | |
| Martins | Rosilene | | Los Gatos, CA | |
| Meinhardt | Suzanne | | Los Gatos, CA | |
| Miramontes | Emily | | Los Gatos, CA | |
| Morley | Eric | | Los Gatos, CA | |
| Nguyen | Kim | | Los Gatos, CA | |
| Niederauer | Tricia | | Los Gatos, CA | |
| North | Pamela | | Los Gatos, CA | |
| O'Connor | Rebecca | | Los Gatos, CA | |
| O'Toole | June | | Los Gatos, CA | |
| Park | Monica | | Los Gatos, CA | |
| Parker | Dana | | Los Gatos, CA | |
| Parsons | Daniel | | Los Gatos, CA | |
| Parsons | Debbie | | Los Gatos, CA | |

| | | | | |
|---|---|---|---|---|
| Parsons | Jackie | | Los Gatos, CA | |
| Parsons | James | | Los Gatos, CA | |
| Parsons | John | | Los Gatos, CA | |
| Patel | Minal | | Los Gatos, CA | |
| Rai | Vivek | | Los Gatos, CA | Yes, I am in for plant based projects. |
| Raad | Mona | | Los Gatos, CA | |
| Raad | Ellie | | Los Gatos, CA | |
| Ramaswamy | Vinay | | Los Gatos, CA | |
| Ram | Amrith | | Los Gatos, CA | |
| Ramesh | Mythri | | Los Gatos, CA | Made verbal comments at GPAC |
| Reese | Dirk | | Los Gatos, CA | |
| Rennie | Isabella | | Los Gatos, CA | |
| Reyna | Melody | | Los Gatos, CA | |
| Reyna | Orlando | | Los Gatos, CA | |
| Rhine | Molly | | Los Gatos, CA | |
| Richter | Jessica | | Los Gatos, CA | |
| Riley | Kate | | Los Gatos, CA | |
| Rittenhouse | Simone | | Los Gatos, CA | |
| Robinson | Kari | | Los Gatos, CA | |
| Rovin | Lynne | | Los Gatos, CA | |
| Rovin | Stuart | | Los Gatos, CA | |
| Rubio | Karen | CERT volunteer | Los Gatos, CA | Made verbal comments at Town council meeting for 2040 General plan |
| Rubio | Fred | | Los Gatos, CA | |
| Rubio | Erik | | Los Gatos, CA | |
| Rude | Christina | | Los Gatos, CA | |
| Ry | Regina | | Los Gatos, CA | |
| Sand | Gretchen | | Los Gatos, CA | |
| Sardana | Manan | | Los Gatos, CA | |
| Sarkar | Prasenjit | | Los Gatos, CA | |
| Sathyamurthy | Shreelatha | | Los Gatos, CA | I strongly support this initiative. |
| Schirmer | Lisa | | Los Gatos, CA | |
| Schwartz | Jan | | Los Gatos, CA | |
| Shah | Bhanik | | Los Gatos, CA | |
| Shah | Swati | | Los Gatos, CA | I support the local effort! |
| Shoff | Sue | | Los Gatos, CA | |
| Seshadri | Sruba | | Los Gatos, CA | |
| Smith | Angie | | Los Gatos, CA | |
| Smith | Rucy | Climate Reality presenter and activist | Los Gatos, CA | |
| Sneddon | Laura | | Los Gatos, CA | |
| Snyder | Stephen | | Los Gatos, CA | |
| Srinivasan | Kiran | | Los Gatos, CA | |
| Starov | Vladimir | | Los Gatos, CA | I fully support this worthy cause! |
| Stillinger | Kelsey | | Los Gatos, CA | Would love to see more emphasis on plant-based diet - through restaurants, education, community garden, etc. |
| Stone | Helen | | Los Gatos, CA | |

| | | | | |
|---|---|---|---|---|
| Stone | Paul | | Los Gatos, CA | |
| Streicker | Robin | | Los Gatos, CA | |
| Tompkins | Liz | | Los Gatos, CA | |
| Venkatesan | Arun | | Los Gatos, CA | |
| Venkatsubramanyan | Shailaja | | Los Gatos, CA | Made verbal comments at GPAC |
| Von Luehrte | Missy | | Los Gatos, CA | |
| Vuckovich | Melissa | | Los Gatos, CA | |
| Waters | Michelle | | Los Gatos, CA | |
| Wade | Christopher | | Los Gatos, CA | |
| Wade | Lisa | | Los Gatos, CA | Gave verbal comments at GPAC |
| Wade | Lucas | | Los Gatos, CA | |
| Wade | Stephen | | Los Gatos, CA | |
| Wade | Charles | Audobon Society Lifetime Achievement Award | Los Gatos, CA | |
| Wales | Pamela | CERT; Animal search and rescue disaster response team; animal sanctuary volunteer | Los Gatos, CA | |
| Walker | Kelsey | | Los Gatos, CA | |
| Waters | Michelle | | Los Gatos, CA | |
| Wentzien | Erin | | Los Gatos, CA | |
| White | Tony | | Los Gatos, CA | |
| White | Hillary | | Los Gatos, CA | |
| Willey | Kathleen | | Los Gatos, CA | Gave verbal comments at GPAC |
| Willey | Mark | | Los Gatos, CA | |
| Willing | Lara | | Los Gatos, CA | Plant based eating is part of a long term solution. |
| Wilson | Beth | | Los Gatos, CA | |
| Yannoni | Mike | | Los Gatos, CA | |
| Yosfee | Hanley | | Los Gatos, CA | |
| Zilka | Stephanie | | Los Gatos, CA | Let's join the scientific community and educate people about the importance of plant based living!!! It's vital to the survival of our planet and species!!! |
| | | | | |
| **Organizations Endorsing our Proposal** | | | | |
| | | | | |
| Plant-Based Advocates of Los Gatos http://www.plantbasedadvocates.com/ | | | | |
| | | | | |
| TWW/Indivisible-Los Gatos https://www.twwlg.org/ | | | | |
| | | | | |
| Sierrra Club Loma-Prieta | | https://www.sierraclub.org/loma-prieta | | |
| | | | | |
| Center for Biological Diversity https://www.biologicaldiversity.org/ | | | | Provided Written testomony on behalf of our proposal |
| | | | | |
| Acterra: Action for a Healthy Planet https://www.acterra.org/ | | | | |
| | | | | |
| Eat for the Earth | (Based in Santa Cruz) | | | |
| https://www.eatfortheearth.org/ | | | | |
| | | | | |
| SAFE Worldwide https://www.safeworldwide.org/ (Based in Monte Sereno) | | | | |

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|---|---|---|---|---|
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| Green Monday USA https://greenmondayus.org/ | | | | |
| | | | | |
| Factory Farm Awareness Coalition https://www.ffacoalition.org/ | | | | |
| | | | | |
| **A Well-Fed World https://awellfedworld.org/** | | | | |
| | | | | |
| **Physicians Against Red Meat** | | **https://pharm.org/** | | |
| | | | | |
| | | | | |
| **Other Community and Business Leaders** | | | | |
| Hicks | Alison | City Council Member of Mountain View | | |
| Ramirez | Lucas | Vice Mayor of Mountain View and Council Member | | |
| Brook | Dan | Professor at SJSU; author; environmentalist | San Jose State University | |
| Gurunathan | Mohan | Environmentalist; designed Mountain View plant-based outreach program | Mountain View, CA | |
| Love | Beth | Environmentalist; Founder of Eat for the Earth, a Santa Cruz-based group promoting plant-based diets for sustainability | Santa Cruz, CA | |
| Mackey | Mary | Actress; Model; SAG BookPals program (reading to children in homeless shelters) and LIFE (Living in Freedom Everyday) Program, teaching life skills to inmates | San Jose, CA | |
| Middlesworth | Linda | Owner, V-Dog; health coach | Sacramento, CA | |
| Sehgal | Tony | Documentary Filmmaker | Saratoga, CA | |
| | | | | |
| **Support from Neighboring Residents** | | | | |
| | | | | |
| Adalja | Anish | | San Jose, CA | |
| Anand | Monico | | San Jose, CA | |
| Balachandran | Jackie | | San Jose, CA | As a vegetarian of 17 yrs and a registered nurse, I strongly support this plant-based education program because I believe it will help improve the health of members in our community. |
| Berlinberg | Jacqueline | | Monte Sereno, CA | |
| Bengt | Amanda | | San Jose, CA | |
| Bevard | Mariah | | Monte Sereno, CA | |
| Castro | Jennifer | | San Jose, CA | I support adding an education component to the Los Gatos 2040 plan which would educate citizens about plant-based foods. |
| Chaykin | Lori | | Monte Sereno, CA | |
| Chugh | Rahul | | San Jose, CA | |
| Duguma | Jemanesh | | Campbell, CA | |
| East | Rowena | | San Jose, CA | |
| Emerson | Ziba | | San Jose, CA | Good job. |
| Giacomini-McDonald | Cathy | | Monte Sereno, CA | |
| Guh | Teresa | | Monte Sereno, CA | |

| | | | | |
|---|---|---|---|---|
| Harrold | Kat | | Campbell, CA | Thank you for this, I frequent Los Gatos so this would be great to see. Also I believe in the power of empowering our local farmers, and the more money we can get them, the better for everybody locally. Back to our roots! Better for the planet and better for everyone |
| Isis | Dawn | | Campbell, CA | Though I don't live IN Los Gatos, I hope my support will indicate interest in this important issue in the wider area, & that Los Gatos may become a model for addressing it. |
| Jain | Beena | | San Jose, CA | I support the educational program. |
| Kinger | Amit | | San Jose, CA | |
| Lambert | Jennifer | | Monte Sereno, CA | |
| Lanzl | Linda | | Monte Sereno, CA | |
| Matar | Elizabeth | | Monte Sereno, CA | Thank you! Yes!!! |
| Matar | Lisa | | Monte Sereno, CA | Thank you! I'm completely in for this!! |
| Mesler | Michelle | | San Jose, CA | |
| Mulchandani | Mukesh | | Campbell, CA | Moving to Los Gatos soon! |
| Petroff | Patrice | | Monte Sereno, CA | |
| Ramirez | Gustavo | | San Jose, CA | We need more plant based food options! The meat industry is cruel and unsustainable. |
| Renson | Kellee | | Monte Sereno, CA | Yes need more veggie places to eat |
| Shearer | David | | San Jose, CA | I support this effort |
| Stolberg | Robb | Environmental Education: Veggielution, Walden West | San Jose, CA | |
| Streicker | Robin | | Monte Sereno, CA | |
| Thakur | Smita | | Saratoga, CA | I have been plant based for the last two years. It has made me healthier and it's the best thing for the planet. Would love to have more people join plant based way of life. |
| Woodhouse | Dori | | San Jose, CA | |

May 5, 2021

Jennifer Armer, Senior Planner
Community Development Project
Town of Los Gatos
*Via JArmer@losgatosca.gov*

Dear Ms. Armer,

On behalf of the Center for Biological Diversity and our California members, I thank you for considering food sustainability initiatives and emissions strategies in the Los Gatos General Plan. The Center strongly **supports** these actions.

The Center for Biological Diversity is a national conservation nonprofit with nearly 2 million members and supporters. Our expertise is grounded in a staff of scientists and legal experts tackling crucial issues like climate change and effective mitigation strategies. Food emissions are a substantial part of global and national human-induced greenhouse gas emissions.

Studies show we cannot meet climate mitigation targets without tackling emissions from the food and agriculture sector, and namely by shifting diets toward lower emissions foods. The agriculture sector accounts for as much as 37%[1] of global greenhouse gas emissions. Food procurement is an important opportunity to reduce consumption-driven emissions.

Most emissions come from only a few types of foods. The foods with the highest emissions are meat and dairy products,[2] which are responsible for approximately half of all food-related emissions and 16%[3][4] of global greenhouse gases. The overproduction (and consumption) of meat and dairy come with a high cost to the climate,[5] as well as to water[6], land[7], and biodiversity[8]. Tracking institutional food purchases and shifting toward climate-friendly foods is a crucial climate solution that also has health and other environmental benefits.

Unfortunately, some sustainability initiatives overlook the need to address overproduction of animal-based foods in their commitments. Instead, municipal plans should build on frameworks of supporting

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[1] Intergovernmental Panel on Climate Change (2019). Special Report on Climate Change and Land Use. https://www.ipcc.ch/srccl/.
[2] Our World in Data (2020). Environmental Impacts of Food Production. https://ourworldindata.org/food-choice-vs-eating-local.
[3] Calculated using the 2017 online update to the FAO 2013 GLEAM assessment that estimates the livestock sector emitted 8.1 GT CO2eq in 2010 (using 298 and 34 as global warming potentials for N20 and CH4, based on the IPCC 2014 report). The IPCC 2014 report estimates total anthropogenic GHG emissions in 2010 of 49 GT CO2eq. See: FAO, Global Livestock Environmental Assessment Model (GLEAM) [online], Rome, www.fao.org/gleam/en/ and IPCC [Intergovernmental Panel on Climate Change], Climate Change 2014: Synthesis Report. Contribution of Working Groups I, II and III to the Fifth Assessment Report of the Intergovernmental Panel on Climate Change, [Core Writing Team, R.K. Pachauri & L.A. Meyer (eds.)], IPCC, Geneva, Switzerland (2014), http://www.ipcc.ch/pdf/assessment-report/ar5/syr/SYR_AR5_FINAL_full_wcover.pdf.
[4] Gerber, P. J., Steinfeld, H., Henderson, B., Mottet, A., Opio, C., Dijkman, J., ... & Tempio, G. (2013). Tackling climate change through livestock: a global assessment of emissions and mitigation opportunities. Food and Agriculture Organization of the United Nations (FAO). http://www.fao.org/3/i3437e/i3437e.pdf.
[5] University of Michigan. Center for Sustainable Systems (2017). Carbon Footprint Factsheet. http://css.umich.edu/sites/default/files/Carbon%20Footprint_CSS09-05_e2020_0.pdf.
[6] Water Footprint Network (2021). Water Footprint of Crop and Animal Products: A Comparison. https://waterfootprint.org/en/water-footprint/product-water-footprint/water-footprint-crop-and-animal-products/.
[7] Carbon Brief (2021). Interactive: What is the Climate Footprint of Eating Meat and Dairy? CarbonBrief.org. https://interactive.carbonbrief.org/what-is-the-climate-impact-of-eating-meat-and-dairy/.
[8] Center for Biological Diversity (2021). Extinction Facts. TakeExtinctionOffYourPlate.com.

environmental goals through procurement, in line with similar efforts regarding recycled and sustainable products and local food. Food procurement has a significant impact[9] on the environment and overall municipal emissions and can often be addressed by resolution or executive directive requiring government food purchases to meet specific guidelines.

Making a moderate shift toward climate-friendly menus can make a big difference in advancing sustainability goals, particularly emissions targets. The 2018 Intergovernmental Panel on Climate Change[10] affirmed we have only a decade left to avoid irreversible climate damage. This fact has driven municipalities to include meat and dairy reductions as key factors in emissions reductions and sustainability policies, including the initiatives recommended to add to the Los Gatos General Plan.

For example, Los Angeles, California recently joined the C-40 cities initiative; and Santa Monica, CA integrated food procurement commitments into their Climate Action Plan and committed to a 15% reduction of meat and dairy procurement to meet its emissions targets; Carrboro, North Carolina has set food emissions targets in their Climate Action Plan and set a goal to reduce emissions from consumption by 50% by 2025; Denver, CO found emissions from food procurement accounted for 14% of overall emissions, nearly equal to emissions from residential energy and gasoline-powered vehicles.

Reducing beef procurement – if replaced with plant-based foods - would immediately help reduce the city's emissions as beef emits more greenhouse gases than any other food.[11] Beef is also a particularly water-intensive process that depletes vital watersheds, from the Colorado River to local waterways.[12] Thus, reducing beef procurement also supports water conservation goals. Given California's drought, wildfires and extreme weather, municipalities must do what they can to support water-saving efforts.

Cities and townships must strive to mitigate the emissions associated with municipal operations. Increasing support for local produce growers will also improve engagement with farmers markets and local food hubs, bringing economic benefits to your community. Similarly, increasing access to healthy, climate-friendly foods with city-supported neighborhood-based community gardens bring equitable solutions for those who lack access to healthy, sustainable foods.

Sustainable food policies can increase climate resilience, help eradicate poverty[13], improve public health and equity, and protect biodiversity.[14] The urgency of these issues and the health of the planet demand action to transform unsustainable food systems.

Sincerely,

Jennifer Molidor, Ph.D.
Senior Food Campaigner
Center for Biological Diversity
BiologicalDiversity.org
jmolidor@biologicaldiversity.org

[9] United Nation System Standing Committee on Nutrition (2017). Sustainable Diets for Healthy People and a Healthy Planet. https://www.unscn.org/uploads/web/news/document/Climate-Nutrition-Paper-EN-WEB.pdf.
[10] Intergovernmental Panel on Climate Change (2018). Special Report on Global Warming of 1.5c. https://www.ipcc.ch/sr15/.
[11] Our World in Data (2020). Environmental Impacts of Food Production. https://ourworldindata.org/food-choice-vs-eating-local.
[12] Richter, B. (2020). Water Sustainability and Fish Imperilment Driven by Beef Production. *Nature Sustainability.* https://www.fs.usda.gov/treesearch/pubs/59918.
[13] Smith, P. (2012). "Climate Change and Sustainable Food Production." Cambridge University Press. https://www.cambridge.org/core/journals/proceedings-of-the-nutrition-society/article/climate-change-and-sustainable-food-production/DE02043AE462DF7F91D88FD4349D38E7.
[14]Food and Agriculture Organization (2010). Sustainable Diets and Biodiversity. http://www.fao.org/3/i3004e/i3004e.pdf.

From: Sue Ann Lorig
Sent: Friday, April 8, 2022 11:21 AM
To: Jennifer Armer; Council
Subject: Please add a plant-based education program to Section 8 of the Environmental section of the General Plan

Dear Ms. Armer and Town Council:

I am Sue Ann Lorig and a resident of Los Gatos. I am writing you to request that a plant-based education program be added to Section 8 of the Environmental section of the General Plan.

The IPCC has stated that to avoid climate catastrophe, global emissions must be halved by 2030. That means we must do everything we can now to reverse climate change.

Right behind fossil fuels in the causes of climate change is industrial animal agriculture, which we can address as individuals and a community by reducing our consumption of animal products and eating more plants.

Industrial animal agriculture currently occupies more than half of the world's arable land resources, uses the majority of our freshwater stores, and expels more greenhouse gas emissions than the entire transportation sector. Additionally, it causes rampant air and water pollution, land degradation, and deforestation, and is pushing countless species to the brink of extinction.

It takes 160 times more land resources to produce beef than it does to produce vegetables, fruits, and legumes. The rainforests, the planet's lungs, are being burned as we speak to clear land for more animal agriculture.

But it's not just beef. It's also chickens, pigs, dairy cows, and the other farm animals that make up our current farming system. The entire livestock system currently occupies 45% of the planet's land surface. In comparison, 95% of the human population occupies 10% of the world's land.

In addition to using scarce land, we're using scarce water resources to grow food to feed animals for food. In the U.S., 47% of soy and 60% of corn is consumed by livestock. An average cow will consume around 1,000 pounds of feed every few months. Within a short lifetime, that cow will use about 183,500 gallons of water through feed alone.

When you include the millions of gallons for everything from hydration to washing excrement off concrete floors, cleaning blood and grease from the equipment in the butchering process, etc., it takes about 1,800 gallons of water on average to produce 1 pound of meat.

Dairy cows use tons of water, too, with about 2,000 gallons of water being used to create just one gallon of milk.

In one year, the average American consumes roughly 58 pounds of beef, 50 pounds of pork, and 91 pounds of chicken. The water that it takes to produce just a pound of each one of those meats is approximately 1,800 gallons, 576 gallons, and 468 gallons, respectively. To put this into perspective, it only takes 119 gallons of water to produce 1 pound of potatoes.

Simply stated, if we used all of this water to produce food for direct human consumption, rather than the roundabout process of industrial meat farming, we would have a lot more food and a whole lot more water to go around.

With respect, I implore you to add a plant-based education program to Section 8 of the Environmental section of the General Plan.

Sincerely,
Sue Ann Lorig
Los Gatos, CA

From: Christopher Wade
Sent: Friday, April 8, 2022 1:14 PM
To: Jennifer Armer; Council
Subject: Plant-Based Education

To the Planning Commission,

Thank you for your tireless work on the General Plan. I have lived in Los Gatos for more than 40 years. My family moved here when I was a kid, and I attended Blossom Hill School, Fisher Middle School, and Los Gatos High School.

I'd like to request that you please add a plant-based education program to the implementation programs in Section 8 (Environmental and Sustainability Element) of the General Plan.

Many cities are taking measures to facilitate a shift to plant-based diets, and I'd like to see Los Gatos make more progress in this direction.

Under Mayor Eric Adams, New York City recently introduced Vegan Fridays serving plant-based meals to all students as the default on Fridays. If students want animal products they must request that option.
https://gothamist.com/food/nyc-public-schools-will-start-vegan-fridays

Mayor Adams is also expanding a Plant-Based Lifestyle Medicine Program (that was piloted in Bellevue) to five new health and hospital locations across the city.
https://gothamist.com/food/mayor-adams-expand-plant-based-eating-clinic-all-five-boroughs

Adams said that after becoming vegan in 2016, he reversed his Type 2 diabetes, including loss of vision and nerve damage. In fact, he wrote a book on this subject called, “Healthy at Last: A Plant-Based Approach to Preventing and Reversing Diabetes and Other Chronic Illnesses.”

I'd like to see Los Gatos follow in the footsteps of cities such as New York. Mountain View, Berkeley and so many more.

Sincerely,
Chris Wade

**From:** Julie Struthers
**Sent:** Friday, April 8, 2022 2:07 PM
**To:** Jennifer Armer; Council
**Subject:** Include Plant Based Education in Town General Plan

Dear Los Gatos Town Council,

I have been a Los Gatos Resident since 1999 and I am writing to ask that we include a plant-based education program to Section 8 Environmental and Sustainability section of the General Plan. I feel that it is important for residents of Los Gatos to be aware of the huge environmental benefits of a plant-based diet, and I'd like to see the Town fund education on this topic.

kind regards,

Julie Struthers

**From:** Nick Struthers
**Sent:** Friday, April 8, 2022 2:07 PM
**To:** Jennifer Armer; Council
**Subject:** Town General Plan to include Plant Based Education

Dear Los Gatos Town Council,

I have been a Los Gatos Resident since 1999 and I am writing to ask that we include a plant-based education program to Section 8 Environmental and Sustainability section of the General Plan. I feel that it is important for residents of Los Gatos to be aware of the huge environmental benefits of a plant-based diet, and I'd like to see the Town fund education on this topic.

kind regards,

Nick Struthers

**From:** roberto anji
**Sent:** Sunday, April 10, 2022 9:26 AM
**To:** Jennifer Armer
**Cc:** Council
**Subject:** Section 8 the Environmental section of the General Plan.

Dear Jennifer,

My name is Roberto Anji and I am a resident of Los Gatos staying at

I wanted to add my support to add Plant Based Nutrition and Education to the towns General Plan.

Just like Climate Change is now a Household word we need to add Veganism as well as it has a multitude of benefits not only for our planet but also our health. There is no need to covert everyone to be Vegan 24x7, just a few days a week can make a tremendous impact and once pople change their habits they will also support the Vegan industry in developing a bigger variety of tasty Vega food. Have you tried Vegan Gouda Cheese available at Whole Foods? It is a pretty good imitation. More like that will arrive if we support the industry and Los Gatos can proudly be at the forefront by adding it to their plan.

Thanking you in advance!

- Roberto

**From:** Beth Wilson
**Sent:** Sunday, April 10, 2022 12:07 PM
**To:** Council; Jennifer Armer
**Subject:** Plant Based Diet Education

Hello,

My name is Beth Wilson and I live in Los Gatos. I am writing to ask that we include a plant-based education program to Section 8 Environmental and Sustainability section of the General Plan. I feel that it is important for residents of Los Gatos to be aware of the huge environmental benefits of a plant-based diet, and I'd like to see the Town fund education on this topic.

Thank you,
Beth Wilson

**From:** Dirk Reese
**Sent:** Sunday, April 10, 2022 1:05 PM
**To:** Jennifer Armer
**Cc:** Council
**Subject:** Plant-Based Education in the Town General Plan

Los Gatos Town Council,

My name is Dirk Reese and I live in Los Gatos. I am writing to ask that we include a plant-based education program to Section 8 Environmental and Sustainability section of the General Plan. I feel that it is important for residents of Los Gatos to be aware of the huge environmental benefits of a plant-based diet, and I'd like to see the Town fund education on this topic.

Sincerely,

Dirk Reese

Los Gatos

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DATE: April 13, 2022

TO: Planning Commission

FROM: Joel Paulson, Community Development Director

SUBJECT: Review and Make Recommendations on the Draft 2040 General Plan and Final Environmental Impact Report to the Town Council.

REMARKS:

In response to a question from a Planning Commissioner, staff has calculated that if the properties in the Central Business District designation were reverted to the housing density allowed in the existing 2020 General Plan, the reduction in housing units from that change would be 76 units.

Exhibit 12 contains Planning Commissioner comments.

Exhibit 13 includes public comment received between 11:01 a.m., Monday, April 11, 2022, and 11:00 a.m. on Wednesday, April 13, 2022, plus one comment that was unintendedly omitted from the Addendum Report.

EXHIBITS:

Exhibits previously provided (available online here: http://losgatos2040.com/documents.html):
1. Draft 2040 General Plan
2. Draft EIR
3. Revised NOA and Transportation section
4. Final EIR

Exhibits previously received with the April 13, 2022 Staff Report:
5. Draft Findings of Fact and Statement of Overriding Considerations
6. GPAC Recommended Changes to the Vision and Guiding Principles

PREPARED BY: Jennifer Armer, AICP
Planning Manager

Reviewed by: Planning Manager and Community Development Director

EXHIBIT (continued):

7. Modifications Proposed in Public Comment
8. Board of Forestry Recommended Changes
9. Public Comments received between 11:01 a.m., Thursday, May 6, 2021, and 11:00 a.m. Monday, September 20, 2021
10. Public Comments received between 11:01 a.m., Monday, September 20, 2021, and 11:00 a.m. on Thursday, April 7, 2022

Exhibit previously received with the April 13, 2022 Addendum:

11. Public Comments received between 11:01 a.m., Thursday, April 7, 2022, and 11:00 a.m. on Monday, April 11, 2022

Exhibits received with this Desk Item:

12. Planning Commissioner Comments
13. Public Comments received between 11:01 a.m., Monday, April 11, 2022, and 11:00 a.m. on Wednesday, April 13, 2022

**Los Gatos Draft 2040 General Plan**
**Comments from Commissioner Clark**

Below are some changes I would like to see made to the Draft 2040 General Plan in the Planning Commission's recommendation to Town Council, as well as some comments and topics for conversation. They are sorted as (A) Wording Changes; (B) Broader Changes; and (C) Topics for Discussion.

**A. Wording Changes**: Below are recommended wording changes. Some are more substantive than others.

1. 1-15 *Cross-cutting Topic Icons*
   Items marked with this icon are designed to identify goals and policies~~, policies, and policies~~ that affect and promote overall community health.

2. 2-3 *Key Terms*
   Equality. ~~The state of being equal, especially in status, rights, and opportunities.~~ Equal opportunity, levels of support, and allocation of resources, regardless of different circumstances.
   Equity. ~~Fairness or justice in the way people are treated.~~ Differing allocation of opportunities, levels of support, and resources based on each person or group's circumstances and needs, thereby reaching an equal outcome.

3. 2-4 *RSEJ-2.7 Cultural Proficiency and Anti-Bias Training for Town Staff*
   Develop and implement engaging, substantive, and interactive cultural proficiency and anti-bias training for all Town employees and support similar training efforts undertaken by the business community.

4. 2-7 *RSEJ-6.6 Accessibility to Town Events*
   Schedule Town events using different days, times, and formats (i.e., virtual and digital accessibility) to encourage and facilitate participation among community members with work, school, and other obligations that conflict with more traditional~~ly~~ scheduling.

5. 2-8 *2.4 Implementation Programs. H Career and Job Training*
   Coordinate with the Chamber of Commerce and other organizations, including local nonprofits, to organize an annual career and job fair with local employers to highlight local employment and employment training opportunities for Los Gatos residents.

6. 3-35 *LU Implementation Program M (Distribute Neighborhood Meeting Guidelines)*
   Prepare and distribute information describing guidelines for conducting neighborhood meetings and criteria for reporting the results of neighborhood meetings with project applications. A neighborhood meeting can take the form of an informal gathering between neighbors to review and discuss a project, an open house put on by a property owner or developer, or any convening of those who live in proximity to a proposed project with the purpose of discussing the project.

7. 4-5 *CD-1.4 Memorable Places Through Infill Development*
   Promote infill development projects that create memorable places throughout the Town through high-quality architecture, pedestrian oriented streetscapes, and age-friendly designed public spaces. Memorable places, while hard to define, are structures, landscapes, amenities, and other features that stand out compared to sometimes monotonous streets, making these locations more "memorable."

8. 8-17 *ENV-13.8 Increase Historical and Cultural Awareness*
   Support a community sense of stewardship for historic and cultural resources both through supporting talks, tours, and other programs that increase awareness and promote Los Gatos as a destination with historic cultural resources and through including Ohlone people in the conversation and planning.

9. 8-17 *8.8 Tribal Cultural Resources*
   Los Gatos is in an area once occupied by the Ohlone (or Costanoan) people, which extends from the point where the San Joaquin and Sacramento rivers flow into the San Francisco Bay to Point Sur, with the interior Coastal Ranges most likely constituting the inland boundary. Before colonization ~~outside contact~~, Ohlone lived in base camps of tulereed houses and seasonal specialized camps. Ohlone ate food gained by hunting, gathering, and fishing. Mussels were particularly important to their diet, as well as sea mammals and acorns.

   Seven Franciscan missions were built in Ohlone territory in the late 1700s, and all members of the Ohlone group were eventually forced ~~brought~~ into the mission system. After the establishment of the missions, the Ohlone population ~~dwindled~~ was decimated from roughly 10,000 people in 1770 to 1,300 in 1814. In 1973, the population of people with Ohlone descent was estimated at fewer than 300 after what is widely cited as a genocide. The descendants of the Ohlone united in 1971 and have since arranged political and cultural organizations to revitalize, maintain, and pass on ~~aspects of~~ their culture.

**B. Broader Changes**: Below are some changes I recommend that do not warrant specific wording changes at this time or are not wording-related changes.

1. 1-6 1.5 *The Los Gatos Community*
   In the three-paragraph history and context of Los Gatos, the only mention of the Ohlone people is "The Ohlone lived sustainably in the area rich with fertile soils, abundant wildlife, and other natural resources." Provide direction for staff and Council to include additional information about the Ohlone in relation to the land that the Town of Los Gatos now occupies and the cultural history of the land, rather than only the topographical history.
2. 2-9 *Racial, Social, and Environmental Justice Element Implementation Programs*
   Add an implementation program after Program K (Community Engagement) to Implement Policy RSEJ-4.1 Acceptance of Government Issued Vouchers. The program should be implemented between 2020-2025 and include Cross-cutting Topic Icons EJ and HC.
3. 4-2 *Community Design Element Key Terms*

Add a definition of "rafters" to the Key Terms. Rafters are referenced in the definition of "Eave" with no definition of rafters the reader can refer to.

4. 4.6 *Implementation Programs. B Commercial Design Guidelines Update (and 4-10 CD-2.26)*
   Include implementation of CD-2.26 (Climate Considerations in Site Design) to Implementation Program B and consider strengthening the language of CD-2.26. CD-2.26 plans to "Encourage applicants to consider the Mediterranean climate in Los Gatos and plan for sustainable site design to address adequate solar access, water conservation and retention, and wind conditions." This will increase the likelihood that this component of the General Plan is implemented, as the policy will be considered during updates to the Commercial Design Guidelines. Additionally, consider strengthening the language of CD-2.26 by adding a formal incentive to encourage applicants or requiring applicants to take measures to accommodate the Town's Mediterranean climate.
5. 5-9 *Implementation Programs. D Community Shuttle System*
   Change the implementation timeline of Program D Community Shuttle System from 2026-2040 to 2020-2025. While this program may not be fully implemented before 2026, the Town should begin work on this during the period of 2020-2025. A community shuttle system is an important option to consider, particularly given current and upcoming struggles with parking, Vehicle Miles Traveled (VMT), and Greenhouse Gas (GHG) emissions.
6. 8-17 *8.8 Tribal Cultural Resources*
   In addition to the recommended wording changes listed above, add a third paragraph focusing on what Ohlone people do today. Many of the cultural practices referenced as historical are still taking place, and Ohlone culture is still very much alive. Additionally, work with Native people to ensure use of the term "Ohlone" is correct (rather than "Tamien," for example).

**C. Topics for Discussion**: Below is one topic I think we should consider during our discussion at the meeting.

1. (No page number) *Clarification of "Encourage"*
   a. The word "encourage" is used consistently throughout the document in descriptions of policies and how they will be implemented. While this is necessary because this word can hold many definitions and varies between topics and elements, it is also important to ensure we all understand what "encourage" means in the context of the General Plan. Because a very significant number of policies plan to "encourage" a course of action, we need to ensure this encouragement can/will have an impact and that there are tangible examples of "encouragement." The Commission should discuss this potential challenge and determine whether there does appear to be a need for clarification.

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**From:** Laura Montonye Reese
**Sent:** Friday, April 8, 2022 8:54 AM
**To:** Jennifer Armer
**Subject:** Council@LosGatosCA.gov

Hello Ms. Armer,

My name is Laura Reese and I live in Los Gatos near the University Avenue fire station.

I'm emailing you with a request: **please include a plant-based education program in the Environmental and Sustainability section of the General Plan (Section 8).**

Los Gatos residents need to understand the enormous environmental impact of their food choices. They need to know how choosing plant-based options three times a day can positively impact climate change, water quality, and air quality, not to mention improving the lives of farmed animals.

Here is an excellent resource for **exploring the environmental impacts** of our food choices: https://www.plantbaseddata.org/

I'll quickly add that education is only the beginning. The more we can make plant-based options the defaults at restaurants and civic gatherings, the more impact we can have. I refer you to the Default Veg website for ideas for nudging a **population toward making plant-based choices** https://www.defaultveg.org

Thank you,

Laura Reese



EXHIBIT 13

**From:** Phil Koen
**Sent:** Tuesday, April 12, 2022 6:33 AM
**To:** Jennifer Armer; Shelley Neis
**Cc:** jvannada; Rick Van Hoesen; David Weissman; Francois, Matthew
**Subject:** Agenda Item #3 - Planning Commission Meeting

Hello Shelley and Jennifer,

Would you please include the email below in the Planning Commission's package for the April 13 Planning Commission? Thank you.

Dear Planning Commissioners,

Attached please find a modified Table 3-1 "General Plan Residential Buildout" found in the draft 2040 General Plan. The only change to the table is the addition of the column labeled "Derived Draft GP Total units".

This column reflects the total new units (redeveloped) allowed by the proposed increases in allowable densities for all land uses. The units shown were derived using the redevelopment percentage and the redeveloped new units found in the table.

For example, given a 15% redevelopment percentage for high density residential and a total of 268 new redeveloped units, the derived total new units at 100% redevelopment would be 1,787 units (e.g., 268 units = 15% x 1,787 units).

It is important to understand that the Planning Commission is being asked to approve increases in zoning densities for all land use categories Town wide which will allow 14,618 additional new housing units. This number is approximately equal to the total number of housing units currently available in Los Gatos today. **Stated another way, the changes in zoning densities made by the 2040 General Plan would allow for the doubling of the current size of Los Gatos.**

If the high end of the market demand for housing over the next 20 years as forecasted by ADE is 1,954, and the minimum number of units the Town is required to plan based on the 6$^{th}$ cycle RHNA is 1,993,

why is it appropriate to double and triple land use zoning densities to allow for the redevelopment of 14,618 new units?

The answer is obvious – it is not warranted.

Changes to the current land use densities should be made only to the extent necessary to meet the 20-year market demand for new housing in Los Gatos of 1,954 and to comply with the minimum housing required by the 6$^{th}$ cycle RHNA of 1,993 plus 15% buffer (2,292). With that in mind, all the changes outlined on page 6 of the Staff report make sense and should be adopted by the Planning Commission. Please make these changes.

Thank you.

The Los Gatos Community Alliance

| | Density Range (du/ac) | | Typical Density | | Redevelopment Assumptions | | Draft General Plan | |
|---|---|---|---|---|---|---|---|---|
| **Land Use Designation** | **Existing General Plan** | **Draft General Plan** | **Existing General Plan** | **Draft General Plan** | **Derived Draft GP Total Units** | **Assumed Redevelp %** | **New Housing (redev)** | **New Housing (vacant)** |
| **Low Density Residential** | 0 to 5 | 1 to 12 | 4 | 12 | 1,680 | 5% | 84 | 283 |
| **Medium Density Residential** | 5 to 12 | 14 to 24 | 10 | 20 | 3,430 | 10% | 343 | 224 |
| **High Density Residential** | 12 to 20 | 30 to 40 | 18 | 36 | 1,787 | 15% | 268 | 110 |
| **Neighborhood Commercial** | 10 to 20 | 10 to 20 | 16 | 18 | 910 | 10% | 91 | 26 |
| **Community Commercial** | 0 | 20 to 30 | 0 | 26 | 1,040 | 15% | 156 | |
| **Mixed-Use** | 10 to 20 | 30 to 40 | 16 | 36 | 3,025 | 20% | 605 | 126 |
| **Central Business District** | 10 to 20 | 20 to 30 | 16 | 26 | 753 | 15% | 113 | 21 |
| **Office Professional** | 0 | 30 to 40 | 0 | 36 | 1,700 | 15% | 255 | 4 |
| **Service Commercial** | 0 | 20 to 30 | 0 | 26 | 293 | 15% | 44 | 10 |
| **Subtotal** | | | | | **14,618** | | **1,959** | **804** |
| | | | | | | Housing Units, New and Redeveloped | | 2,763 |
| | | | | | | Housing Units, ADUs | | 500 |
| | | | | | | Subtotal | | 3,263 |
| | | | | | | Housing Units, Existing Projects | | 475 |
| | | | | | | **Total** | | **3,738** |

**From:** Mendoza, Clarissa
**Sent:** Tuesday, April 12, 2022 2:56 PM
**To:** Planning Comment
**Cc:** Francois, Matthew; Rob Rennie; Maria Ristow; Mary Badame; Matthew Hudes; Marico Sayoc; Laurel Prevetti; Joel Paulson; Robert Schultz
**Subject:** Comments Regarding Final EIR For Proposed 2040 General Plan; April 13, 2022 Planning Commission Hearing, Agenda Item No. 3.

Dear Chair Hanssen and Members of the Planning Commission:

Attached please find written correspondence from Mr. Francois on behalf of the Los Gatos Community Alliance, in regards to the above-referenced matter.

Best,

**Clarissa Mendoza**
Legal Secretary

455 Market Street, Suite 1870 | San Francisco, CA 94105
O. (650) 263-7900 | D. (650) 320-1500 x7725

CMendoza@rutan.com | www.rutan.com

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RUTAN & TUCKER, LLP

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**Matthew D. Francois**
Direct Dial: (650) 798-5669
E-mail: mfrancois@rutan.com

April 12, 2022

**VIA E-MAIL [PlanningComment@losgatosca.gov]**

Honorable Melanie Hanssen, Chair
and Members of the Planning Commission
Town of Los Gatos
110 E. Main St.
Los Gatos, CA 95030

**Re: Comments Regarding Final EIR For Proposed 2040 General Plan; April 13, 2022 Planning Commission Hearing, Agenda Item No. 3.**

Dear Chair Hanssen and Members of the Planning Commission:

We write on behalf of the Los Gatos Community Alliance ("LGCA"), a group of concerned citizens, in regard to the Proposed Final Environmental Impact Report ("FEIR") for the 2040 General Plan (the "Proposed Plan").[1] In previous correspondence to the Town of Los Gatos (the "Town"), LGCA expressed its significant concerns with the Proposed Plan's major upzoning of every residential and commercial land use district in the Town. We pointed out how such intensification was not studied in the Draft EIR ("DEIR") as required by CEQA. We also explained that such intensification was entirely unnecessary to accommodate the 1,993 additional housing units needed per the Town's Regional Housing Needs Allocation ("RHNA"), which itself was a 222 percent increase over the Town's last RHNA allocation. We further pointed out that if the Proposed Plan's upzoning were to be approved, the Town would generally be precluded from denying or reducing the density of any housing project that complied with those new density standards.

As detailed in our previously submitted comments and additional comments below, summarized below, the EIR remains significantly flawed and cannot legally be relied upon to adopt the Proposed Plan as currently proposed. Accordingly, we reiterate our request that the Town focus first on the Housing Element update. Once the Housing Element update has been finalized, the Proposed Plan should be revised to reflect it as well as the other recommended changes detailed in our March 22, 2022 letter, including restoring existing Low Density Residential densities and modifying other allowed densities so that build-out under the Proposed Plan would accommodate approximately 2,300 units, including units that would qualify as affordable. This would meet the Proposed Plan's dual objectives of satisfying market demand and the Town's new RHNA number.

[1] Members and/or supporters of LGCA include: former Mayor Joanne Benjamin, former Mayor Sandy Decker, former Mayor Tom Ferrito, former Mayor Steve Rice, former Mayor Barbara Spector, former County Superintendent of Schools Colleen Wilcox, Tim Lundell, Phil Koen, Don Livinghouse, Sandra Livinghouse, Lee Fagot, Ann Ravel, Rob Stump, Rick Van Hoesen, and Jak Vannada.

**1. The EIR Fails To Analyze The Reasonably Foreseeable Consequences Of The Proposed Plan.**

The reasonably foreseeable consequence of the Proposed Plan is that growth above and beyond that studied in the EIR will occur in accordance with the increased densities and intensities permitted by the Proposed Plan. The FEIR claims the changed densities and intensities will not result in much added growth because of "assumptions" about the percentages of already improved land that will be redeveloped. The FEIR cites to the small percentage of vacant land (which still totals nearly 700 acres) and assumed redevelopment rates ranging from 5-15 percent for existing developed land. The FEIR claims that these assumed redeveloped percentages are reasonable based on historic growth rates and the need to satisfy and comply with the mandated RHNA number. (FEIR, p. 117.) There are several flaws with this explanation.

First, it appears that the EIR simply studied the RHNA number plus a buffer as well as units in the pipeline and accessory dwelling units. As such, the EIR did not study the actual project—the Proposed Plan—that is up for consideration. There is no acknowledgment whatsoever of the potentially significant impacts associated with the greatly increased densities and intensities in nearly every residential and commercial land use district.

Second, the historic, old growth rates tied to existing allowed densities/intensities are irrelevant in light of the proposed new densities/intensities and the economic demand associated with them. While the Town may have experienced growth of 40 units per year under current densities, the EIR needs to study what growth the Town may experience in light of the significantly higher densities allowed by the Proposed Plan.[2] (FEIR, p. 150.) It is unreasonable and unjustified to assume that the existing growth rate is the anticipated growth rate.[3] (FEIR, pp. 144.) Even if the historic growth rates were relevant, there is no explanation at all how the redevelopment rates are correlated to the old growth rates. In other words, how does a 0.5 to 0.7 growth rate translate into an assumed redevelopment potential of 5-15 percent for residential lands and 10-15 percent for commercial lands?

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[2] While the table on page 4 of the Staff Report correctly shows existing and proposed densities for residentially-designated properties, it incorrectly portrays existing densities for commercial and office lands. No residential densities are specified for these lands in the current General Plan.

[3] Contrary to the FEIR, the court in *San Franciscans for Livable Neighborhoods v. City and County of San Francisco* (2018) 26 Cal.App.5th 596, did not sanction the approach used by the EIR consultants here. Instead, the court there found that a housing element which did ***not*** modify land uses or increase heights or densities properly "compare[d] the changes in the housing element to the existing environment, including existing height limits and densities." (26 Cal.App.5th at 902, 910.) The difference here is that the Proposed Plan significantly increases densities and intensities in nearly every land use district and the EIR ignores the impact of those changes. The FEIR also cites another baseline case, *Communities for a Better Environment v. South Coast Air Quality Management District* (2010) 48 Cal.4th 310, which is not relevant to the FEIR's failure to consider the reasonably foreseeable impacts of the Proposed Plan.

Third, there is no correlation between the assumed redevelopment percentages and the acres of land to be redeveloped. For instance, the DEIR acknowledges that 4,460.93 acres are designated and developed as Low Density Residential. (DEIR, Table 4.11-1.) If five percent of these lands are assumed to be redeveloped at densities of 12 units per acre, this would produce 2,676 units. Yet, the EIR assumes only 84 new units will be produced. (DEIR, p. 4.11-2.) How this number was derived and why it is reasonable to rely on is nowhere explained in the EIR. Additionally, why are only 804 units assumed to be developed on approximately 700 acres of vacant land.[4] (DEIR, p. 4.11-2.) This resulting density of 1.1 units per acre does not match the permitted densities ranging from 12-40 units per acre.

Fourth, the FEIR acknowledges that it did not assume any additional commercial development beyond that which is already approved and pending. (FEIR, p. 118.) This ignores the Proposed Plan's significant increase in allowed floor area ratios from 0.5 up to 3.0. It also ignores the potential for additional commercial development at these increased intensities on vacant lands.

Fifth, the deflated assumptions regarding redevelopment conflict with various goals and policies cited in the DEIR and FEIR. For instance, the DEIR states that the "Land Use Element promotes and emphasizes infill development and redevelopment of underutilized parcels." (DEIR, pp. 2-9; *accord*, DEIR, pp. 2-1, 4.4-12, 4.4-16, 4.17-9 and Proposed Plan, Goal CD-7 and Policies LU-5.1, CD-7.2, and MOB-7.1.) It states that development will occur primarily in already developed areas. (DEIR, p. 4.11-12 ["Unlike many communities where growth is primarily on vacant land, Los Gatos would see a higher percentage of change through redevelopment of lands that have development potential."]; *see also* DEIR, pp. 4.1-15, 4.4-13, 4.4-18, 4.4-20, 4.1 and FEIR, pp. 119, 122.)

Sixth, the arbitrary nature of the assumptions and complete lack of consideration of the economic pressures caused by upzoning is evident in the Alternatives section where the growth alternatives vary depending on the seemingly random percentages of redevelopment assumed to occur inside and outside Opportunity Areas. (DEIR, pp. 6-4, 6-9, 6-15.)

Finally, only in response to comments on the DEIR does the Town explain how the assumed redevelopment rates were derived. Even then, the explanations are flawed and unsupported. There is no explanation whatsoever of the assumptions in the DEIR. An agency cannot wait until a Final EIR to provide critical information so as to immunize itself from public scrutiny and comment.

In short, the EIR still fails to analyze the reasonably foreseeable consequences of the project. Although the Proposed Plan greatly increases densities and intensities in almost every land use designation, including Low Density Residential, the responses are that this growth will not

[4] The assumed residential units on vacant land in Tables 4.11-2 (804) and Table 4.11-3 (504) do not match. Contrary to FEIR Response 9.49, Table 4.11-3 does not show acreage, it shows units.

materialize based on the "percentages" of vacant land and "assumptions" about the amount of developed land that will be redeveloped. This response is not supported by substantial evidence, as required, and thus is legally inadequate.

**2. The FEIR Acknowledges The Use Of Inconsistent And Conflicting Baselines.**

The FEIR states that the Town used future conditions as its baseline. "The Draft EIR . . . uses the potential growth the Town is likely to achieve ***by the year 2040*** as its baseline for analysis of potential impacts. This is not a hypothetical number but based on existing conditions and the potential for future development in this time period." (FEIR, p. 117 [emphasis added].) The FEIR then contradicts itself by saying "[t]he projected 3,738 dwelling units is comprised of multiple parts and focuses on the total buildout for the Town, ***not just a 20-year horizon***." (*Id.* [emphasis added].)

In reality, the baseline is the existing conditions, normally represented by conditions at the time the notice of preparation was released. (CEQA Guidelines § 15125.) Here, that would represent the Town's existing residential and commercial development as of 2020. Reliance on a future conditions baseline, at least without any substantial evidence to justify it, is yet another flaw in the EIR. (*Neighbors for Smart Rail v. Exposition Metro Line Construction Auth.* (2013) 57 Cal.4th 439.)

At minimum, it raises an issue of shifting and inconsistent baselines. For instance, while the FEIR says the baseline is future growth under 2040 conditions, the DEIR suggests it relied on an existing conditions baseline, at least as to vehicle miles traveled and certain other resource categories. (DEIR, pp. 2-4, fn. 1, 4.9-14, 4.10-9, 4.15-23.) Among other courts, the Sixth Appellate District has overturned an EIR that relied on conflicting baseline information. (*Save Our Peninsula Committee v. Monterey County Bd. of Supervisors* (2001) 87 Cal.App.4th 99.)

**3. The FEIR Fails To Adequately Analyze And Address Significant Transportation Impacts.**

The RDEIR identifies a new significant unavoidable impact. Specifically, Impact T-1 now acknowledges a significant unavoidable impact to transit vehicle operations due to increased delays at intersections. The acknowledgment of this new significant impact requires consideration of feasible mitigation measures and alternatives to avoid or substantially lessen this impact. The RDEIR does neither.

As to Impact T-1, the RDEIR states that "[t]here are no feasible mitigation measures to reduce potentially significant effects related to transit operations and ridership." (RDEIR, p. 4.15- 25.) An EIR cannot simply declare an impact significant and unavoidable without considering and imposing feasible mitigation measures.[5] The RDEIR acknowledges that transit

[5] (Public Resources Code §§ 21002, 21002.1(a), 21081(a)(3); CEQA Guidelines § 15091(a)(3); *California Native Plant Society v. City of Santa Cruz* (2009) 177 Cal.App.4th 957, 982; *City of Marina v. Board of Trustees of the California State University* (2006) 39 Cal.4th 341, 369.)

operational improvements, such as signal coordination and transit vehicle preemption, could potentially improve the overall reliability of transit in congested areas. (RDEIR, p. 4.15-25.) Because these measures are "not likely to fully address" the impact, the RDEIR does not impose them as mitigation. (*Id.*) The FEIR states the measures are not included because they are a separate project that would be implemented later. (FEIR, p. 198.) The EIR does not impose enforceable mitigation measures to avoid or substantially lessen a significant impact and defers mitigation to an unspecified future date. The EIR also fails to consider any alternatives to this newly identified significant impact. In all these aspects, the FEIR fails to comply with CEQA. (Public Resources Code §§ 21002, 21002.1(a), CEQA Guidelines §§ 15126.4, 15126.6; *Laurel Heights Improvement Assn. v. Regents of University of California* (1988) 47 Cal.3d 376, 400-403.)

**********

In closing, the DEIR fails to analyze the environmental impacts of the Proposed Plan and thus fails to comply with CEQA. As such, the Town cannot legally rely on the EIR to adopt the Proposed Plan. LGCA reiterates its request that the Town focus first on the Housing Element update prior to considering the Proposed Plan or any other General Plan update. If the Town nonetheless continues to proceed with the Proposed Plan, it should be based on Alternative 1 (Low Growth Alternative) and associated modifications made to the designations and densities currently set forth in the Proposed Plan to achieve this lower housing capacity.[6]

Thank you for your consideration of LGCA's views on these important matters. Representatives of LGCA, including the undersigned, will be in attendance at your April 13, 2022 meeting on the Final EIR and Proposed Plan. In the meantime, please do not hesitate to contact me with any questions regarding this correspondence.

Very truly yours,

RUTAN & TUCKER, LLP

Matthew D. Francois

cc (*via e-mail*):
Honorable Rob Rennie, Mayor, and Members of the Town Council
Laurel Prevetti, Town Manager
Joel Paulson, Community Development Director
Robert Schultz, Town Attorney

[6] Combined with the 1,100 units of additional capacity remaining capacity under the current General Plan, Alternative 1 could produce an additional 1,156 units for a total of 2,256 units.

**From:** Kathy Anderson
**Sent:** Tuesday, April 12, 2022 9:37 PM
**To:** Planning
**Subject:** Fwd: General Plan

Sent from my iPad

Begin forwarded message:
**From:** Kathy Anderson

**Date:** April 12, 2022 at 7:03:32 PM
**Subject: Fwd: General Plan**

Planning Commission

I am asking you to vote no on the General Plan.
The housing element with zoning changes, density and height increases will drastically change Los Gatos in a negative way.
Los Gatos will become another San Jose if the General Plan is approved.
Think about why you and others chose to move to Los Gatos.
I do not understand why Council would approve $50,000. for a study on marijuana dispensaries but would not have a study on the financial impact of the General Plan.
I hope that the future of Los Gatos is not left in the hands of 5 Council members. Think the N40.
Any future dramatic changes to Los Gatos should be decided at the polls.
Once Los Gatos is gone - we can never get it back.
Kathy Anderson

Foster Rd. Los Gatos

On Apr 12, 2022, at 7:39 PM, Campbell Scott wrote:

Hello Marina,

Please pass this along to an appropriate person for consideration at the meeting on April 12th.

I find no mention of Reach Codes in the Los Gatos 2040 General Plan, draft of June 2021.

There is growing recognition in the public sector that local ordinances will play an important role in meeting state and federal goals to reduce emissions of greenhouse gases. Examples include the elimination of natural gas pipelines in new buildings, and encouraging the installation of electric vehicle charging stations in apartment buildings.

Such measures have been enacted in nearby cities from San Jose to Half Moon Bay. They are an important tool in the toolbox for limiting the worst effects of climate change, and given the urgency stated by the IPCC, they must be enacted and implemented well before 2040.

I hope that you consider this proposal for inclusion in the Los Gatos 2040 Plan.

Sincerely

Campbell Scott

**From:** Julie Groves
**Sent:** Tuesday, April 12, 2022 8:08 PM
**To:** GP2040
**Subject:** LG general plan

Thank you for your work

Aside from the other issues regarding housing and building, I am most concerned with keeping a view scape. The round tower on the south west corner Los Gatos Blvd and Blossom Hill (the old video store) still offends me every time I pass it.

Why block a view of the hills?

Julie Groves

From: Phil Grasser
Sent: Wednesday, April 13, 2022 6:52 AM
To: GP2040
Cc: Matthew Hudes
Subject: Town Housing

Hello Matthew and Town,

Thanks again for another email update regarding planning and thoughts about it. My two cents…

1) 3,904 housing units; we (and all of California) need more housing units. Both rents and purchases are out of reach for nearly all.
2) Affordable. We need younger people to be able to live here; they will be our future.
3) Spread around; we should not cluster in one area. That simply becomes a ghetto.
4) Walkability of new developments, bike lanes (already well along), small bus vehicles with in-town only routes (like in Dana Point), low impact landscaping, stay out of the mountains.
5) Do not tie-in to infrastructure improvement--that easily becomes the excuse to do nothing.
6) I agree with upzoning. The homes along LG Blvd that Robson built several years ago are beautiful, and I like the North 40 as well.
7) ADUs should be counted.

Phil Grasser

From: Anne Roley
Sent: Wednesday, April 13, 2022 7:06 AM
To: GP2040
Subject: RE: Comments for Planning Commission - General Plan 2040

Please include these comments in the Planning Commission Packet - Thank you!

Dear Planning Commission

I am hearing around town the discussion of the 2040 General Plan and more specifically the housing elements. From what I have observed, two sides have developed. One side wants a lower number of homes allowed and the other side wants a higher number of homes allowed. How do we come together as a community and make a decision? I suggest putting all the needs on the table from both sides and having a discussion with an openness to listen to each other without a right/wrong mentality and without a desired outcome. From this type of connection and discussion, creative strategies can surface and an outcome attending to all needs can manifest. What are the needs of the citizens that want a lower number of houses approved for the General Plan? I am guessing they value - space, comfort, balance, beauty, ease, peace/tranquility, sustainability, and order. What are the needs of the citizens that want a higher number of houses approved for the General Plan? I am guessing they value - inclusion, diversity, affordability, and growth. These values are Universal. - I can say for myself - I want space, comfort, balance, beauty, ease, peace/tranquility, sustainability, order, inclusion, diversity, affordability, and growth.. How can our values be shared, respected, heard, and considered without jumping to judgement and criticism, which disconnects us, causes tension, resistance and leads to one side against another. I long for a community where people listen to what is important to each other with an open heart and mind and come to decisions that take into account all needs on the table. A win/win outcome. A shared mutual reality. If one wins at the expense of the other, it usually comes at a cost. Come together with an open mind and heart, sit down at the table with the needs and values, listen to each other with empathy, build understanding and connection, be creative and strategize, and allow a solution to surface. If people have a willingness and have the time, this type of compassionate communication called Non Violent Communication or NVC works.

Anne Roley

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A P P E A R A N C E S:

| | |
|---|---|
| Los Gatos Planning Commissioners: | Melanie Hanssen, Chair<br>Jeffrey Barnett, Vice Chair<br>Kylie Clark<br>Kathryn Janoff<br>Steve Raspe<br>Reza Tavana<br>Emily Thomas |
| Town Manager: | Laurel Prevetti |
| Community Development Director: | Joel Paulson |
| Town Attorney: | Robert Schultz |
| Transcribed by: | Vicki L. Blandin<br>(619) 541-3405 |

P R O C E E D I N G S:

CHAIR HANSSEN: We will move onto Item 3, and that is review and make a recommendation on the Draft 2040 General Plan and Final Environmental Impact Report to the Town Council.

I will remind the Commission the our role in this matter is to carefully consider all the materials received, including the input and recommendations of GPAC over 35 meetings, the Town Council, this Commission from a study session, and a couple of other Town Council meetings, to provide input to the Planning Commission, as well as a substantial amount of input from the public since 2018 when this process started, including in-person meetings and a workshop for communications at meetings, and multitudes of written communications.

We will be proceeding to make a recommendation to the Town Council on the General Plan and certification of a Final EIR. The Town Council is the final deciding body on both documents, and we will describe in more detail the procedure we will use to consider the General Plan after the completion of all verbal public comments, which will be taken for this meeting.

It is entirely possible that we will not finish our review during this meeting and may need to continue the meeting to complete our review. I will now turn it over to Staff for their report.

JENNIFER ARMER: Good evening, Chair, Vice Chair, and Commissioners. Jennifer Armer, Planning Manager. The item before you is the consideration of the Draft 2040 General Plan and Final Environmental Impact Report. I know we have all been looking forward to getting to this point in the process, but you now have the opportunity to discuss and prepare a recommendation to Town Council.

First, for those in the audience who are joining us for the first time, this is an update to the existing 2020 General Plan as a document that is updated every 10 to 20 years. Every jurisdiction in California must have a General Plan, which is a local government's long-term framework or constitution for the future growth, services, and resource management.

The document before you is the result of extensive work over the last four years by the General Plan Update Advisory Committee, also known as the GPAC; the Planning Commission; Town Council; expert consultants; Staff from numerous departments; other agencies; and so many members of the public who have shared their questions

and concerns, praise and passion, in conversations and in writing to keep improving this document and this vision for the future of Los Gatos.

As part of this Staff presentation tonight, I want to share with you a few important points as a foundation for the discussion.

First, a reminder that this is a high-level policy document. It doesn't always get into the details that we're looking for, but those can be developed in other code or guideline documents or programs, and sometimes that is recorded in the General Plan as an implementation program.

While this discussion tonight will likely focus on a few specific components based on the written public comment that we've received, this document includes nine chapters covering a wide variety of topics. It has an Introduction with a Vision and Guiding Principles. It has a Racial, Social, and Environmental Justice Element, which is brand new for this Draft 2040 General Plan. It has the Land Use Element; Community Design Element; a reorganized Mobility Element; Public Facilities, Services, and Infrastructure Element; Open Space, Parks, and Recreation Element; Environment and Sustainability Element; and Hazards and Safety Element.

What it does not include is an update to the Housing Element. That actually goes through a separate process that's on a different timeline. Instead of being updated every 10 to 20 years, as the full General Plan generally is, the Housing Element is on a state-mandated eight-year timeline for updates. We have actually just started that process and it depends on the capacity that is provided within the Land Use Element regulations.

The most substantial changes in this Draft 2040 General Plan from the 2020 General Plan include the new Racial, Social, and Environmental Justice Element; the increase in housing opportunities for mixed-use developments in some of our commercial areas, as well as missing middle housing in existing neighborhoods with design requirements; a new Community Commercial land use designation; new Community Place districts that provide more objective design standards and focus on community form or urban design for all development; shifts in focus of transportation policies to street design, connectivity, and mobility; reduction in vehicle miles traveled rather than just road capacity; new goals in the Environment and Sustainability Element; and expanded policies to prepare for wildfire, climate change, and community health threats.

The Draft General Plan is still a draft, and we expect that the recommendation to Town Council from the Planning Commission will include modifications based on your review of the documents, the environmental review information provided, and further public input received since the June 2021 release of the Draft General Plan. We will continue to receive additional input as well. Written input will continue to be received until Town Council makes a final decision.

These modifications can be made based on suggestions that have already been received, and recommendations. We do include a list, a summary of that and categorization by chapter in Exhibit 7. That's based on all public comment that has been received since June 2021, and it also includes some of the comments that were submitted on the Draft EIR, but actually include changes to the General Plan itself. Your modifications can also be the results of your review and consideration; they do not have to be prompted by public comment.

I'd also like to share specific points about the environmental review. This is a program Environmental Impact Report, which is different than a project EIR that's based on a specific project where you have a specific amount of development construction, a building that is

proposed, and so the process and the type of analysis is slightly different than most of the environmental review that you see at projects that come to the Planning Commission. The purpose of an EIR is to provide information, and so certification or recommendation to certify an EIR does not indicate approval of the project.

Unavoidable impacts, as there are for this EIR, are actually quite common with General Plans. A project plan of this level, especially in a community where we don't have any type of high-speed public transit, is likely to have unavoidable impacts in terms of vehicle miles traveled and greenhouse gases, and so this is actually something that we have seen on previous environmental review for previous General Plans as well.

One final point: the final decision on the 2040 General Plan will be made by Town Council and will be the result of their deliberations and considerations, considering the recommendation from the GPAC, the recommendation from the Planning Commission, and any further comments received by the public, including written comments submitted after today's 11:00am deadline or after the completion of your deliberations.

This concludes Staff's presentation, but I'd be happy to answer any questions you have, and we do have

consultants as well, so if there are questions that I can't answer that we want to get into some details, we can ask them.

CHAIR HANSSEN: Very good, and thank you for your presentation. I would like to take this time to commend Staff for the excellent support that they've given the GPAC over the last two-and-a-half years that the GPAC worked, as well as over the last year processing the EIR and collecting all the public comments and leading up into this time where the Planning Commission will be reviewing the General Plan and the EIR, and spent excessive time responding to every single letter that was received, which is part of the EIR process, and responding to them in detail about whether or not it required changes to the EIR or identified additional impacts, and then further went to take all of the hundreds and hundreds of comments which we appreciate and continue to encourage that came in since the GPAC stopped meeting back in May of last year, and was able to compile all of those comments and basically help us characterize them by element so that when we proceed through the review of the General Plan after public comments we can do so in much more of an orderly fashion, so I would like to thank Staff for that.

I will ask at this time if Commissioners have any questions for Staff before we begin our public comments? You will have other opportunities to talk and ask questions of Staff as we review the document. I don't see any hands raised.

Now we will turn to public comments. This is the time where we would take public comments on the General Plan as well as the Final EIR, and we ask any members of the public that wish to speak to limit their comments to three minutes, and this will be the only opportunity during the Planning Commission's review of the General Plan for verbal public comments to be made during the meeting. We will be taking all public comments at this moment in time, even if we have to continue the meeting to another meeting. We want to hear all public comments up front before we begin any discussion. So, I would like to see if there are people from the public who would like to speak.

I would like to add just one more comment, which is we totally appreciate any and all comments on the General Plan. One thing I did want to say is that as we review the General Plan and consider all of your comments, it's difficult for us to consider that many people have advocated for a no growth scenario, and while we on the GPAC as well as the Planning Commission all share the same

concerns as you as residents of town, we are mandated by state law to adhere to providing and planning for housing. We don't actually build it, but we have to plan for housing in our Housing Element, and we have to start that process through the General Plan by having densities and land use standards that make it possible for developers to be able to build those things, so one thing we cannot consider is any scenario where there is zero growth in town, as much as everyone would like that to help things settle from the North Forty, but that being said, you're welcome to make any comments that you like related to the General Plan at this time.

JOEL PAULSON: Thank you, Chair Hanssen. The first speaker will be Giulianna Pendleton.

GIULIANNA PENDLETON: Good evening, Commissioners. My name is Giulianna Pendleton and I'm a resident of Los Gatos and the Environmental Advocacy Assistant for Santa Clara Audubon Society. Thank you to Staff, the GPAC, and everyone who has put so much work into this General Plan update.

Last year I advocated for a goal to be added to the General Plan Environment and Sustainability Element for a dark sky and bird safe design ordinance. I was excited that the GPAC agreed with protecting our natural night sky,

reducing artificial light at night, and protecting our birds, hundreds of millions of which die each year due to building or structure collisions related to artificial light at night. I hope you all support the inclusion of a dark sky and bird safe design ordinance in the General Plan.

Please also consider removing any goals or policies within the plan that would lead to over-lighting our town. Already, I have a bright street light outside my window that shines into my room each night, and I often drive by the Creekside Sports Complex that now has temporary lighting that is bright, unshielded, and on even when I don’t see any players on the field.

Los Gatos can become a leader in responsible outdoor lighting, but in order to do so we need to include responsible uses of light in all of our planning guidelines.

Additionally, as you review and make recommendations on the Draft General Plan, please strengthen biodiversity protections, native habitat enhancement, and wildlife connectivity whenever possible. Right in our back yard the newts of Alma Bridge Road are dying at an alarming rate due to vehicles.

Whenever we think about transportation, from roads to slow streets to trails, we need to prioritize both human and wildlife safety and include safe wildlife crossings.

Thank you for your consideration and I look forward to watching how this General Plan will uplift both the humans of Los Gatos as well as the wildlife and native environment that also call Los Gatos home.

CHAIR HANSSEN: Thank you for your comments. I'll ask if any Commissioners have a question for you? I have one, which is we appreciate all the comments that you've been making during the General Plan process, including now, and my question for you is, is there anything in your comments tonight that wasn't included in the written comments that you've already given us that we have in front of us to consider?

GIULIANNA PENDLETON: I think they are all consistent. My letters and written comments go into more detail of which goals and policies can be considered, but I think tonight's comments are more just broad, having to do with habitat connectivity, native plants, protections of our night sky, all the fun stuff. But thank you so much for all the work you've done. I've really enjoyed engaging in this process.

CHAIR HANSSEN: Thank you very much. Do any Commissioners have questions for Ms. Pendleton? Commissioner Clark has her hand up.

COMMISSIONER CLARK: I just put it up because I have a comment that was not a question for the commenter. I just wanted to say I don't think that we ever explicitly said to raise your hand if you want to make a comment, and I think we're all familiar enough with that process right now, but I figured that that's probably important to make sure the audience knows.

CHAIR HANSSEN: Oh, yes. The procedure, if you're on Zoom and you're online, you can click the Raised Hand feature in Zoom and that will let Staff know that you want to speak, and if you are participating by phone, it is *9, is that correct, Staff? Yes, to participate by phone, and so I think those are the options that you need to be able to speak to us, because we certainly want to encourage anyone and don't want lack of knowledge of how to do that to be an impediment.

JOEL PAULSON: Thank you, Chair. The next speaker will be Karen.

KAREN RUBIO: Good evening, and thank you for your hard work on the General Plan. My name is Karen Rubio and I've lived in Los Gatos for 37 years. I'm also a member

of local nonprofit Plant-Based Advocates, and I'm sure you've been hearing from us.

As a mother and environmentalist, I'm asking the Planning Commission and Town Council to take action to ensure a habitable planet for our children by including plant-based diet education into Section 8.12 of the General Plan.

On March 31st the Mercury News published my opinion piece entitled "It's Time for Californians to Talk About the Cow in the Room." In this article I explain how 47% of California's water goes to meat and dairy production and how the livestock industry plays a key role in climate change. The planet's seven hottest years on record have happened in the last seven years, and in California the effects of climate change are inescapable.

We now know that raising livestock is a primary cause not only of global warming, but also land depletion, water scarcity, deforestation, pollution, and biodiversity loss. Shifting to a plant-based diet reduces foods-associated greenhouse gas emissions by as much as 73% and cuts in half the water needed to produce our food. Therefore, any plan to achieve a sustainable environment must include education about plant-based diets.

The latest report by the UN's Intergovernmental Panel of Climate Change has outlined the dire consequences if we fail to address runaway global warming. UN Secretary General Antonio Guterres has called the report "a code red for humanity. The alarm bells are deafening and the evidence if irrefutable."

For elected officials and community leaders, I ask you to take action to reduce greenhouse gas emissions, as this could be the most important thing you'll ever do in your capacity as town leaders. Therefore, I hope the Planning Commission will support our request for programs to educate residents about the benefits of eating plant-based, and thank you for your time.

CHAIR HANSSEN: Thank you for your comments and your continued education of all of us on the benefits of plant-based eating, and your comments, as well as those of your colleagues, are duly noted. Thank you. Are there any questions for Ms. Rubio from the Commission? Commissioner Tavana.

COMMISSIONER TAVANA: Just a quick question to Ms. Rubio. I just wanted to get her opinion on if the General Plan in the draft form is satisfactory to her and achieves her goals?

KAREN RUBIO: Thank you for that question. I know that the General Plan has incorporated some of our ideas, but

what it's lacking right now is a solid commitment toward educating residents about eating plant-based, and I just feel strongly that it's necessary, because that's largely absent today. In general education, kids are not taught it in schools. Doctors go through their entire education with less than seven hours of nutrition training, which is just unbelievable, and we're bombarded with marketing for meat and dairy companies. People still think dairy is good for you. It's not. So, yeah, that's why I feel like a solid education plan is necessary, and thank you for asking.

COMMISSIONER TAVANA: Thank you.

CHAIR HANSSEN: Commissioner Thomas has a question for you as well.

COMMISSIONER THOMAS: Just as a follow up to Commissioner Tavana's question, Ms. Rubio. I just want to clarify that you want a plant-based diet education program added as an implementation program attached to Section 8.12?

KAREN RUBIO: Yes, exactly. Thank you.

COMMISSIONER THOMAS: Thank you.

CHAIR HANSSEN: Vice Chair Barnett has a question for you as well.

VICE CHAIR BARNETT: Ms. Rubio, thank you for your comments. The question I have is if the General Plan incorporates a requirement for a plant-based education

program, what would that mean in terms of actual implementation, specifics that you'd be looking for the Town to perform?

KAREN RUBIO: Thank you, that's a great question. Our group has been in existence for almost three years, but we became a nonprofit last year. We've actually submitted an entire program to the town with separate line items detailing what education could look like, so we've already done that. I guess basically what we're looking for is a commitment by the Town, and then the process of implementing it can be another discussion, but we certainly have a lot of great ideas on how to do that.

CHAIR HANSSEN: Thank you for your comments, and it sounds like you've already made some other presentations, but my question for you is did you know that in addition to the General Plan, which is general and over a 20-year time horizon, you also have the opportunity to go directly to the Town Council? I believe you may have already done, but I wanted to make sure that you knew that might be a more immediate way to ensure in addition to what we're doing in the General Plan?

KAREN RUBIO: Yeah, thank you, Chair Hanssen. We have been doing that. In fact, in 2019 in December the Town Council adopted the Green Monday resolution. It's a wonderful, wonderful thing, however we feel that we need

more than that. It denotes the Town's commitment to plant-based, but it doesn't have, I guess, the necessary means to implement any educational programs.

CHAIR HANSSEN: Okay, thank you for that. Any other questions for Ms. Rubio? I don't see any Commissioners' hands up, so the next speaker.

JOEL PAULSON: Thank you, and the next speaker will be Lisa.

LISA WADE: Hello, my name is Lisa Wade. I'm also with Plant-Based Advocates, and I've lived in Los Gatos for over 30 years. I wanted to thank you for your hard work on the General Plan and let you know that we appreciate your efforts.

I wanted to draw your attention to a petition that we submitted. This petition has 265 signatures asking for a plant-based education program in the General Plan. We have the names of 225 residents of Los Gatos, including community and business leaders who live in Los Gatos, and in addition we have the names of 40 residents who live in neighboring towns and cities, including Saratoga, Monte Sereno, and Campbell, who frequent Los Gatos businesses.

We also have the support of 11 groups, including local groups and health and environmental NGOs, including the Sierra Club Loma Prieta Chapter and the Center for Biological Diversity.

In addition, prominent citizens both in Los Gatos and neighboring cities, such as Lucas Ramirez, who is the Vice Mayor of Mountain View, and Alison Hicks, who is a City Council member in Mountain View, support our efforts, and they have a program in Mountain View that we would like to see something similar.

We have written testimony from the Center for Biological Diversity in support of our request, and we also had some verbal testimony from Dashiell Leeds from the Loma Prieta Chapter of the Sierra Club who spoke and gave verbal comments at an earlier GPAC meeting last year or the year before in support of our initiative.

In addition, the Planning Commission and the Council have received numerous emails from Los Gatos residents requesting a plant-based education program to be added to the Environmental section of the General Plan. Like we said, we'd like to see this added to Section 8.12, and it could be something simple, just a few sentences. The verbiage could be something like, "To implement programs to educate and support residents about the benefits of shifting to plant-based diets, which include curbing greenhouse gas emissions, reducing biodiversity loss and deforestation, reducing water usage, and reversing pollution of our land, water, and air.

As Karen said, we did submit suggestions. I'll just give a few, like cooking classes, speaker series, informational brochures, and there are many other examples. It's really important that we include such a program, because numerous peer-reviewed scientific studies agree that plant-based eating is the most effective way for an individual to help the planet. For this reason, any plan to address climate and sustainability should include the promotion of plant-based eating. We have already provided you with the studies, and we're happy to provide them again.

Please do not leave out this powerful, cost-effective solution and add a plant-based education program to Section 8.12. This section would not be complete without such a program.

I also wanted to say quickly before I leave that Plant-Based Advocates supports the dark skies and the bird safety, and also the wildlife safety and crossings that were mentioned earlier. Thank you.

CHAIR HANSSEN: Thank you. Commissioners might have questions for you, and I see that Commissioner Raspe has his hand up.

COMMISSIONER RASPE: Thank you, Chair, and thank you, Ms. Wade, for your comments. Two quick questions.

The first is you're asking that the plant-based education program be added as an element to the General Plan. Are you aware of, or do you have any knowledge of, any other municipalities having similar components of their general plans that we could refer to?

LISA WADE: Yes, I know that Mountain View has such a component, and I know that other cites have initiatives. I'm not sure exactly if it's in their general plans, but I know that Berkeley has a pretty strong initiative. I'm not as familiar with it as Karen is, but I know we can submit information on that. In New York City, Mayor Eric Adams has introduced some things like Vegan Fridays where they serve vegan food in the schools, and if kids want something that is not vegan they have to actually request it so that the default is vegan. He's also opened a bunch of health centers to provide education to the public about how plant-based diets can help with health. I could send you those articles as well, if you're interested.

COMMISSIONER RASPE: Great. Thank you so much, Ms. Wade, for answering that question.

My second follow up question is just a favor. You gave us some language that you thought might be useful for us as an introduction into the General Plan, and if you send these other materials, just send those to the Town as well

so we have that for our records. I would appreciate that. Thank you so much.

LISA WADE: I definitely will. Thank you.

CHAIR HANSSEN: Thank you for that. Just to address Commissioner Raspe's question, yes, we did receive comments and suggestions in a fair amount of detail from the Advocates, including Ms. Wade, for plant-based eating education, so I think we'll have everything we need to consider in terms of the General Plan review when we get to that.

Are there other members of the public that would like to speak on the General Plan or the Final EIR for the General Plan?

JOEL PAULSON: Yes, thank you, Chair. The next speaker will be Jack.

JAK VANNADA: Good evening, Honorable Chair and Planning Commission. Jak Vannada from the Los Gatos Community Alliance.

The GPAC had been informed that a Town consultant and the Department of Finance for the State of California don't believe that the Town of Los Gatos will grow more than 1,954 households in 20 years. My question is why would the GPAC double that number to 3,738? If you subtract the maximum build-out of 1,954 from 3,738, that's 1,784 overbuilt homes. I don't understand that.

We advocate a major effort by the Town to provide affordable housing. In fact, we have consistency said that the efforts of the HEAB should be focused on the low- and very-low categories that total 847 units. We know that it's going to be a major challenge in a built-out town with such high land costs. However, at the April 6th study session we heard from two affordable housing developers that though this is a challenge, it could be done.

We encourage you to push forward with Eden, Core, or like companies to focus on the challenge of getting more affordable housing into Los Gatos. However inclusive we think we are as a town, we do not have many who would be classified in the low- or very-low income levels. To attain more inclusivity the Town and the citizens will have to make monumental efforts to create truly affordable housing for the low- and very-low categories.

If you recall, the panelist's conversation about a point system to obtain financing, in addition to mass transit the buildings need to be tall and located close to shopping and amenities. Affordable housing is possible, but it will require a large creative effort by the Town, particularly by HEAB, in addition to a mindset change within our entire community.

Inclusivity will grow positively with the addition of affordable housing to the community. Remember that

inclusivity is a Council priority. The HEAB needs to find the locations, but that may be the easiest part of this equation. Financing and mindset changes will be covered, and with the no net loss rule it's only going to add to the challenge.

We strongly encourage the Planning Commission to stick with the state RHNA number of 1,993, plus the buffer. Thank you.

CHAIR HANSSEN: Thank you for all of your comments and all of the written comments that you and the Los Gatos Community Alliance have submitted. I would like to ask the Commissioners if they have any questions for you at this time? I don't see any hands raised, but thank you again, and we do have all of your comments included in our Staff Report.

Is there anyone else that would like to speak on the General Plan or the Final EIR?

JOEL PAULSON: Yes, thank you, Chair. The next speaker will be Lee Quintana.

LEE QUINTANA: First I'd like to comment that I'm somewhat surprised that the public is limited to three minutes for the entire General Plan and the EIR. That's amazing to me. I think each element should have been allowed separate comments. The EIR is a separate document

and a separate vote; that should be also given it's own time. However, that's not going to happen.

I would like to say that as a member of GPAC I voted to recommend that the Draft General Plan go ahead to the Planning Commission, but I want to emphasize that I also placed on the record that I did not agree to the current form of it. I have many, many problems with this General Plan and its format.

One of the problems I have is the manner in which GPAC was conducted. We had very little leeway in recommending or changing anything. We were given the background documents already written. I could make comments on it, but we couldn't make any recommendations of changes to them. Basically one of the biggest flaws of the whole process, I believe, is that the General Plan base map was never reviewed for consistency between the General Plan and the Zoning code and those two being brought into consistency with each other. We were not given the ability to recommend new General Plan categories or even…

Let me go back. I'm very emotional about this. The alternatives that we were given for the preferred alternative essentially was simply one alternative, which was keep the General Plan categories the way they are and where they are, and then we were given four variations of

that based on the number of units and the intensities and densities being changed uniformly across the whole town.

I firmly believe that we need to first decide what areas we wish to preserve as they are limited, what areas we consider transitional that we want to see some change in, and we have to identify clearly those areas that we want to see the major changes in. As is currently stated, we have minimums and maximums in a lot of the categories along Los Gatos Boulevard and other places being able to use a mixed-use configuration, minimum/maximum for density, but it's not clear to me that that minimum density is required even though the intensities of the development are being increased.

There are no incentives that I can see in this General Plan to help get the type of housing we want: smaller units. It's almost wishful thinking. There are too many terms used in the policies to really give true and clear direction. Very few of them say, "shall" or "should." To me, we're creating a Humpty Dumpty where we have this document, we don't really know what it says, and when it comes down the line for some changes, maybe down the line to the zoning code, it is going to be the Staff's interpretation of what that means. Alison said that, "It means what I say it means," and sometimes that's not what the general public thinks.

CHAIR HANSSEN: Ms. Quintana, I saw Director Paulson had his hand up, so I'm going to have to ask you to stop, but I understand your frustration and I would encourage you also to send in written comments that you have, as it will be helpful to everyone on the Planning Commission as well as the Town Council as we're reviewing the document. I'll ask if any Commissioners have any questions for you, because it looks like you had more to say. I don't see anyone with their hands raised, so again, thank you for your input.

LEE QUINTANA: We spent 20 minutes talking about plant-based diet, but we can't talk about what going on in the General Plan?

CHAIR HANSSEN: I thank you for your input as well in the process. I'm not sure what we could do to adjust the process in the meeting, but certainly we can talk to Staff after we conclude this meeting if there is some other way that we can proceed going forward that would be more equitable for everyone.

With that, it looks like there are others that want to speak, so who will be next, Director Paulson?

JOEL PAULSON: Thank you, Chair. The next speaker will be Matt.

MATT FRANCOIS: Good evening, Chair Hanssen and members of the Planning Commission. My name is Matt

Francois with Rutan & Tucker. My firm is the land use counsel for Los Gatos Community Alliance.

I wanted to start off by first thanking all of you for your service to your community. I, too, served on a planning commission and now serve on a city council and I understand the time commitment and the commitment that you have to your community that it takes to do something like this, so thank you for that.

As you're aware from some of the correspondence that we've submitted, LGCA has concerns with the proposed plan and the EIR, and to summarize those concerns: The proposal significantly and seemingly indiscriminately up-zones almost the entire town, including low-density residential neighborhoods and your very charming and unique downtown. The impacts of the changes are not studied in the EIR, however, as required by CEQA. The EIR studied only a small fraction of the growth enabled by the land use changes by applying what we believe are unreasonable and unsupported assumptions about the amount of growth that would ensue. Most of the changes to the residentially designated lands would not even count for the Town's requirement to plan for affordable housing units.

Also of importance is major intensification is not needed to satisfy market demand or the Town's new RHNA figure. If the proposed plan is approved in its current

form, the Town could not legally deny a project that complied with the new density standards.

We believe that the Town should focus first on the mandatory changes to its Housing Element, which are due in just a short six months from now, in January 2023. The Housing Element will provide critical information as to where and at what densities housing should be located. In my experience, that's what every other agency in the Bay Area is doing.

If the Town nonetheless proceeds with the proposed plan, the Commission should recommend that it be amended to provide for no more than 2,300 units. This meets the Town's stated goals of satisfying market demand and the Town's new RHNA number, plus a reasonable buffer. On page 6 of the Staff Report Staff outlines changes that could be made to achieve this reduction. LGCA supports those changes.

A general plan is a community's constitution for development. It deserves careful consideration and scrutiny. LGCA welcomes your engagement on these important matters, and I would be happy to answer any questions that members of the Commission may have.

CHAIR HANSSEN: We thank you for your comments and your many written comments that you have given to the Commission so far, and we do have all of them in our Staff

Report, and so I will ask if any Commissioners have any additional questions at this time? Vice Chair Barnett.

VICE CHAIR BARNETT: Thank you for your presentation, Mr. Francois. The question I have is I believe you're saying that the Town would not be able to down-zone once it is up-zoned, and I was wondering if that position is based on any particular statute or other (inaudible)?

MATT FRANCOIS: Thank you, Commissioner Barnett. Yes, it's based on the Housing Accountability Act, which states essentially once an agency is planned and zoned for a certain density of units, if a developer comes in with a project that is at that stated density, that law doesn't entirely prohibit but it greatly restricts the Town's ability to deny that project.

CHAIR HANSSEN: Does that answer your question, Vice Chair Barnett.

VICE CHAIR BARNETT: Yes, it did, thank you.

CHAIR HANSSEN: Are there any other Commissioners that have questions? Commissioner Raspe.

COMMISSIONER RASPE: Thank you, Chair, and thank you, Mr. Francois for both your presentation this evening and your correspondence to the Council.

You mentioned that you would appreciate a target of 2,300 units and would accept the six different criteria that appear on page 6 of the Staff Report. With respect to

those six criteria, do you feel equally strongly about each of those, or are there some that you would prefer or feel more strongly about as opposed to others? Thank you.

MATT FRANCOIS: I appreciate the question, Commissioner Raspe, and I just want to reiterate that obviously we're not in the position of micromanaging your General Plan update. That's a community update that the Commission and the Council weigh in on, but the one that is very important to LGCA is the increased densities in the low-density residential, to reducing those densities to what they are in the current General Plan, which are up to five units per acre. The new plan would allow for up to 12 units per acre on those lands.

Another important change that was made that we would wish the Commission to weigh in on is the significant up-zoning of your Central Business District, your downtown area where the floor area ratios and housing densities are being increased by 200%.

COMMISSIONER RASPE: Thanks for your response.

CHAIR HANSSEN: Thank you for that, and do any other Commissioners have questions for Mr. Francois? Again, we do have all of your comments for consideration when we do our review, but we thank you for your verbal comments as well. Who else would like to speak on the General Plan or the Final EIR?

JOEL PAULSON: Thank you, Chair. The next speaker will be Gina.

GINA: Hi, thank you, everyone. I just really wanted to show my support for some of the other speakers.

I'm really particularly passionate about the wildlife crossings, if we could get wildlife crossings to protect the newts and the deer and just in general protecting wildlife in any way possible, as well as protecting our open spaces.

I also agreed with the first speaker on the dark skies, just in general protecting biodiversity and the bird safety.

In general I wanted to voice my agreement with protecting the environment and reducing all sorts of pollution and greenhouse gases.

I agreed with the other speaker on including the education for plant-based diet. I thought that sounded great.

I also would much more agree with the approximately 2,000 units versus the 4,000 units. I'm as much as possible against the high-density and up-zoning.

Back to the environment, I don't know if they're still doing this, but it seems like at Vasona and different places were spraying a lot of pesticides, which is really devastating to the monarch butterfly population, which we

have a migration through here, so if there is any way that we could reduce or eliminate the pesticides altogether, I think that would be great. So, that's it. Thank you for listening.

CHAIR HANSSEN: Thank you for all of your comments, and I will ask if any of the Commissioners have questions for you? I don't see any hands raised, but thank you once again for your comments.

Who else would like to speak on the General Plan or the Final EIR?

JOEL PAULSON: Thank you, Chair. The next speaker will be Connie.

CONNIE HAMRAH: Good evening, my name is Connie Hamrah. I live in Los Gatos, and have been a resident of Monte Sereno and Los Gatos for over 44 years.

I guess one of my concerns is maintaining the integrity and the beauty, obviously, of the Town of Los Gatos, and with all of the proposed changes and the things that have been mandated from the state, how does water play into all of this?

In other words, we can plan all of these great things, and we all see all the building and construction going on in our area and throughout Santa Clara Valley, and yet, we don't have enough water. How are you addressing that in terms of the continued growth of the Town?

CHAIR HANSSEN: We thank you for your comments, but the format of our public hearings is that we can't answer your questions directly. We can ask you questions. But certainly there are sections of the General Plan as well as the EIR that do address water, and if you have more direct questions you can send them in to Staff and they can get back to you.

CONNIE HAMRAH: Okay, thank you. And then I would just agree that to keep the number of units to be added to our community at the lowest level possible I think would be appreciated by most of the people who live in our beautiful community, because we'd like to keep it that way, as I know you want to too, so thank you.

CHAIR HANSSEN: Thank you very much. Any questions for the speaker? I don't see any hands raised. Then who would be the next speaker?

JOEL PAULSON: Thank you, Chair. The next speaker will be Rosilene.

ROSILENE MARTINS: Hi, I just wanted to voice my opinion in regard to three of the topics.

First one being the plant-based education, I want to say that I support the plant-based education program even though I am not a vegan. I have reduced my consumption of meat because I believe also that the plant-based diet helps the planet in many ways, but especially by drastically

reducing greenhouse gas emissions and saving water, which is really important. So, since we all benefit from it we should all be supporting plant-based diet initiatives regardless of what we eat.

I also want to support the dark sky petition that was made earlier. I also have a terribly bright light that shines into my bedroom, and it is unfortunately really close to a creek, so it is really terrible I think in planning expanding so much housing into Los Gatos, because we need to keep this in mind, because we really have a lot of birds, and this wildlife is one of the things that gives Los Gatos its character, its charm, and we should really do as much as possible to preserve that.

In regard to the planning for expansion, I'm a Los Gatos resident for close to 30 years now and I was very involved in the discussions of the North Forty, and one thing that really puzzles me is that the North Forty was started with a proposal to address the affordable housing, and that was the main sale point of North Forty, and once the project kicked off this was not upheld and I think that this is a terrible thing that happened to the North Forty. Once the project kicked off the affordable housing quota that they were supposed to satisfy fell through the cracks, and I want to know in moving forward with this proposal, because we need to build more houses and we need to

increase density in Los Gatos to satisfy the government requirements for affordable housing, who is accountable to make sure that what happened with the North Forty is not going to happen again in the next development that is proposed under the guise of satisfying affordable housing in Los Gatos?

I see you guys are here to represent the Los Gatos residents, and I am hoping that these meetings and these discussions will boil down to plans that are advanced by your team that really satisfy what Los Gatos residents want and are asking for. Thank you for listening.

CHAIR HANSSEN: Thank you for your comments. We truly appreciate your comments, and as I mentioned earlier, we can't directly answer your questions, but feel free to reach out to staff if you want specific answers for your questions. I'm quite sure that the Commission will be discussing some of this as we do proceed forward with our discussion on the General Plan, and some of what you talked about. The Housing Element Advisory Board is specifically working on locations, and levels of affordability will be addressed in their work as well. Do any Commissioners have questions for Ms. Martins? I don't see any, so thank you again for your comments, and who will be our next speaker?

JOEL PAULSON: The next speaker will be Catherine.

CATHERINE SOMERS: Good evening, Planning Commission. My name is Catherine Somers and I'm the Executive Director at the Los Gatos Chamber of Commerce. It's great to be here tonight. I, too, actually support the dark skies, but more importantly, I just wanted to share something with you.

I get criticized a lot actually in my job for not really looking out for all of the commercial hubs in Los Gatos, and so it's kind of an interesting conundrum, because as much as I try to branch out and go out to Kings Court and introduce the Chamber to some of the folks out there, or out to now it's the North Forty, and to anywhere along the Boulevard, or out the Belgatos neighborhood or Harwood, I'm always having a hard time really bringing those people into the fold of Los Gatos. I think one of the really important things that you guys have on your plate is—we talk about inclusivity a lot—how to wrap those communities into the whole and yet make them really special and unique in and of themselves that they serve their individual neighborhoods.

It's a huge challenge that I'm throwing at you, but I would love to see reflected in the General Plan something to that. I think that involves the Land Use Element of course, or the land use portion of the General Plan. I think actually Lee Quintana was even kind of talking to this.

And so it's a big responsibility for you guys, but I think it's also a really unique opportunity that you have right now to look from above, a bird's eye view looking down, and what will make Los Gatos special 20 years from now when you look at the different neighborhoods and what's going to be that community hub? Maybe it is mixed-use housing in those community hubs, or mixed-use developments.

But I hope you'll take that into consideration when you look through the plan and at the EIR and everything else that you're looking at, and think of the Chamber of Commerce when you're doing it and how we can really all be part of the fabric of this community and all add to it and all benefit our individual neighborhoods. Thank you.

CHAIR HANSSEN: We thank you for all your service to our community in your capacity, and for your comments as well tonight. Do any Commissioners have questions for Ms. Somers? I don't see any hands raised, but I would like to ask a question. Have you had an opportunity to see our draft Community Design Element where we actually go into a fair amount of detail in the Draft General Plan about different neighborhoods across town and how we'd like to see them evolve toward 2020? There's actually a before and after for each one of those. Have you see that part of the plan yet?

CATHERINE SOMERS: Yes, I have, and actually I'm encouraged by what I've been seeing. I get a little concerned about the potential of up-zoning all throughout town, because I would really like to encourage you and all of us to focus our efforts on developing certain areas, again, to make them unique and special and not just do that to the whole town. So, yes, I really like what I've seen so far, what you planned. Thank you.

CHAIR HANSSEN: Thank you. Are there others that would like to speak on the General Plan or the EIR?

JOEL PAULSON: Yes, thank you, the next speaker is Jesus.

JESUS: Yes, thank you. Good evening, Commission Members. I'm a property owner of a property at the cross-section of Los Gatos Boulevard and Farley Road. I don't know if you know where that is, but the property is actually on Los Gatos Boulevard. This is in regard to the General Plan zoning map, and right now that property is part of Santa Clara County and is zoned for Administrative and Professional Office use.

I was trying to have the building upgraded and updated into having medical and dental facilities, as it is currently very old and whatnot and it does serve the surrounding community in that area, and if we were to get annexed into Los Gatos it would be zoned for residential.

If you ever look at the zoning map on that area, it just so happens that that one commercial property, if it was part of Los Gatos, would zoned as residential. I think it is just a technicality in terms of how it is, because for all the years that it's been there it's been a professional office building and it's been used as such for over the last 35 years, as I understand it.

So, please consider thinking about the zoning in that area. It is already in a Commercial area and it is just, in my opinion, a technicality that would stop us from renovating and updating the facility, the road, that corner, and providing services for the surrounding area, which includes the Town of Los Gatos. Thank you.

CHAIR HANSSEN: Thank you very much for your comments. Could I ask you a favor to write up your specific concern and send it in to Staff? We do actually have in our Staff Report one suggestion from Staff about a particular property to be rezoned from a General Plan designation perspective, so please do send that in so we can make sure it's accounted for, because doing it in verbal comments will not get the result that we need without sending it to Staff. Ms. Armer has her hand up.

JENNIFER ARMER: Yes, I do believe that it is one and the same property that he is speaking to, which is included in your list of potential changes for consideration.

CHAIR HANSSEN: So, that's the address that I saw in there. Okay, very good, so then I think we're covered. Do any Commissioners have questions for Jesus? I don't see any hands up, so are there others that would like to speak on the General Plan or the Final EIR?

JOEL PAULSON: Yes, thank you, Chair. The next speaker will be Arvin.

ARVIN: Yes, good evening, and thank you for your community service. I know it's late; I just have a very quick comment here.

I would like to suggest that the plan consider turning the downtown Santa Cruz Avenue into a pedestrian road. I think that would allow for Los Gatos residents and others to come to town, support the downtown businesses, and socialize. I don't know if it's in the plan right now, but I just wanted to make that recommendation. Thank you.

CHAIR HANSSEN: Thank you for your comments. There is something to that effect in our comments. Do any Commissioners have questions for Arvin? Commissioner Thomas.

COMMISSIONER THOMAS: Hi, yes, I do have a question for the speaker. I saw this as one of the comments, and Staff did not recommend adopting this, but I was curious if you would be happy with an implementation program that

asked the question and went into studying the validity and ability to do this? Would you be happy with that?

ARVIN: Yeah, I'd be happy with anything that would make the Los Gatos downtown a little bit livelier, that instead of people going to other places they actually stay in Town and spend their money locally. I'm not a business owner in the downtown, so it's not a self-interest issue, but even if just a section of Santa Cruz Avenue could allow for people to enjoy a little bit nicer, rather than having concrete blocks in a way that doesn't really look very nice.

COMMISSIONER THOMAS: Okay, thank you for answering that.

CHAIR HANSSEN: Do any Commissioners have any additional questions for the speaker? I don't see any hands raised, and so are there any others that would like to speak on this General Plan or the Final EIR?

I wanted to reiterate at this point, since I don't see any hands raised at the moment, that all of the public comments that we're taking for the verbal part of this—certainly written comments can continue to be made—will be taken this evening.

JOEL PAULSON: Thank you, Chair. Yes, the next speaker will be Tony.

TONY ALARCON: Hello. Good evening, everyone. This is Tony Alarcon. I first moved to Los Gatos in 1991. I moved to Los Gatos from Willow Glen specifically for the Town culture, the hillside views, and the trails. I think it's important in the General Plan moving forward that we consider the reasons that many of us moved here.

Personally, if I were on the Commission or the Town Council I would have appealed the RHNA numbers provided by the state to Los Gatos. I do not support exceeding the RHNA numbers, nor the approximately 4,000 units proposed for consideration in the General Plan by the Town Council and Town Manager.

One thing I'd like to point out to the Commission and to the general public listening is that Los Gatos ranks worse in fire than Paradise did before it had its fire, and as someone who lives close to the hillside I think it's very important that we protect the hillside for the residents, for public safety, and also for the wildlife.

I think we have to take into consideration the North Forty and the results. As someone else mentioned, the North Forty was promised as affordable housing. It's anything but that. One thing with affordable housing, there is very little opportunity for people owning those houses to gain equity in them, they can only gain inflation, and so I think our town, with the leadership that we have and the

Town residents, can come up with other solutions to create more affordable options for housing, perhaps smaller units.

I would like to see the Historic Districts and the districts where homes were built in the early-1900s remain in that character. With legislation SB 9 and SB 10 that was passed, we've yet to see the impacts of that, and I think we should slow down on the General Plan. We're being too aggressive with the number of housing units that we're proposing and I think further study should be done before you make any drastic changes in that direction. Thank you for listening.

CHAIR HANSSEN: Thank you so much for your comments. We definitely appreciate it, and I'd like to ask if any Commissioners have questions for Mr. Alarcon? I don't see any hands raised, so thank you again for your comments, and I would like to invite any other members of the public that would like to speak to us on the General Plan or the Final EIR for the General Plan to do so now.

JOEL PAULSON: Thank you. As the Chair mentioned, if anyone else would like to speak on the General Plan or Final EIR, please use the raised hand feature. The next speaker will be Joanne.

JOE RODGERS: This is Joe Rodgers. I'm going to speak for Joanne. Maybe she'll have some comments. Joanne and I have been residents to Los Gatos for 46 years, so we've

seen some changes in the community. One of the things that I want to do also is thank the members that are on this Commission for the time you devote. I don't think most of the people in the community realize the time that the group of you devotes to making certain that we maintain the integrity of our town. Congratulations, and thank you, and keep up the good work.

What I wanted to talk about was actually a request that is being considered by the Town Council for adding one to three cannabis dispensaries in the Town. Very much opposed to it. I think it certainly sends the wrong message about the quality and the nature of our Town, but my concerns also go to the traffic that three dispensaries, or one, would create, and problems with parking.

Another one is requirements for PG&E, for electrical power. Already we're trying to focus more on adding more electric cars, but also then water was mentioned. We've got things that we have to deal with in our current situation, but add the dispensaries…

Initially they're saying it would just be for the sale of cannabis, but that's the gorilla in the room, because the next step is we're just going to do a little packaging and processing, and then after we're going to add growing.

We already know that we suffer power outages from time to time, and with the requirements on power that are going

to be generated by these other activities, adding cannabis would be catastrophic, so I'm really requesting that this Commission and the Town Council do an environmental impact study, include this in your study, and make certain that we understand the environmental impact of adding cannabis sales, processing, and growing. It would have a very negative impact on the Town, including the image of the Town.

Right now the Town Council turned down the idea some years ago. What was it? 2016. Said that we would not permit it. Now they're considering it for generating revenue. I just wanted to touch base on that. I'd like to see a thorough environmental impact study, because they're considering doing this without having done very much homework on it. Thank you very much.

JOANNE RODGERS: The revenue, other towns have said for every dollar you take in for a cannabis sale you spend four, and the policing and the trafficking, the crime, etc.

CHAIR HANSSEN: Thank you for your comments. I think your three minutes are up, but I would also encourage you to send your comments in writing to Staff, because that would be the best way to make sure that they get attention by the appropriate people, because we are talking in terms of the General Plan and we don't address that at all in the General Plan, so please do send your comments into Staff.

JOE RODGERS: When you say Staff, whom do you mean? Who do we direct written comments to?

CHAIR HANSSEN: Staff, could you jump in and let them know how to send in comments to Staff?

JENNIFER ARMER: You can send it in to me and I can forward it onto the appropriate Staff, or you can send it through the Town Manager's office, as they are managing the discussion and consideration of cannabis.

JOANNE RODGERS: As relating to what you're talking about here, it's the EIR report that we're asking for to be included.

JENNIFER ARMER: Comments recommending or asking for an environmental review in association with the cannabis discussion, I can take those comments and share them with the Town Manager's office as they continue forward with those discussions with the Town Council, so feel free to send those on into me and I can forward them to the correct Staff.

JOE RODGERS: Okay, thank you very much.

CHAIR HANSSEN: Are there others that would like to speak to us on the General Plan or the General Plan EIR?

JOEL PAULSON: Yes, thank you, Chair. The next speaker is John.

JOHN: Good evening. First of all, thank you all for all the hard work that you do. This is an incredibly

difficult process that you go through trying to do the strategic planning and engagement of the local community, so thank you very much for your time. Just a couple of real quick comments, it won't take three minutes.

First of all, when I look through the plan I'm generally supportive of additional housing units in the neighborhood of about 2,000. What popped out at me was the 804 opportunities for land development and maybe 1,200 in the redevelopment section, so that rounds out to just a little bit over 2,000, which I think is the right number for a lot of reasons.

One reason, we all know trying to get into, out of, or around Los Gatos during the summer is very, very difficult, so if we were to increase population by going for the 3,900 units, another approximate 9,000 residents in Los Gatos, I just don't see how that works well in terms of traffic.

Secondly, I think as we look at developing housing it would be great to try to do most of it in the conversion of commercial properties that exist along strong road corridors today to multi-use, so perhaps in the area of the old auto row in Los Gatos, some of those properties, which are on Los Gatos Boulevard, which has a lot of traffic capacity, would be smart.

My final comment is we reference wildfire in the report extensively, but I don't see a lot of strength in

the wildfire, fuels, mitigation, and management, and to the previous speaker who mentioned that we're in worse shape than Paradise was at the time of their fire, that is just an essential area for us to pay attention to. If we were to lose a major portion of the hillside to fire, not only wildlife, but the visual nature that makes Los Gatos so appealing, and all of the trails and outdoor use that is so appealing to so many of our residents. That sums up the high points for me, and thank you very much.

CHAIR HANSSEN: We thank you very much for your comments, and I will ask if any Commissioners have questions for you. I don't see any hands raised, and so thank you for your comments. I see many people in the attendees. Is there anyone else that would like to speak to us on the General Plan or the General Plan Final EIR? At the point where I close the public hearing, even if you raise your hand, we won't be able to take your comments during the meeting, although you are always welcome to send in written comments. Would anyone else like to speak?

JOEL PAULSON: I don't see any additional hands up, Chair. Let's give it a few more seconds. I don't see any additional hands.

CHAIR HANSSEN: I do know from the names of some of the people that are in the participants that many of you have already sent in written comments as well, and you can

be assured that we do have all of them, and all of us spent many hours over the last several days reading the hundreds of comments that we've had, I think it was about 600 pages, so I thank you all for sending them in.

With that in mind, we will close the public comments portion of the hearing on the General Plan and the General Plan Final EIR, and given that it is 9:20 we will continue the discussion, but I'm going to have the Planning Commission and Staff take a ten-minute recess, so we'll come back at 9:30.

(INTERMISSION)

CHAIR HANSSEN: …in general Exhibit 7, along with Staff's general feedback, whether it's not recommended or neutral, meaning they don't have an opinion one way or the other, and then it would be up to us to consider it.

As far as Exhibit 7 goes, at the beginning of Exhibit 7 there are some comments by entity, not by element, so there are comments from the Department of Forestry regarding wildfire. There are comments from Staff, and then comments from specifically the Parks and Public Works part of Staff, so we will discuss those as a group before we go dig into each element.

In addition to what I just said, I also want to talk about the order of the elements, because the bulk of the comments that we have received, and especially the negative

comments, are related to the numbers in the Land Use Element. We will discuss all of the other elements first, because they have substantially less comments and we should be able to get through them, and then we will turn our discussion to the Land Use and Community Design Elements near the end, and then finally we will proceed forward and discuss the EIR and whether or not we should recommend certification.

As mentioned earlier by Staff, and by myself as well, our role in this process is only to recommend. We are not the final deciding body as we are for other land use matters. We will be forwarding a recommendation to Town Council and they will be holding their own hearings.

That being said, I always think that the Planning Commission, and I know this from the Town Council, that they're counting on us to do a thorough review of the General Plan, and so that what they send to us in theory should be something they will agree with and it won't have to be a complete review of everything going past. So that being the case, if you haven't already pulled Exhibit 7, I would ask that you pull up Exhibit 7 so that we could go ahead and start the discussion.

The first thing in Exhibit 7 is the recommended changes to the Introduction, which includes the Vision and Guiding Principles. If you look on page 1 of Exhibit 7,

which is also on page 217 in your packet, it talks about the GPAC recommended changes to the Vision and Guiding Principles and it has summarized what some of the points of it are, but I'll just read it out.

Revised division for added clarity and add a sentence about racial, social, and environmental justice. Deleting downtown from the Community Vitality Guiding Principle. Adding a new Guiding Principle titled "Connectivity," which came from one of the GPAC members, to state the importance of connecting all facets of Town. And then deleting the Towns from the Fiscal Stability Responsibility Guiding Principles, and replace the word "recognized" with the word "value" in the Inclusivity Guiding Principle.

That was the comments that the GPAC recommended that we adopt, and the way that the process worked is we had considered the Vision and Guiding Principles and they were voted on by the GPAC, then the Planning Commission, and the Town Council, and since they were adopted that way we couldn't modify the draft plan to do that, so this is the time when the Commission would recommend or not recommend those changes that came from the GPAC, so I'll throw that up for discussion, and if there's anything else that you want to change in the Introduction as well, we can talk about that. Commissioner Janoff.

COMMISSIONER JANOFF: Thank you. I just wanted to clarify a little bit why these changes are in front of you. Essentially, we went through such a long period of time that life around us and the world around us changed. We had the pandemic occur, we had the racial voices through the world were speaking to us loudly, and so we felt compelled to go back and look at the Vision, which was crafted before all of these world events were taking place, and thought wow, in light of what we've all just lived through we felt that we needed to add some changes, and so it wasn't taken lightly that we were recommending changes over what Town Council had already approved, but we thought that in light of the two years that had gone by since the Vision Statement was initially crafted it made sense to reflect back and bring us up to the present. So, just to give you guys an idea of why we wanted to make those changes. They were well thought through.

CHAIR HANSSEN: I can add onto that that when we crafted the Vision Statement the GPAC spent a whole entire meeting, maybe more than one meeting, on every single word that was in the Vision Statement before we even sent it to the Planning Commission or Town Council, so it wasn't taken lightly to do all that, and the Guiding Principles actually stemmed from direction from Town Council on how to go about updating the General Plan, and so we took those pretty much

as is and then added on and did some modifications before we sent it on for approval.

It wasn't on this list, but there was one add that was late in there and that's currently in there. Ms. Pendleton has spoken previously to the GPAC on many occasions and had wanted to modify the Protect Natural Resources to make sure we address the biotic communities as well, so that has already been modified, and I don't see it listed here as a change we need to adapt, because it looked like it was already in the draft.

Does anyone have any concerns about any of the changes that were recommended? Commissioner Thomas has her hand up.

COMMISSIONER THOMAS: I don't have any concerns, I just want to say that it's been a while since we looked at this, and I looked back and I still feel the same about all the changes that we recommended as members of the GPAC.

CHAIR HANSSEN: Okay, cool. The way that I'm hoping this process will work—I'll say it now, because we have lots of elements to go through—is that even though we have to vote on the overall plan as a recommendation, Staff and I both thought it would be very helpful to make a motion to approve X element or section with changes as noted in the Staff Report, kind of like we do in a regular hearing. Even though at the very end we're going to have make a recommendation on the overall element, if we can kind of

come to an agreement on each section, it will make it a lot easier to do the thing at the very end. Vice Chair Barnett.

VICE CHAIR BARNETT: I just wanted to offer my congratulations to the GPAC and to the Staff for the tremendous work they've done on this project. It's much appreciated, and I know there were many long hours and numerous meetings to get us to this point, so that's appreciated. I certainly support Paragraph 1, Recommended Changes to the Vision and Guiding Principles.

CHAIR HANSSEN: Great. If there are no other comments on the Vision and Guiding Principles, would one of the Commissioners make a motion to approve the changes to the Vision and Guiding Principles as recommended in the Staff Report? Vice Chair Barnett.

VICE CHAIR BARNETT: I certainly make that motion.

CHAIR HANSSEN: And then Commissioner Tavana, you had your hand up, so would you make a second?

COMMISSIONER TAVANA: I second that.

CHAIR HANSSEN: I'm going to ask Staff, do we need to do a roll call vote for every single one of these? Can we just do all in favor? I think it would take a lot of time to do roll call vote for everyone of these, so I'm going to ask Staff what you think?

JOEL PAULSON: I'd probably defer to the Town Attorney. Obviously that being the safest, but if you want

to just do it by show of hands and I can reflect what the show of hands is, that might go a little faster.

ROBERT SCHULTZ: I would suggest that we do it by motion.

CHAIR HANSSEN: We just did the motion, but do I need to do a full roll call vote, or can we just do by show of hands?

ROBERT SCHULTZ: No, we have to do a roll call. The Brown Act requires it, because we're not in person.

CHAIR HANSSEN: Okay, then I will do that very quickly. Commissioner Thomas.

COMMISSIONER THOMAS: Yes.

CHAIR HANSSEN: Commissioner Tavana.

COMMISSIONER TAVANA: Yes.

CHAIR HANSSEN: Commissioner Raspe.

COMMISSIONER RASPE: Yes.

CHAIR HANSSEN: Commissioner Janoff.

COMMISSIONER JANOFF: Yes.

CHAIR HANSSEN: Commissioner Clark.

COMMISSIONER CLARK: Yes.

CHAIR HANSSEN: Vice Chair Barnett.

VICE CHAIR BARNETT: Yes.

CHAIR HANSSEN: And I vote yes as well. Ms. Armer, you had your hand up.

JENNIFER ARMER: Thank you, Chair. I thought I would put forward the suggestion—while this recommendation from the GPAC does kind of stand on its own—that moving forward often those motions can be a group of these items, and so you won't have to make 123 motions, but it really can be clustered. If there are several points that a Commissioner wants to make a motion that Items 2, 3, and 4 be approved, or something like that, we could do them as groups as well to reduce the votes.

CHAIR HANSSEN: That is actually my intent, when we get to the actual elements, starting with the Racial, Social, and Environmental Justice Element. There are 11 suggestions and we don't need to vote on each one. For instance, I made my own notes and I said yes, no, yes, no, that kind of thing. We should only recommend the things that we'd like to see changed, and so we can do that as a group motion.

I didn't want to leave the Introduction, because there was a comment that came in a Desk Item from Commissioner Clark, and I believe it has been suggested by a few others, and it was about modify the section called "Los Gatos Community" to put more explanation of the origin of the Town lands coming from the Ohlone Indians. I don't know if I characterized that appropriately from your perspective, Commissioner Clark, but I personally wouldn't have a

problem with adding a little bit more definition to that section. Commissioner Thomas, you have a comment?

COMMISSIONER THOMAS: I support that change.

CHAIR HANSSEN: Are there any other thoughts about that, and did I characterize that the way that you wanted it, Commissioner Clark?

COMMISSIONER CLARK: Let me take one more look at it, and Commissioner Janoff can go while I look to make sure.

CHAIR HANSSEN: No, I don't believe you had suggested the exact wording, it was more a general comment about adding a little more depth to that section to explain the lands had originally been Ohlone Indian land.

COMMISSIONER CLARK: Yeah, I got that.

CHAIR HANSSEN: Okay. Commissioner Janoff.

COMMISSIONER JANOFF: Two things. I'd also like to lend my support for that addition, but in regard to Commissioner Clark's comments, which came in late today and haven't had the benefit of Staff going through them and categorizing them the way they have all these other remarks, because there were so many comments I'm concerned about taking the time to go through each of Commissioner Clark's comments without the benefit of having Staff go through that process, and just am looking for guidance from the Chair on that.

CHAIR HANSSEN: Yes, I did want to comment on that as well, although I called this one out in particular just because it was low hanging fruit. Commissioner Clark, we're very happy that you're sending your comments, and they were very thorough and detailed. I don't know that they will get the attention from all of the Commission that they deserve for what we're going through right now, so my suggestion about how to handle the balance of your comments would be to ask Staff to take a look at them and make the same determination about this is an easy one to fix as recommended, or this required discussion, and then since I don't think that we'll finish the entire review tonight that we would have an opportunity to consider the rest of your comments when we have a follow up meeting. Ms. Armer.

JENNIFER ARMER: Thank you, Chair. I would say that with any suggestions, whether Staff has given a recommendation or not on it, it would be included as part of your recommendation to Town Council; that's one of the benefits of you making a recommendation rather than making a final decision. If there is wording that's suggested by one of the Commissioners, whether it's already provided in writing or it's part of the discussion this evening, that could be part of your recommendation, and then Staff can provide feedback on that when we take that forward to Town Council if there are any concerns.

CHAIR HANSSEN: Yes, I understand that. What I'm saying, if I didn't make it clear, is I don't know that the Commissioners, myself included, have had the time to really process the comments from Commissioner Clark because of all the other comments that we were processing that came in in the addendum and the Desk Item as well as in the Staff (inaudible), so I'd like to make sure that we gave it the attention before we made a determination, and even though I have a lot of faith in Commissioner Clark, I am uncomfortable with unilaterally saying just because you submitted this, even though I haven't had a chance to really go through it, that I would recommend all your changes is what I'm saying. Commissioner Clark.

COMMISSIONER CLARK: Thank you. Yeah, I completely agree, and when I wasn't able to get them in by Monday I kind of knew that it's not at all expected of you all to have taken a thorough look at them or anything, and so I think I'm happy during the discussion to highlight any that I'm more passionate about or that are more significant and require discussion, and I think that they could even be sent to Council separate from the Planning Commission, or that since we will probably be continuing our discussion we might be able to get some Staff input before then.

CHAIR HANSSEN: That sounds like a good plan. That being the case, I did want to put that one item out there,

because I definitely have also heard it from a Council Member as well, and so I'd like somebody to make a motion to add some of the language about the Ohlone Indians to the Los Gatos Community section of the Introduction. Commissioner Clark.

COMMISSIONER CLARK: Thank you. I move to add some language going more in depth on the origin of the lands of Los Gatos, particularly in relation to the Ohlone and the Tamien tribes in the Los Gatos Community Vision section.

CHAIR HANSSEN: Okay, that sounds great, and Commissioner Thomas, is that a second?

COMMISSIONER THOMAS: Yes, I second the motion.

CHAIR HANSSEN: I'll just go ahead and take the roll call vote. Commissioner Thomas.

COMMISSIONER THOMAS: Yes.

CHAIR HANSSEN: Commissioner Tavana.

COMMISSIONER TAVANA: Yes.

CHAIR HANSSEN: Commissioner Raspe.

COMMISSIONER RASPE: Yes.

CHAIR HANSSEN: Commissioner Janoff.

COMMISSIONER JANOFF: Yes.

CHAIR HANSSEN: Commissioner Clark.

COMMISSIONER CLARK: Yes.

CHAIR HANSSEN: Vice Chair Barnett.

VICE CHAIR BARNETT: Yes.

CHAIR HANSSEN: And I vote yes as well, so I think we're covered for the Introduction. Did anyone else have anything substantive that they wanted to change in the Introduction?

Then we can move on to the other comments that are in the front of Exhibit 7. If you look under Item 2 on page 217, it's revisions as a result of review by the State Department of Forestry, and Staff says included in Exhibit 8 and listed here there are quite a number of bullet points, recommendations to change. In talking with Staff the recommendation was that we do have to make these changes, because we have to have the State Department of Forestry and Cal Fire review our General Plan, and so we pretty much need to accept all those. Director Paulson, you had your hand up. Did you want to say anything more about that? Okay, no. Commissioner Janoff.

COMMISSIONER JANOFF: I'd like to just say that sections 2, 3, 4, 5, 6, and 7, taking us to a modification suggested in the public comments, these are comments that are coming from experts in their field. They may be mandated, they may be otherwise informed, but to me these are people who we should be taking guidance from, and so I would be prepared to move that we accept those comments, which go through the top of page 4, as recommended by Staff.

CHAIR HANSSEN: I think that's an even better suggestion, because I have the same feeling that I wouldn't want to part ways and opinion on this, especially our Staff's recommendation but also from the outside experts, so I agree that we should do that, and so I'll second the motion actually. Are there any comments?

I only wanted to say one thing though, just because we're not going to go over these in detail, that on Item 3 as suggested by Staff, which was referenced in the Staff Report, is to add an implementation program for a five-year Land Use Element review. We aren't going to discuss the Land Use Element until the end of the process, but given the amount of concern in the community about the build-out numbers, I think it's really prudent to have a five-year land use review because of the uncertainty that we have about what's going to happen going forward. It's already in the motion and seconded to accept all of that, but I wanted to make sure that you guys had seen that so that when we do get to land use you'll know that we have, assuming that everyone votes for recommending it and it goes through Council, that we'll have some way to help manage the risk. So, I will go to Commissioner Thomas.

COMMISSIONER THOMAS: Yes.

CHAIR HANSSEN: Commissioner Tavana.

COMMISSIONER TAVANA: Yes.

CHAIR HANSSEN: Commissioner Raspe.

COMMISSIONER RASPE: Yes.

CHAIR HANSSEN: Commissioner Janoff.

COMMISSIONER JANOFF: Yes.

CHAIR HANSSEN: Commissioner Clark.

COMMISSIONER CLARK: Yes.

CHAIR HANSSEN: Vice Chair Barnett.

VICE CHAIR BARNETT: Yes.

CHAIR HANSSEN: And then I vote yes as well. We're going to go to page 220, the modifications suggested in public comments, and I had missed this, but I mentioned it earlier. In the Introduction there was the protect the natural resources Guiding Principle to adopt the concept of biotic communities waterways. So, Staff, do we need to vote on that in addition to what we did? I thought that was already in there.

JENNIFER ARMER: I believe that is an additional change to what was drafted by the GPAC to have that done and track changes, but you actually in previous pages have…

CHAIR HANSSEN: I was looking for it when we went over Item 1, and so that's why I thought it was already adopted, but then when I went to page 220 it's listed as a separate item from what the GPAC recommended, and so that's why I was confused, because I thought the GPAC recommended to do that change to the Introduction as well.

JENNIFER ARMER: As I'm reading through side-by-side what is in the GPAC recommendation and what is listed here, it does appear to be the same language, so it looks like we just pulled that out of a separate comment, not recognizing that it was already in the GPAC recommendations, so no, you do not need to make any further motion.

CHAIR HANSSEN: All right, so then we should go on to the Racial, Social, and Environmental Justice Element. Commissioner Janoff talked a little bit about it, but for those of you that are relatively new to the process, the origin of the Racial, Social, and Environmental Justice Element was recognition during the pandemic.

As we were meeting in 2020 we had the pandemic, and then we had all the protests from Black Lives Matter, and then Vice Chair Janoff and I said, and we brought up to the GPAC and Staff, that we had concern that we were not really addressing the full array of issues that were happening in the Town in planning for the General Plan, so we held a special meeting in July 2020 where we invited members of the public to speak to us on issues that they might have encountered related to racial and social injustice, or environmental justice for that matter, and we did have quite a number of people testify.

At the same time the Town Council was also doing things. They were interviewing and doing workshops, but

everyone on the GPAC felt that it was important to address the racial, social, and environmental justice in the General Plan at least at a high General Plan level, and when we did that we recognized that there would be people that thought it didn't go far enough, which we've gotten testimony to from the public, and that we could always do more, and there are comments in here relating to doing more, but everyone on the GPAC felt it was important to do it as an element. Even though our consultants said you could also do this as incorporating that into other sections and address it throughout the plan, we felt it was more important to call it out as a separate item.

So there is on Item 9 in here the possibility of deleting the entire section or moving the Racial, Social, and Environmental Justice Element to a later section in the document. The GPAC did vote to keep it up front in the document, and obviously since we recommended doing it we wouldn't recommend deleting it. I just wanted to give you guys the background on that element in case you hadn't heard that when you read it, but that's where it came from. In general we've gotten very good feedback from everyone in the public that this is the right direction to go.

That being the case, there are also 10 through 19 that are suggestions, and what we need to get to is whether or not we want to recommend any of those specific changes as

part of the recommendation to Town Council. Commissioner Thomas.

COMMISSIONER THOMAS: I just have a clarifying question. For the rest of these, now that experts, etc. are not necessarily suggesting these, and we are kind of going to be going through them number-by-number, do we just want to discuss the ones that we would like to adopt to recommend, and just not even mention the ones that we don't support essentially?

CHAIR HANSSEN: I'll tell you the direction Staff gave. They said if we try to discuss every single one of them it's going to take a really, really long time, and so maybe the thing to do would be to call out ones that we thought… I could go through each one of these and tell you that no, I didn't want to include this because it was confusing and I don't think that the Town has control over it, so maybe the better thing would be to focus on the ones that we thought we could add and tee those up for discussion.

COMMISSIONER THOMAS: Okay, I just wanted to confirm, because I went through all of them and it's like some I felt strongly one way or another and then some, just like the Town said, I'm neutral on, so okay.

CHAIR HANSSEN: Why don't you start and say which ones you think were worth including?

COMMISSIONER THOMAS: I think that number 11 is worth including, that additional language. I think that number 13, I like the use of the word "increase" instead of promote. And I like 15, the "implement and require," I like that language change. Number 18, I also support. For numbers 17 and number 19, I had some kind of questions around those. For number 17, I recommended maybe the language should be changed to "marginalized" or "historically marginalized groups" or "minority groups" to be more specific. Then number 19, I don't think the end of that is appropriate, but I do like part of that one and I feel like it needs some discussion.

CHAIR HANSSEN: People have their hands up, but on number 19 I'll just weigh in right away and say I wrote a comment about the last sentence. I don't know that we need to go into a lot of detail about what kind of trees in the Racial, Social, and Environmental Justice Element when we have other elements that pertain to the environment and what kind of trees that we should be putting in there, so I thought that was too specific.

COMMISSIONER THOMAS: I liked the part about the habitat valuation and tree selection for the Town's planting, but then not including the disallowing of planting of invasive species. Well, invasive species I guess is fine, but yeah.

CHAIR HANSSEN: Well, let's see what other Commissioners have to say. Commissioner Janoff, I think you were first, and then Commissioner Clark.

COMMISSIONER JANOFF: I generally agree with the recommendations from Commissioner Thomas, except that on 14 and 15, rather than make those policies I think they have better language to be implementation programs, so I'd recommend that we act on that but we move them into the IPs. Seventeen, I wouldn't agree with, because I think that the changes over time, unless there is some very, very broad wording that would make sense.

CHAIR HANSSEN: On 15, I have a question. On 14, I had a question for you. If you read the thing it talks about working with colleges, and both private and public colleges and schools and trade schools. I didn't see the sense in calling out a specific college being San Jose State, nor did I think that it belonged in the implementation programs, only because it was already a policy. I just think it was fine as it was. I don't know what the reason was for mentioning San Jose State.

COMMISSIONER JANOFF: If this person is really keen on developing a relationship that is a recruiting mechanism for San Jose State, maybe there is some link there, because it's a major university in our community, so I didn't have

an issue with it, but I didn't think we needed to go into the detail here.

CHAIR HANSSEN: As it stands now, it's a policy that talks about working with different universities. Are you saying to remove it then and move the entire policy to the implementation program, or just working with San Jose State?

COMMISSIONER JANOFF: If we're going to mention San Jose State specifically, we should put it in an implementation program. If we leave it at university level, which is consistent with broad topics for the General Plan, then that's where I would go.

CHAIR HANSSEN: All right, fair enough. Then 15 is already a policy. It's a question of whether it says, "develop and implement" or "implement and require." It's already a policy. Are you saying that we should move it to an implementation program?

COMMISSIONER JANOFF: On 15, I think that if you're going to require, if you're going to go beyond developing, then there's some more action that needs to be done around that. That felt more like it needed a little bit more of a plan-around if we're going to go for it, otherwise I'd say don't go that direction.

CHAIR HANSSEN: Okay, fair enough. I wrote down that since we're developing and implementing it for all time and

place I didn't think it was necessary to add (inaudible), but I don't care that much about it. Let's see, Commissioner Clark had some comments.

COMMISSIONER CLARK: I think Commissioner Thomas had one on the one that was just mentioned, if you want to say that right now.

CHAIR HANSSEN: Yeah, let me go back to Commissioner Thomas then.

COMMISSIONER THOMAS: I was looking at the implementation programs, because there is Implementation Program C that says it is requiring all Staff to undergo ongoing diversity and implicit bias training, but then it says that it's supporting 2.6, which is… I'm just trying to look back and forth. They were promoting hiring procedures. I feel like 2.7 needs to be added to the list for Implementation Program C. It might have been one of those like we added a thing and it got bumped and it never got cross-checked again.

CHAIR HANSSEN: I see what you're saying. Because Implementation Program C is about Town Staff, diversity, and other training, and so to not link it to 2.7 seems like an oversight.

COMMISSIONER THOMAS: Yeah, C should be 2.6, 2.7, and 1.3.

CHAIR HANSSEN: Yes, I agree. I think what I'm saying is that I agree with what Commissioner Janoff said, but I also think that it already is an implementation program, so I think that changing the language is okay, because we're already going to be doing an implementation program associated with it.

CHAIR HANSSEN: Okay, fair enough. I don't see a whole lot of difference between "develop" and "implement," or "implement" and "require" as long as we have an implementation program that supports it. Commissioner Clark.

COMMISSIONER CLARK: Thank you. I completely agree on that. Another comment that I have for number 15 is that I think that something else that often happens with these diversity trainings is they become very passive and something that people just click through in order to meet the requirement, and that's something that I'd like to make sure doesn't happen with the Town. I don't know if this goes far enough to really make sure that happens, but I thought adding a description saying like, "Require an engaging, substantive, and interactive cultural proficiency training," or something like that could help make that clearer, and that's in the language that I provided if you want to look at that; it's number 3 under A, Wording Changes. But for the other ones, I agree with the others

that Commissioners have been in favor of. Another that I was curious about what others think is number 12, because I wasn't really sure, and I didn't have a problem with it, but I wanted to know what others think.

CHAIR HANSSEN: Staff did not recommend it. Maybe Staff could comment on why they didn't recommend 12. I think I know, but I want to hear it from Staff.

COMMISSIONER CLARK: And I didn't catch that, so thank you.

JENNIFER ARMER: Thank you, Chair. The reason that we did mark that one as not recommended, and I think related to some of the discussion you've been having here as well, is I'll remind the Commission that this is a high-level document, and so when these do start to get that specific where it's talking about a specific score, that's not the type of thing that would be appropriate to track a policy in the General Plan. Recognizing that having quantifiable ways of measuring some of these things is definitely important, but specifying exactly how that's going to be done through one of the policies in the General Plan is not something that Staff would recommend. That's how some of these policies could be implemented through programs through the Town as the Town Council prioritizes those types of programs and development, including details of Staff training and such that you were mentioning, which are

very important, but really are part of the development of what those trainings should be. Some of those details can be included at this level, but for this particular one we chose to not recommend approval, because of how specific it was getting.

CHAIR HANSSEN: I will also go as far as to say that Implementation Program E, Social and Racial Justice Equality Survey, which is an annual survey on the successfulness of advancing social equity and diversity, I don't think we need to have policy specifying that we need to do that, since we already have it as in implementation program. I don't know if anyone else sees it that way, but to me that is very much of an action step, assuming that gets added to the list of things that Staff is going to work on.

I had a question about the one about a quality living wage, it's 13, and my question for Staff is it says it promotes in the current policy the draft, and then someone suggested to change it to "increase or improve," which is definitely more specific, but my question is the Town doesn't actually have control over a quality living wage for all community members. That is in the hands of the employers, of which the Town could be one of them, but I'm not sure from Staff's perspective if that's something that we could really commit to and stand behind.

JENNIFER ARMER: I'll start, and the Community Development Director may have something to add as well.

I agree that while that change in language we did mark as neutral, it is true that there is only so much that we'd be able to do in terms of actually increasing. It really would be more in the character of trying to have programs that promote it and support the increase in the ways that we have. It looks like we also have Town Manager Prevetti with us this evening, and she may have something to add to this question as well.

CHAIR HANSSEN: Yes, of course, Town Manager.

LAUREL PREVETTI: Thank you so much. In the past the Council has been asked to consider increasing minimum wage above what the state requires, and through its strategic priorities the Town Council has decided not to go in that direction. We typically just follow what the state is doing, but promoting these opportunities is something that is more in line with what smaller jurisdictions are able to do. The larger cities tend to be really the big leaders on this, and we typically don't have the resources to actually implement our own living wage ordinances. That would have to be implemented by other businesses.

CHAIR HANSSEN: That's really helpful. Thank you for that. For me, I would say not change 13, just leave it where it is and (inaudible) promote. That's my feeling on

it. Commissioners Thomas and Janoff, you still have your hands up, so I don't know which one was first.

COMMISSIONER JANOFF: My comment is only that I think I misspoke when I said I supported number 13. I have written in my notes that I do not. We don't really have enough control over this, so I would say no to 13.

CHAIR HANSSEN: All right. Commissioner Thomas.

COMMISSIONER THOMAS: I agree after hearing about local jurisdiction, so I don't support that change. But going back to number 17, perhaps the language could be changed to "socially disadvantaged and historically marginalized groups." I think "historically marginalized" is a large enough term that can be used that is dynamic and will change over the next 20 years, and so I think that that is more specific, but also still broad enough.

CHAIR HANSSEN: Commissioner Tavana.

COMMISSIONER TAVANA: Yes, thank you. I just want to make sure that we link from the policy in number 12 to the implementation programs that you mentioned, Chair Hanssen, to Implementation Program E. I think that's what we were referencing, so if we're going to use that as a metric, it should be listed probably under that section there.

CHAIR HANSSEN: That's not a bad idea. Would that not be true about every policy though? That's the only thing.

COMMISSIONER TAVANA: I'm not one way or another, but I did notice that it does (inaudible) so if you want to use that as a way to make sure it is accounted for in the future. Then, also in number 14 I wouldn't support adding San Jose State University and leaving the language as is. Everything else I'm rather neutral on.

CHAIR HANSSEN: That makes sense. I'm just going to go back to that thing you brought up, and I didn't want to belabor it, but it's in a list of policies under RSEJ-1, which is, "Support equity inclusion and access to opportunities for all community members, employees, businesses, and visitors." There's service delivery, community budgeting, institutional bias, housing affordability, Town diversity, welcoming town, and quality of living wage, so I think where I was going with it is that if we're going to have a survey, it would be covering a lot of these issues, not just whether we're a welcoming town or not. If we're going to do a survey, we should be addressing more than that issue.

COMMISSIONER TAVANA: That makes sense.

CHAIR HANSSEN: Then under one of these things that we're trying to promote, to say we're only going to survey on that one didn't make any sense to me. Does that make sense?

COMMISSIONER TAVANA: No, it does. It does.

CHAIR HANSSEN: I just think we don't need to do number 12 at all, unless we want to put somewhere else in the policies as a general thing, make sure we have an implementation program, but we already do, so I think we would be covered by the fact that we already have that.

Are there any other ones we need to discuss? Commissioner Thomas, since you started this discussion, let's maybe go back and recap the ones that we're still thinking that we should recommend for changes and see if we can get to a conclusion.

COMMISSIONER THOMAS: Do you want me to do this in a motion?

CHAIR HANSSEN: Yeah, why don't you do a motion?

COMMISSIONER THOMAS: Commissioner Clark has her hand raised, so I think she maybe wants to add something before I summarize.

CHAIR HANSSEN: Yes, go ahead, Commissioner Clark.

COMMISSIONER CLARK: Thank you. I just have a quick question. Before we did this, if I had a couple of changes that I would like to see that are not in these public comment summaries, would I want to make sure that this is included, or would we want to do that separately?

CHAIR HANSSEN: The issue that I had when I started with this is that you could tell us about it, but I'm not sure if everyone would have given it the thought that we

need to be able to process it, that's all. But we can try that if you had specific language that you wanted to put in. We can try and see if that resonates with the Commission.

COMMISSIONER CLARK: Could I do that right now?

CHAIR HANSSEN: Yeah, why don't you go ahead?

COMMISSIONER CLARK: Okay, thank you. There are two things.

One is I think, like Commissioner Janoff said, we've learned a lot since this was created and then also past that amount of time, especially about equity and equality, and I didn't think that the definitions of equality and equity in the key terms accurately described these concepts. I talked to some diversity experts who I get to work with too and came up with some alternative definitions. For equality, instead of saying, "The state of being equal, especially in status, rights, and opportunities," it would say, "Equal opportunity levels of support and allocation of resources regardless of different circumstances." For equity, instead of stating, "Fairness or justice in the way people are treated," it would state, "Differing allocation of opportunities, levels of support, and resources based on each person or group's circumstances or needs, thereby reaching an equal outcome." And if that makes sense to people, then maybe we could do it now, but

if not, I completely understand if people need to stay with that for longer.

CHAIR HANSSEN: I can speak for myself. I reviewed the definitions and what you suggested I thought was reasonable and was in line with… I don't know how many of you were able to attend the community meeting on March 31st on Zoom that was related to the Housing Element. They had a woman come and speak and she did a slide on equity versus equality and what the difference was, and it was a cartoon graphic that I thought was pretty clear to explain the differences and she talked about that, and so I thought your explanation was right in line with that, but I don't know if others had a chance to read through it. I will go to Commissioner Janoff.

COMMISSIONER JANOFF: I had a chance to read through Commissioner Clark's comments fully, and I do support the change to these definitions.

CHAIR HANSSEN: Okay. Commissioner Thomas.

COMMISSIONER THOMAS: I also support, so I can include that in my motion. Was there anything else that Commissioner Clark wanted to say in addition?

COMMISSIONER CLARK: Thank you, yes. I have one other, and it's an implementation program that I think we should add. If you go to the policy RSEJ-4.1, it's a policy for acceptance of government-issued vouchers. I've worked very

closely with the unhoused community and with people who are on these vouchers and one of the biggest challenges that people encounter is not being able to use them, and so I was really, really happy to see this policy and excited about, but it is such an action-oriented one that I felt like it needed an implementation program to actually happen. I think it's one that would have a really big impact, and so I think it should be added as an implementation program for RSEJ after Program K, which is Community Engagement, and I think that the program should be implemented between 2020-2025, and I think it should also include the EJ icon for the cross-cutting icons under it.

CHAIR HANSSEN: I think that's reasonable. I'm just going to ask Staff about it. We had a long discussion at the GPAC about the huge volume of implementation programs that we have and whether or not they would ever really happen, so I'm just going to ask Staff. I don't have any problem adding it in, and then ultimately the way this will work is the Town Council is the one that will prioritize what gets worked on in what year because of their strategic priorities session, and so it comes from the General Plan and other sources what gets onto the plate. So I don't have a problem with adding it, but I just want to make sure with Staff it is that something reasonable that we can add?

JENNIFER ARMER: Thank you, Chair. I think you're on point in terms of being cautious about adding additional implementation measures, because really to make those happen it will have to be prioritized by Town Council at their annual priority setting. I will also share the microphone with Town Manager Prevetti, because she has turned on her camera again.

LAUREL PREVETTI: Thank you. I just wanted to note that voucher programs are already in effect, Section 8, and obviously there's not enough vouchers to meet the need, and so I don't know if the Town can actually effect this very important program, because it's ultimately up to the individual landlords whether or not they accept it. We could certainly add it and then do some more Staff analysis. I think our Council might be a little bit cautious about adding things that we really can't impact, so it's going to take a little bit more work, and I don't know if our housing consultant would be able to really help do anything more than what's already being done. But we're happy to add it if that's the will of the Planning Commission, and then we can do some more research so by the time we get to Council we can answer their questions. Thank you.

CHAIR HANSSEN: Go ahead, Commissioner Clark.

COMMISSIONER CLARK: Thank you. Can I make a clarification for it? I should have further described this policy so you can immediately flip to it, but it's government-issued food vouchers, and so this would be things like accepting electronic benefits transfer or EBT and SNAP vouchers at farmers market and local food venders. I'd be curious to hear if that changes the answer or if you have any more comments.

LAUREL PREVETTI: I think our farmers market already accepts the cards, but that's something we can certainly look at, because I think that is consistent with our current practice of really supporting those who are trying to feed people in need, so we'll look at that a little bit more. Thank you for the clarification.

CHAIR HANSSEN: Other comments? Commissioner Thomas, are we going back to making a motion?

COMMISSIONER THOMAS: Yes. I would also like to add that I do think that making an implementation program for this does make sense, specifically because the Town provides business licenses, and so I don't know if that could be like changed within an ordinance that new vendors have to… I don't know if that's legal or something, but looking into the fact that new vendors can be required to accept certain forms of SNAP or EBT or whatever.

CHAIR HANSSEN: I would suggest that if we're going to add it as an implementation we word it as like a research-oriented program. Not like a commitment to do it, but rather we research the viability of what we can do to increase support for acceptance of these vouchers.

COMMISSIONER THOMAS: Exactly, exactly. Thank you. So, I will start with that. I move to approve or forward the following modifications suggested for the Racial, Social, and Environmental Justice Element: to add an implementation program for RSEJ-4.1 to do some research on coordinating and promoting the acceptance of government-issued food vouchers. I also move to make the changes to the definitions that Commissioner Clark submitted earlier for the key terms of "equality" and "equity." I also move to approve Policy Change 17 with the addition of adding "historically marginalized" as language to Policy RSEJ-6.2, and then also approve numbers 11, 15, and 18. I believe that summarized everything.

CHAIR HANSSEN: Did you want to do anything more on 19?

COMMISSIONER THOMAS: I don't think so, because it's an implementation program, unless someone feels really strongly.

CHAIR HANSSEN: Okay. I didn't. I thought it was fine the way it was, and like I said, I don't necessarily think

we need to go there in terms of lots of detail about what kind of trees when we're in the Racial, Social, and Environmental Justice Element as long as we have policies about what kind of trees we put in Town. Commissioner Janoff.

COMMISSIONER JANOFF: I'll second that motion.

CHAIR HANSSEN: Any other comments before we vote? What we will be voting on after we finish taking comments would be recommending approval of the Racial, Social, and Environmental Justice Element with the changes incorporated and suggested by Commissioner Thomas. Vice Chair Barnett.

VICE CHAIR BARNETT: I support the motion except for the wording of the key terms of "equality" and "equity," and on those topics I haven't had an opportunity to see how those terms are used throughout the General Plan, and I'm reluctant to approve those changes without having done so.

CHAIR HANSSEN: Okay, fair enough. That's a valid comment. Staff, when we were talking about this earlier today in terms of process and procedure, if there's a Commissioner that has an issue like that should they vote no or vote yes, not feeling comfortable with that comment, or maybe abstaining? What would be your suggestion on how to handle it?

JOEL PAULSON: I'm happy to start, and if Ms. Armer has anything to add, that's fine as well. I think probably

for this type of motion that Vice Chair Barnett could vote yes, but note the objection to the definitions at this point, and that way we could move forward. There will be verbatim minutes of all of these meetings provided as well, and then ultimately if this moves to the next meeting, if there are some additional comments after his review of those terms throughout the General Plan, if he had different thoughts he can always provide those in writing and those would be part of the public record.

CHAIR HANSSEN: That sounds like a plan. Does that sound agreeable to you, Vice Chair?

VICE CHAIR BARNETT: Yes, that's acceptable. I'd make a point that I request my comments be considered by the Council.

CHAIR HANSSEN: Okay, that's fine. Do we have a second?

JOEL PAULSON: Commissioner Janoff already seconded the motion.

CHAIR HANSSEN: Oh, yeah. Sorry, I got distracted on the second. So, we have a motion and a second, and then I'll keep going in the same order. I'll start with Commissioner Thomas.

COMMISSIONER THOMAS: Yes.

CHAIR HANSSEN: And then Commissioner Tavana.

COMMISSIONER TAVANA: Yes.

CHAIR HANSSEN: And then Commissioner Raspe.

COMMISSIONER RASPE: Yes.

CHAIR HANSSEN: Commissioner Janoff.

COMMISSIONER JANOFF: Yes.

CHAIR HANSSEN: Commissioner Clark.

COMMISSIONER CLARK: Yes.

CHAIR HANSSEN: Vice Chair Barnett.

VICE CHAIR BARNETT: Yes, with a recommendation that the Council consider the terms "equality" and "equity" after further review by members of the Commission, and that I will be happy to supply further comment by written response after my review.

CHAIR HANSSEN: That sounds great. And then I vote yes as well. I did have a chance to review the definitions, so I'm okay with that whole thing. So, we've gotten through the Racial, Social, and Environmental Justice Element.

The next element in order of the plan is actually the Land Use Element, so we're going to skip that, and we're going to skip the Community Design Element as well, because Land Use and Community Design go hand-in-hand. The next element will be the Mobility Element.

Just for background on the Mobility Element, Staff, correct me if I'm wrong, I think the Mobility Element was one of the ones we might have reviewed five times.

JENNIFER ARMER: That was definitely one that had multiple reviews and total reorganization as well to really show the new priorities that the GPAC felt were important, and emphasizing certain topics and their importance by bringing them up to the front.

CHAIR HANSSEN: Then we also had quite a number of comments from Parks and Public Works pertaining to mobility in particular, because that's right in their wheelhouse that we already agreed to take on.

There are about 10-15 comments on the Mobility Element, and Staff did say: the first one was recommended; the second one, outside of the purview of the Los Gatos General Plan; the third one, not recommended; and the fourth one, not recommended. We could go through the same process, which is maybe if one of you felt comfortable enough about saying what you would recommend and incorporating those changes we could go from there and then not have to talk about the other ones. Commissioner Janoff.

COMMISSIONER JANOFF: I was going to piggyback on that comment by saying there was no recommended change to the General Plan with the exception of three items in my reading, 62 and 63. We don't want to get this level of detail in a goal or a policy, but if it seemed reasonable to study VTA, I'm not sure what queue jumping is, but if these are fine points that need to be studied in order to

improve VTA transportation, then I would recommend that they be added to or become an implementation program. I don't feel strongly about them one way or the other, but those look like they could take some action.

Then the only other one that is recommended is number 67, which is to add a definition of traffic impact policy to the glossary, so my recommendation would be maybe two implementation programs, or one for 62 and 63, and yes to number 67.

CHAIR HANSSEN: Just to comment on 62 and 63, if you read the comments from the EIR, VTA wrote a pretty extensive thing when it was related to traffic. Obviously, their priority is making sure that the buses get through, and so they had a number of suggestions on how we could prioritize bus traffic, so I would completely agree with you. I actually wrote in my comments that 62 and 63 could be implementation programs, because it's not even clear that they're feasible for the Town, and so we would have to study them to see if that was possible, and so I agree with you on that.

In addition to the not recommended ones, 64 and 65 were clearly designated by Staff as being part of the Bicycle and Pedestrian Master Plan, not in the General Plan. So while we could certainly do these things, it may

or may not make sense to change the draft of the Mobility Element.

Let's see, I also have Commissioner Thomas and Commissioner Clark that have comments, so go ahead, Commissioner Thomas.

COMMISSIONER THOMAS: Thank you. I agree with the comments so far about 62 and 63 being added as one implementation program. I looked over the implementation programs, but I'm happy to know if Staff thinks that those are already covered somewhere, but I don't believe that they are, so I'm happy to add that. Then the second thing was I also support number 67.

I did have question for Staff about when the Bicycle and Pedestrian Master Plan would be updated, because that was recommended for 64 and 65.

JENNIFER ARMER: I believe the Bicycle and Pedestrian Master Plan was just updated in the last few years, but we do have WooJae Kim from Parks and Public Works here and he may be able to give you a specific date.

WOOJAE KIM: Good evening, Commissioners. WooJae Kim, Town Engineer. The Bicycle and Pedestrian Master Plan was updated in 2020, so we would have to further investigate when the next round of updates would need to be, and we could definitely work with our Complete Streets and Transportation Commission and the Town Manager's Office and

CBD to figure when the next update needs to be, but I suspect it won't be for another two or three years, so I hope that answers your question.

COMMISSIONER THOMAS: Yes, that does. Thank you.

CHAIR HANSSEN: Just to the question you're asking, Commissioner Thomas, I would say that since you sat on the GPAC with us, although I think it's really important that those particular corridors for Complete Streets are some of the most important ones and they would be talked about in the Community Design Elements in terms of they're like the main street in a couple of our Community Place Districts, I think it would be too much detail to put in the General Plan to call out specific streets for Complete Streets, and it might already be in the Bicycle and Pedestrian Master Plan, because there is a Complete Streets policy that the Town has, it may already be in there, but I wouldn't add it into the General Plan, so that's my opinion on that. Commissioner Clark, did you have comments or questions?

COMMISSIONER CLARK: Yes, I agree. I think I'd like to see 62 and 63 as implementation programs. I hear a lot about VTA and I think collaboration with the VTA is really important, and I'm involved with them separately, and it feels like there needs to be more merging of the worlds and like it's really possible, so I think that would be great. I think that 67 looks good.

I had one thing I wanted to bring up about Implementation Program D, the community shuttle system. I felt like the focus on parking mostly focused on accommodating more cars and making sure that there's more parking, and Staff and I think that there wasn't as much focus as I would theoretically like to see on reducing the need for parking, and I think that the community shuttle system could be a really interesting way to do this. The only thing I wanted to bring up for this is I definitely would not expect it to be implemented before 2026, but I would like to see work on it happen before then because of how long this program might take, and so I wanted to include for Staff and Council to consider moving the timeline up for the community shuttle system.

CHAIR HANSSEN: I think that's a reasonable request to consider moving up the timeline, especially when we see that there's going to be big, huge impacts from greenhouse gas from a transportation perspective, irrespective of the fact that it happens in every General Plan. With planning for 2,000 units, it's going to be an issue, so I don't have a problem with recommending moving up the priority of it.

COMMISSIONER JANOFF: Could I just ask a clarifying question? The implementation program is already 2020-2025, and I was just confused by your comments, Commissioner Clark, because you're saying, if I'm reading it correctly,

you want the implementation timeline to change from 2026 to 2025, but it already is, I think.

COMMISSIONER CLARK: Yeah, on mine it shows it under 2026-2040, and if it isn't, if it's on the earlier one, then I think that's great.

JOEL PAULSON: Just for clarification, it is currently marked in the 2026-2040 timeframe.

COMMISSIONER JANOFF: Okay, so I have an older version.

CHAIR HANSSEN: Okay, so then your recommendation would stand to move it into the 2020-2025 priority.

COMMISSIONER CLARK: Good catch, Commissioner Janoff. Thank you for bringing that up.

CHAIR HANSSEN: I do have a couple of questions to ask. One was on 58, which was brought up by one of the speakers, make downtown streets bike and pedestrian only, and while you guys said not recommended, is there any merit to studying to make it less car dependent, or do we have that covered in another implementation program?

LAUREL PREVETTI: I'll start, and I'm sure Staff will add on. We have in our Capital Improvement Program a downtown streetscape project that is a placeholder really for after the pandemic ends and as we start getting more revenue from different sources, so that's really part of a comprehensive evaluation of our streetscape and looking at

redesign, and that's already in our program. I don't think we need to add it, because I think there's already interest in making sure that we can widen sidewalks and make that major street more accessible for all modes of travel, so it's something that's actually already in more a short-term work plan; we're just waiting to get enough resources to hire a landscape architect and help us design it.

CHAIR HANSSEN: I kind of thought that from the General Plan Advisory Committee discussions that we had clearly identified things in that realm as what we needed to do, not just for downtown but for some other places, to raise the safety and usability for all modes of transportation, not just cars, so I thought we were covered. I only wanted to bring it up, because we had one of our commenters bring it up and it was on this list here even though it wasn't recommended, and so I understand that now.

I had another question about number 60, and Staff did respond that adding off-ramps from Highway 85 to Winchester was outside of the purview of the Los Gatos General Plan, but in the past I have seen where we did say we would coordinate with regional agencies if we thought it was our priority, and I'm not saying it is, I'm just asking the question. Is that something we should consider to lobby for?

LAUREL PREVETTI: The needs of the highway system in Silicon Valley are so great that it's just not going to happen, quite honestly. There's already a study going on about Highway 85 and how to improve efficiencies, and I think we're even having difficulty coming to agreement about how to make that artery more effective and perhaps introducing a transit. There's so much that we have that's needed. This would be one of those action items that we just would not be able to implement.

CHAIR HANSSEN: Got it. It's not even clear how much difference it would make anyway, but I wanted to at least ask the question so that we can say that we asked the question.

One last question I had was about the paid parking. We are silent in the General Plan about paid parking, and there was a parking study done and I understand we're implementing on that, and my only question for Staff is by being silent about paying for parking are we putting ourselves in conflict with current policies, or is it better to just stay silent about it?

LAUREL PREVETTI: The Town Council is already moving forward on paid parking, and that's actually on the agenda for next Tuesday, so there's no reason for the 2040 plan to get into that level of detail.

CHAIR HANSSEN: So there won't be any conflict, because we're not saying that you shouldn't charge for parking either, we're just silent about it, so there's no conflict. Okay, good then. I'm good.

That was all my questions, so then I think we had a motion from Commissioner Janoff to adopt 67 and 62 and 63 as implementation programs, is that correct?

COMMISSIONER JANOFF: As one program.

CHAIR HANSSEN: As one program, yeah.

COMMISSIONER JANOFF: I just wanted to note that Commissioner Raspe had his hand up a little bit ago.

CHAIR HANSSEN: I'm sorry; I missed that, so Commissioner Raspe.

COMMISSIONER RASPE: Thank you, Chair. Actually you asked the question I had with respect to the parking studies, so thank you for asking, and my question has been answered. Thank you much.

CHAIR HANSSEN: So we have a motion from Commissioner Janoff, but Commissioner Thomas and Commissioner Clark have their hands up. Did you have more comments before we do the second? We can do that. Commissioner Thomas.

COMMISSIONER THOMAS: I do. I also wanted to, if Commissioner Janoff is okay with it, change Implementation Program D to 2020-2025, to that timeframe, and include that in the motion.

COMMISSIONER JANOFF: Yes, that's acceptable to the maker of the motion.

CHAIR HANSSEN: So is that a second, Commissioner Thomas?

COMMISSIONER THOMAS: Yes.

CHAIR HANSSEN: All right, and then Commissioner Clark, did you have anything else now that that was added?

COMMISSIONER CLARK: That's exactly what I was going to say, thank you.

CHAIR HANSSEN: So then let's go ahead, unless anyone has any other comments on mobility or anything else that they recommend changing, and take our roll call vote, and I'll start with Commissioner Thomas.

COMMISSIONER THOMAS: Yes.

CHAIR HANSSEN: Commissioner Tavana.

COMMISSIONER TAVANA: Yes.

CHAIR HANSSEN: Commissioner Raspe.

COMMISSIONER RASPE: Yes.

CHAIR HANSSEN: Commissioner Janoff.

COMMISSIONER JANOFF: Yes.

CHAIR HANSSEN: Commissioner Clark.

COMMISSIONER CLARK: Yes.

CHAIR HANSSEN: Vice Chair Barnett.

VICE CHAIR BARNETT: Yes.

CHAIR HANSSEN: And I vote yes as well.

So we've gotten through the Mobility Element. Let's at least start on the next one. It is 10:47, and so we'll see where we are at 11:00 and decide whether we should keep going or we should adjourn to another meeting. I think that is the point where I had thought that we would at least decide whether we would keep going, but I don't see any scenario where we're going to finish all of the elements tonight, but I think we could probably get the next element. Ms. Armer.

JENNIFER ARMER: I just wanted to clarify that if the discussion is going beyond 11:00p.m. we will need a motion, specifically to continue the meeting past that time.

CHAIR HANSSEN: There weren't an incredible amount of changes. Well, there actually were quite a few, but let's start on it and then at 11:00 o'clock I'll stop if we're not finished with the Public Facilities, Services, and Infrastructure Element. I'll stop there and then we'll decide if we continue to finish that or defer to the next meeting.

The Public Facilities, Services, and Infrastructure Element, there are quite a number of changes in my review, but I thought most of them were pretty reasonable, but we ought to discuss what we wanted to add. I had a question on 69, which was considering the following additions. I don't know that I even knew what MWENDO is. I tried looking for

it and I didn't see it in the General Plan, but maybe I missed it.

JENNIFER ARMER: I believe that may be indicating Water Efficient Ordinance. Maybe it was a typo in their letter.

CHAIR HANSSEN: So it came from Valley Water?

JENNIFER ARMER: I can look up what the wording of that policy is and see if that makes sense.

CHAIR HANSSEN: Because they had four different suggestions. It was consider adopting the MWENDO; encourage non-potable reuse of water, like gray water and rain water, which we don't have in there now; require dedicated landscape meters where applicable; and require installation of separate sub-meters in each unit of multi-family developments within commercial buildings, and you guys had said on the lot of those that you were neutral.

JENNIFER ARMER: This is adding a lot of detail to a goal. The goal is kind of the highest level when you've got goals, policies, and implementation measures, but if that additional detail is something that the Planning Commission feels is important to recommend, it could be part of that. I do think they may have intended that to be water efficient landscape, but we could look into that. Clearly they are talking about water efficiency.

CHAIR HANSSEN: You made a good point that that goal is about water efficiency overall and how far in the weeds are we going to get in terms of policies. The Town Manager has her camera on.

LAUREL PREVETTI: Thanks to the teamwork of the participants that are watching the meeting, it is the Model Water Efficient New Development Ordinance.

CHAIR HANSSEN: That makes sense to me, because of what else is covered in there, but like I said, I didn't see it. I tried flipping through them and it wasn't in the General Plan right now, so I thought it was probably in something else that I hadn't seen or had missed. Commissioner Janoff and then Commissioner Thomas.

COMMISSIONER JANOFF: I didn't have an issue with including these, but I wouldn't modify the goal EFS-1 if they should be incorporated under some of the policies without substantially changing what the GPAC worked really hard on refining. I could keep them or leave them out, either way. I thought number 70 was a good recommendation. I agree with all those that are not recommended.

The question that I had with the two or three items that refer to the connection between Los Gatos-Saratoga Rec, we didn't really get into that level of detail specifically saying who is providing child care, so I would think that those kind of comments, that would be 72,

possibly 73, possibly 74, is too far into the weeds and things might change over 20 years and who knows if LGS is going to still be around. We don't want this to be dated at any point if we can help it, so I would not recommend those, even though Staff is recommending… Well, you're recommending something else with regard to the figure; that's fine. Number 75, we had a lot of input from the Senior Services Commission, anything related to senior, so as with many things, the GPAC deferred to those who were experts in their area. If we didn't get this comment from the Senior Services Commission, I'm not sure, so I put no against that one.

CHAIR HANSSEN: I think you have a good point on that. I mean, we had them come to our meeting, they sent in written comments, and this sounds like it came from LGS Recreation saying we're doing all this stuff and we're not being recognized in the General Plan is what I am getting out of the comments.

COMMISSIONER JANOFF: That's how I read these several comments and I don't think the General Plan is the place for that, so I'm just cautioning against that. Number 76, once again we've got an acronym that hasn't been spelled out, or at least I don't know what CPTED means.

CHAIR HANSSEN: It's in the General Plan right now, by the way. Is that in their definitions?

JENNIFER ARMER: Yes, it's Crime Prevention Through Environmental Design, but it is defined.

COMMISSIONER JANOFF: I would say no on 77, "Encourage the private facility or community center to host performing arts events." I don't think we need to add "or community center," especially since we don't have one, I don't think, at the moment. Number 79, if we want to do more for the plant-based diet contingent in Town, then maybe, but how would we implement that is my question. Who is adding the trees, and if it's routing trees to Town property, what Staff is going to maintain and what do you have to do to keep the trees working? That seemed like a very specific thing and a great idea, but not so easily implemented. That's all I have.

CHAIR HANSSEN: Did you have a comment on 80? They wanted to add dark sky conservation and healthy ecosystems to the existing implementation program for outdoor lighting.

COMMISSIONER JANOFF: I was okay with adding that.

CHAIR HANSSEN: I was as well. Let's see, I'm not sure between Commissioner Thomas and Commissioner Clark who had their hand up first. Let's go with Commissioner Thomas.

COMMISSIONER THOMAS: Thank you. In general I agree with Commissioner Janoff's comments, so thank you for that. For number 69, I believe that we need to add a definition

of "recycled water" to the list of definitions, because when I read the goals I felt like gray water, rainwater, and storm water collection were covered in it already, but I don't know, so I feel like we just need to add that definition. What do we mean by recycled water? Gray water is typically what we mean by recycled water, so if that could be added to clarify, I think that would address some of the issues with number 69. I also very much support number 80, but I don't feel super strongly about the other parts.

CHAIR HANSSEN: Commissioner Clark, and then Commissioner Tavana.

COMMISSIONER CLARK: Thank you. Yes, I also generally agree. I think for number 69 that these can be fit under some of those policies under the goal. For example, for "encourage non-potable reuse of water," I think that could fit under Policy 1.5, Sustainable Water Use, and so I think that that's probably something to explore with that one, but I don't think that they should be added as their own policies. I agree with the stand the Commissioners have taken on the other ones. For number 76 I think definitely no for that one. I think that that wording was there for a reason and I wouldn't support taking that out.

Then for number 79, the fruit trees, I want to ask Staff, because they were neutral on it, if that is

possible? I agree it's a great idea, but I also have a hard time seeing how that would be implemented and maintained.

I have a second question for Staff. I was wondering for number 80 where it adds dark sky conservation, is this the only place in the General Plan where this would be implemented? It would also go in like Open Space and Parks or something, right?

JENNIFER ARMER: Yes, dark sky is included in some of the other sections. In Design of New Buildings, for example, we've got at least one policy that does include reference to dark sky.

CHAIR HANSSEN: I think Community Design for sure.

JENNIFER ARMER: Yeah, there definitely we added it to a policy specifically in response to those public comments. In response to the question about the fruit trees, the idea of having additional fruit trees in Town, we're neutral on that. It was one of the less specific recommendations or comments, so how exactly I think the implementation of that is, it's something that's added to an existing policy. They talk about possibly under Section 6.13, so a little bit of a question there as to how you might see implementing that, but I could see it being part of if there were some local farms activities. We definitely like to support the Town's history of the orchards in Town.

It looks like Community Development Director Paulson has something to add.

JOEL PAULSON: The first thing I'll add is it is 11:00 o'clock. The second thing I'll add is that we'll look into that more. Ultimately, that's going to be a resource issue. We're not going to be looking to create orchard facilities or some of the farming activities like they're proposing to do on the North Forty where they're going to have someone actively monitor that. That would be problematic, but we'll get some more information before we come back for the next meeting. We will need a motion to extend past 11:00 to a specific time, and then we can see where that goes.

CHAIR HANSSEN: Should I make the motion or should I ask someone to make the motion? What I'd like to suggest to the Commission is that we try to finish this particular element, and then adjourn to another meeting. Do we need to do the date certain right now?

JOEL PAULSON: You don't need to do the date certain now, but we need to do it before you close this evening.

CHAIR HANSSEN: Okay, got it.

JOEL PAULSON: First motion is to extend it.

CHAIR HANSSEN: And it has to be a specific time?

JENNIFER ARMER: And you then would have the opportunity when we get to that time to extend it further, if you so wish.

CHAIR HANSSEN: I'm going to just suggest 11:30, but if we finish this element before that I would want to stop and get to the next meeting, so that's my proposal. Commissioner Tavana.

COMMISSIONER TAVANA: I move to extend the meeting till 11:30.

CHAIR HANSSEN: Okay, thank you. Is there a second? Commissioner Raspe, it looks like you're seconding?

COMMISSIONER RASPE: Yes, I'll second that motion.

CHAIR HANSSEN: All right, and then we will take our roll call vote. Commissioner Thomas.

COMMISSIONER THOMAS: Yes.

CHAIR HANSSEN: Commissioner Tavana.

COMMISSIONER TAVANA: Yes.

CHAIR HANSSEN: Commissioner Raspe.

COMMISSIONER RASPE: Yes.

CHAIR HANSSEN: Commissioner Janoff.

COMMISSIONER JANOFF: Yes.

CHAIR HANSSEN: Commissioner Clark.

COMMISSIONER CLARK: Yes.

CHAIR HANSSEN: Vice Chair Barnett.

VICE CHAIR BARNETT: Yes.

CHAIR HANSSEN: And I vote yes as well. So then we also had the hands up from our Staff. Mr. Kim, did you have something you wanted to say?

WOOJAE KIM: Yes, thank you, Chair. Regarding the goal for the fruit trees and so forth, I definitely believe more evaluation analysis might be needed, getting our Town Arborist involved. This element is under Public Facilities and Services, so I think if we're talking about planting fruit trees on public lands we would definitely need to evaluate that further to see if we could maintain such trees and if those would be ideal in public spaces.

Also, a separate comment about gray water. Again, in public facilities and maybe parks we do have to evaluate if that's even feasible or not, because I know there are purple pipes of recycled water, that's a possibility, but that is not even a feasible option at this time because of lack of quantities of recycled water available out there in the county.

CHAIR HANSSEN: That's very helpful. So some of the things that are suggested in 69, what I'm hearing, are not really practical. Let's see, I have a few hands up. I'll go with Commissioner Raspe, because he's waving at me, and then we also have Commissioner Tavana, who had his hand up before, and then Commissioner Thomas.

COMMISSIONER RASPE: Thank you, Chair. First of all, I agree generally with all comments made, especially with respect to some comments noting that some of these

notations may be dated, so we should be a little careful in the language that we include.

Specifically I want to talk about the last bullet point in Section 69 requiring installation of separate sub-meters in multi-family developments. I think it's inferred but not stated that that should be applicable to new developments. I don't think we want to create a retrofit obligation to our existing units, so I think we'll need some clarifying language in that bullet.

CHAIR HANSSEN: And that's only if we choose to recommend it, period. It is a choice to decide not to recommend it, so I appreciate that.

I would add on that the one before it requiring dedicated landscape meters where applicable, the applicable would be the big question, because to take on having to retrofit the entire Town with dedicated landscape meters, I can't speak for everyone, but we have a San Jose water meter at the street and if I want to see what our water usage is I just open the thing up and I can see what our water usage is. To do that seems like a lot to take on, and I'm not sure where it would take us. Commissioner Tavana.

COMMISSIONER TAVANA: Thank you, Chair. Just a quick two comments actually.

Speaking to comment 69, I wouldn't recommend any list changes. I'd like to keep the language as is currently written.

Secondly, in terms of the implementation programs, this is a new comment I wanted to throw out there and that I would like to see personally move up the implementation timeline for Program C to 2025. There's a lot of talk in Town right now about this notion of artificial turf being somehow more environmentally friendly than real grass. I think we should have this study happen sooner rather than later, in my opinion.

CHAIR HANSSEN: To decide if that's the case? I don't know if you saw that there were multiple comments in the Staff Report totally advocating for stopping any more artificial turf in Town, period, and including maybe taking out the stuff that's at the Los Gatos Creekside Park.

COMMISSIONER TAVANA: That's great news. I can tell you the windfall from the North Forty, there is budget, and all the local schools, Van Meter, Daves, they're going to put in artificial turf for some reason at these elementary schools, so needless to say, I would like to see this study happen sooner rather than later.

CHAIR HANSSEN: So you're adding in a recommendation that isn't on the list that we have here to move up the priority of studying the artificial turf?

COMMISSIONER TAVANA: Right.

CHAIR HANSSEN: Okay, so duly noted, and we can decide if we can move forward with that, but that makes sense. Were there other comments that you had?

COMMISSIONER TAVANA: That was it. Thank you.

CHAIR HANSSEN: I lost track of who was next, so let's go with Commissioner Thomas, and then Commissioner Janoff, and then Commissioner Clark.

COMMISSIONER THOMAS: Thank you, Commissioner Tavana, for that comment. I do agree that Implementation Program C needs to be moved up, and maybe within that we need to have alternatives to just regular sod essentially also, because that is not going to be the good solution moving forward water-wise either, so maybe this implementation program needs to be changed to just studying what the appropriate ground cover needs to be in places where turf is needed, then that would cover the use of artificial turf but also hopefully cover some more sustainable and environmental and (inaudible) alternatives.

CHAIR HANSSEN: Yeah, that's related to the water.

COMMISSIONER THOMAS: Yes, and people. I think that that's some of the concern of artificial turf.

CHAIR HANSSEN: Commissioner Janoff.

COMMISSIONER JANOFF: Completely in agreement with what was just discussed on Implementation Program C, and I

am also in agreement with Commissioner Tavana that we should not incorporate any of the changes recommended in 69. It seems like the more people from the Town speak, the less likely these are viable recommendations to implement, so my recommendation would be to not incorporate any of 69 to follow on Commissioner Tavana's recommendation.

CHAIR HANSSEN: The good news is that by keeping it general it doesn't preclude the Town from pursuing any of these avenues under the guise of water efficiency, because that is our goal. How we go about doing it is still open. That makes sense, so I like that as a resolution. Let's see, Commissioner Clark.

COMMISSIONER CLARK: Yes, I agree about Implementation Program C moving up the timeline. I also like Commissioner Thomas' change to also studying what the appropriate ground cover needs to be, and I agree on number 69. For number 79, the fruit trees, I would like to include a recommendation to Council to explore including this in the plan. I don't think that we should even actually include it, but I think that that might be something worth looking into in the time between now and their review.

CHAIR HANSSEN: Would you want to have an added implementation program to study the feasibility of doing it, or just send it off to Council saying that it sounds like a good idea but we're not sure where to put it?

COMMISSIONER CLARK: I definitely don't think we should add it as another implementation program.

CHAIR HANSSEN: Because we have a hundred and some.

COMMISSIONER CLARK: Yeah, it seems like we have enough work to do. I think since we don't even know if it's feasible, that's another reason not to put it as one, but I think it is something worth looking into and then considering including in the General Plan if it does turn out to be completely feasible.

CHAIR HANSSEN: Great, got it. Commissioner Janoff.

COMMISSIONER JANOFF: I think one thing we want to keep in mind is that the Housing Element gives us an opportunity to get more detailed about how we want to construct neighborhoods and affordable housing that supports the residents. We had a great piece during our study session last week. What was it called, agri-hood? It was a low-income neighborhood built by Core, and it included a whole agricultural garden and whatnot to support the residents. I think this would be a great idea to include in the Housing Element when we get there to incentivize sort of the holistic affordable housing, low-income housing concept, so don't loose it. I don't think this is the right place for it. Put it someplace where it can actually do what I think they're getting at, which is we've got this opportunity to grow food for our community.

Let's put it where it makes more sense to do that, and maybe it winds up being a public/private partnership or something that's a requirement for developers, I don't know, but don't loose it, but not in this section.

CHAIR HANSSEN: Okay, sounds good. Commissioner Thomas.

COMMISSIONER THOMAS: I agree, and I think that it can even be expanded to not just fruit trees, but in general just everything edible.

I feel like I'm ready to make a motion if people don't have a ton of other comments.

CHAIR HANSSEN: I think we're fine. I just wanted to double check, because Commissioner Janoff might have mentioned it earlier, but number 70, since Staff was recommending it, would that be part of your motion to include it?

COMMISSIONER THOMAS: (Nods yes.)

CHAIR HANSSEN: Okay, go ahead.

COMMISSIONER THOMAS: I move to forward the Public Facilities, Services, and Infrastructure Element with the following changes: add a definition of recycled and reclaimed water; change Implementation Program C up to the 2025-2025 timeline and expand it to looking at artificial turf alternatives and groundcover alternatives; accept

number 70; accept number 80; and I believe Commissioner Janoff also said number 73.

CHAIR HANSSEN: Okay, that's your motion, and do we have a second? Commissioner Clark.

COMMISSIONER CLARK: I second.

CHAIR HANSSEN: I think we've made a ton of comments, so I will go ahead and take the roll call vote, and I'll start with Commissioner Thomas.

COMMISSIONER THOMAS: Yes.

CHAIR HANSSEN: Commissioner Tavana.

COMMISSIONER TAVANA: Yes.

CHAIR HANSSEN: Commissioner Raspe.

COMMISSIONER RASPE: Yes.

CHAIR HANSSEN: Commissioner Janoff.

COMMISSIONER JANOFF: Yes.

CHAIR HANSSEN: Commissioner Clark.

COMMISSIONER CLARK: Yes.

CHAIR HANSSEN: Vice Chair Barnett.

VICE CHAIR BARNETT: Yes.

CHAIR HANSSEN: And I vote yes as well. So we've gotten through several elements, and I'm suggesting that we will stop here and pick up with Open Space, Parks, and Recreation at our next meeting, which will be a date certain. Staff had polled all of us to determine a couple of possible date certains. One date certain was tomorrow.

That is absolutely a non-starter for me, and I don't know if there are other Commissioners that can't do tomorrow. The other date that they have told us about was the 20th, which is a week from today, and we would definitely not have, I believe, two Commissioners for that. When talking with Staff today they surfaced a couple of other possibilities. Remind me, Ms. Armer. I think you said the 18th, which is a Monday, and the 25th.

JENNIFER ARMER: The other two options, it's correct, it looks like we would likely have five Commissioners join us if we did it tomorrow night, but also a slightly different five if we went for Wednesday the 20th. The other two options would be 7:00 o'clock Monday, April 18th. The Senior Services Commission has a special meeting at 5:00 o'clock, but we expect they would be done by 7:00. Or Monday, April 25th. The Finance Commission has a special meeting at 5:00 o'clock, but again, it's likely they would be done by 7:00, so that is also viable, but we don't know whether the Commissioners are available for those. Another point is that it wouldn't necessarily have to be a 7:00 o'clock in the evening meeting now that we have completed the comments from the public, if there is another time of day that works for a majority of the Commissioners, that is also an option.

CHAIR HANSSEN: You mean like meeting earlier?

JENNIFER ARMER: Correct.

CHAIR HANSSEN: Although we have several Commissioners that are working Commissioners, so I'm not sure if that would be feasible. I'm not clear on the best way to proceed on this. Should we list the number of dates and have people vote which ones they could make? I'm not comfortable based on the polling of those original two dates that we had enough alternatives that we'd get enough of us here to make sense.

JOEL PAULSON: I'll just interject. Obviously, we're going to make the motion. I'm not sure we're going to find a date that's going to work for everyone, frankly, but ultimately just do a quick raise of hands of folks who would be available on the 18th, and do a quick raise of hands of people who are going to be available on the 25th, and if everyone raised their hand, then we'll look for a motion. It looks like Commissioner Tavana has a comment.

CHAIR HANSSEN: Go ahead, Commissioner Tavana.

COMMISSIONER TAVANA: I was just going to say the best day that would work for me is the 20th. I was going to start there and you can see what else works for everybody else.

JENNIFER ARMER: I will add that if the 20th does work for Commissioner Tavana, I think that does bring us up to six. Then it would be Commissioner Thomas is the only one unavailable on the 20th.

CHAIR HANSSEN: Can we get a quick show of hands on who would be available on the 18th to see if we could get to seven? I don't know if we can or not. I can do it.

COMMISSIONER THOMAS: Can I ask a question very quickly?

CHAIR HANSSEN: Go ahead.

COMMISSIONER THOMAS: What time again was proposed?

CHAIR HANSSEN: Let's do a starting of 7:00 o'clock like our normal meeting, but we have done special meetings where we start at 6:00 before. Given what they said about the special meeting on the 18th of the Senior Services Commission, probably starting at 6:00 wouldn't be as easy of an option as starting at 7:00, so I would just probably say 7:00.

COMMISSIONER THOMAS: I'm out of town next week, so I'm just looking at my calendar for what time on Wednesday, because I might be able to make that work, but let's see what works for everyone.

CHAIR HANSSEN: If it's Wednesday the 20th, it's certainly possible that we could start at 6:00 instead of 7:00. I didn't hear from Staff that there's another conflicting meeting that day that they have to support. Wednesday is the day we normally meet, so I don't think there are other meetings that day.

Let me go back to the 18th and a show of hands on who could make it on the 18th. So we've got six of us for the 18th, and we wouldn't have Commissioner Tavana, so it comes down to either the 18th or the 20th, and we could check on the 25th. A show of hands on who could make it on the 25th. We still have it looks like six. We have six. Oh, seven.

COMMISSIONER TAVANA: I'll be in a different time zone, but I would chime in.

CHAIR HANSSEN: I have the same issue on the 25th. I'm going to be out of town, but I can get on Zoom, it's not a problem. I'm going to make a proposal that we make the date certain the 25th since we could have all seven of us available. I'm proposing a date certain of Monday, April 25th, and we would start at 7:00 Pacific time. Do I have a second? Vice Chair Barnett.

VICE CHAIR BARNETT: I second that.

CHAIR HANSSEN: Let's see, I will just take the roll call vote. Commissioner Thomas.

COMMISSIONER THOMAS: Yes.

CHAIR HANSSEN: Commissioner Tavana.

COMMISSIONER TAVANA: Yes.

CHAIR HANSSEN: Commissioner Raspe.

COMMISSIONER RASPE: Yes.

CHAIR HANSSEN: Commissioner Janoff.

COMMISSIONER JANOFF: Yes, but I have a question. If people are out of town on a different time zone and the Senior Services Commission is probably not meeting on the 25th and the 18th, is somebody else meeting on the 18th?

CHAIR HANSSEN: The Finance Commission is meeting on the 25th.

COMMISSIONER JANOFF: Do you think that would allow a 6:00 o'clock start? No. I'm available for a yes.

CHAIR HANSSEN: Commissioner Clark.

COMMISSIONER CLARK: Yes.

CHAIR HANSSEN: And then Vice Chair Barnett.

VICE CHAIR BARNETT: Yes.

CHAIR HANSSEN: And I vote yes as well. What we proposed was a 7:00 o'clock start time, but if Staff let's us know that we can start an hour earlier, I don't think it will be a problem, so let's put the thing that we voted on out there now. It would make it late for any of us on the East Coast. I'll be in the Central time zone, so it will be 9:00 o'clock that we start, but that's okay. To me, it's more important to have everyone there so that we can finish our discussion.

I want to thank everyone for all their time and effort that they put in tonight, and we did make some decent progress on the General Plan. We hopefully can finish up at our next meeting that's scheduled for Monday April 25th.

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**TOWN OF LOS GATOS**
**PLANNING COMMISSION**
**SPECIAL MEETING REPORT**

MEETING DATE: 4/25/2022

ITEM NO: 1

DATE: April 22, 2022

TO: Planning Commission

FROM: Joel Paulson, Community Development Director

SUBJECT: Review and Make Recommendations on the Draft 2040 General Plan and Final Environmental Impact Report to the Town Council.

REMARKS:

On April 13, 2022, the Planning Commission received public comments on the Draft 2040 General Plan and Environmental Impact Report (EIR); and began the review of the Draft 2040 General Plan including the Introduction; Racial, Social and Environmental Justice Element; Mobility Element; and Public Facilities, Services, and Infrastructure Element.

The review included the following unanimous motions:

1. In the Introduction, recommend approval of the GPAC recommendations for the Vision and Guiding Principles (Exhibit 7, Item 1);
2. In the Introduction, modify Section 1.5 "The Los Gatos Community" to include additional information about the Ohlone in relation to the land that the Town of Los Gatos now occupies and the cultural history of the land, rather than only the topographical history;
3. Adopt modifications recommended by staff in Exhibit 7 listed as Items 2 through 7;
4. In the Racial, Social, and Environmental Justice Element, add a new Implementation Program, "Research the viability of increasing support for the acceptance of food vouchers at local food retailers and farmers markets" to implement Policy RSEJ-4.1;
5. In the Racial, Social, and Environmental Justice Element, modify definitions for equality and equity, to state "Equality. ~~The state of being equal, especially in status, rights, and opportunities.~~ Equal opportunity, levels of support, and allocation of resources, regardless of different circumstances." and "Equity. ~~Fairness or justice in the way people are treated.~~ Differing allocation of opportunities, levels of support, and resources based on each person or group's circumstances and needs, thereby reaching an equal outcome." (Commissioner Barnett expressed concerned about change of these definitions, and has provided additional input in Exhibit 14);

PREPARED BY: Jennifer Armer, AICP
Planning Manager

Reviewed by: Community Development Director

REMARKS (continued):

6. In the Racial, Social, and Environmental Justice Element, modify Policy RSEJ-6.2 to state, "Support leadership development programs for historically marginalized and socially disadvantaged individuals and groups to enhance effective engagement in Town processes." (Exhibit 7, Item 17);
7. In the Racial, Social, and Environmental Justice Element, recommend the modifications in Exhibit 7 listed as Items 11, 15, and 18;
8. In the Mobility Element, recommend the modifications in Exhibit 7 listed as Items 62 and 63 as a single Implementation Program;
9. In the Mobility Element, recommend the modification in Exhibit 7 listed as Item 67;
10. In the Mobility Element, recommend a change to the timeframe of Implementation Program D to 2020-2025;
11. In the Public Facilities, Services, and Infrastructure Element, recommend a new definition of recycled and reclaimed water; and
12. In the Public Facilities, Services, and Infrastructure Element, recommend modified language of Implementation Program C to include consideration of alternative ground covers and a change to the timeframe to 2020-2025; and
13. In the Public Facilities, Services, and Infrastructure Element, recommend the modifications in Exhibit 7 listed as Items 70, 73, and 80.

Shortly before 11:30 p.m. the Planning Commission continued the discussion to a Special Meeting on April 25, 2022. At this meeting the Planning Commission will continue their discussion including review of:

- The Open Space, Parks, and Recreation Element;
- The Environment and Sustainability Element;
- The Hazards and Safety Element;
- The Land Use Element;
- The Community Design Element; and
- The Final EIR.

Exhibit 14 contains Planning Commissioner comments.

Exhibit 15 includes public comment received between 11:01 a.m., Wednesday, April 13, 2022, and 11:00 a.m. on Friday, April 22, 2022.

EXHIBITS:

Exhibits previously provided: (available online here: http://losgatos2040.com/documents.html)

1. Draft 2040 General Plan
2. Draft EIR
3. Revised NOA and Transportation section
4. Final EIR

Exhibits previously received with the April 13, 2022 Staff Report:

5. Draft Findings of Fact and Statement of Overriding Considerations
6. GPAC Recommended Changes to the Vision and Guiding Principles
7. Modifications Proposed in Public Comment
8. Board of Forestry Recommended Changes
9. Public Comments received between 11:01 a.m., Thursday, May 6, 2021, and 11:00 a.m., Monday, September 20, 2021
10. Public Comments received between 11:01 a.m., Monday, September 20, 2021, and 11:00 a.m., Thursday, April 7, 2022

Exhibit previously received with the April 13, 2022 Addendum:

11. Public Comments received between 11:01 a.m., Thursday, April 7, 2022, and 11:00 a.m., Monday, April 11, 2022

Exhibits previously received with the April 13, 2022 Desk Item:

12. Planning Commissioner Comments
13. Public Comments received between 11:01 a.m., Monday, April 11, 2022, and 11:00 a.m., Wednesday, April 13, 2022

Exhibits received with this Staff Report:

14. Planning Commissioner Comments
15. Public Comments received between 11:01 a.m., Wednesday, April 13, 2022, and 11:00 a.m., Friday, April 22, 2022

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**From:** Jeffrey Barnett
**Sent:** Wednesday, April 20, 2022 4:59 PM
**To:** Jennifer Armer
**Subject:** General Plan Review - Revised Definitions of Equity and Equality

Good afternoon, Jennifer.

At the April 13th meeting of the Planning Commission I requested an opportunity to review the changed definitions of the terms "equality" and "equity" proposed by Commissioner Clark in her written comments.

Having considered those terms as presently used in the Draft General Plan, I am in agreement with the change to the definition of "equity".

However, I do think it appropriate to include in the definition of "equality" a reference to equivalent "status and rights" in addition to the new language describing equal opportunity, levels of support and allocation of resources. The additional terms in the current draft emphasize nondiscrimination in the actions of the Town.

Thank you.

Jeffrey



EXHIBIT 14

**From:** Jeffrey Barnett
**Sent:** Friday, April 22, 2022 9:37 AM
**To:** Joel Paulson <jpaulson@losgatosca.gov>; Jennifer Armer <JArmer@losgatosca.gov>
**Subject:** PC Meeting 4.26.22 - Buildout Capacity

Dear Ms. Armer,

Thank you for your call yesterday.

I have some preliminary thoughts to add to the forthcoming discussion of the Land Use Element in the General Plan. Would you kindly present this email as a desk item in the Staff Report?

The attached spreadsheet presents an alternative of 2,484 units compared to the Town's revised total of 3,038 as that figure appears on Page 184 of the Staff Report. I have added to the Town's residential buildout of 3,038 an additional 166 hillside residential units. I believe that the Town may not have been consistent in the consideration of homes in these locations. This brings the capacity to 3,204 units.

From this number, I made reductions based on bullet points 1, 2 and 4 in the Staff Report. They are more particularly described on the spreadsheet at Columns E and F. I further reduced the buildout by 56, being half of the projected Central Business District housing of 113. The total of the reductions is 720. The buildout of 3204 less the deductions of 720 yields 2,484. This figure exceeds the RHNA number including the 15% buffer by 192 units. SB 9 contributions to the capacity are foreseeable but are not projected. The RHNA plus buffer figure would still be exceeded if the hillside units were removed.

The reduction of densities will somewhat ameliorate the problems of greenhouse gases, traffic, school crowding, water use and demands on public services.

Certainly the Land Use Element should be reviewed at least every five years and revised as necessary.

Thanks for your consideration.

Jeffrey A. Barnett

| Requirements | | Capacity | FIgures | Reductions in Capacity | Reduction Figures | Net New Housing | Total Over RHNA | % over RHNA With Buffer |
|---|---|---|---|---|---|---|---|---|
| | | | | | | | With Buffer | |
| RHNA | 1993 | New and Redeveloped Under GP | 2763 | Low Density Residential | 279 | 2484 | 192.05 | 0.075 |
| | | | | | | | | |
| 15% buffer | 298.95 | ADUs: 25/year for 8 years | 200 | Medium Density Residential | 327 | | | |
| | | | | | | | | |
| | | Hillside Residential | 166 | Hillside Residential | 0 | | | |
| | | | | | | | | |
| Total | 2291.95 | In process | 75 | High Density Residential | 0 | | | |
| | | | | | | | | |
| | | SB 9 Developments | ? | | | | | |
| | | | | | | | | |
| | | Total Capacity Excluding SB 9 | 3204 | Neighborhood Commercial | 0 | | | |
| | | | | | | | | |
| | | Amount over RHNA | 912.05 | Community Commercial to Neighborhood Commercial | 58 | | | |
| | | | | | | | | |
| | | | | Mixed Use | 0 | | | |
| | | | | | | | | |
| | | | | Central Business District | 56 | | | |
| | | | | | | | | |
| | | | | Office and Service Commercial | 0 | | | |
| | | | | | | | | |
| | | | | Total Reductions | 720 | | | |

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**From:** Carrie Callaway
**Sent:** Wednesday, April 13, 2022 11:18 AM
**To:** Jennifer Armer
**Cc:** Council
**Subject:** Plant Based Education in Los Gatos

To the Town Council,

My name is Carrie Callaway and I live in Los Gatos. I am writing to ask that we include a plant-based education program to Section 8 Environmental and Sustainability section of the General Plan. I feel that it is important for residents of Los Gatos to be aware of the huge environmental benefits of a plant-based diet, and I'd like to see the Town fund education on this topic.

Thank you for your attention to this important topic for all Los Gatos residents.

Sincerely,

Carrie Callaway



EXHIBIT 15

**From:** Tony White
**Sent:** Wednesday, April 13, 2022 1:46 PM
**To:** Planning
**Subject:** Zoning changes

I am asking you to vote no on the General Plan.
The housing element with zoning changes, density and height increases will drastically change Los Gatos in a negative way.
Los Gatos will become another San Jose if the General Plan is approved.
Think about why you and others chose to move to Los Gatos.
I do not understand why Council would approve $50,000. for a study on marijuana dispensaries but would not have a study on the financial impact of the General Plan.
I hope that the future of Los Gatos is not left in the hands of 5 Council members. Think the N40.
Any future dramatic changes to Los Gatos should be decided at the polls.
Once Los Gatos is gone - we can never get it back.

Tony White

**From:** Lisa Brancatelli
**Sent:** Wednesday, April 13, 2022 1:48 PM
**To:** GP2040
**Cc:** Colleen Haggerty
**Subject:** RE: Final Environmental Impact Report Available and Draft 2040 General Plan Scheduled for Review

Hello Jennifer,

Valley Water submitted a letter to the Town on September 13, 2021 with 28 comments and suggestions on the draft General Plan and draft EIR. Minor modifications have been incorporated into the Final EIR, but no changes have been made to the General Plan. The overall goal of the CEQA process is to avoid or minimize environmental impacts associated with new development. Although comments submitted by Valley Water did not raise to level of significant impacts under CEQA they still provide suggestions to minimize impacts of future development through the strengthening and clarification of policy language in the General Plan. Valley Water reiterates its previously submitted comments and requests the Planning Commission and Town Council update policy language in the draft General Plan to further expand water conservation efforts, protect water supplies, minimize the risk of flooding, and support the protection of riparian corridors.

Thank you,

LISA BRANCATELLI
ASSISTANT ENGINEER II (CIVIL)
Community Projects Review Unit

Santa Clara Valley Water District is now known as:

Valley Water

Clean Water • Healthy Environment • Flood Protection

5750 Almaden Expressway, San Jose CA 95118
www.valleywater.org

**From:** Hilary White
**Sent:** Wednesday, April 13, 2022 1:50 PM
**To:** Planning
**Subject:** 2040 General Plan

The draft 2040 General Plan is opening Los Gatos to uncontrolled housing and population growth by up zoning the entire town by 2x to 3x. The redesign ,by a small group of people, of new zoning areas, increased density and height requirements eliminates the safeguards that have kept Los Gatos a special town in the sprawl of Silicon Valley. The resulting increase of traffic and population along with the drain on financial resources and infrastructure is not realistically projected or studied by the draft 2040 GP or EIR. The creators of the 2040 GP do not fully understand the magnitude of what they are unleashing or they wish to fundamentally change Los Gatos.

In any event, a small group of people are rewriting the vision of Los Gatos without any concern for the resident's viewpoint. As a resident I say no to mini-North 40's springing up all over town. No to Middle Housing that changes the zoning and increases traffic in our neighborhoods and overcrowds our schools. No to the draft 2040 General Plan.

As a community we can work together to produce a more sustainable model for growth. Five Town Council Members should not decide the fate of our town when the change is so monumental and everlasting. A decision to transform the zoning and very town itself should be decided by the residents. I ask you to reject the proposed 2040 GP. It's time to start over and do better for Los Gatos.

Thank you,

Hilary White

**From:** Karyn Meadows
**Sent:** Wednesday, April 13, 2022 2:37 PM
**To:** GP2040
**Subject:** Remarks, suggestions, and thoughts on General Plan

Hello, thank you for including us in the planning meetings and commentary. I was able to personally attend the meeting due to covid concerns and immunity issues, but I wanted to ask a lot of questions. For reference, we live in the Belwood community of Los Gatos. Thank you!!

In terms of your bullet points:

-- We would support 1,993 units instead of 3,904 units. Due to water issues and fire risk, the lower number would be much easier to support.

-- Affordable housing vs high end dense housing - a balance is likely needed here. If affordable housing can be placed in the North 40 area, that would be ideal. But placing ADU's everywhere is likely not going to keep the small town feel that we all love and bought into when we purchased our homes. It will push out long-time homeowners that bought their homes to have privacy and quiet.

-- Protecting the environment in the face of growth is a key concern. Fire, water, and climate change issues all need to be considered. If you add 3904 units instead of 1993 units, these issues will be inherently more difficult to solve.

--How to phase-in new development - this one should be tracked along with infrastructure improvements. As infrastructure is planned and authorized, that would be the time to plan new development in those areas.

--Up-zoning single family lots - there are many single family areas that will be negatively impacted by up-zoning/lot splitting. It will take the small town feel away and cause a lot of long-time homeowners to move. If you add up-zoned planning in the North Forty or where density is already happening, that would make sense. In a quiet, suburban single-family area, not so much. CERTAINLY, it will drastically affect our community if you plan up-zoning on TOP of SB9. We do not support it.

-- How to count housing for SB9 - There is not enough information on how you would support applications for ADUs in the plan, other than the illustrations you showed. If a single family home is on a 10K lot with neighbors home 10" from the lot line, how would that work? We look at our neighborhood, which we've been in for 28 years and cannot imagine the loss of privacy if a neighbor wanted to add an exterior ADU. Serious concerns about noise, parking, water, privacy. We would love to see way more information on how this would be enacted and counted.

--Would you mix middle housing in established single family residential areas?

--What about water issues? There is not enough water now. Some of the plan includes parkways with trees, using trees as screening, and creating open spaces. All need to have water and any additional housing needs both potable water and a wastewater plan. How do you reconcile this?
--The fire risk in Los Gatos proper and also the hillsides/close to the hillsides needs to be considered with additional growth of both SB9 and middle housing. (https://liveinlosgatosblog.com/los-gatos-fire-risk/)

--How would you factor in ADUs to existing single family residential areas? What would be the requirements for space around an ADU?

--What about traffic impacts? Specifically on Blossom Hill as traffic enters from San Jose in the am and reverses in the pm?
--What about parking (in the ADU/existing single family residential areas)?

--There are a lot of figures that seem to show areas of hillside residential that are NOT hillside at all. For instance, Fig 4-18, Winchester Boulevard District, shows the area of Oka Lane/Mozart Dr as hillside residential. It is not a hillside, so why does it have that designation?

--How would it work specifically in areas of single family homes designated as Low Density Residential? If a home is sold, would you redo it with a missing middle housing, multi-family residential, duplexes, and/or small lot single-family homes?

--Your Mobility Element, specifically Multi-Use Trails, does not address maintaining wildlife protections as you open to multiple uses including bicycles and pedestrians. Please include it. Wildlife is a large part of why a lot of us continue to live here and we want to protect it.

--WRT the proposed Class III bikeways, you have drawn two at Belgatos Road and Belvue Road. There are a lot of people walking these streets so adding bikeways must be safe and not compete with people walking.

--On 6.14, Implementation Programs, you have a category under C for determining the appropriate use of artificial turf. This turf doesn't belong anywhere other than a dog park. It's made out of plastic that degrades and increases temperatures around it by as much as 10 degrees. It is NOT environmentally responsible to use at all.

--On 8.5 Climate Change/Greenhouse Gas Emissions, you might consider residential composting.

best, Karyn

From: MITZI ANDERSON
Sent: Wednesday, April 13, 2022 4:12 PM
To: Planning Comment
Subject: Public Comment Agenda 2040 GP

Los Gatos Planning Commissioners,

> The draft 2040 General Plan is opening Los Gatos to uncontrolled housing and population growth by up zoning the entire town by 2x to 3x. The redesign, by a small group of people, of new zoning areas, increased density and height requirements eliminates the safeguards that have kept Los Gatos a special town in the sprawl of Silicon Valley. The resulting increase of population and traffic along with the drain on financial resources, schools and basic infrastructure is not realistically projected or studied by the draft 2040 GP or EIR. The creators of the 2040 GP do not fully understand the magnitude of what they are unleashing or they wish to fundamentally change Los Gatos.
>
> In any event, a small group of people should not rewrite the vision of Los Gatos without any concern for the residents viewpoint. As a resident I say no to mini North 40's springing up all over town. No to Middle Housing that changes the zoning and increases traffic in our neighborhoods and overcrowds our schools. No to the draft 2040 General Plan.
>
> As a community we can work together to come up with a more sustainable model for growth. Five Town Council Members should not decide the fate of our town when the change is so monumental and everlasting. A decision to transform the zoning and very town itself should be decided by the residents. I ask you to reject the proposed 2040 GP. It's time to start over and do better for Los Gatos.

Sincerely,
Mitzi Anderson
Foster Road, Los Gatos

Sent from my iPhone

**From:** Kathleen Barry
**Sent:** Wednesday, April 13, 2022 5:05 PM
**To:** Planning Comment
**Subject:** General Plan 2040

Hello All,

Please find my attached letter.

Thank you,

Kathleen Barry

April 12, 2022

Subject: 2040 General Plan Residential Feedback

Attn: Los Gatos Planning Commissioners:

I am writing in regards to the 2040 General Plan. As a concerned resident, it seems as though this plan opens Los Gatos to uncontrolled housing population growth. I am not a fan of the increased density and height requirements. Los Gatos is special as a town and has been for years. We have been able to maintain it's charm and character it's always had-at least since I was born and raised here.

The shopping center with Jamba Juice was built with its dome-shaped corner, obstructing the mountain views. Now, there is the North 40, also with obstructing view of the mountains. The traffic is terrible, yet the North 40 isn't even completed and open yet. I drive down Los Gatos Boulevard every day to work. It is backed up both directions. I had an ambulance behind myself and several other cars trying to go south on Los Gatos Boulevard. The only place to go for them to get through was to turn into one of the office buildings on Los Gatos Boulevard. I am hoping I never need an ambulance with them coming south on Los Gatos Boulevard and an island in the middle and no where to turn. And, what will happen to our beautiful downtown shops and restaurants with the North 40?

It seems as community, there should be more input from the citizens. I don't see how the Council should have the capability of deciding what our town becomes over the next couple of decades. I would think they would welcome and encourage the citizens who live here and encourage they help build the plan for the future of the town we live in.

So far, I am saddened about the possibility of what the future of our town will look like. Equally, disappointed in our Council.

Sincerely,

Kathleen Barry

From: Catherine Roberts
Sent: Wednesday, April 13, 2022 9:48 PM
To: GP2040
Subject: Leigh High School

Please note, Leigh High School also serves Los Gatos residents. This is not acknowledged in the Draft 2040 plan, section 6-30 under Campbell Union High School District. Only Westmont and Prospect are mentioned. This is an oversight and should be fixed.

Thank you,

Catherine Roberts

# Plant-Based Diet Promotion in Mountain View: A Proposal by Residents and Advocates

Date: October 9, 2019
Authors: Mohan Gurunathan, Mary Rubin, Amy Halpern-Laff, Katie Cantrell

## Overview

Mountain View is preparing its Sustainability Action Plan (SAP-4) for the period 2019-2022. As encouraged by concerned residents, the plan includes the following initiative: "*Develop a resolution and outreach in support of a plant-based diet*. (item S4.7)" A total of $10,000 was proposed by the city for a supporting program, to be spent over the course of two fiscal years (FY 20-21 and FY 21-22).

We applaud the inclusion of this action in SAP-4. However we do not feel this initiative is funded adequately in light of its high carbon-footprint reduction potential. As discussed below, plant based diet promotion is *the most cost effective* action we can take to reduce our community's carbon emissions. Therefore we believe it deserves a larger proportion of the overall sustainability plan budget.

This document explains the urgency of this issue, presents a rationale for increasing funding, and provides concrete recommendations on implementing for a plant-based diet promotion initiative in Mountain View.

## Urgency of Issue

The high consumption of animal products in the American diet is a leading contributor to climate change and many serious forms of environmental destruction, including: deforestation, wildlife extinction, ocean dead zones, water scarcity, methane emissions, etc. According to a comprehensive 2018 study published in the journal Science, avoiding meat and dairy is the 'single biggest way' to reduce our impact on the planet. According to that same report, in order to keep climate change under 2 degrees, US citizens need to eat 90% less beef, 90% less pork, 60% less milk, and 50% less eggs, while eating 4-6 times more beans and pulses. The UN has repeatedly urged world governments to advocate for meat reduction in order to save the environment. However, this message is completely ignored in many sustainability and carbon-footprint reduction programs. Why? Sometimes food emissions are considered "consumption" based, meaning that they are generated outside the geographic area of interest. But to ignore "consumption based" emissions makes little sense, since climate change is a global problem that knows no borders. Emissions generated anywhere will eventually cause our planet's overall climate to warm. Ignoring consumption based emissions is analogous to being on a sinking ship, and bailing the water in your compartment to your neighbor's compartment. It makes little difference when the entire ship is sinking.

Mountain View's draft of SAP-4 states the following high-level goals: *(yellow highlights added)*

**Overall Direction**

- Strive to achieve an Advanced or higher level of response.
- Identify and prioritize strategies to achieve the largest reduction in GHG emissions per funds spent.
- Return to the Council with specific initiatives to be undertaken as part of Sustainability Action Plan 4 (SAP-4).



**Figure 1: Stated direction from SAP-4**

Direction from the City Council was to enact the programs which result in the greatest reduction of carbon emissions per dollar spent, or "biggest bang for the buck." Accordingly, Table 1 below shows the list of new proposed actions in SAP-4, sorted by *most* cost-effective (top) to *least* cost effective (bottom):

| Task# | Action | Cost/Funding | Annual GHG Reduction (MT $CO_2e$) | Cost Effectiveness ($/MT CO2e) |
|---|---|---|---|---|
| **S4.7** | **Develop a resolution and outreach in support of a plant-based diet** | **$10,000** | **2,727** | **$3** |
| S4.3 | Develop Community Climate Solutions platform and conduct outreach | $85,000 | 1,625 | $7 |
| T7.7 | Facilitate an EV and EV charger group buy or discount program. | $80,000 | 282 | $30 |
| B2.6 | Develop a Building Benchmarking and Disclosure Ordinance | $250,000 | 5,850 | $30 |
| B2.4 | Explore a second Energy Upgrade Mountain View type of program. | $260,000 | 322 | $21 |
| S4.5 | Run the Cool Block program in Mountain View neighborhoods | $125,000 | 2,344 | $53 |
| T6.7 | Implement residential TDM program to reduce drive-alone travel | $150,000 | 110 | $135 |
| B2.5 | Develop a City-funded fuel-switching rebate program for homes. | $160,000 | 95 | $187 |
| T2.16 | Implement a Citywide Pilot Bicycle Facilities and Monitoring Program | $1,500,000 | 1,235 | $205 |
| B4.9 | Conduct deep energy/electrification retrofit analysis of City facilities | $90,000 | 1,085 | $470 |
| P3.1 | Expand use of electric landscaping equipment and test new models | $10,000 | 0 | $2,380 |
| T3.6 | Develop rebate program for e-bikes and other mobility devices | $110,000 | 84-313 | $96-$137 |
| T6.8 | Explore development of downtown TDM pilot program. | $480,000 | 500 | $450-$600 |
| T3.2 | Develop guidelines and infrastructure for e-scooter share pilot | $50,000 | 19 | $537-$2,684 |
| T6.1 | Support expansion of TMA programs to serve new businesses. | $0 | TBD | $0 |
| T3.5 | Develop a bike rack request program. | $0 | 0 | $0 |
| T3.7 | Update the bicycle parking ordinance. | $0 | 0 | $0 |
| T7.3 | Install additional EV chargers in downtown parking garages. | $0 | 590 | $0 |
| T7.8 | Support SVCE program to install EV chargers in MUDs. | $0 | TBD | $0 |
| B1.1 | Develop a reach code to support building electrification | $0 | TBD | $0 |
| B2.2 | Promote SVCE's heat pump water heater incentive pilot. | $0 | 15 | $0 |
| B4.1 | Analyze opportunities for electrification during renovations | $0 | TBD | $0 |
| B4.5 | Develop LEED® Gold certification policy with LEED® Platinum analysis | $0 | TBD | $0 |
| B4.6 | Develop electrification and renewable energy policy for City facilities | $0 | TBD | $0 |
| T8.1 | Develop a Clean Fleets Policy. | $0 | TBD | $0 |
| T8.3 | Develop a Fleet Electrification Plan. | $0 | TBD | $0 |
| B4.11 | Implement an energy conservation campaign for City staff | $0 | TBD | $0 |
| T1.5 | Develop a Strategic Transportation Sustainability Master Plan | $150,000 | 0 | N/A |
| T2.1 | Conduct assessment to apply for Measure B grant funds. | $15,000 | 0 | N/A |
| T7.2 | Evaluate pricing for EV charging at City-owned EV chargers. | $0 | 0 | N/A |
| T7.4 | Develop an Electric Vehicle Action Plan. | $0 | 0 | N/A |
| T7.6 | Evaluate vendor options for existing EV chargers at City facilities | TBD | 0 | N/A |
| T7.11 | Review EV zoning recommendations from countywide study. | $0 | 0 | N/A |

**Table 1: List of new actions from SAP-4, sorted by cost effectiveness**

The City's data analysis clearly indicates that promotion of a plant-based diet is **the** most cost effective action for reducing GHG emissions, in terms of dollars-per-megaton CO2e reduced. As engaged and concerned citizens we must then ask: *why is it the least funded item on the list?*

A rational approach would be to identify the *most cost effective programs* and prioritize these programs in the budget allocation. However, the prioritization of programs in SAP-4 seems to run counter to this. Costly programs such as a Citywide Pilot Bicycle Program (at $205/MTCO2e!) are heavily funded, while the most cost effective programs are insufficiently funded. This goes directly against the guidance from the City Council.



## Council comments from September 16 meeting

In the Sustainability Committee meeting on Sept 16, 2019, Council members Hicks and Abe-Koga both recommended for staff to "take another look" at increasing the funding for plant-based promotion programs. Furthermore, Council member Hicks emphasized several times that consumption-based emissions should not be ignored. These statements are all consistent with the proposal for increased funds.

## Staffing Proposal

We propose the inclusion of **1 Full Time Employee (FTE)** or Contract Employee to manage the Plant-based diet initiative and outreach programs. The scope of this position would include:

- Plan, manage and execute plant-based diet outreach programs (see proposed program list below)
- Seek grant-money and donor-matching funds where possible to offset City's costs • Work with local non-profits to leverage their resources and expertise, where possible • Monitor effectiveness of the initiative and estimate the carbon emissions reduction due to the programs

The City might also consider having this person manage food-waste reduction programs, since this is a related topic and also an action discussed in SAP-4 (item Z1.9).

Note that it *is* entirely possible to measure the effectiveness of a plant-based diet program and the resulting GHG savings. This can be done by enrolling residents to sign up for the program, and sending regular email surveys to track their progress in reducing animal product consumption. Therefore, the idea that the impact of this program is "not easily measurable" is not a valid one.



## Proposed Programs

The table below provides a list of recommended plant-based diet programs and their estimated costs.

| Item # | Program Description | Estimated Cost | Proposed Annual Budget (each FY) |
|---|---|---|---|
| **P1** | Mandate that meals catered for City Council meetings will be plant-based, or at least | | |

| | | | |
|---|---|---|---|
| | vegetarian. Highlight this in city communications and media. | | Zero. $0 |
| **P2** | Create procurement guidelines for all city purchased foods and city catered events, mandating plant-based, or Default Veg. (Default Veg means that animal products are absent unless specifically requested..) | Minimal. Staff time to craft and disseminate new procurement guidelines and assess enforcement methods. | $0 (staff time only) |
| **P3** | Incorporate plant-based food promotion into all city sustainability materials and promotions. | Minimal. Staff time to draft and edit materials. | $0 (staff time only) |
| **P4** | Creation of steering committee to recommend branding and advertising strategies. | Minimal. Staff time to participate on steering committee | $0 (staff time only) |
| **P5** | Work with local school boards to disseminate education about plant-based diets. Work with school menu planners to ensure plant-based options are available. | Minimal. Staff time to liaise with school groups. | $0 (staff time only) |
| **P6** | Encourage Mountain View restaurants to offer plant-based specials and display promotional materials. | Minimal. Local non-profits can assist with this effort. | $0 (staff time only) |

| | | | |
|---|---|---|---|
| **P7** | Creation of custom branded marketing materials (brochures etc.) for residents, explaining the importance of plant-based diet. | $500 - $5000, depending on quantity and complexity. Potential for free/donated graphic design. | $5000 (first year only) |
| **P8** | Plant-based cooking competition for residents, perhaps a “Chili Cookoff.” Held once a year. | < $500 for venue, prizes, and advertising. | $500 |
| **P9** | Value / Punch card program. Residents get a punch for each plant-based special ordered at local restaurants. After 10 punches, they get a free meal (with restaurant agreement) or entered into city raffle for a gift certificate. | Minimal. < $500 to print punch cards and < $500 for gift certificates. | $1000 |
| **P10** | Monthly email and online survey program to keep track of residents who pledge to reduce animal product consumption. Residents can sign up online, or at any of the other events in this list (films, cooking classes, etc.). **This will allow the City to quantify GHG reduction resulting from this program.** | ~$2000 for database setup, $100/month for IT and maintenance. May be less if city IT support is available. | $3200 first year $1200 subsequent years |
| **P11** | Monthly free (or low-cost) plant-based cooking classes, sponsored by the City. 20 – 40 people per class. | $300 /class. Assume they could be held at Rengstorff Community Center in the | $3600 |

| | | |
|---|---|---|
| | kitchen or other city venue. | |



| | | | |
|---|---|---|---|
| **P12** | Monthly lecture and/or film series on diet, environment and nutrition. Advertised by the City.<br><br>Free to the public. | $25 to $250 per event, depending on speaker and film license costs. Could be screened at the library, Community Center, Senior Center, etc. Possible grant money reimbursement available if City takes the lead. | $1500 |
| **P13** | Mountain View restaurant competition, participating restaurants feature plant-based specials over the course of a month and residents try the specials and vote for their favorite. The winning restaurant receives a prize and publicity. Could be done in conjunction with the VegFest. | $200 - $2000, depending on level of publicity | $1500 |
| **P14** | Free food-tasting events for the public, held once/month. | <$300 per event. Possible grant money reimbursement available if City takes the lead. | $3600 |
| **P15** | Hold a Mountain View Plant-based food festival, also known as a "VegFest". VegFest features local restaurants and organizations, speakers, food samples, etc.<br><br>Similar events have been held in San Francisco, Oakland, Santa Cruz, Seattle and many other cities. | Ranges from **net positive revenue** to a cost of $15,000 depending on the venue, sponsorships, vendor fees, etc. Local non-profits can assist with this effort. | $5000 |

| | | | |
|---|---|---|---|
| **P16** | Advertising campaign to promote the initiative, including billboard, print and radio ads. **Potential to have donor match funds for the advertising campaign.** | $5000 - $15000, with potential for donated matching funds if City takes the lead. | $10,000 |
| | **Total Proposed Budget for all programs (per Fiscal Year)** | | **$34,900 first year**<br>**$27,900 subsequent years** |

The total requested funding over 3 years (in addition to staff time) is:

$34,900 + $27,900 + $27,900 = $90,700.

This is approximately 1.2% of the entire $7.5MM budget allocated for SAP-4. Considering that plant-based diet promotion is *the most cost effective* action in the list, allocating 1.2% of the total budget should not be an unreasonable request. Especially considering that $420,000 of the budget is still unallocated at this time.

## Availability of grants and matching funds

The authors are connected with several non-profits and individual donors who could offer grants and matching funds if the City were to take the lead on some of the actions stated above. These additional sources of funding could be used to offset some of the City's costs, or to expand the initiative.



## Examples from other cities and organizations

While other cities have made statements and resolutions about diet change (such as "Meatless Monday" proclamations), we do not know of many examples where a city has made a significant commitment to promote diet sustainability among their residents. The UN has been urging governments to emphasize this issue for over a decade, yet the message has fallen on deaf ears. **We are proposing for Mountain View to be a leader and visionary in bringing this urgent issue to the forefront of the climate change discussion.** Our City's approach could become a model for other cities to follow. And we could be proud that our City is leading the charge on one of the most important environmental issues of our time.

Below is a list of actions and resolutions taken in other cities and organizations related to diet

sustainability. While these are all great examples, what we are proposing for Mountain View is more comprehensive.

- Berkeley and Emeryville have passed "Green Monday" resolutions, including:
    - Sourcing plant-based meals for city council meetings
    - Encouraging local restaurants to feature plant-based specials on Mondays
    - Featuring educational programming and displays at community centers and libraries

- New York City has implemented a Meatless Monday program for all 1,700 public schools within the City. This program started in 2019 and mandates that all breakfast and lunch options are 100% vegetarian on Mondays. According to NYC mayor Bill de Blasio: *"Cutting back on meat a little will improve New Yorkers' health and reduce greenhouse gas emissions. We're expanding Meatless Mondays to all public schools to keep our lunch and planet green for generations to come."* Mayor de Blasio actually intends to cut the city's purchasing of red meat by 50% as part of his "Green New Deal" initiative.

- The cities of Santa Barbara and New York City have both banned the sale of processed meat products (including hot dogs, bacon, salami, etc.) in schools. This is mostly health-related, since processed meats have been found to significantly increase the risk of certain forms of cancer.

- Germany has banned the serving of meat at all official government functions, due to the unjustifiably large environmental impact .

- The University of Cambridge in the UK recently removed beef and lamb from their menus, to reduce their environmental impact. They estimate that this cuts their food-related emissions by one-third. Goldsmiths University, also in the UK, is removing beef from their menus for the same reason.

- Many cities and municipalities have passed food procurement policies that stipulate a reduction in meat and dairy purchasing. **Friends of the Earth has a great guide** that outlines the process and highlights cities that have incorporated food purchasing policies into their Climate Action Plans.



- The group "Scientists for Less Meat" is making an urgent call to all City mayors to enact policies that will reduce the amount of meat consumed in their city, and increase the proportion of plant-based foods.

- Harvard University recently committed to reduce their food-related GHG emissions by 25% before 2030, by emphasizing a shift towards plant-based foods.

    - This is based on a UN & World Resources Institute initiative called the "Cool Food Pledge."

- The city of Philadelphia has a "Vegan Restaurant Week" each year. This event is a collaboration between non-profits, the city, and restaurants.

- In Los Angeles there is an initiative being considered to mandate at least one plant-based meal offering at all movie theaters, sports arenas, and LAX airport eateries.

- A bill called AB 479 is currently under consideration in the California Assembly, and looks like it will pass (it has had unanimous support so far). This bill is called: **"AB-479 School meals: plant-based food and milk options: California School Plant Based Food and Beverage Program."** This will bill provide financial incentives to school systems which add more plant-based meal options to their menus.

- Many US cities, including San Jose, San Francisco, Los Angeles, Philadelphia, Cleveland, and numerous others have passed "Meatless Monday" resolutions. But these are all passive resolutions which have no educational or community outreach component, and no financial backing. As such, they have been largely ineffective.

We especially encourage Mountain View to consider adopting the "Cool Food Pledge". This is a pledge to reduce food-related emissions by 25% before 2030. This is a very tangible and realistic target for Mountain View and **our City could take a climate leadership role as the first city in the U.S. to make this pledge.**

# Proposed Programs for the Town of Los Gatos

The table below provides a list of recommended plant-based diet programs to implement in the town of Los Gatos.

| Item # | Program Description | Estimated Cost | Proposed Annual Budget (each FY) |
|---|---|---|---|
| | | | |
| **P1** | Create procurement guidelines for all town-purchased foods and city catered events, mandating plant-based, or Default Veg. (Default Veg means that animal products are absent unless specifically requested.) Have a plant-based vendor. | Minimal. Staff time to craft and disseminate new procurement guidelines and assess enforcement methods. | $0 (staff time only) |
| **P2** | Incorporate plant-based food promotion into all town sustainability materials and promotions. | Minimal. Staff time to draft and edit materials. | $0 (staff time only) |
| **P3** | Creation of steering committee to recommend branding and advertising strategies. | Minimal. Staff time to participate on steering committee | $0 (staff time only) |
| **P4** | Work with local school boards to disseminate education about plant-based diets. Work with school menu planners to ensure plant-based options are available. | Minimal. Staff time to liaise with school groups. | $0 (staff time only) |
| **P5** | Encourage Los Gatos restaurants to offer plant-based specials and display promotional materials. | Minimal. Local non-profits can assist with this effort. | $0 (staff time only) |
| **P6** | Creation of custom branded marketing materials (brochures, etc.) for residents, explaining the importance of plant-based diet. Ask them to display at Chamber of Commerce. Get flyers/ brochures from non profits. | Free if we get flyers from non profits. | |
| **P7** | Plant-based cooking competition for residents, perhaps a "Chili Cookoff." Held once a year. Part of other climate events. Connect with Sur La Table. | | |
| **P8** | Find an app residents can use to track how many plant based meals they eat in LG restaurants. After 10 visits, they get a free meal (with restaurant agreement) or entered into city raffle for a gift certificate. | | |
| **P9** | Monthly email and online survey program to keep track of residents who pledge to reduce animal product consumption. Residents can sign up online, or at any of the other events in this list (films, cooking classes, etc.). **This will allow the Town to quantify GHG reduction resulting from this program.** | Non profit lists? VO? Green Monday? | |
| | | | |

| | | | |
|---|---|---|---|
| **P10** | Monthly free (or low-cost) plant-based cooking classes, sponsored by the City. 20 – 40 people per class. We can ask Mary Ellen as well as rotate and each of us, that wants to, can teach a class. We all have recipes we're excited to share. | $300 /class? Assume they could be held at the Community Center in the kitchen or other city venue. | Free or lowcost Just cost for food. |
| **P11** | Monthly lecture and/or film series on diet, environment and nutrition. Advertised by the Town. Free to the public. Vidisha, doctors, etc. *But there is cost for film license. Prices do vary. | $25 to $250 per event, depending on speaker and film license costs. Could be screened at the library, Community Center, Senior Center, etc. Possible grant money reimbursement available if City takes the lead. | $1500 |
| **P12** | Restaurant competition, participating restaurants feature plant-based specials over the course of a month and residents try the specials and vote for their favorite. The winning restaurant receives a prize and publicity. Could be done in conjunction with the VegFest. | Hopefully no cost. Contact LG marketing group Polygon Marketing. Derek Thomas. | Free? |
| **P13** | Free food-tasting events for the public, held twice a year. Held at Farmers market? *Not sure of expense. | <$300 per event. Possible grant money reimbursement available if City takes the lead. | $600 |
| **P14** | Hold a Los Gatos Plant-based food festival, also known as a "VegFest". VegFest features local restaurants and organizations, speakers, food samples, etc.<br><br>Similar events have been held in San Francisco, Oakland, Santa Cruz, Seattle and many other cities. | Ranges from **net positive revenue** to a cost of $15,000 depending on the venue, sponsorships, vendor fees, etc. Local non-profits can assist with this effort.<br>*Mountain Views price quote. Would it be the same for LG? | $5000 |
| | | | |
| | | | |

- 

**From:** Lisa Wade
**Sent:** Monday, April 18, 2022 10:57 AM
**To:** Jennifer Armer
**Cc:** Karen Rubio
**Subject:** Fwd: Planning Commission Info for General plan.

Dear planning commission,

Many cities and municipalities have passed food procurement policies that stipulate a reduction in meat and dairy purchasing. **Friends of the Earth has a great guide** that outlines the process and highlights cities that have incorporated food purchasing policies into their Climate Action Plans. I have included some attachments outlining some of the implementation programs other cities have adopted including San Francisco, New York City, and Mountain View. This is by no means an extensive list as other many cities and municipalities are taking steps to promote plant-based eating.

Many institutions also have policies for example Harvard University recently committed to reduce their food-related GHG emissions by 25% before 2030, by emphasizing a shift towards plant-based foods. This is based on a UN & World Resources Institute initiative called the "Cool Food Pledge."

Thank you!

Lisa Wade and Karen Rubio

Plant Based News

LAW & POLITICS

# Berkeley Becomes First US City To Phase Out All Animal Products It Serves

*Berkeley has acknowledged meat and dairy's impact on public health and the climate crisis*



by **Jemima Webber**
28th July 2021 Updated 2nd August 2021



Berkeley, California is working to reduce the city's intake of meat Credit: Adobe. Do not use without permission.

***Reading Time: 2 minutes***

Berkeley City Council has announced plans to decrease the animal-based food products it serves by 50 percent, and replace them with **plant-based** options by 2024.

It's part of the Californian's city's long-term goal of completely phasing out animal products, ***The Daily Californian*** reported.

## Berkeley's shift to plant-based

The move makes Berkeley the first city in the US to pivot to a completely plant-based food purchasing program. The Californian city supplies meals to summer camps, senior centers, public events, and the jail, among others.

A 16-month campaign by animal rights organization **Direct Action Everywhere** (DxE) motivated the decision. DxE staged protests and sent letters to the City Council highlighting the environmental impact of animal agriculture. The group is pushing for similar policies in other cities like Chicago and San Francisco.

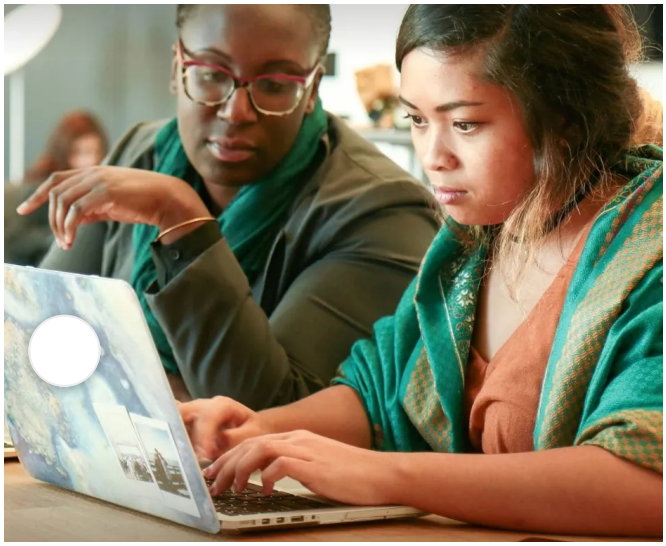
According to Berkeley's July 27 meeting agenda, the council believes the goal will 'accelerate the City's transition to plant-based diets'.

The agenda report pointed out meat and dairy's negative impact on greenhouse gas emissions, water scarcity, and 'catastrophic natural disasters'. It also noted issues surrounding food waste and diseases like diabetes and cancer.

**Berkeley** Mayor Jesse Arreguín and Councilmember Sophie Hahn authored the resolution.

"Streamlining the City of Berkeley's transition to plant-forward and plant-based meals advances the City's Strategic Plan Priority of being a global leader in addressing climate change, advancing environmental justice, and protecting the environment and supports the Climate Action Plan goal that a majority of food consumed in **Berkeley** be produced locally," the resolution says.

In the recent meeting, Arreguín said the initiative will further Berkeley's 'long tradition of promoting the humane treatment of animals'.



**e In Veganism And Sustainability**

## Berkeley and animal rights

Berkeley made headlines in 2017 when it became the second city in the US (after West Hollywood) to ban the sale of fur.

Councilmember Kriss Worthington proposed the fur ban to 'foster a consciousness about the way we live in the world and create a more humane environment in [Berkeley]'.

The **proposal** noted that fur producers kill more than 30 million animals a year for their coats.

Quoting the Free Fur Berkeley's website, the proposal reads: "These animals are often victims of cruel conditions that include 'intense stress, distressed and repetitive movement, self-mutilation, and even cannibalism.'

“With the availability of countless varieties of adequate fabrics, there is no need for this brutal industry.”

Councilmember Sophie Hahn introduced exemptions to the ban. She pushed for the sale of cowhide with hair, and sheep or lambskin with fleece to be permitted. She alleged that these items are by-products of the meat industry.

In 2019, Berkeley became the first city in the US to launch a **Green Monday** campaign. The weekly initiative aims to encourage plant-based eating.


## Jemima Webber

Jemima is the deputy editor at Plant Based News. After going vegetarian in 2014 and vegan in 2017, she dived into the plant-based and sustainability scene, working as a writer and editor across leading vegan media platforms. Hailing from Newcastle, Australia, Jemima previously lived at a farm animal sanctuary during an eight-month volunteering stint. Now living in the Netherlands (with her dog Levi, of course), she is now studying a Bachelor of Psychological Science. Jemima is also a singer-songwriter, whose debut EP reached #1 on Australia's singer-songwriter chart on iTunes. **More by Jemima Webber**



Previous

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Next

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# Berkeley Becomes The First U.S. City To Commit to Going Vegan



By **Tanuvi Joe** Published on **Aug 1, 2021**

**ANIMAL RIGHTS** **CLIMATE CHANGE** **VEGAN**

Last updated **Jul 31, 2021**

The Berkeley City Council in California has voted to divert half of the city's spending money from animal-based foods to plant-based foods by 2024. Going forward, the Council will look to convert that spending into 100% pledging its commitment to plant-based foods and addressing the issue of climate change.

## Activists-driven change

The new decision by the Council was driven by a 16-month advocacy campaign by the Berkeley-based grassroots animal rights organization Direct Action Everywhere (DxE). Other groups including Extinction Rebellion Oakland, The Animal Save Movement, East Bay Animal PAC, PETA, and The Suitcase Clinic joined the DxE in its efforts.

The DxE called for the move to ditch animal-based foods citing concerns like the industry being responsible for releasing massive amounts of GHGs and a leading cause for deforestation. A study showed that if animal agriculture were to come to an end, it would stabilize GHGs for 30 years, meaning 70% of carbon emissions would be offset by 2100.

In addition, the industry inflicts tremendous cruelty on animals and by confining them in small facilities, these places are becoming breeding grounds for future pandemics.



*Source: Direct Action Everywhere*

# Plant-Based for the win

Taking these reasons into account, the Berkeley City Council passed a resolution to take 50% of the city's spending on animal-based foods like meat, dairy, and eggs and use it for plant-based foods, a commitment it hopes to achieve by 2024.

In addition, in the future, it plans to use 100% of these funds on plant-based foods, a goal it will review on June 30, 2022.

The resolution states: "A wealth of scientific research underscores the urgency of substantially reducing meat and dairy consumption, which accounts for more than half of all food-related GHG emissions. It is clear that the world cannot meet global greenhouse gas reduction targets without significantly curbing the consumption of animal products. High-meat-eating nations like the United States, which consumes 2.6 times more meat than the global per capita average, must help shoulder this responsibility."

> This is a very important step for the city to take as part of our broader climate efforts, as well as building on our long tradition promoting the humane treatment of animals here in the city of Berkeley
>
> *Jesse Arreguín, mayor of Berkeley*




*Source: Direct Action Everywhere*

The decision aims to reinforce the city's commitment to mitigating the effects of climate change and helps Berkeley establish itself as a climate action leader.

In a statement, Mayor Jesse Arreguín said: "This is a very important step for the city to take as part of our broader climate efforts, as well as building on our long tradition promoting the humane treatment of animals here in the city of Berkeley."

According to recent data, consumers in the U.S. are increasingly favouring plant-based foods as the sector's retail sales have skyrocketed to double-digits reaching US$7 billion in 2020 alone.

# Consistent climate action

In the past, the city was among the first few to take the lead in recycling initiatives and in 2013, became the first U.S. city to pledge to divest from fossil fuel companies.

"The public is rising up and taking action against the destructiveness of animal agriculture," said Almira Tanner, a Berkeley resident and DxE's lead organizer. "We're hopeful this historic step can spur a wave of legislation to protect all life on Earth while we still have time."

The DxE activists have been advocating for change in Chicago as well and in San Francisco last year, was instrumental in passing a law that called for a 50% cut in plant-based food purchasing in jails and public hospitals. It was even behind the ban on the sale of fur in Berkeley and San Francisco along with a statewide ban signed by Gavin Newsom, the governor of California.

Recently, Hawai became the first U.S. state to declare a climate emergency. U.S. president Joe Biden also showed his commitment to tackling climate change by pledging to slash carbon emissions in the country by half by 2030.

Elsewhere, similar actions are being undertaken for the benefit of animals like France and Germany banning the use of inhumane methods to kill unwanted male chicks, E.U. committing to remove all animal cages by 2027 and Israel became the first country to ban the sale of fur in the fashion sector.

***Read**: U.S. Animal Agriculture Subsidies Soared In 2020 Despite Climate & Health Damage*

*Lead image courtesy of Direct Action Everywhere.*

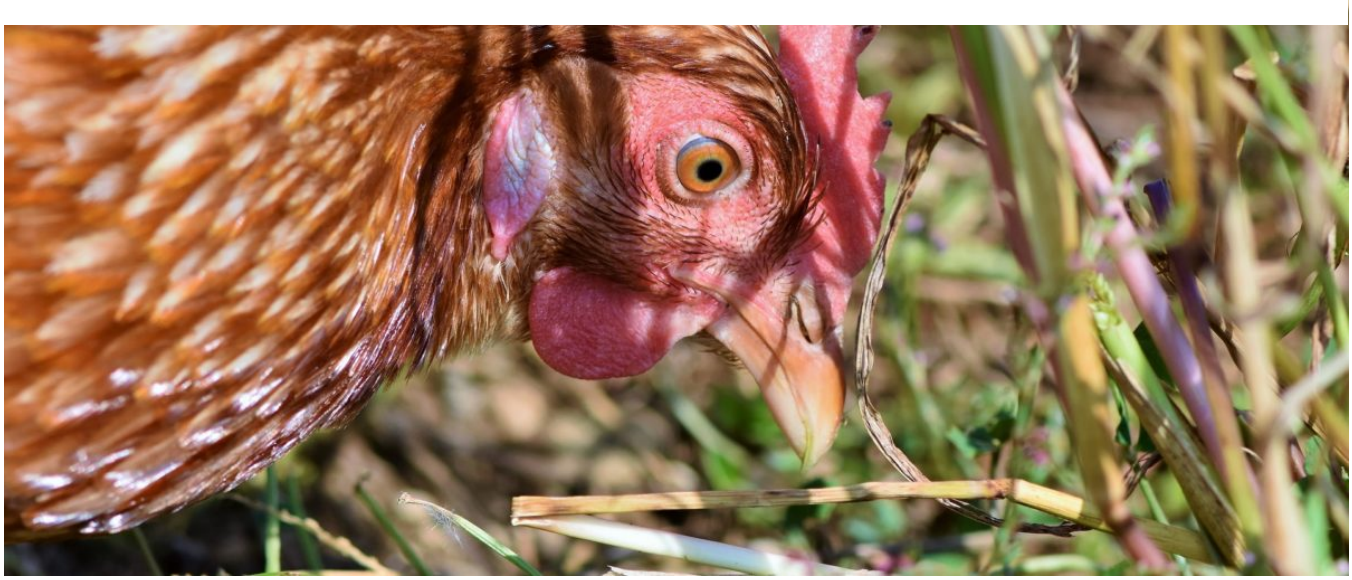
vegan meat

**Tanuvi Joe** - 496 Posts



Born and bred in India and dedicated to the cause of sustainability, Tanuvi Joe believes in the power of storytelling. Through her travels and conversations with people, she raises awareness and provides her readers with innovative ways to align themselves towards a kinder way of living that does more good than harm to the planet. Tanuvi has a background in Journalism, Tourism, and Sustainability, and in her free time, this plant parent surrounds herself with books and rants away on her blog Ruffling Wings.

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Animal Law Update

# California Enacts Law Requiring Plant-Based Options in State Facilities

By Nicole Pallotta, Academic Outreach Manager

December 10, 2018

In September 2018, California Governor Jerry Brown signed **SB 1138**, a law that makes California the first state in the nation to require prisons, hospitals, nursing homes, and other state-operated facilities to offer plant-based meals. The law defines plant-based meals as "entire meals that contain no animal products or byproducts, including meat, poultry, fish, dairy, or eggs."

According to **Senator Nancy Brown**, the bill's author, "Americans have shown a growing interest in low-meat and no-meat diets... But people who are confined to prisons, hospitals or other healthcare facilities aren't always given the opportunity to choose non-meat options."

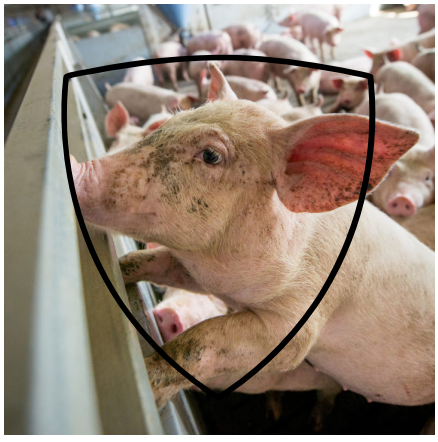
In addition to the importance of access to plant-based meals for individuals in these facilities, "offering plant-based options in these institutions gives California a chance to further its climate protection and water conservation goals."

The Los Angeles City Council is also **considering legislation** that, if approved, would require all movie theaters and large-scale entertainment venues that sell food to provide at least one vegan protein entrée option on their menus. This law would include concessions at city-operated venues, parks, the Los Angeles Zoo, Meals on Wheels programs, and Los Angeles International Airport restaurants.

Councilman Paul Koretz, who introduced this proposal on December 5, 2018, said combating climate change is his chief motivation, and cited several studies linking the meat and dairy industries and the environment.

Further Reading:

● Rosengard, David B. " **Three Hots and a Cot and a Lot of Talk': Discussing Federal Rights-Based Avenues for Prisoner Access to Vegan Meals**." (23 Animal L. [i] (2016-2017)



## Donate to Protect Animals

Help animals win the legal protections they so desperately need and deserve, and ensure they have an advocate in courtrooms and legislatures across the country.

**TAKE ACTION NOW** →

## RESOURCES

**Farmed Animals** →

**Laws that Protect Animals** →

**Animal Cruelty-Free Guide** →

## RELATED CONTENT

**Wins for Animals in the 2018 Midterm Election** →
Animal Law Update

**Animal Advocacy Groups and Food Law Center Urge FDA Not to Bow to Industry Pressure to Restrict Plant-Based Dairy Labels** →
Press Release

**Animal Advocates Urge USDA and the U.S. Department of Health and Human Services to Incorporate Plant-Based Diets** →
Press Release

**FOCUS AREA**

**Farmed Animals** ▷

**HOW WE WORK**

**Legislation** ▷

Tags: **Chicken** | **Cow** | **Pig** Location: **California**

## RELATED

### Court Strikes Down Second Iowa Ag-Gag Law →

Public interest coalition celebrates another win against unconstitutional statute barring undercover investigations at factory farms

March 15, 2022 | Press Release



### Short Film Released Following Three Appellate Court Decisions Concerning Ag-Gag Challenges →

Edie Falco narrates the Animal Legal Defense Fund film demanding transparency in factory farming

September 14, 2021 | Press Release



### Appeals Court Sends Hormel "Natural Choice" Deceptive Advertising Case to Trial →

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September 2, 2021 | Press Release



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Animal Legal Defense Fund, National Headquarters
525 East Cotati Avenue, Cotati, CA 94931
(707) 795-2533 | info@aldf.org

To update your payment information, visit our Member Center.

# MEATLESS CITIES

A Workshop on How Cities Can Help Lead the Transition to a Plant-Forward Food System

Session 3
**Procurement Policies**
June 16, 2021 | 12:00 – 1:00 PM

## POLICY OPTIONS

Numerous cities have adopted policies to reduce the amount of meat products that they purchase, as well as pushed for facilities to explore and provide alternative, plant-based offerings.

**Good Food Purchasing Program (GFPP).** The GFPP is aimed at changing the way public institutions purchase food, including by incorporating animal welfare and environmental sustainability standards into their procurement policies. A number of cities have pledged to adhere to the GFPP, including Berkeley (CA), Los Angeles (CA), Oakland (CA), San Francisco (CA), Washington, DC, Chicago (IL), Boston (MA), Cincinnati (OH), and Austin (TX), in addition to numerous institutions within these cities. Though the program is voluntary, participating cities have collectively shifted millions of dollars towards suppliers aligned with the program's values.

**Procurement Commitments.** Various cities have adopted commitments to reduce the amount of animal-based food products they purchase. For example:

- Berkeley (CA) was the first city to adopt a progressive new food purchasing policy committing to replace 50% of the city's animal-based food purchasing with plant-based alternatives (Vision 2025 for Sustainable Food Policies).
- New York (NY) has committed to reducing the city's beef purchases by 50% and phasing out all purchase of processed meat by 2030 (NYC Green New Deal).
- San Francisco (CA) passed a resolution committing to reduce purchases of animal products in jails by 50% in 2024 and in hospitals by 15% in 2023.

**Meatless Mondays.** School districts in several cities have adopted Meatless Mondays, including Baltimore City Public Schools (MD), Buffalo Public School District (NY), and New York City Public Schools (NY).

**Vegetarian & Vegan Food Options.** Various cities have pushed for greater availability of plant-based food options. For example:

- The school districts in Berkeley (CA) and New York (NY) now offer plant-based option at every meal, and four schools in New York (NY) are fully vegetarian.
- Berkeley (CA) also requires vegan-only food to be served at city events and meetings on Mondays.
- Looking beyond city facilities, Los Angeles has introduced legislation that would require entertainment and travel venues to put at least one vegan dish on their menus.

Notably, states appear to be responding positively to these local procurement initiatives with plant-forward policies of their own. In 2018, California passed a law requiring hospitals, prisons, nursing homes, and other state facilities to provide at least one vegan meal option. In 2019, New York State passed similar legislation requiring hospitals to make plant-based meals and snacks available to patients and to list the vegan options on all written materials and menus.

## POTENTIAL CHALLENGES

Despite potential political opposition, none of the above-mentioned examples of procurement policies enacted by cities appear to have been challenged in the courts as unlawful.

However, the source of procurement funding could pose legal challenges. Food purchased by local agencies using federal dollars must follow federal procurement guidelines, and food purchased using state funds must follow state procurement guidelines. To the extent that cities are relying on state or federal funding to purchase food, these guidelines could potentially limit their ability to reduce their procurement of animal-based food products.

Moreover, geographically preferential laws have been challenged under the Dormant Commerce Clause on the basis that they discriminate against commerce from other states. If procurement policies favoring plant-based products over meat products were implemented, parties in states that rely heavily on the meat industry might bring these challenges.

## QUESTION FOR DISCUSSION

1. How effective are procurement policies in helping cities reduce their consumption of meat? Can they be effective in influencing consumer behavior?

2. How might procurement policies be designed to overcome or otherwise minimize the risk of potential legal challenges?

3. City policies aimed at reducing the procurement of animal-based food appear to have been largely focused on city facilities. To what extent can cities require non-public institutions and businesses to reduce their procurement of meat and other animal-based foods or otherwise require them to offer plant-based options? What challenges would cities face?

4. What are the political challenges to changes in procurement policies? How might political opposition to procurement policies be overcome?

# NYC’s Plant-Based Mayor Initiates Vegan Fridays At All City’s Public Schools



By **Amy Buxton** Published on **Feb 7, 2022** Last updated **Feb 9, 2022** **VEGAN** **KIDS** **VEGAN DINING**

Photo by Eric Adams' campaign.

***3 Mins Read***

History was made last week in New York. For the first time, all public schools will be required to serve only vegan food in their cafeterias once a week. The move follows the successful implementation of Meatless Mondays and Fridays throughout the district. Vegan Fridays will be a permanent change to school menus designed to expose the 930,000 public school children to healthy meals.

The plant-based protocol was brought in by Mayor Eric Adams, fresh after being sworn in last month. A vegan himself, the official has pledged to work with the Department for Education (DOE) to make schools healthier. Menus will be available to view on the DOE website a month in advance. Adams credits his own veganism with reversing his diabetes diagnosis.



*Photo by Katerina Holmes from Pexels.*

## Building on a good foundation

Vegan meals have already been available to New York students. Milk is still required by law to be served with all meals. Children can choose to not drink it, but the USDA has made its availability compulsory. The same applies to Vegan Fridays.

“DOE is committed to the health and well-being of all children, and it is imperative to have a consistent nutrition and full diet every day to enable students to succeed both in and out of the classroom,” Associated Press secretary-general, Jenna Lyle, said in a statement. “We are pleased that New York students will be able to expand their healthy and nutritious dietary options by gradually introducing a vegan-focused menu on Friday following the success of Meatless Monday and Friday.” Lyle added that “Menu items other than vegan are available upon request.”

NY schools’ Meatless Mondays were initiated in 2019. They provided a good infrastructure base for adding Vegan Fridays into the mix and removing all animal products. “Plant-based options at school mean a healthy diet and a healthy life, and improve the quality of life for thousands of students in New York City,” Adams said in a statement. “All students have access to healthy foods that prevent debilitating health. I’m excited to see that I can do it. ”



*Photo by Anastasia Shuraeva from Pexels.*

# Teaching the younger generations

As parents become less wary about plant-based nutrition and increasingly health orientated, eating meat-free at home is becoming more widespread. However, when implementing change in schools, there can be backlash.

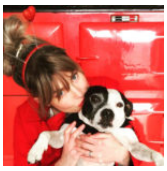
When the Mayor of Lyon, France, decided to take meat off the menu of all the schools under his purview, both the French government and public described the move as an outrage. It was cited as an insult to French farmers and butchers and parents joined the outcry as well. The public anger did not sway Mayor Doucet, who stuck to his initiative, which he cited as being entirely driven by health concerns.

France has a contentious relationship with meat alternatives. Last year it was reported that the government made its feelings known about cultivated meat, with declarations that it was not natural and would never be served in schools.

The U.K. appears to be fairing a little better. It has just seen the first launch of the first Plant Based School Kitchen partnership. It came about after the headteacher of the school in question decided to switch up the menu to reflect planetary health, as well as solid nutrition for all students.

*Lead Photo by the Eric Adams Campaign.*

kids food | school lunches | vegan food




**Amy Buxton** - 443 Posts

A long-term committed ethical vegan and Green Queen's resident plant-based reporter, Amy juggles raising a family and maintaining her editorial career, while also campaigning for increased mental health awareness in the professional world. Known for her love of searing honesty, in addition to recipe developing, animal welfare and (often lacklustre) attempts at handicrafts, she's hands-on and guided by her veganism in all aspects of life. She's also extremely proud to be raising a next-generation vegan baby.

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# Plant-Based Eating

**Want to learn more about the many benefits of plant-based eating?** Want to support Mountain View's amazing restaurants? The City's sustainability team launched a plant-based eating program that will focus on promoting healthy and ethical food choices, supporting equitable access to healthy food, and spreading awareness of the positive health and environmental impacts of a plant-based diet.

We will be hosting quarterly public events, featuring cooking demonstrations, film screenings, and community speakers. Local restaurants will also be invited to promote plant-based eating

opportunities here in Mountain View. Finally, the City Council is expected to consider a resolution in support of plant-based eating by the end of the year.

**Looking for ways to get started?**

**Recipes:**

- Vegan baking recipes from Minimalist Baker
- Meatless Alphabet from Acterra
- Zero Waste Chef recipe index
- Veggie burger recipe from Love and Lemons
- 10 African inspired vegan recipes from Afro Eats

**Resources:**

- Meatless Monday
- Green Monday
- Forks Over Knives beginner's guide
- Acterra's plant-forward eating resources
- Acterra's Healthy Plate, Healthy Planet fact sheet
- What science says about the benefits of a plant-based diet (Discover, June 2020)
- Emissions from the livestock sector (FFAC)
- 10 weeks to vegan challenge & resources
- 10 million black vegan women movement



**Plant-Based Eating Fall Challenge**

# Past Event: Community Garden Workshop - Sunday March 6th

15 Dec 2021




As part of our plant-based eating series, the City of Mountain View was proud to host our first community gardening event. This in-person workshop instructed participants on how to start their own garden, no matter their gardening experience or the size of their space. Home gardens allow you to take full advantage of Mountain View's unique climate, where you can grow your own fruits, vegetables, and herbs year-round! The workshop covered planting seasons, water-conscious gardening, how to make the most of your space from container pots to garden beds, and a hands-on planting activity. The event took place at the Soil & Water Garden, a learning-focused community garden at Heritage Park.

Learn more about the Soil & Water Garden.

# Past Event: The Positive Environmental Impacts of a Plant-Based Diet

24 Sep 2021




For the third event in our plant-based eating series, Monica Chen, Executive Director of the Factory Farming Awareness Coalition, shared about the environmental impacts of our food choices. Through an engaging and informative presentation, Monica shared how to make a big difference for the environment and your own health by including more plant-based foods in your diet.

The Factory Farming Awareness Coalition is an educational nonprofit that contributes to the eradication of factory farming through a range of educational programs. Every year they educate and empower thousands of people about the social justice, health, and environmental impacts of our food system.

You can watch a recording of the event here.

# Past Event: Plant-Based Eating Cooking Demonstration

24 Sep 2021




As part of our Plant-Based Eating program, the City of Mountain View hosted our first plant-based eating cooking demonstration on September 7th. You can find recipes from the event **here.**

We were grateful to be joined by chef Alex Bury. Alex was trained as a classical (non-vegetarian) chef at the world-renowned Culinary Institute of America. In 2001, she opened a restaurant in California called Sparks with an entirely plant-based menu. Sparks quickly became well-known for its outstanding food, even among non-vegans. Alex is now a professional fundraiser and serves as Vice President of Development for the international organization Vegan Outreach. When she's not raising money to change how animals are treated she jumps back into the kitchen: She has taught healthy cooking techniques and recipes at Whole Foods Market, for the McDougall Program (a nationally renowned preventative health program), and for local groups and companies since 2000. Alex

is now based in Anchorage, Alaska, where she enjoys pancakes with wild Alaska blueberries and searching for the best soy cappuccino in the 49th state!

## Past Event: City of Mountain View x Food Empowerment Project

04 Nov 2021



The City of Mountain View kicked off our new Plant-Based Eating initiative with the founder of the Food Empowerment Project, Lauren Ornelas. The Food Empowerment Project seeks to create a more just and sustainable world by recognizing the power of one's food choices. They encourage healthy food choices that reflect a more compassionate society by spotlighting the abuse of animals on farms, the depletion of natural resources, unfair working conditions for produce workers, and the unavailability of healthy foods in low-income areas.

By making informed choices, we can prevent injustices against animals, people, and the environment. Food Empowerment Project also works to discourage negligent corporations from pushing unhealthy foods into low-income areas and empower people to make healthier choices by growing their own fruits and vegetables. In all of their work, Food Empowerment Project seeks specifically to empower those with the fewest resources.

You can watch a recording of the event here.

*Page last updated: 13 Apr 2022, 01:37 PM*



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# Proposed Programs for the Town of Los Gatos

The table below provides a list of recommended plant-based diet programs to implement in the town of Los Gatos.

| Item # | Program Description | Estimated Cost | Proposed Annual Budget (each FY) |
|---|---|---|---|
| | | | |
| **P1** | Create procurement guidelines for all town-purchased foods and city catered events, mandating plant-based, or Default Veg. (Default Veg means that animal products are absent unless specifically requested.) Have a plant-based vendor. | Minimal. Staff time to craft and disseminate new procurement guidelines and assess enforcement methods. | $0 (staff time only) |
| **P2** | Incorporate plant-based food promotion into all town sustainability materials and promotions. | Minimal. Staff time to draft and edit materials. | $0 (staff time only) |
| **P3** | Creation of steering committee to recommend branding and advertising strategies. | Minimal. Staff time to participate on steering committee | $0 (staff time only) |
| **P4** | Work with local school boards to disseminate education about plant-based diets. Work with school menu planners to ensure plant-based options are available. | Minimal. Staff time to liaise with school groups. | $0 (staff time only) |
| **P5** | Encourage Los Gatos restaurants to offer plant-based specials and display promotional materials. | Minimal. Local non-profits can assist with this effort. | $0 (staff time only) |
| **P6** | Creation of custom branded marketing materials (brochures, etc.) for residents, explaining the importance of plant-based diet. Ask them to display at Chamber of Commerce. Get flyers/ brochures from non profits. | Free if we get flyers from non profits. | |
| **P7** | Plant-based cooking competition for residents, perhaps a "Chili Cookoff." Held once a year. Part of other climate events. Connect with Sur La Table. | | |
| **P8** | Find an app residents can use to track how many plant based meals they eat in LG restaurants. After 10 visits, they get a free meal (with restaurant agreement) or entered into city raffle for a gift certificate. | | |
| **P9** | Monthly email and online survey program to keep track of residents who pledge to reduce animal product consumption. Residents can sign up online, or at any of the other events in this list (films, cooking classes, etc.). **This will allow the Town to quantify GHG reduction resulting from this program.** | Non profit lists? VO? Green Monday? | |
| | | | |

| | | | |
|---|---|---|---|
| **P10** | Monthly free (or low-cost) plant-based cooking classes, sponsored by the City. 20 – 40 people per class. We can ask Mary Ellen as well as rotate and each of us, that wants to, can teach a class. We all have recipes we're excited to share. | $300 /class? Assume they could be held at the Community Center in the kitchen or other city venue. | Free or lowcost Just cost for food. |
| **P11** | Monthly lecture and/or film series on diet, environment and nutrition. Advertised by the Town. Free to the public. Vidisha, doctors, etc. *But there is cost for film license. Prices do vary. | $25 to $250 per event, depending on speaker and film license costs. Could be screened at the library, Community Center, Senior Center, etc. Possible grant money reimbursement available if City takes the lead. | $1500 |
| **P12** | Restaurant competition, participating restaurants feature plant-based specials over the course of a month and residents try the specials and vote for their favorite. The winning restaurant receives a prize and publicity. Could be done in conjunction with the VegFest. | Hopefully no cost. Contact LG marketing group Polygon Marketing. Derek Thomas. | Free? |
| **P13** | Free food-tasting events for the public, held twice a year. Held at Farmers market? *Not sure of expense. | <$300 per event. Possible grant money reimbursement available if City takes the lead. | $600 |
| **P14** | Hold a Los Gatos Plant-based food festival, also known as a "VegFest". VegFest features local restaurants and organizations, speakers, food samples, etc.<br><br>Similar events have been held in San Francisco, Oakland, Santa Cruz, Seattle and many other cities. | Ranges from **net positive revenue** to a cost of $15,000 depending on the venue, sponsorships, vendor fees, etc. Local non-profits can assist with this effort.<br>*Mountain Views price quote. Would it be the same for LG? | $5000 |
| | | | |
| | | | |

**From:** Lisa Wade
**Sent:** Monday, April 18, 2022 5:45 PM
**To:** Jennifer Armer
**Cc:** Karen Rubio
**Subject:** Correction Plant-Based Environmental Talk is on Friday

Dear Planning Commission Members,

I realized that the talk is actually on Friday, April 22 (not Thursday as stated in my earlier email.)

I apologize for any confusion.

https://losgatosca.libcal.com/event/8998488

This is a zoom talk hosted by Los Gatos Library and Plant-Based Advocates. We have an excellent speaker Mohan Gurunathan who will explain the scientific basis for eating plant-based as a powerful solution to climate change.

Mohan is a popular environmental speaker. He has presented to silicon valley companies and environmental events such as the Santa Clara University's tURN climate event https://www.scu.edu/turn/

The talk will be on April 22 at 5 pm

Hope to see you there!

You can register here:

https://losgatosca.libcal.com/event/8998488

From: Pat Sharp
Sent: Wednesday, April 20, 2022 8:55 AM
To: GP2040
Subject: Housing Element

To the Planning Commission

I do not want to see the housing element of almost 4000 units in our plan. Given the drought, congested streets and schools, we cannot afford to exceed the state mandated 1900 or so required. And the city should work with the developers so that affordable housing is in fact delivered. The North 40 did not deliver affordable housing except for the senior leasing facility.

I have lived here for more than 30 years and hope we can be thoughtful in our city planning. Thank you for your efforts.

Pat Sharp
Harding Avenue

Sent from my iPhone

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**TOWN OF LOS GATOS**
**PLANNING COMMISSION**
**SPECIAL MEETING REPORT**

MEETING DATE: 4/25/2022

ITEM NO: 1

DESK ITEM

| | |
|---|---|
| DATE: | April 25, 2022 |
| TO: | Planning Commission |
| FROM: | Joel Paulson, Community Development Director |
| SUBJECT: | Review and Make Recommendations on the Draft 2040 General Plan and Final Environmental Impact Report to the Town Council. |

REMARKS:

Exhibit 16 includes public comment received between 11:01 a.m., Friday, April 22, 2022, and 11:00 a.m. on Monday, April 25, 2022.

EXHIBITS:

Exhibits previously provided: (available online here: http://losgatos2040.com/documents.html)

1. Draft 2040 General Plan
2. Draft EIR
3. Revised NOA and Transportation section
4. Final EIR

Exhibits previously received with the April 13, 2022 Staff Report:

5. Draft Findings of Fact and Statement of Overriding Considerations
6. GPAC Recommended Changes to the Vision and Guiding Principles
7. Modifications Proposed in Public Comment
8. Board of Forestry Recommended Changes
9. Public Comments received between 11:01 a.m., Thursday, May 6, 2021, and 11:00 a.m., Monday, September 20, 2021
10. Public Comments received between 11:01 a.m., Monday, September 20, 2021, and 11:00 a.m., Thursday, April 7, 2022

PREPARED BY: Jennifer Armer, AICP
Planning Manager

Reviewed by: Community Development Director

Exhibit previously received with the April 13, 2022 Addendum:

11. Public Comments received between 11:01 a.m., Thursday, April 7, 2022, and 11:00 a.m., Monday, April 11, 2022

Exhibits previously received with the April 13, 2022 Desk Item:

12. Planning Commissioner Comments
13. Public Comments received between 11:01 a.m., Monday, April 11, 2022, and 11:00 a.m., Wednesday, April 13, 2022

Exhibits previously received with the April 25, 2022 Staff Report:

14. Planning Commissioner Comments
15. Public Comments received between 11:01 a.m., Wednesday, April 13, 2022, and 11:00 a.m., Friday, April 22, 2022

Exhibit received with this Desk Item:

16. Public Comments received between 11:01 a.m., Friday, April 22, 2022, and 11:00 a.m. on Monday, April 25, 2022

**From:** Jak Van Nada
**Sent:** Monday, April 25, 2022 5:05 AM
**To:** Shelley Neis; Town Manager; Joel Paulson
**Subject:** Please Include for the Planning Commission Meeting of 4/25/22

The Los Gatos Community Alliance (LGCA) continues to advocate that a Fiscal Impact Analysis (FIA) of the 2040 General Plan be completed before the Planning Commission or Town Council take any action. **The FIA presented in the Alternative Land Use study did not evaluate the development in the 2040 General Plan.** We have attached a recent presentation that we gave at the Democracy Tent meeting on 4-18-22, which outlines our concerns.

Of special note:

- Using the actual historical growth rates in Salaries, Pension and Benefit costs would add nearly $34 million to the cumulative deficit of the General Fund Balance over the next 5 years

- The General Fund would be completely wiped out by 2026 and have a deficit balance greater than -$23 million at the end of 2027

- The potential for driving the deficit even higher with more development than necessary to meet the RHNA requirement is very high. Without an FIA, the Town cannot accurately forecast our Financial Future.

- The Town Has Refused To Do A Thoughtful Fiscal Impact Analysis, Yet They Have Agreed To A "High-Level" Report Based On Faulty Data

- The General Plan is the primary tool for guiding future development in the Town of Los Gatos for the next 20 years

- The General Plan is the framework of making CHOICES about growth, housing, transportation, neighborhood improvement and service delivery.

- A Fiscal Impact Analysis documents the General Fund revenues and costs and capital investment that are attributable to alternative land use scenarios considered by the General Plan Update process.



EXHIBIT 16

- Just like an Environmental Impact report documents the environmental impacts, a FIA documents the fiscal impacts.

For more information, please review our presentation attached. If you would like more information, please contact me at the address below, or, have the Town's Finance Commission do an analysis for you. A three minute speech would not adequately explain the problems.

--

*Jak Van Nada -*

*Los Gatos Community Alliance*

*Facts Matter; Transparency Matters; Honesty Matters*

*www.lgca.town*

[redacted]

Los Gatos Community Alliance

# Why A Fiscal Impact Analysis?

## Looking Backwards To See Forward

**Facts Matter; Transparency Matters; Honesty Matters**

Los Gatos Community Alliance

# It's Not So Much What You See But What You Don't See

Los Gatos Community Alliance

# This Presentation Is To Show You What You Aren't Seeing

Los Gatos Community Alliance

# Data Used For This Report

- 2021 ACFR - Annual Comprehensive Financial Report
- Draft 2040 General Plan
- Mid-Year Budget Report - July 1 - December 31, 2021
- Five Year Forecast

| Compound Annual Growth Rate (CAGR) Calculations | 2016 | 2018 | 2021 | Actual CAGR 2016-2021 | Actual CAGR 2018-2021 | Total Growth 2016-2021 | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Salaries & Wages | 14.5 | 16.1 | 20.3 | 6.9% | 8.1% | 40% | | | | | | |
| Retirement Benefits | 3.6 | 4.3 | 6.4 | 12.2% | 14.2% | 78% | | | | | | |
| Other employee benefits | 3.2 | 3.3 | 5.6 | 12.0% | 19.5% | 76% | | | | | | |
| Total Salaries, Wages, Benefits | 21.3 | 23.7 | 32.3 | 8.7% | 11.0% | 52% | | | | | | |
| Full Time Equivalent (FTE) Headcount | 144 | 148 | 150 | 0.8% | 0.4% | 4% | | | | | | |
| Salaries, Wages & Benefits per FTE Head | 148 | 160 | 203 | 6.5% | 8.2% | 37% | | | | | | |
| | | | | | | | | | | | | |
| **Actuals (A) & Town Staff Forecast (F) - Base Case with 2% COLA** | 2016A | 2017A | 2018A | 2019A | 2020A | 2021A | 2022F | 2023F | 2024F | 2025F | 2026F | 2027F |
| Salaries & Wages | 14.5 | 14.8 | 16.1 | 17.9 | 19.3 | 20.3 | 20.6 | 20.6 | 21.2 | 21.8 | 22.3 | 22.8 |
| Retirement Benefits | 3.6 | 3.9 | 4.3 | 5.3 | 6.1 | 6.4 | 6.6 | 6.9 | 7.3 | 7.7 | 7.6 | 7.9 |
| Other employee benefits | 3.2 | 3.2 | 3.3 | 3.6 | 3.6 | 3.7 | 3.8 | 4.0 | 4.1 | 4.2 | 4.3 | 4.4 |
| Total Salaries, Wages, Benefits | 21.3 | 21.9 | 23.7 | 26.8 | 29.0 | 30.4 | 31.0 | 31.5 | 32.6 | 33.7 | 34.2 | 35.1 |
| FTE Headcount | 144 | 146 | 148 | 149 | 150 | 150 | 150 | | | | | |
| Salaries, Wages & Benefits per FTE head ($k) | 148 | 150 | 160 | 180 | 193 | 203 | 207 | | | | | |
| General Fund Inrease (decrease) | | | 3.3 | 7.5 | -8.6 | -7.1 | -1.5 | -1.6 | -2.0 | -2.4 | -2.1 | -2.3 |
| General Fund Balance | | 27.2 | 30.4 | 37.9 | 29.3 | 22.2 | 20.8 | 19.2 | 17.2 | 14.8 | 12.7 | 10.4 |
| | | | | | | | | | | | | |
| **Revised Forecast ($ million)** | | | | | | | | 2023F* | 2024F* | 2025F* | 2026F* | 2027F* |
| Salaries & Wages - actuals and forecast using 6.9% 5-year actual historical CAGR for 2023 forward | | | | | | | | 22.0 | 23.6 | 25.2 | 26.9 | 28.8 |
| Pension - actuals and forecast using 12.2% 5-year actual historical CAGR for 2023 forward | | | | | | | | 7.4 | 8.3 | 9.3 | 10.5 | 11.7 |
| All Other Benefits - actuals and forecast using 6.9% 5-year actual historical CAGR for 2023 forward | | | | | | | | 4.3 | 4.8 | 5.3 | 6.0 | 6.7 |
| Total Salaries, Pension & Wages - actuals and forecast using 5-year actual historical CAGR for 2023 forward | | | | | | | | 33.7 | 36.6 | 39.9 | 43.4 | 47.2 |
| Difference from Town staff forecast | | | | | | | | (2.2) | (4.0) | (6.2) | (9.2) | (12.1) |
| Cumulative difference from Town staff forecast | | | | | | | | (2.2) | (6.2) | (12.4) | (21.6) | (33.7) |
| **Revised General Fund Balance** | | | | | | | | **17.0** | **10.9** | **2.4** | **(8.9)** | **(23.3)** |

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# The Town Is Forecasting Deficits

- In The Next 5 Years The Town Staff Is Forecasting That The General Fund Balance Will Decrease by 50% - From $20.8M At The End Of 2022 To $10.4M At The End Of 2027

- The Town Staff Forecast Assumed An Annual Growth Rate Of Just 2% For Salaries, Pension and Benefits.



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- However, over the last 5 years salaries, wages and benefit costs have *actually* grown at 8.7% annually
- That is *more than 4 times* the growth rate the Town Staff is forecasting.
- Over the last 3 years the actual growth rate has accelerated to 11%
- We Are Entering An Inflationary Period
- What Happens If We Change The Forecast Assumption From 2% To 8.7%?

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# Modified Forecast Using Historical Growth Rates

- Using the actual historical growth rates in Salaries, Pension and Benefit costs would add nearly $34 million to the cumulative deficit over the next 5 years

- The General Fund would be completely wiped out by 2026 and have a deficit balance greater than -$23 million at the end of 2027

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# Town Spending on Headcount Has Increased Dramatically in the Last 5 Years

- Salaries Have Grown 6.9% per Year (up 40% in 5 years)
- Pension Expense has grown 12.1% per year (up 78% in 5 years)
- Benefits have grown 12.0 % per year (up 76% in 5 years)
- Total of the 3 costs have grown 11% per year (up 52% in 5 years)
- While headcount has grown by only 0.4% per year (up 4% in 5 years)

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# The Numbers

| Revised Forecast ($ million) | 2023F* | 2024F* | 2025F* | 2026F* | 2027F* |
|---|---|---|---|---|---|
| Salaries & Wages - actuals and forecast using 6.9% 5-year actual historical CAGR for 2023 forward | 22.0 | 23.6 | 25.2 | 26.9 | 28.8 |
| Pension - actuals and forecast using 12.2% 5-year actual historical CAGR for 2023 forward | 7.4 | 8.3 | 9.3 | 10.5 | 11.7 |
| All Other Benefits - actuals and forecast using 6.9% 5-year actual historical CAGR for 2023 forward | 4.3 | 4.8 | 5.3 | 6.0 | 6.7 |
| Total Salaries, Pension & Wages - actuals and forecast using 5-year actual historical CAGR for 2023 forward | 33.7 | 36.6 | 39.9 | 43.4 | 47.2 |
| Difference from Town staff forecast | -2.2 | -4.0 | -6.2 | -9.2 | -12.1 |
| Cumulative difference from Town staff forecast | -2.2 | -6.2 | -12.4 | -21.6 | -33.7 |
| Revised General Fund Balance | 17.0 | 10.9 | 2.4 | -8.9 | -23.3 |

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# Some Concerns

- The ACFR of 2021 Said There Was A Salary Increase of 1% Plus A Bonus of 2%.
- Salaries, Wages and Benefits Actually Increased By 8.7% Over 5 Years, But Accelerated To 11% In The Last 3 Years.
- Unfortunately, You Won't See That Noted Anywhere In The ACFR.
- The Town Has Refused To Do A Thoughtful Fiscal Impact Analysis. Yet They Have Agreed To A "High-Level" Report Based On Faulty Data. Mr. Koen will tell you more shortly.
- The Council Pushed The Mute Button When Brought To A Council Meeting

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# Concerns, Cont'd

- The 2016 Council Rejected A $4.8M Annual Sales Tax That 64% Of Those Polled By The Town Was Approved – That Would Total $29M For Los Gatos Today.
- In 2016, we found the OPEB buried in Footnote 10 - $12.5 M
- The Town Council Is In Charge, Not The Staff.
- We Gave The Town Council A Finance Commission Available to Them At Any Time.

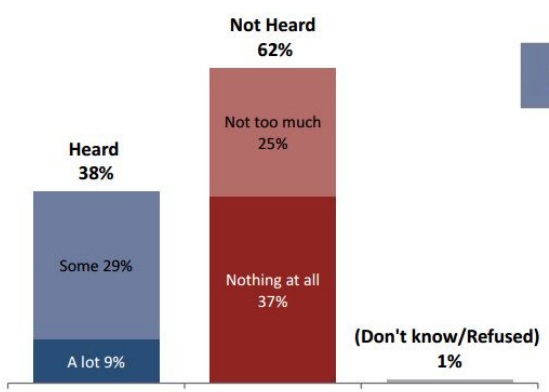
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# Awareness of General Plan

EMC research

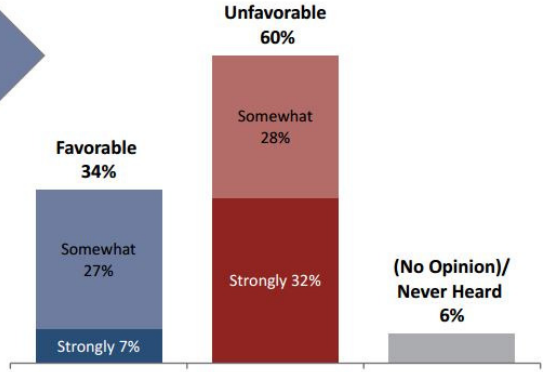
*More than a third of voters have heard something about the General Plan, and among those who are familiar it is overwhelmingly unpopular.*

**How much, if anything, have you heard or seen recently about the Los Gatos 2040 General Plan? Have you heard a lot, some, not too much, or nothing at all?**




Heard (n=158)

**And do you have a favorable or unfavorable opinion of the Los Gatos 2040 General Plan?**




Q12 and 15.

21-8285 Los Gatos 2040 General Plan| 10

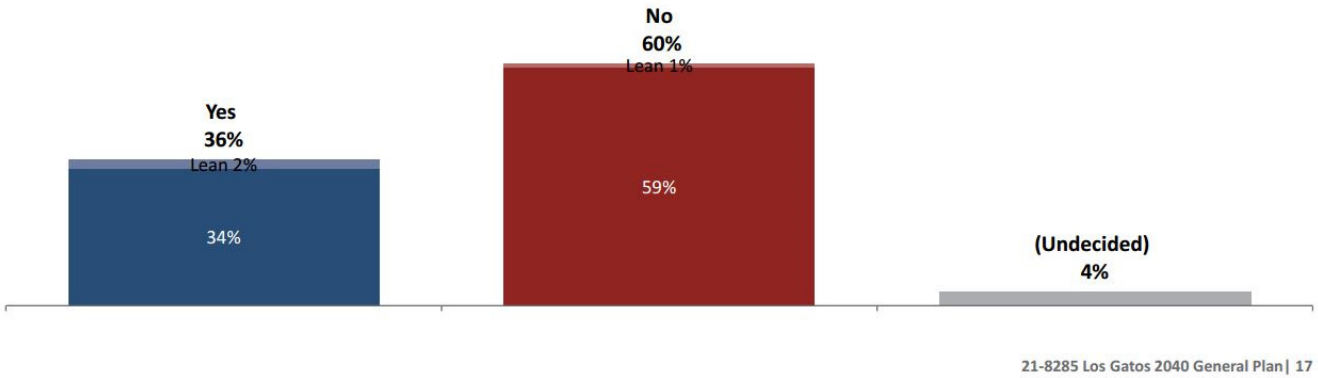
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# Informed Referendum Vote Preference

EMC research

**If the Town Council adopts the 2040 General Plan, voters may have an opportunity on a future ballot to vote in a referendum to approve or reject the plan.**

**If the election were held today, would you vote yes to approve or no to reject the proposed 2040 General Plan?**




21-8285 Los Gatos 2040 General Plan| 17

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# What If The General Plan Costs More $$ ?

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# Fiscal Impact Analysis

APRIL 2022

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## General Plan and Fiscal Impact Analysis

- The General Plan is the primary tool for guiding future development in the Town of Los Gatos for the next 20 years
- The General Plan is the framework of making CHOICES about growth, housing, transportation, neighborhood improvement and service delivery.
- A Fiscal Impact Analysis documents the General Fund revenues and costs and capital investment that are attributable to alternative land use scenarios considered by the General Plan Update process.
- Just like an Environmental Impact report documents the environmental impacts, a FIA documents the fiscal impacts.



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## Does Growth Impact Operations?

- The Town provides services and infrastructure to residents and workers as reflected in the Town's budget
- Residents and workers consume services, and pay for those services through taxes and fees
- Therefore, new growth will consume additional services and pay additional taxes and fees
- Big Question – What is the balance of new costs and revenues from new growth?
- A Fiscal Impact Analysis will provide the answer

# Alternative Population Growth Scenarios

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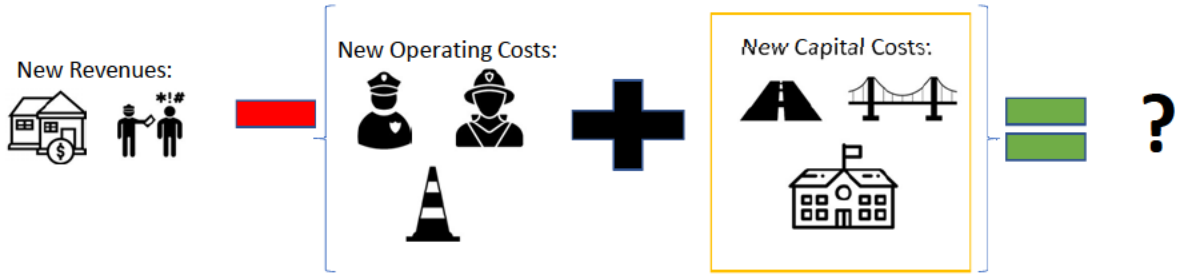
## The Draft General Plan contains by far the highest Compound Annual Growth Rate (CAGR) assumption

| Population Growth Scenarios | 2018 Population (Estimate) | 2040 Population (Projected) | Growth 2018 to 2040 | CAGR 2018-2040 |
|---|---|---|---|---|
| ABAG Projections 2040 | 31,472 | 33,050 | 1,578 | 0.2% |
| Alternative A: Low Growth | 30,995 | 33,769 | 2,774 | 0.4% |
| Alternative B: Medium Growth | 30,995 | 35,533 | 4,538 | 0.6% |
| Alternative C: Medium-High Growth | 30,995 | 36,522 | 5,527 | 0.7% |
| Alternative D: High Growth | 30,995 | 38,617 | 7,622 | 1.0% |
| General Plan | 30,995 | 39,966 | 8,971 | 1.2% |

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## So What Is A Fiscal Impact Analysis (FIA)?

- A fiscal impact analysis is a test to see whether or not the growth-related demand for services and infrastructure, as reflected in the city's budget expenditures, will be balanced by the additional revenues generated by growth





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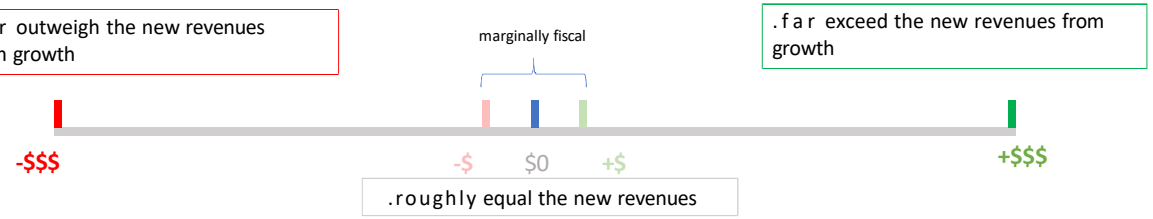
## A FIA Provides Support To Decision Makers and Community Stakeholders

- Identifies projected changes to local services and revenues
- Helps define achievable levels of service
- Projects capital facility needs
- Clarifies development policy impacts
- Calculates revenues and helps in the development of revenue strategies
- Encourages “what if” questions
- Promotes public education of the connection between land use and fiscal conditions.

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# What Will The Findings Tell Us?

**The costs that will be required to scale operations and/or provide new infrastructure to accommodate growth projected in the General Plan.**




- There are **many potential interpretations** for the range of fiscal results
- The fiscal results **do not** provide a projection of future budget levels

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# Alternative Mix of Housing Analyzed

| | Alt. A | Alt. B | Alt. C | Alt. D | General Plan |
|---|---|---|---|---|---|
| Net New Dwellings | 681 | 1,416 | 1,828 | 2,700 | 2,763 |
| Pending/Approved Dwelling Units | 475 | 475 | 475 | 475 | 475 |
| Subtotal | 1,156 | 1,891 | 2,303 | 3,175 | 3,238 |
| Accessory Dwelling Unit (ADU) | - | - | - | - | 500 |
| | | | | | |
| Total Residential Units | 1,156 | 1,891 | 2,303 | 3,175 | 3,738 |
| Single Family | 391 | 328 | 371 | 550 | 550 |
| Multi-Family | 765 | 1,563 | 1,932 | 2,625 | 3,188 |
| Below-Market Purchase (BMP) Units | 149 | 238 | 293 | 464 | 847 |
| BMP Units: % of Total Residential | 13% | 13% | 13% | 15% | 23% |

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## FIA Development Assumptions

| Land Use Designation | Alternative D: High Growth | | | | | | |
|---|---|---|---|---|---|---|---|
| | Redevelopment Percent | | Density Range (DU/AC) | | Typical Density (DU/AC) | | FAR |
| | Outside OA | Inside OA | Outside OA | Inside OA | Outside OA | Inside OA | |
| LDR | 10% | 15% | 5 to 12 | 12 to 20 | 10 | 16 | 0.75 |
| MDR | 15% | 15% | 14 to 24 | 14 to 24 | 20 | 20 | 1 |
| HDR | 15% | 20% | 20 to 30 | 30 to 40 | 26 | 36 | 1.5 |
| NC | 15% | 15% | 20 to 30 | 20 to 30 | 26 | 26 | 1 |
| MU | 15% | 20% | 30 to 40 | 30 to 40 | 36 | 36 | 1.5 |

- Redevelopment percentage is the percentage of the total area under each land use designation assumed to be redeveloped within the 2040 planning period

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# 2040 General Plan

- Density changes Town wide

| | Density Range (du/ac) | | Typical Density | | Redevelopment Assumptions | | Draft General Plan | |
|---|---|---|---|---|---|---|---|---|
| Land Use Designation | Existing General Plan | Draft General Plan | Existing General Plan | Draft General Plan | Derived Draft GP Total Units | Assumed Redevelp % | New Housing (redev) | New Housing (vacant) |
| Low Density Residential | 0 to 5 | 1 to 12 | 4 | 12 | 1,680 | 5% | 84 | 283 |
| Medium Density Residential | 5 to 12 | 14 to 24 | 10 | 20 | 3,430 | 10% | 343 | 224 |
| High Density Residential | 12 to 20 | 30 to 40 | 18 | 36 | 1,787 | 15% | 268 | 110 |
| Neighborhood Commercial | 10 to 20 | 10 to 20 | 16 | 18 | 910 | 10% | 91 | 26 |
| Community Commercial | 0 | 20 to 30 | 0 | 26 | 1,040 | 15% | 156 | |
| Mixed-Use | 10 to 20 | 30 to 40 | 16 | 36 | 3,025 | 20% | 605 | 126 |
| Central Business District | 10 to 20 | 20 to 30 | 16 | 26 | 753 | 15% | 113 | 21 |
| Office Professional | 0 | 30 to 40 | 0 | 36 | 1,700 | 15% | 255 | 4 |
| Service Commercial | 0 | 20 to 30 | 0 | 26 | 293 | 15% | 44 | 10 |
| Subtotal | | | | | 14,618 | | 1,959 | 804 |
| | | | | | | Housing Units, New and Redeveloped | | 2,763 |
| | | | | | | Housing Units, ADUs | | 500 |
| | | | | | | Subtotal | | 3,263 |
| | | | | | | Housing Units, Eixisting Projects | | 475 |
| | | | | | | Total | | 3,738 |

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# Comparison of Alternatives – Net Fiscal Impact

| | Alt. A | Alt. B | Alt. C | Alt. D | General Plan |
|---|---|---|---|---|---|
| Annual Revenues | $ 4,320,000 | $ 5,796,000 | $ 6,564,000 | $ 8,378,000 | ??? |
| Annual Costs | $ (3,710,000) | $ (5,280,000) | $ (6,264,000) | $ (8,413,000) | ??? |
| Net Fiscal Impact | $ 610,000 | $ 516,000 | $ 300,000 | $ **(35,000)** | ??? |
| Residential Net Impact | $ 190,000 | $ 96,000 | $ (120,000) | $ (455,000) | ??? |
| Non-residential Net Impact | $ 420,000 | $ 420,000 | $ 420,000 | $ 420,000 | $ 420,000 |

- Alternative C – 2,303 units – annual revenues exceed annual costs by $300,000
- Alternative D – 3,175 units – annual costs exceed annual revenues by $35,000
- General Plan – Unknown but must be worse than Alt D given higher growth and housing mix shift



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| Alternative D | Total | Single Family | Multi-Family | Commercial | Industrial | Office | Institutional |
|---|---|---|---|---|---|---|---|
| **REVENUES** | | | | | | | |
| Property Tax | $3,419,046 | $744,996 | $2,186,673 | $391,559 | $29,284 | $60,067 | $6,467 |
| Property Tax in lieu of VLF | $915,576 | $199,500 | $585,563 | $104,854 | $7,842 | $16,085 | $1,732 |
| Sales Tax | $1,178,463 | $213,283 | $598,593 | $290,125 | $11,293 | $64,645 | $524 |
| Franchise Fees | $477,885 | $75,883 | $362,169 | $23,001 | $6,671 | $9,852 | $310 |
| Transient Occupancy Tax | $0 | $0 | $0 | $0 | $0 | $0 | $0 |
| Other taxes | $272,131 | $43,211 | $206,236 | $13,098 | $3,799 | $5,610 | $176 |
| Licenses and Permits | $657,495 | $104,403 | $498,287 | $31,646 | $9,179 | $13,555 | $426 |
| Intergovernmental | $228,500 | $39,583 | $188,917 | $0 | $0 | $0 | $0 |
| Town Services | $841,339 | $133,595 | $637,614 | $40,494 | $11,745 | $17,345 | $545 |
| Fines and Forfeitures | $92,376 | $14,644 | $69,891 | $4,528 | $1,313 | $1,939 | $61 |
| Interest Earnings and Rents | $121,642 | $23,534 | $80,524 | $13,372 | $1,231 | $2,839 | $153 |
| Other Revenues | $69,232 | $10,993 | $52,468 | $3,332 | $966 | $1,427 | $45 |
| Transfers in | $104,680 | $16,622 | $79,333 | $5,038 | $1,461 | $2,158 | $68 |
| **TOTAL REVENUES** | **$8,378,365** | **$1,620,237** | **$5,546,267** | **$921,048** | **$84,785** | **$195,521** | **$10,507** |
| **EXPENDITURES** | | | | | | | |
| General Government | $1,426,709 | $223,897 | $1,068,600 | $90,283 | $17,380 | $25,712 | $836 |
| Community Development | $1,138,904 | $177,787 | $848,529 | $80,834 | $12,504 | $18,523 | $726 |
| Police Dept. | $3,289,855 | $512,610 | $2,446,546 | $237,738 | $36,776 | $54,478 | $1,707 |
| Library | $570,505 | $90,590 | $432,361 | $27,459 | $7,964 | $11,761 | $370 |
| Parks and Public Works | $479,596 | $76,028 | $362,859 | $23,507 | $6,818 | $10,068 | $316 |
| Transfers Out | $1,507,050 | $239,303 | $1,142,128 | $72,536 | $21,039 | $31,069 | $977 |
| **TOTAL EXPENDITURES** | **$8,412,619** | **$1,320,214** | **$6,301,023** | **$532,357** | **$102,482** | **$151,612** | **$4,932** |
| **TOTAL BUDGET NET (DEFICIT)/SURPLUS** | **($34,253)** | **$300,023** | **($754,755)** | **$388,691** | **($17,697)** | **$43,910** | **$5,575** |

- The mix of single family VS. multi-family units has a material impact on the fiscal analysis

## Major Shortcomings of The Town's FIA

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- The fiscal analysis did not study the 2040 Draft General Plan –
  - Studied the impact of adding **3,175 total units** including **464 BMP** units and **0 ADU's**
  - 2040 GP consists of **3,738 total units** including **847 BMP** units and **500 ADU's**
- No base case or downside case scenarios were presented – consultants stated "consider a best-case scenario over the long run"
- Amount of property tax revenues and sales tax is extremely dependent on the mix of units in each land use alternative
- The revenue generating potential of development will decline as Prop 13 limits the escalation of assessed values compared to inflation of municipal service costs



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## Major Shortcomings of The Town's FIA

- The analysis is for full buildout at one point in time and does not consider effects of inflation over 20-year period, which will affect the Town's revenues and costs differently
  - From FY 2018 -21 total salaries, wages and benefits increased at a 11% CAGR VS Total General Fund Revenues increased at 1.8% CAGR
  - A 20 year build out of cost/revenue trends by year is required to determine fiscal impacts of inflation and growth
- The analysis is based on pre-pandemic financial information and does not reflect the Town's current budget and most recent five- year outlook
  - Five-year outlook is projecting annual operative deficits each year and a cumulative deficit of $10.4m



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## Major Shortcomings of The Town's FIA

- Analysis did not evaluate current departmental capacity nor additional staff or facilities needed to support planned growth
  - Police and Fire safety costs are highly variable with growth
- Analysis did not evaluate the Town's ability to maintain service standards
  - A negative fiscal impact would suggest the Town would must reduce service standards



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## Major Shortcomings of The Town's FIA

- The analysis did not expand beyond the General Fund to the Appropriated Reserves Fund (GFAR) which is used to fund capital projects
  - Money transferred from the General Fund to GFAR
    - FY 19 - $2.8m, FY 20 - $8.1m, FY 21 - $3.4m
  - Ability to fund $80.0m of unfunded capital projects
- The analysis did not address cost of increasing facilities and infrastructure capabilities resulting from 2040 GP growth
  - A 25% growth in VMT will require more street and road maintenance expenditures
  - Storm water system is outdated, shallow and undersized

## But….not all is lost…..some obvious conclusions



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- Less residential growth is better – limit to RHNA 1,993 plus required buffer
- Land use mix should be planned to generate a fiscally neutral outcome – will be challenging given mix of BMP to total units
- Residential growth focused in Opportunity Areas will have a different fiscal impact than growth Town wide
- Commercial growth such as work/live units would appear to have a net positive fiscal impact
- Given the difference in historical growth rates in salary, wages and benefits vs total revenues, impact of inflation and large unfunded capital needs, substantial new sources of revenues will need to be found
    - How much and how quickly can be answered by a proper FIA.



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## In Closing – two key questions that need to be asked

- How do we really know if the 2040 draft General Plan is Fiscally Stable and Responsible?
- Who benefits from NOT doing a FIA of the 2040 General Plan ?

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# Thank you

A P P E A R A N C E S:

| | |
|---|---|
| Los Gatos Planning Commissioners: | Melanie Hanssen, Chair<br>Jeffrey Barnett, Vice Chair<br>Kylie Clark<br>Kathryn Janoff<br>Steve Raspe<br>Emily Thomas |
| Town Manager: | Laurel Prevetti |
| Community Development Director: | Joel Paulson |
| Town Attorney: | Robert Schultz |
| Transcribed by: | Vicki L. Blandin<br>(619) 541-3405 |

P R O C E E D I N G S:

CHAIR HANSSEN: We can go ahead with the agenda item for tonight, which is the continuation of discussion of the Draft 2040 General Plan as well as the Final EIR.

Just to recap for people that might not have been able to attend the last meeting, what we have decided to do in terms of reviewing the documents is to start out reviewing element-by-element and save the Land Use and Community Design elements, which have the bulk of the public comments that we've received in terms of volume, until the end so that we can put a lot of focus on that. We wanted to make sure that we addressed any comments that came in on the other elements.

In our last meeting we got through the Public Facilities, Services, and Infrastructure Element, and so we will begin the discussion tonight on the Open Space, Parks, and Recreation Element. I would like to ask Staff, since you did do another Staff Report, if you would like to make any Staff Report before we begin our discussion this evening?

JENNIFER ARMER: Thank you. You covered most of what I was going to say, Chair, but I do want to go over

just to make sure everybody is clear exactly where we are in going through the review.

So good evening, Chair, Vice Chair, Planning Commission. We are continuing the discussion of the General Plan, and we have received verbal public comment and closed the public comment period. We were going through Exhibit 7 and made it through the Introduction; the Racial, Social, and Environmental Justice Element; the Mobility Element; and the Public Facilities, Services, and Infrastructure Element.

That means that the next one that we will be proceeding to is Open Space, Parks, and Recreation. Depending on how much we get through this evening, the order as we go through that document includes the Environment Sustainability Element, the Hazards and Safety Element, then the Land Use Element, and Community Design Element, and finally, the Final EIR.

We did publish a brief Staff Report on Friday, as well as a Desk Item today, for your consideration, but this does conclude Staff's presentation, but we're available to answer any questions.

CHAIR HANSSEN: Thank you very much for that, Ms. Armer. Do any Commissioners have questions for Staff at this time? I don't see anyone hands raised.

When we get to Land Use and Community Design, Land Use in particular, I will talk a little bit more about what I would like to do in terms of proceeding forward on that, but to recap what Staff had said, we were going through Exhibit 7.

Exhibit 7 from the Staff Report from the April 13th meeting did contain a wonderful summation by Staff of all the public comments that have been received over the course of the last year since the Draft General Plan was released, and we've been using that in terms of making our comments, and what we had been doing in our last meeting is for every element there are a number of comments.

Staff has given their recommendation as to whether they're neutral, meaning they don't have a feeling one way or another about whether or not it needed to be included or not; whether they did recommend it and suggesting that we would include that as a comment, that we would make it a recommendation to Town Council; or not recommended. Staff has done that for every single comment, and what we were doing in the last meeting is we were looking at the comments and making a note of the ones that we wanted to be sure that we included in our recommendation to include. However, it's fine if you want to bring up

other ones and discuss it and see if we know where the Commission comes out on it; that is fine as well.

We'll be on page 10 of Exhibit 7, which is also page 226 of the Staff Report from the April 13th meeting, so why don't we start on the Open Space, Parks, and Recreation Element? There were about seven or eight comments that came in.

Would any Commissioners want to highlight items that we should consider for adding to our recommendation for modifying the General Plan? Commissioner Raspe.

COMMISSIONER RASPE: Thank you, Chair. I'll just begin. I thought that recommendations numbers 81 and 84 should be considered as part of our recommendation sent to Town Council.

With respect to Item 86, while I thought the notion of additional play fields is a worthy goal, I think limiting it to soccer fields as opposed to any other kinds of fields felt inappropriate, and so if you want to consider that, I would make that a more generic recommendation.

Finally, with respect to Recommendation 88, working with schools to make school fields available for community sports, I think that's already covered in OSPR-6.3.

CHAIR HANSSEN: Thank you for that. I thought so as well. I made a note about 86 and 88, and there was already a reference in the Open Space element about working with local schools, so if anything was going to be modified. And I agree that sports fields should be not just restricted to soccer fields and we should try to increase that, but I thought it might have been covered in the policies that were already in there, so I'm agreeing with your suggestions.

I'd like to hear what the other Commissioners think. Let's see, Commissioner Thomas, and then Commissioner Janoff, and Commissioner Clark, and then Vice Chair Barnett.

COMMISSIONER THOMAS: I will be quick. I just want to say that I agreed with 81 and 84, the two that I would want to recommend to include.

CHAIR HANSSEN: That's great. Commissioner Janoff.

COMMISSIONER JANOFF: I was just going to say I'm in agreement as well, with a note that on item number 83 regarding the state Quimby Act, I don't know what that is, but if Staff thought that it was appropriate to add that, if that makes sense to connect it, but I don't know what it is to say yes or no.

CHAIR HANSSEN: I actually am glad you brought that up, Commissioner Janoff. I was wondering if Staff could comment on the state Quimby Act requirements, because when I read through the implementation program and policies it was fairly generic. The goal is to try to encourage more open space dedication, but how to go about doing that isn't as clear and if there was a Quimby Act that was more definitive about how to do that, so could Staff maybe comment on that? Is that something that seems reasonable to add?

JOEL PAULSON: Thank you. I'll jump in, and if Ms. Armer has anything additional. Generally the Quimby Act looks at the amount of open space, park space, that a jurisdiction has based on population. We actually exceed the number here currently in the Town, so that's why we don't have any Quimby Act implementation measures.

CHAIR HANSSEN: So that really wouldn't help us unless we were below that, so we should be covered.

Commissioner Clark.

COMMISSIONER CLARK: I am not sure if there's a reason we haven't discussed number 87, like if it's already being incorporated, because I know that there has been discussion around turf happening, but if it's not already

being implemented I would be supportive of the inclusion of number 87 as well.

CHAIR HANSSEN: I'm actually glad you brought that up. I made a note thinking it might merit an implementation program, because I've seen very vocal arguments on both sides of this to not have artificial turf, and then also to not have grass, for example, that requires a lot of water and is not environmentally friendly either, so to me it seemed like an ideal thing for an implementation program, but I would like to know what other people thought. I thought it might be worth at least discussing, and it looks like the Town Manager has something to say before I ask anyone else.

LAUREL PREVETTI: I just wanted to say that this might be one of those areas of level of detail that might be best determined on a project basis with the Town Council as opposed to having it legislated here in the General Plan, and I defer to Ms. Armer, who might already be able to point us to some direction in the draft. Thank you.

JENNIFER ARMER: Yes, I wanted to share that when you are looking at the Public Facilities and Services Element there is an Implementation Program C, which is specifically about determining the appropriate use of artificial turf.

CHAIR HANSSEN: Thank you. We went through that in the last meeting and I had forgotten about that, so at least it's already covered, and then there's also the thought that there are other ways to tackle the issue in terms of on an individual project basis as well.

Are there other Commissioners? Vice Chair Barnett had his hand up before for general comments about this section, so go ahead, Vice Chair.

VICE CHAIR BARNETT: I agree with the comments that have been made so far; I had noted to that effect. But I wanted to bring up comment 85. I'm not sure what that means. Maybe it's just me, but it seems to be kind of obscure.

CHAIR HANSSEN: My read on this was I made a note connecting 82 and 85. The first comment in 82, it sounds like it came from the Parks and Recreation Department themselves, and that statement was made that their services are provided on a full cost recovery model, and prior to that statement it was that they received Town facilities at a discounted rate, or something like that, so I think they were reacting to they don't agree with the description of the business model. My recommendation was actually to take out the full cost recovery basis, because I don't think that's a necessary detail in the General Plan.

Then there is reference to continuing to work with Parks and Recreation to do services, and as part of that discussion they might want to renegotiate their business model in terms of working with the Town, but I don't think that needs to be in the General Plan. That was my thought on it, so what do others think? Vice Chair Janoff has thumbs up. So my proposal was to delete the words "provided on a full cost recovery model," and leave that as a detail in terms of how they work with the Town that can be worked outside of the General Plan, so if nobody has any objections to that, we'll go ahead and do that. Thumbs up, okay.

Does anyone else have anything that they want to discuss with the Open Space, Parks, and Recreation? I think we ended up talking about every recommended bullet point. Ms. Armer.

JENNIFER ARMER: Just wanted to remind the Chair that last time we did do a motion for each of the chapters as to what the Commission was interested in moving forward with.

CHAIR HANSSEN: Yes, and I would ask that we continue to do that for the rest of the elements that we'll be discussing, and then at the very end we will have to do one on the overall General Plan as well as the overall

Final EIR. So would someone like to make a motion to accept the Open Space, Parks, and Recreation Element with the changes that we've recommended in this discussion?

Commissioner Janoff.

COMMISSIONER JANOFF: Commissioner Janoff would move to incorporate the changes as recommended by the Commission so far on Open Space, Parks, and Recreation.

CHAIR HANSSEN: Is there a second? Commissioner Clark.

COMMISSIONER CLARK: Second.

CHAIR HANSSEN: Thank you for that. And then we'll go ahead and do our roll call vote, and I will start with Commissioner Thomas.

COMMISSIONER THOMAS: Yes.

CHAIR HANSSEN: Commissioner Raspe.

COMMISSIONER RASPE: Yes.

CHAIR HANSSEN: Commissioner Janoff.

COMMISSIONER JANOFF: Yes.

CHAIR HANSSEN: Commissioner Clark.

COMMISSIONER CLARK: Yes.

CHAIR HANSSEN: Vice Chair Barnett.

VICE CHAIR BARNETT: Yes.

CHAIR HANSSEN: And I vote yes as well.

So now we can move on, and Staff, you did have a record of what we discussed, and you had a nice recap of what we discussed last time in the Staff Report for this meeting.

JENNIFER ARMER: Yes, thank you. I've got items 81 and 84, and removing the phrase, "provided on a full cost recovery model."

CHAIR HANSSEN: Perfect. So then the Environmental Sustainability Element is the next element we will discuss, and there are actually quite a few more comments.

Before I ask any Commissioners for comments, I wanted to ask Staff a question. In looking at numbers 104 and 105 it looked like it came from Valley Water, and so what we had done in our previous meeting is since they are the experts of course on their subject matter we had just accepted those comments at face value without discussing them, so I'm going to ask Staff what their thoughts were about 104 and 105?

JENNIFER ARMER: Thank you, Chair. As stated in the Staff Report, Staff's response to those was neutral. That revised wording, if that is the will of the Commission, we could make those changes. They could either be considered first or could be part of your motion.

CHAIR HANSSEN: I'm happy enough to go with having the Commissioners recommend that, but I'm going to give the guidance that since we had done this previously with some of the other entities, that might be worth considering to do that, but I'm happy to have a discussion about it if someone wants to bring it up, but since we're doing this thing where we're going to accept certain comments, then hopefully it will be recommended by one of the Commissioners.

That being said, like I said, it's on the bottom of page 10 as well as page 11 and goes onto page 12 and to page 13, so it looks like there are about at least 20 comments that we should be considering or not considering. I would also say that although we've been proceeding this way anyway, if Staff is recommending not to include them, they generally have a very good and well thought out reason for that, so unless we feel like we should discuss it, that there's no need to bring those up.

I'll start with Commissioner Thomas.

COMMISSIONER THOMAS: Thank you, Chair Hanssen. I was just going to say because there are so many for this one, do we want to like chunk it out by ten or so, just so that we're not talking about all of them all over the

place, or do like 89 through 96 first, and then the second page, page-by-page.

CHAIR HANSSEN: Let's do it page-by-page. Let's do the comments on page 10, which are 89 to 96. Of those, which ones would you want to include?

COMMISSIONER THOMAS: I would like to include 89, 90, and 91. I think that they are Staff recommended. The other two are just making things more thorough, which I think is good.

I think that I also feel strongly about 95 being recommended, and it would definitely require a list of key terms of integrated pest management, but that is something that should be used. That should be the model that we should be using. That's like the best model out there for managing pests and reducing the use of pesticides in particular.

I do not think that we should include 93 or 96, because for 96 I don't think we can actually ensure, "minimize potential damage to public health, native plants, birds, and other wildlife," if that makes sense. And then for 93, I do not think that we should include, "while reserving some open space preserved for underserved habitat," because I believe that has the potential to be

used like in a NIMBY way, and I think that it's covered. What we need for Town is covered in that policy already.

I did have a question about 94, maybe for Commissioner Raspe for the Town Attorney. Just adding, "and natural communities," is that helpful in informing policy, or does that make this too big or too grand?

CHAIR HANSSEN: I'm glad you asked that, because I also had a question. I was like how do you define "natural community"?

Commissioner Raspe, you had your hand up, and then Commissioner Clark does as well.

COMMISSIONER RASPE: I agree with Commissioner Thomas' comments. A couple of points.

With respect to 94, I also had a question. I think "natural communities," as currently drafted, I'm not sure what it means and I would be concerned that it would be interpreted too broadly to be really useful, and so I would either not include that language or I would make natural communities somehow defined.

Then with respect to 96, I also share Commissioner Thomas' concern regarding the word "ensuring," because I don't think we can ensure, but I think it's a noble goal and perhaps we could substitute the phrase, "working towards," so we're working towards minimized

potential damage to public health, so it doesn't put an obligation on us, but it certainly espouses our desire to achieve what I think is a noble effort. Thanks.

CHAIR HANSSEN: I thank you for that, because you have to read between the lines in terms of what we mean. So your recommendation would be to either delete it or to modify it to change ensuring to working towards that goal, because that's the result of changing the approach and not using harmful pesticides, but we couldn't ensure it.

COMMISSIONER RASPE: Agreed, that's my thought.

CHAIR HANSSEN: I was just trying to make sure I captured in my mind what you were saying. Thank you for that.

Commissioner Clark, you had a comment as well?

COMMISSIONER CLARK: Yes, thank you. I'm in agreement with all of the ones the other Commissioners have voiced approval for.

I had liked 92, just because it makes it a little more specific that the species would be locally native, but I'd also be curious to hear if other people feel like that's productive or unnecessary.

I had been in support of 93, but I think I understand what Commissioner Thomas is saying about it potentially being used as a way to like maybe justify lack

of public access or something, and so yeah, I think that sounds good.

For number 96, I like Commissioner Raspe's idea of changing the verbiage to "working toward," because I think that clarifies that reasoning behind the task without actually trying to ensure something that we're not able to.

CHAIR HANSSEN: So your recommendation would be rather than take it out, to leave it in and modify the ensuring to something more reflective of why we're doing it?

COMMISSIONER CLARK: Yes.

CHAIR HANSSEN: Okay, got it. On 92, I'll see what other people have to say. I circled that, and my reaction was how do you define local? Is local Los Gatos? Is it Santa Clara County? Is it California? So I thought maybe the species was enough. That was me, but if others have a different thought on it, I would want to hear that.

Let's see, Commissioner Janoff, and then Commissioner Thomas.

COMMISSIONER JANOFF: I'm in agreement with everything that's been said, including the modification of 96, and I do like the idea of incorporating the word "locally." More and more you hear people talk about you should be eating local honey, you should be burning local

firewood, it's a real thing to keep materials within the local environment. If local is unclear, we could say "regional," and that might be clearer. That obviously gives more of a geographical boundary than local, and I would be comfortable with that, but I think including something that is specific to our region is a great add.

CHAIR HANSSEN: Just to clarify my comment, as long as it was clear what local is I had no problem with that, because what's good for Southern California might not be good for us, and so I heard everything that you said.

Commissioner Thomas, and then Commissioner Clark.

COMMISSIONER THOMAS: Thank you. I did not mention this one and I do not support it for multiple reasons. I would say that there are definitely official resources and documentation of what species are local to the Town, to Los Gatos, and there are many maps of that. Many of those are old, and since then climate change has significantly changed the region and will over the next 20 years, and so I strongly disagree with including locally native species, because what was local and native or what is local today is not actually going to thrive here, and ecosystems are constantly changing, and so making policies based on what is a locally native species today is not good for conservation of biodiversity, but that's because things

are moving and ecosystems are shifting and ecotones are moving, so I strongly disagree with that one.

I'm sorry, just because I know that it sounds good, and I do agree with eating local food and burning local firewood. I do think that that is a totally different use of the term and I agree that that's really important, but I do kind of feel strongly about this one as an environmental scientist.

CHAIR HANSSEN: I was going to say well said by our environmental science teacher.

Commissioner Clark.

COMMISSIONER CLARK: Thank you. I was going to also make a comment on 92 that was different before I heard what Commissioner Thomas had to say, but I think a way to actually get what we're trying to get at would like maybe saying, "species that are adapted for the Mediterranean climate," or, "that would naturally exist in this area at the time," or something like that.

CHAIR HANSSEN: So it would be your idea to try to change the wording so it was clearer and more reflective of changing conditions?

COMMISSIONER CLARK: Yes. And the other thing I'll say is we might be getting a little nit-picky here. It's probably okay to leave it as is also.

CHAIR HANSSEN: Fair enough. Let's just take two more comments on this and then we'll move on.

Commissioner Raspe, and then back to Commissioner Thomas.

COMMISSIONER RASPE: Thank you, Chair. Two things very quickly.

First, I think Commissioner Clark made a comment with respect to 91, the especially native species in habitat language, adding that. I'm of two minds with this one. When I first read it, it almost seemed to me like it created a binary choice, for instance, we were going to maintain and enhance (inaudible) significant natural features, giving preference to native species and habitat as opposed to preserving all that exists. I just don't want that inference to ever filter down to the language, but again, I'm not overly concerned, I just wanted to throw the issue up.

Then I think Commissioner Thomas indicated her support of 89, and my questions for the Chair or Staff is who is going to define "designated creek" and how is that handled? Thank you.

CHAIR HANSSEN: So Staff, could you start with 89, because that actually is a good question, and you did

recommend it, so could you start with 89 and then if you had anything to add onto 91.

JENNIFER ARMER: Thank you. If including a definition of the term "designated creek" is something that the Planning Commission is in support of, then we would work with the consultants and our Public Works Department to find an appropriate definition to be consistent with the work that we currently do with creeks and include that as part of a set of potential definitions, so similar to some of what was requested by the Planning Commission at the last meeting. There was at least one term, I believe "recycled water," where a definition was requested, and we would provide some specific recommended language for that before going to Town Council.

It looks like Director Paulson has something to add.

JOEL PAULSON: Just a minor addition. We also would work with our other partners, Valley Water, San Jose Water, and some of the other folks who have regulations related to the creeks to make sure that that was consistent.

CHAIR HANSSEN: And Staff, you did recommend this one versus being neutral on it, so I assume that you thought it was a good idea?

JENNIFER ARMER: Defining terms, if somebody thinks it's a good idea, we're in support of that. If somebody's asking for a definition of it, then that probably means there are a number of people who want to know what it means.

CHAIR HANSSEN: Okay, great. Did you have anything to comment on? You were neutral on 91 and 92, so I'm assuming that we should just work out what we're going to recommend, but if you had anything to add, let me know.

JENNIFER ARMER: Yes, I would say on those two that the language as it was pretty clear to Staff as recommended by the GPAC, and so those additional terms could be included, but I think we stand behind GPAC but we're open to making those changes if that is what the Planning Commission feels is improving.

CHAIR HANSSEN: I understand now why you were neutral. Before I go back to Commissioner Thomas, I'm going to make a more general comment that as I was going through this section, and I know exactly where some of the comments came from, that different people with different interests came in and they were putting like the word "biological" in something that was more generic, and I was having the same reaction as Commissioner Raspe, which is if we're specifying biological resources, are we not taking care of

other kinds of resources? So I was having that reaction, which is to kind of keep it more general, since this is the General Plan, as long as we are not excluding something that needs to be taken care of.

I'll go back to Commissioner Thomas, and then Commissioner Janoff.

COMMISSIONER THOMAS: Thank you. I'm glad that these comments about 91 are brought up, because I did not read it in that way. I read that it was emphasizing that we especially need to protect native habitats and species, but I do understand how maybe it's not necessary.

Going back to 92, I would not recommend including Mediterranean plants, because a lot of those are actually invasive species, like all the grasses that we have here from the Mediterranean, they're particularly invasive, because they adapted alongside human disturbance.

I think that native species really does cover what we want it to cover, because I do think that in the world of landscape design guidelines native species has a very specific definition and there are very specific lists across the state. There's a county-wide list that already exists for rebates and things like that, so I do think that keeping it just at native specific is going to achieve the goal that we want basically.

CHAIR HANSSEN: Thank you for that. We are so fortunate to have our environmental expert on the Commission, so thank you. Commissioner Janoff.

COMMISSIONER JANOFF: Yes, thank you, Commissioner Thomas. It's great to have expertise that augments our conversation, and in light of the comments I would say that we keep 91 and 92 as written by GPAC, and if the Chair is ready I'm prepared to make a motion.

CHAIR HANSSEN: On this page, yes.

COMMISSIONER JANOFF: On this page to include the changes in number 89, number 95, and then 96 with the modification of "ensuring" to "working toward."

CHAIR HANSSEN: Did you not think 90? Because it was recommended in the beginning to do 89 and 90.

COMMISSIONER JANOFF: Yes, 89 and 90.

CHAIR HANSSEN: 89 and 90, but not 91 or 92, and then you said 95, right?

COMMISSIONER JANOFF: Yes, 95, and then the modification to 96.

CHAIR HANSSEN: Okay. For my own sake I was trying to capture everything you said. So there is a motion from Commissioner Janoff. Is there a second? Commissioner Raspe.

COMMISSIONER RASPE: Thank you, Chair. I second the motion.

CHAIR HANSSEN: So we will take the roll call vote, and I will start again with Commissioner Thomas.

COMMISSIONER THOMAS: Yes.

CHAIR HANSSEN: Then Commissioner Raspe.

COMMISSIONER RASPE: Yes.

CHAIR HANSSEN: Commissioner Janoff.

COMMISSIONER JANOFF: Yes.

CHAIR HANSSEN: Commissioner Clark.

COMMISSIONER CLARK: Yes.

CHAIR HANSSEN: Vice Chair Barnett.

VICE CHAIR BARNETT: Yes.

CHAIR HANSSEN: And I vote yes as well.

So we got through page 10 of the Environmental and Sustainability Element comments, and now we will go on to page 11, and that includes numbers 97 through 104. Actually, just for the sake of argument, let's include 105, because 104 goes onto the next page, and we'll go up to 105, because 104 and 105 both came from Valley Water, so we'll cover from 97 to 105 under this discussion, so comments on 97 through 105.

Vice Chair Barnett.

VICE CHAIR BARNETT: I have a couple of technical issues starting with 98; the word "improves" should be "improve."

Then on 100, the way I read it, it's talking about a decrease in the mitigation measures.

CHAIR HANSSEN: So you're saying the way you're reading it is that we should decrease mitigation measures, is that correct?

VICE CHAIR BARNETT: I think it's saying to decrease mitigation measures, but I don't think that's the intent.

JENNIFER ARMER: My memory of this comment was that they wanted to clarify that reducing vehicle miles traveled is not the only way to reduce noise and air quality impacts, and so it might be that slightly modified language would get at that point more appropriately and more clearly.

CHAIR HANSSEN: I read it the same way that you described it, Ms. Armer, but maybe others read it the same way that Vice Chair Barnett did, but we should be clear.

I lost track of who raised their hand and is next, so I'll just go with Commissioner Clark, and then Commissioner Thomas, and then Commissioner Raspe.

COMMISSIONER CLARK: Thank you. For numbers 100 and 101, I felt like if we're going to do that we need to at least provide an example or two of what those things are, because for me it made them a lot more unclear when I was reading them, and so I think if people feel like there is an understanding of what that would mean and we don't need that, then that's great, but for me as a reader I felt like it was a little too ambiguous.

CHAIR HANSSEN: In that same one it does explain with an example of something that would decrease VMT. So you're saying we're not being clear about other mitigation measures from the noise and that would help improve noise and air quality?

COMMISSIONER CLARK: You mean where it says TDM Programs?

CHAIR HANSSEN: Yes.

COMMISSIONER CLARK: Yes, that's a good point. It would just say that and kind of be referring to it, even though that was already there in a way.

CHAIR HANSSEN: So you think it could be clear if we added examples.

COMMISSIONER CLARK: But I'm good with that change, like the theory of it.

CHAIR HANSSEN: Let's see, Commissioner Thomas, and then Commissioner Raspe.

COMMISSIONER THOMAS: Thank you. I also felt for 100 and 101 that made them too broad. I know this is supposed to be a big and broad document, but for 100, because VMT is the gold standard for mitigating air pollution, I'm not sure if including other options is appropriate, and I would actually like to hear from Staff or maybe the Town Attorney on that, because I don't want us to get in a situation, but I'm pretty sure VMT is traditionally most often used.

Then the same with 101, "requiring developments to incorporate site planning techniques." Is site planning techniques just like the standard that it's people that are doing this know exactly what that means, and including other is just making it more confusing and actually not legal, if that makes sense?

So those are my two comments about 100 and 101, and I see some people are popping up and their hands are up.

CHAIR HANSSEN: Mr. Kim must be Staff, because he's not a Commissioner, and (inaudible) as a panelist, so yes, if you could help us with this, that would be great.

WOOJAE KIM: Yes, good evening, Commissioners. WooJae Kim, the Town Engineer.

Regarding item 100, I would just be cautious about adding that additional phrase in there, because it is related to CEQA requirements. I'm talking about VMT. If anything, maybe changing that word "or" to "and" might help, but again, I would just be cautious about substituting VMT requirements with other elements. Thank you.

CHAIR HANSSEN: That's a very good point, but we are treading on CEQA in this comment, and we don't want to have something that's in conflict with CEQA law.

Let's see, Director Paulson, did you have something to add?

JOEL PAULSON: Yes, thank you. Just for some big picture context, kind of the intent of this is if VMT is going to create air and noise impacts, those are all impacts that are going to be reviewed. VMT will have impacts. Air pollution and noise, they'll each have their own sections, they'll each have mitigation measures, and so that's what I think this was originally trying to capture is that there are reductions to the VMT, which also might reduce impacts to both air quality and noise impacts.

Then the other techniques, again, from a noise perspective, if you have, for instance, residential uses near a freeway there are usually a handful of mitigation measures, whether that's a sound wall of some height, whether that's having a high-efficiency HVAC system so that folks don't necessarily have to open their windows and be subject to those. Obviously, that's a choice if folks want to do that, but those are the types of things that typically are in those categories as mitigation measures in the document. Just for big picture information for the Commission.

CHAIR HANSSEN: That's helps. Thank you for that. Commissioner Raspe.

COMMISSIONER RASPE: Thank you, Chair. First of all, I agree with Commissioner Barnett's comments with respect to 98.

Then I think he's correct in 100 that as currently drafted it would require a decrease in mitigation measures, which is actually the opposite of what we want. Then taking Staff's comments into account, I think maybe if we are going to insert a phrase into 100, perhaps a better phrase might be, "and related noise and air quality impacts." That way it's supplemental to the VMT and it's still we are interested in managing noise and air quality

impacts that are related to vehicle miles, so rather than casting the net too broadly, so I would suggest that change to 100 if we want to include language.

With respect to other recommended changes, I would also recommend changes 103 and 104 and 105 as well. Thank you, Chair.

CHAIR HANSSEN: Okay, 103 and 104 and 105, because I was asking you guys (inaudible) those came from Valley Water. Let's see what the other Commissioners think. Commissioner Janoff, then Commissioner Clark, and then Commissioner Thomas.

COMMISSIONER JANOFF: On 100, I guess after hearing discussion, Commissioner Raspe's recommendation is a good one, although I think if we just take out, and we'll leave the language as GPAC recommended, I think that's the simplest.

Same with 101. Rather than trying to get nuanced about these things, it's pretty broadly traffic generated and I think that's clear enough.

With regard to 103, I wasn't thinking that we want to include "composting green waste and chipping programs" if the Town is not prepared to do that. That's more of an implementation program if we want to go there,

but that's also already provided by other agencies, so I'm not sure that that's a necessary add.

Then I'd be in favor of incorporating 104 and 105 per Valley Water recommendations.

CHAIR HANSSEN: Thank you for that. No one brought up 103, except for you. I had the same comment. The way it was before, it says "extended producer responsibility and innovative strategies," which could cover any number of things. Then I thought about 20 years in the future, I don't know that it won't be the case, but maybe there is something else besides composting and chipping programs that might be helping them mitigate environmental effects, so I thought it would be better to just leave it the way it was.

COMMISSIONER JANOFF: We might have waste vaporization.

CHAIR HANSSEN: I have faith, especially here in Silicon Valley, for people to come up with really new and innovative ways to deal with waste.

Commissioner Clark, and then Commissioner Thomas.

COMMISSIONER CLARK: I'll start just with 100 and 101. I think that we should leave them as recommended by GPAC. I think if we don't say, "and these other things," it's not like we're limited to only vehicle miles traveled.

We're not saying only that, and so I don't see a problem with leaving that language as is.

I'm very in favor of 97. I think that if there's a remodel or retrofit happening, then that's also a great opportunity for that bird-safe lighting.

Also, number 98, I liked those changes as well.

I agree about numbers 104 and 105; I'm in favor of those two as well.

CHAIR HANSSEN: Can I ask you and maybe Staff about 97, because I had a big question mark by that. What was in there before said, "require new development to increase bird safety by reducing hazardous building and architectural elements and including bird safe lighting design," and the proposal was to add in addition to new development, which I would take to be where there was vacant land or a teardown, but it says, "remodels and retrofit." In the past when we've had these kind of things come up we've tended to leave these things to new development versus remodels, but I'm going to ask Staff what kind of issues that might create to add remodels and retrofits to that statement?

JENNIFER ARMER: Thank you, Chair. I would start by saying that there is generally concern about imposing some of these sorts of requirements on something that's a

remodel or a retrofit. It really depends on the scale of the project, whether there is kind of that nexus that they're putting enough money into the project that we're not overburdening them with these types of requirements.

It's also a little more difficult to implement in terms of a policy, whereas a remodel or retrofit very well may just be a building permit and so doesn't go through as extensive review as a new building would. So new development, I agree, we would consider that to include development of vacant land or significant replacement of existing buildings and redevelopment at the site.

CHAIR HANSSEN: Thank you, that was pretty much exactly what was going through my head on that one, and you said it very well. For me, I would be happier to leave it as it was versus adding on remodels or retrofits, but let's see what others think, and you're welcome to comment on any of these.

Commissioner Thomas, and then I'll go back to Commissioner Clark, and then Commissioner Raspe.

COMMISSIONER THOMAS: Thank you for clarifying all of that and bringing that up, because I did also have that question about 97. One thing that we could possibly do to encourage this inclusion of bird safe design in remodels and retrofits is just add, "and when appropriate in

remodels and retrofits." Is that a language change that would kind of cover the bases, like encouraging and be a possibility for when policy is being made for it to be looked into? That is my one suggestion with that change.

Then for 100 and 101, I agree with Commissioner Clark that I'm in support of how the GPAC originally had it. If we do want to incorporate any changes, such as the one that Commissioner Raspe suggested, I think that we just need to add a verb like, "require decreases to vehicle miles traveled," and something like, "other noise and air quality impacts," because that's what is missing from that phrase. Those are my comments.

CHAIR HANSSEN: I'm going to ask you a question back, Commissioner Thomas. Considering what Staff said, what I heard Staff say is that when impacts are identified as significant in the EIR, you have to go back and mitigate them, and you would have to mitigate any impacts, so if the impact generated by traffic happened to affect air quality, it would have to be mitigated, so I'm not sure what it adds, because in the EIR perspective if noise or air quality was triggered, then they would have to go mitigate anyway. So do you still feel strongly about leaving it in there?

COMMISSIONER THOMAS: No, I don't feel strongly. I'm fine with not leaving it in, but I was saying if we were going to leave it in I think that we need to add a verb, that's my only thing that I feel strongly about. But no, I agree.

I do think that 100 and 101 become redundant in the way that they're written, and we've covered the bases with how they were originally written and professionals originally wrote them.

But for 97, I am interested if people think that "and when appropriate" would be helpful for adding in including remodels and retrofit? Staff, I don't know if you want to comment on it, or other Commissioners.

CHAIR HANSSEN: Director Paulson has had his hand up for a couple of minutes.

JOEL PAULSON: Thank you, Chair. Just to let the Commission and public know, there actually is an implementation program to adopt a bird safe ordinance, which is Implementation Program N. Those are the types of details that we can consider, and then as it goes through that process through the Planning Commission and Council, they can make the decision on when those would be required versus encouraged, for instance, if it ended up being new development only, that doesn't reduce Staff's opportunity

when we're speaking with folks who are just doing building permits to ask them if they've considered bird safe options, so I think we're generally covered there, but I just wanted to make sure the Commission knew that as they're going through this discussion.

CHAIR HANSSEN: Thank you for that. I had forgotten that we had put that as an implementation program, so that helps.

Let's see, I'm going to go to Commissioner Clark, and then Commissioner Raspe, and then back to Commissioner Thomas.

COMMISSIONER CLARK: Thank you. Now that we know that it's in an implementation program my only concern would be like limiting it by just saying new development, so I think I'd like to say require that new developments increase bird safety and encourage remodels and retrofits to do the same, just to at least have the idea in there that we would like for remodels and retrofits to do that.

CHAIR HANSSEN: So that's a compromise statement that could be modified. Item 97 could be modified.

Let's see, Commissioner Raspe, you had your hand up for a while, and then Commissioner Thomas.

COMMISSIONER RASPE: Thank you, Chair. With respect to 97, as I've been sitting here listening, I think

my mind has kind of shifted a little bit. Initially I thought we were going to create a line drawing problem with including remodels and retrofits. As currently stated, any ADU, any re-siding of a property, could potentially trigger a whole study of the project to make sure that there is no endangering of the birds, and I'm not sure that's really the scenario that we want to create, and so the notion of maybe encouraging, as Commissioner Clark says, with respect to remodels as opposed to making it mandatory, that might solve that problem, but any requirement that remodels be required to take into account additional bird safety I think would be problematic.

Then jumping down to 100, I had earlier suggested some changes, but as we discuss it I agree with my fellow commissioners that we adopt the GPAC language for 100 and 101. Thank you.

CHAIR HANSSEN: Thank you for that. Before I go to Commissioner Thomas, I did want to make a point, and this happened a while ago, but a personal experience that I had as a resident. When we went to remodel our kitchen, when the inspector came in they wanted to check all the smoke detectors in the house, which I didn't think was a bad idea, but it was unrelated to the actual matter at hand, which was the kitchen. So as I was thinking through

this I remembered that experience, and that would be my concern about doing something with this and not just leaving it to the implementation program to get more thoroughly vetted, which is that this thing could kind of create, even with the word "encourage," some expectation that if you're making a very small change like changing something that's just a couple thousand dollars, that you might be having to look at issues in other parts of your house, so that would be my only concern, but I'm okay with leaving it in there with the knowledge that it's going to get better vetted in the implementation program.

Commissioner Thomas.

COMMISSIONER THOMAS: I could go either way on that one, so I'm happy to do whatever the majority of Commissioners would like.

I do want to point out for number 103 that there are essentially like three different implementation programs that cover how to become a zero waste town, and they include things like composting green waste, chipping programs, all of that, and so I do think that that's too specific to include in this goal, because we have them as implementation programs and they're probably going to be part of the solution.

CHAIR HANSSEN: Very good. Commissioner Janoff.

COMMISSIONER JANOFF: I'm prepared to make a motion at this time.

CHAIR HANSSEN: Okay.

COMMISSIONER JANOFF: In light of all the great discussion, I think where we are landing is that 97 could create problems unforeseen, and that's not what we want to do, and so I'm seeing only number 98 with the modification that the Vice Chair Barnett recommended, I guess as well as landscape and biological resource; I didn't have a problem with that. And 104 and 105, those are the changes that we would agree to modify.

CHAIR HANSSEN: Is there a second? I saw a thumbs up from Commissioner Raspe, so I assume that's a second as well.

COMMISSIONER RASPE: That is a second. Thank you, Chair.

CHAIR HANSSEN: All right, let's go ahead and vote on that, and I will go again to Commissioner Thomas.

COMMISSIONER THOMAS: Yes.

CHAIR HANSSEN: And Commissioner Raspe.

COMMISSIONER RASPE: Yes.

CHAIR HANSSEN: And Commissioner Janoff.

COMMISSIONER JANOFF: Yes.

CHAIR HANSSEN: Commissioner Clark.

COMMISSIONER CLARK: Yes.

CHAIR HANSSEN: Vice Chair Barnett.

VICE CHAIR BARNETT: Yes.

CHAIR HANSSEN: And I vote yes as well.

So we've gotten through up to 105, and so then let's just take the rest of them. It's 106 through 116, and that's like ten of them. I think that seems (inaudible). So 106 through 116 would take us to the bottom half of page 12 and the top of page 13 of Exhibit 7. All right, Vice Chair Barnett.

VICE CHAIR BARNETT: I have an easy one to start with. On number 112, I think we should say, "encourage waste water recycling," so there's no implication about a mandatory program.

CHAIR HANSSEN: I like that. So that's an easy one. So you would say yes, add 112 as long as it's reworded to say, "encourage waste water recycling."

On that point, before I take any other comments I had a question for Staff. I thought, at least when I looked into it a few years ago, that it was really hard and really expensive to get gray water recycling for landscaping, get the infrastructure put in, and it maybe has moved since then, but I'm offering that in support of Vice Chair Barnett's thing. Certainly it's something that it would be

motherhood and apple pie to want to encourage, but I don't know how practical it is in the current environment, so I'm asking Staff if they have any knowledge of that?

JENNIFER ARMER: Yes, thank you, Chair. We don't currently have facilities in Town for that, but I will pass it off to WooJae Kim to add more. It looks like he's turned on his camera.

CHAIR HANSSEN: Thank you, Mr. Kim.

WOOJAE KIM: This is WooJae Kim, Town Engineer again.

Yes, for Town facilities, we don't have such infrastructure set up, but we could definitely look into it further. The waste water for landscaping, the way I read this policy is that for both private and public to investigate a separate piping system that could be used for landscaping, and there are certain gray waters that you could re-pipe so that it could be used for landscaping, and that's how I'm reading it.

It is something, as Vice Chair Barnett has spoke, to investigate the feasibility of waste water and encouraging such improvements, and that could definitely be done for private developments, and maybe they choose to do that for water conservation and so forth, so yes, there are

possibilities out there, but definitely adding the term "encourage" might make some sense.

CHAIR HANSSEN: All right, thank you for that. Director Paulson, you have your hand up, and then I'll go to the Commissioners.

JOEL PAULSON: Thank you. Just to step back, this is a public comment to add a new policy to this effect.

I'll just draw the attention of the Commission to the Implementation Program UU and DV, which are water reuse and rainwater. UU is, "Develop an ordinance and guidelines to provide for the installation of gray water reuse in residential and business uses, particularly for landscape irrigation," so there is a program to look into that.

Then rainwater is, "Implement rainwater harvesting in municipal facilities throughout Town and encourage residents and businesses to use rain barrels or other rainwater reuse systems and offer incentives where possible."

CHAIR HANSSEN: I think that helps a lot, because I think that the general policy and direction in the plan is clear, and then with those implementation programs that add some more definition to how we would do it, but we'll see what others think.

Let's see, I thought Vice Chair Barnett was right after Staff, and then Commissioner Clark, Commissioner Raspe, and Commissioner Thomas. And we're talking about the entirety of 106 through 116.

VICE CHAIR BARNETT: I didn't mean to have my hand up. I'm sorry.

CHAIR HANSSEN: All right, then I'll go to Commissioner Clark.

COMMISSIONER CLARK: Thank you. I'll just say some of the ones that I am interested in. I was good with 106, 107, 108, and 110, and then I am particularly passionate about 113 and 116.

I thought that those should both definitely be included, especially 116. There were so many public comments about the plant-based eating education program, and so it's nice to finally be able to discuss that after all of those comments. I think that conducing a wildlife corridor study would be really good thing and that is something that I've been hearing more and more about, and if we're going to being doing anything about that, it's probably important to understand where our Town is with those at the moment.

CHAIR HANSSEN: I'm going to ask you a question back on 113, since Commissioner Janoff and I were on the

Commission when we did the Fence Ordinance. Here's what we kind of came up when we did the Fence Ordinance. We had two groups of people. We had the land advocates and the environment, and all comments were very much appreciated. And then we had the land owners, and the land owners were saying things like, "Well, I spent $3 million dollars on my home, and it's my home, and I don't want deer laying underneath my kids' swing set, because they have fleas and ticks, and I should be able to have a fence to prevent them from being in my yard."

So my first reaction when I read this is I remembered that, and I wrote down the comment, "We can do this, but what would the outcome of it be?" Supposing that the outcome was peoples' homes that were already built and fences that were already built were impeding wildlife, what would we ask them to do? Tear it out? That was my reaction to that, so my reaction would be to not do that, but I would like to hear what other Commissioners think, so I'll just throw that out there.

So you've basically said you had several that you wanted to include, and including 113 and 116.

COMMISSIONER CLARK: Yeah, and I think for 113, that's really good context to have, so thank you for that. I don't think that that's actually how I was thinking about

the corridors, and so maybe if we did choose to incorporate 113, like if we do feel that that's still a direction that things are going, it could be a study that takes into account the views and interests of land owners, because that could actually be a way to find a solution to that problem.

CHAIR HANSSEN: As long as it went both ways, so that's an idea about how to do that. Let's see, I think it was Commissioner Raspe, then Commissioner Thomas, then Commissioner Janoff.

COMMISSIONER RASPE: Thank you, Chair. Starting with 113, Chair, you've stolen my thunder. Those were exactly my thoughts. My concern with this one is we've created a policy that is going to apparently study structures that are already infringing on habitats. If we create a policy, we then have to create a remedy in the event of infringement, or is it going to be enough for us to say yes, the structure is infringing and we're content to leave (inaudible). It seems to me a difficult discussion to have, and I'm afraid I don't have an answer for it, but I just spotted the same issue that I think you did.

I also support Commissioner Clark. The 116, I think this was if not the leading public comment, the second most leading comment about having the plant-based

diet initiative in our programs. My only question is it's currently phrased as in implementation program. I don't recall how it was presented to us. Was it in different formats? I see Staff nodding, so I think it was as an implementation program then?

JENNIFER ARMER: I can provide clarification that the GPAC did accept language from them for inserting into some policies, and so as a result of that they said in addition we also want an implementation program, and that's what this is.

COMMISSIONER RASPE: Thank you, I appreciate that, Ms. Armer. So then I'm fine with 116.

As long as I have the microphone for one second, given Director Paulson's comments, I think we don't need 112. Although I'm in favor of wastewater recycling, it sounds like we have that already kind of under the umbrella of what we've got existing.

Then the only other thing I would add, I would include 107. Thank you a bunch.

CHAIR HANSSEN: That was already mentioned by Commissioner Clark, I believe. All right, let's see. Director Paulson, you had your hand up, so before I go to any other Commissioners, I wanted to let you comment.

JOEL PAULSON: Thank you, Chair. Just wanted to add a little more information regarding 113. That probably would not be a good policy. We do have an Implementation Program M, which is Movement Corridor Plan, which does look at that potential for linkages for wildlife, so I think that would be covered sufficiently in that, should the Commission agree.

CHAIR HANSSEN: So what you're saying is that we do have an implementation program that sort of gets at that. I also had that thought about 113, which is that if we were to go in that direction I would want it to be important without too much structure to it until it had more discussion, because we want to avoid unintended consequences.

Commissioner Thomas, and then Commissioner Janoff, and then I'll go back to Commissioner Raspe.

COMMISSIONER THOMAS: I agree that numbers 112 and 113 are really covered in implementation programs, but I did have a couple of questions about that.

With regard to number 113 and Implementation Program M, do we need to add to the implementation program not just standards and ordinances designed to conserve these movement corridors, but should we also be looking into possibilities of building infrastructure that can link

corridors? Because I think that, from my experience and understanding, we've already disrupted the corridors, so at this point moving forward if we really want to achieve protecting our local biodiversity and ecosystems we need to relink corridors that we've disrupted, for example, over/under Highway 17. I know that's a huge project and it's not something necessarily that the Town would be able to just like willy-nilly decide to do and pay for, but I do know that there is grant money and funding out there for that, so could we possibly add to Implementation Program M looking into that possibility instead of just putting ordinances in? I think it's more about reestablishing corridors versus stopping the disruption of them moving forward.

Then I do feel like we've totally covered 112, except I did have a question also for Staff about that one. When we say develop an ordinance and guidelines to provide the installation of gray water reuse in residential and business uses, does that also include looking into building the actual infrastructure to residential neighborhoods?

I know that, for example, my school right now, we're building a new building. We tore down an old building and are building a new building in the City of Mountain View, and the City of Mountain View requires gray water

installation even though our school doesn't have the infrastructure to do that through the City, but it's part of their long-term plans, so they're requiring all new development and redevelopment to include a gray water system, like purple pipes. Is that what this is covering? Is UU covering that where we would develop ordinances that would require the installation of a purple pipe system so that then in the future if there is a possibility we can actually hook up everyone?

CHAIR HANSSEN: So you had some questions you want Staff to answer about 112, and 113 as well as far as what more structure to have the implementation program would (inaudible).

COMMISSIONER THOMAS: Yes. We need to add something related to the Town actually investigating the infrastructure part. Okay, thank you.

CHAIR HANSSEN: Mr. Kim has his camera on, so I would go ahead and ask him. I'm sorry, Ms. Armer.

JENNIFER ARMER: I wanted to start off by pointing out a couple of policies that are already in the Public Facilities and Services Element. PFS-1.5 says, "Encourage the use of recycled and reclaimed water," and PFS-1.6 says, "Ensure proper provisions and conditions are in place for the use of recycled water in areas when this

water becomes available." Since that's in the Public Facilities section of that element, that may help support that, but WooJae Kim has something more to add. I'll pass it off to him.

CHAIR HANSSEN: Go ahead, Mr. Kim.

WOOJAE KIM: Yes, I think there are two sides. There could be a Town-wide network of purple pipe system that could be considered, but from my understanding at least a couple of years back there wasn't a sufficient amount of recycled or reclaimed water to be distributed, so I might have to check back to see what the availability of that type of water system is. And obviously there is all that piping system that needs to be installed as well, but I think a lot of the policies being discussed here is like at the point source, kind of putting the pipe system as needed to divert… It's still wastewater, but maybe from the kitchen sink and so forth. There could be systems investigated for that and checking on the feasibility, working with the Building Department, so there are two different sides to approach this issue, but we could investigate it both ways.

CHAIR HANSSEN: Thank you for that, and I'm going to ask Staff for some clarification on Commissioner Thomas' question about an implementation program that was about the

wildlife corridors. Most of the implementation programs I remember us putting in, and I don't have that page open to me right now in my General Plan draft, the purpose of the implementation program was kind of to explore the options, and so I'm going to ask Staff if there is anything preventing us from looking at more than one way to attack the problem in the implementation program?

JOEL PAULSON: Thank you, Chair. I'll start. The short answer is no. I think before we would develop any ordinances or standards we would want to do a wildlife movement corridor plan, and then that would have recommendations, which would touch on all of the various options that could be done. I know down in Southern California they just are kicking off a big program, and then there is some Highway 17 stuff that's been in the works, and some of it may even be completed. So those are all things that would come out of that, and the plan may lead to further ordinances and standards related to private development and/or public projects.

Similarly, from a purple pipe reuse, I think Engineer Kim spoke about it. I think a lot of it is kind of site specific where you're reusing your own water. The most public infrastructure with public pipe and things like that, those would be significant Capital Improvement

Program projects, whether or not that's the Town or whether that is another organization, or the Town in concert with another organization, those would be things that would be considered a little farther down the road.

CHAIR HANSSEN: So my interpretation of that is that Implementation Program M is predecessor to what Commissioner Thomas was asking for, and an outcome of that study might be recommendations including having an ordinance.

JOEL PAULSON: We could do some simple modification to M and just conduct a wildlife corridor study and then it goes on to say the rest of it, and to continue to support wildlife movement and things like that. I think that's a simple modification so that it's more explicit that that study would happen first, and then we would get into the standards and ordinances.

CHAIR HANSSEN: Ms. Armer, did you have something else you wanted to say on that?

JENNIFER ARMER: I was just going to add the thought that when we do look at the language and it's talking about conserving these movement corridors, I think if we get into more detailed discussions of that one of the components of conserving them is making sure that they are connected in a way that they're actually usable for the

wildlife that is using them. I think that is integral to that kind of discussion regardless of whether we add additional language, but a few additional words there, or adding, as Director Paulson suggested, a suggestion that a wildlife corridor study might be the first step in that. I think any of those could work just fine.

CHAIR HANSSEN: Thank you for that. I'm going to go back to Commissioner Thomas, since she had asked the question, and see where you're at, and then Commissioner Janoff, Commissioner Clark, and Vice Chair Barnett.

COMMISSIONER THOMAS: Thank you for clarifying all of my questions, especially about the Implementation Program M, because how I was interpreting it was more restricted, so I'm glad that Staff and the Town would be interpreting it as like including possible buildings and infrastructure, etc. So I do think that that means that 113 is covered.

I also do strongly support 116, as everyone has discussed.

I also would just want to say that I support 107 and 108, unless there's anything that the Town Engineer actually has to say about 108, but I think that including ground water is good, because ground water is an important resource in our community, in 107.

In 108, I know Director Paulson knows this, because I have been asking him. I'm trying to redo my driveway and I originally wanted to do gravel, because it is a permeable surface and allows for recharging, as opposed to concrete, and it's not allowed in Town, so I'm not doing gravel, but I was just wondering if this could cause some conflict with our current ordinances related to surfaces that we can use for things like driveways?

CHAIR HANSSEN: I think that's a good question to ask Staff, so if you could comment on that one, and then we'll go onto the other Commissioners.

JOEL PAULSON: Thank you. As Commissioner Thomas mentioned, that's correct, we don't allow folks to just have gravel driveways. It becomes a maintenance issue as people track that stuff into the public right-of-way. There are other alternatives. People in the past have used grasscrete. There are the Hollywood ribbon strips that you see in some places where you have a smaller impervious surface, and then you have some other areas where that can infiltrate. The challenge is really in the installation. A lot of folks use impervious pavers, but unfortunately they compact the subsurface so much they really might as well be concrete, so a lot of that is really the installation aspect.

But ultimately, if there are conflicts, the General Plan is going to require a lot of modifications to the Zoning Code and potentially other policy and standard documents, and so those will be things that we can revisit moving forward. There may be newer techniques that might allow for some other impervious surface. We would just need to investigate that further following, so I wouldn't be too concerned about putting us in a position where we're going to have a conflict with the Zoning Code. We're going to have to evaluate a number of things and that can just be added to the list.

CHAIR HANSSEN: That sounds good. Commissioner Janoff.

COMMISSIONER JANOFF: I'm prepared to make a motion based on the discussion so far, but will defer if Commissioner Clark and Vice Chair Barnett have other clarifying comments.

CHAIR HANSSEN: Why don't I ask them to add any more comments they have, and then I'll go back to you for a motion? Vice Chair Barnett, and then Commissioner Clark.

VICE CHAIR BARNETT: I certainly support 116, but my only concern is what does it mean that we'll have an educational program for implementation? And without overburdening the matter I thought we might consider some

language to trap what we really mean by that, and I could suggest something like periodic speakers, classes, and materials. Otherwise, I'm not sure what we're committing ourselves to.

CHAIR HANSSEN: I think that's certainly a reasonable suggestion. I'm going to make a comment on the plant-based eating thing before I go on to the other Commissioners.

I certainly think it's a great idea to add this implementation program, but I'm going to go back to the comment that I made to the advocates that brought this up, which is that we have more than a hundred implementation programs in the General Plan and we don't have a process, and the GPAC actually decided not to have a process, because we felt that this is really the domain of the Town Council in terms of allocating resources towards programs in the General Plan, and so it doesn't mean it's necessarily going to happen is what I'm going to say, but I have no problem at all putting that in there. I just wanted to make sure that everybody understood that it's going to become one of well over a hundred implementation programs, and then they'll have to get prioritized to get it done, and if it helps to make it clear about what it might be

when it happens, then I'm fine with adding what the Vice Chair recommended.

I'll go to Commissioner Clark.

COMMISSIONER CLARK: Thank you. A couple of things.

First just back on Implementation Program M, I think I would like to add just some sort of phrase about also connecting fragmented habitats, because that is different from preserving the ones that exist. I minored in environmental science, so I studied that to some degree and I think that would be worth including, just to clarify that.

Then I am really sorry that I didn't remember to bring this up before, but in the document I shared with you all with some of my recommended changes I had a couple for this section, and they were on 8.17 and they're related to clarifying the accuracy of the history with colonization and the Ohlone and everything, and then also just more including like them in the process of this. So I don't know if you want to pull up the wording or if you had a chance to look at the changes or anything, but I realized I should bring that up.

CHAIR HANSSEN: Thank you for reminding us of that. Rather than having people have to dig out that, could

you maybe read what your proposed changes were to us from the comments that you submitted in writing? I apologize for making you do that, only that I was like having six people go dig through it when… I have a lot of paper here.

COMMISSIONER CLARK: Yeah, I have a horrifying amount of paper in front of me, so that's very understandable.

So for ENV-13.8, Increase Historical and Cultural Awareness, it says, "Support a community sense of stewardship for historic and cultural resources both through supporting talks, tours, and other programs that increase awareness and promote Los Gatos as a destination with historic cultural resources," and I want to add on, "and through including Ohlone people in the conversation and planning," because I feel like if we're going to talk about our cultural resources, we should be sure to include the origins of that culture.

Then there is A-17, 8.8, Tribal Cultural Resources, and says, "Before outside contact, Ohlone lived in base camps," but I think it should say, "Before colonization." Then further down it says, "The Ohlone group were brought into the mission system," and I think it should say, "forced into the mission system." I just felt like a lot of the language was too gentle around what

actually happened. Then later in the paragraph it says, "The Ohlone population dwindled," and I think it should say it was "decimated." And then it says, "In 1973, the population of people with Ohlone descent was estimated at fewer than 300," and I wanted to add, "after what is widely cited as a genocide." Then the last sentence says, "The descendants of the Ohlone united in 1971 and have since arranged political and cultural organizations to revitalize aspects of their culture," and I wanted to alter that to say, "and cultural organizations to revitalize, maintain, and pass on their culture."

A lot of these changes came from a meeting that I recently had with the Chairwoman of the Tamien Nation, and so I do want to just clarify that that was largely what led me to these changes and that…yeah, pretty much that I had that conversation.

CHAIR HANSSEN: Before I go to Commissioner Thomas, let me ask Commissioner Janoff, did you have any comments on what Commissioner Clark just brought up, or was this related to your motion? Then I would know whether to ask Commissioner Thomas.

COMMISSIONER JANOFF: My only comment with regard to Commissioner Clark's recommendations is that I would agree, and they're coming from a place of historical truth

and specific knowledge. I think the more we can create an accurate document, the better it will stand. We've been really striving for racial justice, and if that goes forward then it also goes back in history, so that I think that those are good adds, and presuming that would be approved by the Commission, I would only recommend that the changes between Planning Commission's recommendation to Town Council and Town Council actually having something, that those individuals that Commissioner Clark mentioned as having some expertise would be consulted and just give a stamp of approval on the changes that are recommended. But I wouldn't shy away from a distasteful history; that's ours to own.

CHAIR HANSSEN: All right, thank you for that. Commissioner Thomas.

COMMISSIONER THOMAS: I agree with all those changes, and thank you, Commissioner Clark, for bringing them up, because I do think that when I read them I feel like the same, and so I do agree with Commissioner Janoff that we should own them. So I guess Commissioner Janoff was going to make a motion.

CHAIR HANSSEN: I'll go back to Commissioner Janoff. Would you like to make a motion on 106 through 116 as well as Commissioner Clark's suggested additions to page

8-17? I think they were all on page 8-17, or maybe 8-16 as well.

Hold on, Commissioner Thomas had wanted to say one more thing.

COMMISSIONER THOMAS: I'm so sorry, I was going to say that based on Vice Chair Barnett's comments, I do think that the implementation program for the plant-based education, the beginning should be changed to "Develop and implement a plan to educate and support," instead of just, "Implement programs to educate," because I think that that encompasses like we need to do a little research. What's going to be effective? What are we capable of doing? And then implement it. So that was just going to be my suggestion with regard to that. It might actually happen, I don't know.

CHAIR HANSSEN: Before you make your motion, Commissioner Janoff, I also wanted to make one comment about 116 in addition to what I already said, which is I like Vice Chair Barnett's suggestion about giving examples of what kind of programs. I also wondered if, when I looked at some of the other implementation programs we had, the latter part of the sentence about the benefits and listing what all the benefits are, I'm not sure if the goal is to implement a program that listing what all the benefits are

in the implementation program itself is going to be that helpful to creating it. I think it would be more helpful to delineate what kinds of things might go into a plant-based education program, and then clearly in the education program itself all those benefits are going to be articulated versus saying it all in that sentence, but that was just me.

Let's see, Commissioner Thomas, you wanted to respond, and then Commissioner Clark had something to say, and then we'll go back to Commissioner Janoff.

COMMISSIONER THOMAS: I agree that it is very lengthy and I think that we can just simplify it by changing it to say, "The environmental, social, and economic benefits of shifting to a plant-based diet." Those are like the three underlying components of sustainability, and so I think that that incorporates the message and the importance, but it simplifies things a little bit and is more direct, so again, "environmental, economic, and social benefits."

CHAIR HANSSEN: I like that, and then I'm assuming you agree also with what Vice Chair Barnett suggested, which is examples which would include blah, blah, blah. It wouldn't be comprehensive, but it would give some structure to what might happen.

COMMISSIONER THOMAS: That is more helpful than defining the benefits in here.

CHAIR HANSSEN: Very good. Commissioner Clark.

COMMISSIONER CLARK: Thank you. Yes, for 116 I completely agree with saying, "environmental, social, and economic benefits." In the same way maybe it even allows for more benefits to be included, and I just wanted to remind everyone, you might recall from public comment at our last meeting the folks advocating for the plant-based diet told us that they have a really big document that is a very comprehensive example of what this could look like, and so it might be just good to direct Staff or Council to connect with them between this to see what examples they might want to include, but given that they were the ones advocating for this and creating all of that, I would trust their judgment for what examples they might want to include in the implementation program.

CHAIR HANSSEN: In fact, in the comments for this meeting there was quite extensive examples of things that they wanted to include, so yes, I think that makes a lot of sense.

Okay, Commissioner Janoff.

COMMISSIONER JANOFF: The motion is to incorporate the changes for number 106, 107, 108, 110, and

116, with the caveat that we have a tremendous amount of information coming from the Plant-Based Advocates that Staff should use to modify any policies or implementation programs that would identify, and yes, to include the develop and implement language that Vice Chair Barnett is recommending.

One thing I'd like to also acknowledge with this, and part of the comments that Commissioner Thomas made regarding the three legs that the plant-based diet stands on, we'll be talking later about adding to the greenhouse gas emissions problem, and this is advocating for a plant-based diet to help ameliorate the greenhouse gas. It's a good balance if we have those things that create more and those that lessen it. I think it's a really smart thing for us to include this and to emphasize to Council it may be that there are a hundred or more implementation programs, but this one happens to rise pretty high up for me and I think the depth of information that the Plant-Based Advocates have provided us, particularly in the most recent Staff Report, are very interesting and compelling, so I would definitely want to do that.

The motion also includes the changes that Commissioner Clark has recommended, and as we said before, to seek guidance or validation from the experts who could

create the language that would really resonate for the Town and for tribal representatives.

CHAIR HANSSEN: Just a clarifying question on your motion as far a Implementation Program M, the additional clarification that was suggested by Commissioner Clark and as well as I think Commissioner Thomas.

COMMISSIONER JANOFF: I think that's fine that the implementation program as written does call out linkages, so that the notion of that is in there, but if it's the case that conserve doesn't really cover everything, then examining linkages or recreating linkages, clarifying that language does make sense. It makes it more complete.

CHAIR HANSSEN: So that is Commissioner Janoff's motion, and is there a second? Commissioner Clark.

COMMISSIONER CLARK: I second, and I'd like to echo that consulting the Ohlone is a great thing to add, and then also emphasis on 116 as priority when they're actually sorting out the implementation programs.

CHAIR HANSSEN: When we first had the Sustainability Plan that was introduced in 2012 there was a quest to identify low hanging fruit, so I think what I'm hearing is this would a low hanging fruit to help reduce

greenhouse gases, so we would hope that it would be sooner rather than later.

All right, so then we have a motion and a second, so I will start with Commissioner Thomas.

COMMISSIONER THOMAS: Yes.

CHAIR HANSSEN: And Commissioner Raspe.

COMMISSIONER RASPE: Yes.

CHAIR HANSSEN: Commissioner Janoff.

COMMISSIONER JANOFF: Yes.

CHAIR HANSSEN: Commissioner Clark.

COMMISSIONER CLARK: Yes.

CHAIR HANSSEN: Vice Chair Barnett.

VICE CHAIR BARNETT: Yes.

CHAIR HANSSEN: And I vote yes as well.

So that was a lot of suggestions for environmental sustainability and a very robust discussion. Let's go ahead and tackle the Hazards and Safety Element, because there are only three suggested changes, and then I'm going to suggest that we take a ten-minute break before we tackle Land Use.

Before I go into Hazards and Safety, I did want to ask a clarifying question of Staff. We kind of talked about this a week or two ago, but on the additional actions, suggestions, and public comments, since some of

those are really what I would perceive more as Town Council decisions, I wasn't going to cover them, but I'm looking for Staff's recommendation.

JOEL PAULSON: Thank you, Chair. I think if Commissioners have specific comments on any of those, I believe, four topics, I think it's appropriate to put that in the record so the Council has the information as they're reviewing these items.

CHAIR HANSSEN: That sounds like a good way to handle it, so we will at least ask if you want to comment on any of the items that are suggested in 120 through 123?

Let's go to the Hazards and Safety Element. There are only three suggested comments, of which 118 is not recommended by Staff, because it's covered in other Town policies and we don't want to be having things be inconsistent in the General Plan versus other policies. So how do Commissioners feel about 117 and 119?

Vice Chair Janoff, and then Commissioner Clark.

COMMISSIONER JANOFF: My thinking around 117 is that we've had County Fire input on our language. If they feel it's important to include emphasis on Wildland Urban Interface, this is really outside of my area of expertise, except I happen to live in a WUI environment, so it's not

so far out of my expertise, but whether we need this kind of detail isn't clear to me and I defer to County Fire.

Number 118 is not recommended.

Then 119 looks like a technical clarification, and I would say that's probably a good clarification to include.

CHAIR HANSSEN: Can I ask Staff a clarifying question? Do we know where comment 117 came from? It did not come from CAL FIRE per se. It sounds like it came from a resident or another comment based on stuff they had read from CAL FIRE, is that correct?

JENNIFER ARMER: Unfortunately, I don't remember exactly where that one did come from, but the recommended changes from CAL FIRE were those changes at the beginning of this exhibit, so this was not part of what was recommended as part of their review. Also, we did have Santa Clara County Fire taking a look at the relevant sections of this document, so it would have been from a public comment that we received, but I don't have it front of me where exactly that one came from. It looks like Director Paulson may be looking to see what he can find, but he's shaking his head, so I don't think we've got a direct link to whom that came from.

CHAIR HANSSEN: It also doesn't read like a comment that would have come from CAL FIRE. I don't think I can explain why that is, but just looking at their other comments, it looked like others wrote it.

Let's see, Commissioner Clark and then Commissioner Thomas.

COMMISSIONER CLARK: Thank you. So for 117, I didn't really when reading it know how important that was or how accurate, and so I feel like I would defer to the experts. So I think if we don't know where it came from, it might be worth just saying like, "Subject to the approval of CAL FIRE," or if the Fire Department already read over it and hadn't seen any problems with the General Plan, maybe we do just leave it out.

Number 118, obviously no.

Then for 119, reading the Section 9.4 I wasn't sure exactly where this would go or anything, but I agree with what Commissioner Janoff said, that this seems like a technical clarification, and so I would be in favor of that one.

CHAIR HANSSEN: That sounds good. Ms. Armer had her hand up, so before I go to Commissioner Thomas, Ms. Armer.

JENNIFER ARMER: Thank you. I was able to locate where that comment came from. It was a comment made in a Midpeninsula Regional Open Space letter. If you're looking at your packet from the meeting of the 13th, it is on page 319 of that packet, and it is revised language that they were recommending.

CHAIR HANSSEN: So Midpen Open Space in my mind would be a reasonably credible source, so there are a couple of ways that we could go with this from my point of view and those would be as suggested. Maybe run it past CAL FIRE and see if they think that was a good add. I don't know how much trouble that would be. Or we could just accept it. Or we could just say that there is enough in there and it wouldn't change things and the policies that much. So those are the three options I see.

Commissioner Thomas.

COMMISSIONER THOMAS: This is really two comments in mind.

The first one I feel less strongly about including because I did not actually look up if the statistic is true, although we know that fires in the WUI are more of a hazard for humans, but the second part of the comment is like a totally separate issue and I do think that requires clarification.

It says that, "High fire hazard severity zone does not describe the risk of a fire start, but rather describes the potential impacts to natural ecosystems known as fire severity." So like the fire ignition triangle is what determines if the fire is going to start, and then CAL FIRE has the fire hazard severity zones that are based on the severity, which is how damaging it is based on the intensity, so I do think that we should make sure that that is all clarified in the description.

I noticed with some of the other comments, I don't know if CAL FIRE and Santa Clara Valley Water and all these other groups that look at our document specifically look at a lot of our descriptions more of the introduction pieces, or if they just look more specifically at the policies and implementation programs, so I'm just saying that that's maybe why 117 might have been missed, but I'm not entirely sure.

So I think that there's two parts of this and I don't really have opinions on the first part, but the second part should be clarified.

CHAIR HANSSEN: Clarified as to the validity?

COMMISSIONER THOMAS: The second part, it just says, "It's also important to note that a high fire hazard severity zone does not describe the risk of a fire start,"

and then it says that somewhere in the introduction, which is not true. The fire severity zone maps indicate the severity of the fire, like how damaging it's going to be, not the likelihood of a fire starting. There is some discrepancy in the wordings and someone needs to comb through it and make sure that that gets clarified.

CHAIR HANSSEN: Got it. All right, Commissioner Raspe.

COMMISSIONER RASPE: Thank you, Chair. I don't see any other hands raised, and so my sense of this Hazard and Safety Element is that we're all in agreement that 118 should not be recommended, 119 should be recommended, and perhaps 117 should be recommended subject to review and appropriate modification by CAL FIRE, and if my Commission members agree with that, I'd be happy to make a motion in that respect.

CHAIR HANSSEN: I think that sounds fine, and that sounds like a motion, so I'll take that as a motion and see if there's a second.

Vice Chair Barnett.

VICE CHAIR BARNETT: I'll second the motion.

CHAIR HANSSEN: Thank you for that. Any other discussion before we vote? I'll go with Commissioner Thomas.

COMMISSIONER THOMAS: Yes.

CHAIR HANSSEN: Commissioner Raspe.

COMMISSIONER RASPE: Yes.

CHAIR HANSSEN: Commissioner Janoff.

COMMISSIONER JANOFF: Yes.

CHAIR HANSSEN: Commissioner Clark.

COMMISSIONER CLARK: Yes.

CHAIR HANSSEN: Vice Chair Barnett.

VICE CHAIR BARNETT: Yes.

CHAIR HANSSEN: And I vote yes as well.

Okay, that covers the Hazards and Safety Element, and I'm going to take a stab at talking about 122 through 123, hoping that it's not going to be a super long discussion, but if it does turn out that way, then we might have to take a break.

There were additional suggestions, and you've all seen them in the public comments, and they're more generically about the timing of the General Plan, the first one being a vote or poll of residents on the proposed changes in the General Plan; the second one being requesting an exception to the RHNA requirement, which comment from Staff was the deadline has passed; and the third comment updating the Housing Element within the same timeline as General Plan use and Community Design Element,

which would mean delaying the approval of this document until the Housing Element was complete; and the fourth one is conducing a fiscal analysis relative to the fiscal impacts of the full build-out of the 2040 General Plan, in which the Town Council actually voted on this at their April 5th meeting and decided against it.

So are there any comments that Commissioners would like to make on these in terms of direction that we'd like to give to Town Council?

I think Commissioner Raspe was first, and then Commissioner Thomas, and then Vice Chair Barnett.

COMMISSIONER RASPE: Thanks, Chair. Only with respect to one, that's 122, the Housing Element and the timing of it with respect to the General Plan generally. Currently the posture that we find ourselves in is we are moving forward with the General Plan before our Housing Element is complete, and I know several commentators raised that as an issue and I thought maybe it might be useful if we could have Staff discuss that a little bit, maybe how common is that in this process? Is it something that we see as part of the General Plan process? Is this an anomaly, and how is it impacting the rest of our housing discussion? Maybe some discussion of that would help ally some of those concerns. Thank you, Chair.

CHAIR HANSSEN: I think that's a great way to go at it, and I've already heard Staff's comments on this, but I think it's beneficial for the public to hear as well from Staff.

JENNIFER ARMER: Thank you, Commissioner Raspe, I think that's a great opportunity for us to share a little bit of context with these questions.

I'm going to start by pointing out that a lot of these comments are concerned about one particular component of one of the elements of the General Plan. A lot of these are focused really on the potential development based on the housing densities and other development regulations that are included in the Land Use Element.

As we've seen already in the multiple hours of discussion that the Planning Commission has already had going through the General Plan, there are a lot of elements to this document, a lot of topics covered, and so we would strongly recommend that the General Plan continue to move forward with a recommendation from the Planning Commission with modifications as have been discussed so that it can move forward and complete its process.

I would say that if those concerns about the housing numbers and moving forward with those changes before the Housing Element process is complete, then there

are ways to reduce those, which will be part of our next discussion, to modify those and pull them back, but it doesn't necessarily need to hold back the rest of the process.

The next thing that I would share is that the General Plan was started, when we started this process four years ago, with the specific idea that it would actually be fully completed prior to even starting the Housing Element. One of the goals was to make sure that we had regulations in place, and potentially even the required changes to the Zoning Code, before we started on the Housing Element update so that the rules would be in place that the Housing Element could clearly show that it would be possible to allow the construction of housing as required by our RHNA allocation.

Because of numerous delays for different reasons, the COVID pandemic not the least of those, we're still working through that process, but we still really do want to strongly encourage that this process continue to move forward.

Then the last point that I will add, and then I would expect that Director Paulson might have some additional points, is that our Housing Element update is relying on the fact that the environmental impact review

for the General Plan gets completed and that the EIR gets certified, because if we do not have that environmental review completed, then the Housing Element actually has the extra burden of doing its own environmental review.

So I will pass that off to Director Paulson in case he has any other points he'd like to add to clarify or add context.

JOEL PAULSON: Thank you, Ms. Armer. I think you covered all of the points well. Typically we would have a General Plan in place, as Ms. Armer mentioned, and then we would be using that for the Housing Element and relying on the General Plan that's adopted.

A lot of the jurisdictions in the Bay Area either have existing General Plans or they were not going through that process, and so what ends up happening in that case is that most of them, as Ms. Armer mentioned, need to do environmental review, and then they end up with a bunch of implementation programs that say okay, we all got far more numbers than we had expected and then we may be able to accommodate by our General Plan, and so then they end up with implementation programs to modify the General Plan.

So from a planning perspective and Staff's perspective, having the base of the General Plan that can then inform the Housing Element is appropriate. Ultimately,

I think the Planning Commission can continue to do their work and forward a recommendation, and then ultimately the Town Council will have those same conversations, and should they choose to go down a different path, then we'll look for other options moving forward from that standpoint.

COMMISSIONER RASPE: Thank you, Ms. Armer and Mr. Paulson for your very thorough responses, and also to each of you and all Staff for your amazing efforts on this entire process.

CHAIR HANSSEN: I just would add a little bit more since I'm one of the three people from this Commission that sits on the Housing Element Advisory Board, and I was actually on the previous Housing Element Advisory Board as well as the General Plan Update Advisory Committee back 2008 to 2010, and one thing that I heard from Staff and that I didn't hear mentioned tonight, but I know they know this and they've talked about it many times, is that it is not expected or common or even typical that you would have the General Plan of any jurisdiction on the same timeline as the Housing Element, because the Housing Element is a fixed thing. It's always an eight-year timeline, and it's not that every jurisdiction in California has the same eight-year timeline; they do not.

When we did the previous update of the General Plan, it was from 2010 to 2020, and then we did the Housing Element and we completed that and it's a 2015 to 2023 timeframe, so it is already a precedent for our town to do it this way.

As a member of the Housing Element Advisory Board, I would say that everything that I've heard in the meetings that we've had with affordable housing developers and whatnot, it's not that we couldn't proceed forward without updating the General Plan, but it would be like doing so with our arm tied behind our back, especially with the expectation from HCD that we have all these (inaudible) in place to make sure that we're successful in making this housing happen, so if we didn't have the densities that we asked for it would be problematic.

We even had a proposal in the last year at the CDAC where they were looking at the possible draft densities in the General Plan and they couldn't even get any very good discussion going because the General Plan wasn't approved, and it was for a 41-unit housing complex.

So for all those reasons, I totally support everything that Staff said.

And Ms. Armer has more to say.

JENNIFER ARMER: I just had one additional thought that I did want to share in terms of the processes we're going through and these discussions about housing density and housing numbers and the difficulty of having the different types of conversations and how they're interrelated.

One of the benefits, I think, to having a General Plan update that's occurring just prior to a Housing Element update is that we did at the beginning of the process have a sense that the RHNA allocation that the Housing Element update would be required to meet would be approximately 2,000 units. We didn't know the exact number, but we had that sense.

And so when we were looking at the General Plan town-wide, policy-wide, topic-wide, we were able to keep that in mind, and so rather than going through the process to try and show that the Town had capacity for 2,000 units, in this case 1,993 plus a buffer, just looking at the Housing Element itself we were able to have those discussions with the GPAC looking town-wide, looking strategically on multiple topics in the hope that this whole document would be set up with Vision and Guiding Principles and policies throughout that would support that potential future development in a way that really works for

the Town, and the vision for the Town, for the next 20 years, rather than just the Housing Element topic and the eight year timeline.

CHAIR HANSSEN: Thank you for that. Let's see, Vice Chair Barnett, and then Commissioner Thomas, and then Commissioner Janoff.

VICE CHAIR BARNETT: Thank you, Chair. Item 123, I'm going to echo what the Chair said that in the Council meeting there was an understanding that the preliminary fiscal report showed that there was going to be negative fiscal consequences of the General Plan, and it seems to be although the Community Alliance has done tremendous work in detailing further work that could be done, the likely bottom line is that the fiscal impact would just be more negative, so I'm of a mind not to conduct a further fiscal impact analysis.

CHAIR HANSSEN: Thank you for that comment.

We haven't discussed the EIR either, but there were several letters from the Alliance regarding why the EIR wasn't studied to the full possible build-out of every maximum density on every single property in the Town, which would be something in the order of, I believe, 70,000 units. We'll talk about that more with the EIR, but that isn't the way that any jurisdiction would do their EIRs.

They would be more on a reasonable thing, because it isn't reasonable to think that anyone would build out every single property in town, so that is part of where there is just a difference of opinion about the way to go about this.

The Council has already weighed in on this, so all we would be doing is making a recommendation to Council anyway for something they've already just visited.

Let's see, Commissioner Thomas, and then Commissioner Janoff.

COMMISSIONER THOMAS: I would like to echo what all other Commissioners have mentioned so far, and as a member of the Housing Element Advisory Board, it's been very difficult for us to actually get started on the process without having an updated General Plan, so I think that it is really important for everyone in Town to understand that the Housing Element cycle is on a totally different cycle in number of years, an eight year cycle versus the General Plan is a 20-year document. I think that that is really important for everyone to understand and that what Ms. Armer said about the guess of what our RHNA allocation number was going to be really helped inform the General Plan in a way.

But now as a member of the Housing Element Advisory Board we really need the General Plan to be finalized so we can get to work, and there are serious consequences from the state if we don't get our Housing Element done and certified and turned in, so I don't want us to be responsible for that.

So that being said, I do not support any of these suggested actions because of those reasons.

CHAIR HANSSEN: Thank you, Commissioner Thomas. Commissioner Janoff.

COMMISSIONER JANOFF: Thank you. I agree with everything that's been said by my fellow commissioners, but I would like to add that one of the provisions of the Draft General Plan is that it be reviewed on a five-year basis, so that means if we go forward in the execution of the Housing Element and we need to make any adjustments to the General Plan, there are provisions for that. So even though the General Plan some may think is casting too far into the future without knowing what that future might look like, these five-year incremental reviews help make sure that we're staying in synch with what is expected of the Town, how we need to plan, and whether any changes to the General Plan need to be made in order to accommodate housing or any other consideration that we may have.

I'd also like to say the way that I think about the General Plan and the Housing Element is that the General Plan provides a framework within which all of the elements hang and inform how the Town of Los Gatos does business. The Housing Element doesn't stand on its own. The Housing Element can't go forward if we don't have the zoning and the heights and the densities that we are providing in the General Plan.

It might have been in the past that that was possible because the changes that we might have considered under how much housing we're going to build were much smaller numbers, but we're talking about the numbers that we have now, the 1,993 from RHNA plus buffer. That's a big number and we can't get there with 2020 plan zone, height, and density ordinances; we just can't do it. So we need to have something in place in order for us to reasonably recommend a Housing Element that has a chance of being certified.

So I would also say that I'm not in favor of these four actions from the public for all the other reasons that Commissioners have voiced. Thank you.

CHAIR HANSSEN: Thank you, Commissioner Janoff. I just wanted to make one little correction to what you said, and maybe I misheard you, but we did approve at our last

meeting as an add to the implementation programs to have a five-year review of the Land Use Element, not the entire General Plan, and so maybe I misheard you.

COMMISSIONER JANOFF: (Inaudible) apply to the Housing Element.

CHAIR HANSSEN: Yeah, yeah, and my understanding of that from Staff and the discussion that we had was that the whole reason for that was to help mitigate the risk of if it turned out in 2031 when we have our next Housing Element that the number is much lower, then we can make adjustments at that point in time, so that will kind of bring us more in line in terms of those two discussions without having to dramatically alter the timeline of the two documents.

Commissioner Clark.

COMMISSIONER CLARK: Thank you. I agree. I am not in favor of any those four, and I was wondering if this is a good place to include anything that goes back to one of the other elements, so for example, Vice Chair Barnett's edits to the equity and equality definitions?

CHAIR HANSSEN: Actually, that's a good point. I had that on my list and I was going to bring it up at the beginning.

Just for everyone's benefit, since we're straddling over two meetings so far, Commissioner Clark suggested modifying the definitions of equality and equity, and then there was a discussion about that at the community meeting that was a few weeks ago, and Vice Chair Barnett wanted some more clarification on equality, not equity, right?

COMMISSIONER CLARK: Yeah.

CHAIR HANSSEN: So I read the comments. I wanted to just see where the Commissioners came out on that, because I'm going to ask Staff, I think we need to vote on it if we're going to change it, because we had decided in the last meeting and then the comment came in from Vice Chair Barnett. So I'll start with that.

Commissioner Clark, you still have your hand up. Is that because you had already brought it up and you forgot to take it down, or you wanted to make a comment on the issue?

COMMISSIONER CLARK: No, I'd like to make a comment. I thought that he was spot on. I think that's great to add a reference to equivalent status and rights. I think that that will make it a lot more well rounded.

Something else I wanted to bring up is actually a broader change that I had suggested in the document, but it

was 8-17 where we made those changes regarding the historical origins of the land, and something that I noticed is the Ohlone were pretty much only talked about in the past tense, and so I want to add a third paragraph that talks about today the Ohlone are doing this and doing that, because otherwise I think that it made it sound kind of like they aren't currently doing stuff. Even a lot of the things that were discussed as past tense are things that I learned that they're still doing, like collecting mussels and stuff like that.

CHAIR HANSSEN: So you're talking about adding a more descriptive statement about where the Ohlone currently stand at the time of the writing of the General Plan.

COMMISSIONER CLARK: So it would be a third paragraph under 8.8, Tribal Cultural Resources, and talking about what they are doing today.

CHAIR HANSSEN: Oh, perfect. So there are two things that are on the table. One is whether or not to accept Vice Chair Barnett's revision to the definition of equality, and also Commissioner Clark's suggestion to add the section to 8-17. Any comments on that, or a motion?

Commissioner Janoff.

COMMISSIONER JANOFF: The motion would be yes and yes to changes suggested.

CHAIR HANSSEN: Sounds good, and do we have a second? Commissioner Clark.

COMMISSIONER CLARK: Second.

CHAIR HANSSEN: Good. All right, I will go with the roll call vote, and Commissioner Thomas.

COMMISSIONER THOMAS: Yes.

CHAIR HANSSEN: Commissioner Raspe.

COMMISSIONER RASPE: Yes.

CHAIR HANSSEN: Commissioner Janoff.

COMMISSIONER JANOFF: Yes.

CHAIR HANSSEN: Commissioner Clark.

COMMISSIONER CLARK: Yes.

CHAIR HANSSEN: Vice Chair Barnett.

VICE CHAIR BARNETT: Yes.

CHAIR HANSSEN: And I vote yes as well.

So I think we've covered everything except for the Land Use and Community Design Elements, and there is of course the EIR as well.

It's almost 9:20. Why don't we take a break till 9:30, and then we can go for an hour-and-a-half and see where we are. I think if we go past 11:00 o'clock we have to vote to continue, and then we would have to vote again to go past 11:30, so we can see how far we get, but I do suggest in the interest of trying to get this completed,

even if we have to go to another meeting, let's try to get as far as we can by 11:00. Does that sound good? Okay, so let's take a break till 9:30 and we'll be back.

(INTERMISSION)

CHAIR HANSSEN: Okay, everyone is back. Thank you for that. I hope you enjoyed your break. We will go ahead and start on the Land Use Element.

What I'd like to do with the Land Use Element, unlike what we did with the other elements, because of the high level of controversy we've had over the land use build-out numbers I think that it's really important that we discuss all of the comments and have the Commission weigh in on them, but I want to defer comment number 20, which is modifying the number of new housing units, until we're done discussing the things that will kind of go around that, which is all the other comments. I'd like to take each comment one at a time, and it's actually in total numbers not even as much as we had on the Environmental Sustainability Element, but I suspect that there might be more to discuss on them.

When we do get to the point where we're talking about the numbers, we've gotten all kinds of feedback from the community, and also Vice Chair Barnett had submitted his suggestions, and Staff has in their Staff Report on

page 6 some possible recommendations that came from Council if we were to want to modify the numbers.

With that in mind, I'd like to just start out with number 21, and I think it's a pretty easy one. "Modify the land use designation of the property at 15810 Los Gatos Boulevard from Low-Density Residential to Mixed-Use Commercial to be more in line with the existing use," and Staff is recommending it.

We don't have to vote on each one at the moment. What we'll do is we'll go to the end on the ones that we think are worthy. So generally speaking, we don't need to discuss that. That makes a lot of sense.

Number 22, "Building a high-rise condo on the corner of Los Gatos Boulevard and Los Gatos Almaden." Construction is not within the purview of the General Plan, per Staff, but increased height limits in Mixed-Use Commercial and land use designations could be considered.

I'm going to ask Staff to comment on that one, which is that we did propose in the existing Draft 2040 General Plan to increase the height as well as the densities on Los Gatos Boulevard. Do we think the intent was to go further than that? Would that prevent us from building a high-rise condo complex? I was hoping Staff could comment on that.

JENNIFER ARMER: Thank you, Chair. This comment is suggesting construction of a high-rise, which isn't what the General Plan is doing, but as noted by Staff it is the kind of thing that if consideration of modified height limits was something that the Planning Commission wanted to consider, that's more where this document would lead.

In terms of that location, the changes to the designation on the Boulevard in terms of height limit are 45'. That's been raised to 45' to match the existing limits in downtown. Generally I would say that in most places it's not considered high enough for a high-rise, but the Community Development Director may have something to add.

JOEL PAULSON: Thank you, just a couple things. Ms. Armer touched on the changes. The height is proposed to increase from 35' to 45', and the maximum density is proposed to increase from 20 dwelling units per acre to 40 dwelling units per acre. I believe the site that this commenter is referencing is what we refer to as the former CVS application site. We actually have an application in for a one-story commercial building there, and we're processing that under the current General Plan, so that site probably isn't going to be viable. I would say that if you go down to comment 30, it gets to a similar comment of

increase over the 45', so maybe it's best to have the conversation when we get there.

CHAIR HANSSEN: I had the same thought as we were discussing it that this is more about construction, and there was already another comment in number 30, so we can just skip 22 and go on to that, because we know that the issues surrounding that are there.

I will also note for everyone that's not on the Housing Element Advisory Board, we just started going through the site inventory and a very large number of the potential sites for housing that are on the table right now for the Housing Element are on Los Gatos Boulevard, but one of them is not, this particular site, because CVS owns the property and they've already submitted an application for something that isn't related to housing.

Commissioner Janoff.

COMMISSIONER JANOFF: Thank you. I wanted to add that in the discussions with the Housing Element Advisory Board one of the things that I think we'll be talking about is the incentives to builders for building higher density housing units, so my advice, whether we get to it now or when I get to number 30 is that we don't increase the maximum heights that we have currently in the General Plan

in the Land Use Element, but we reserve the right to have incentives in the Housing Element if that's possible.

CHAIR HANSSEN: I think that's great, and we'll get to that when we get to the next one, but I think it's a good time to bring that up since someone else brought that up in the context of this comment.

Number 23 is, "Including opportunity areas in the General Plan as outlined in the land use alternatives report," and Staff said not recommended to previous GPAC direction, and even though I was the chair of the GPAC I don't remember back in our 35 meetings when we discussed that or why we said that, but I suspect it's because we did the General Plan after the Land Use Alternatives Report.

JENNIFER ARMER: Thank you, Chair. I can provide a little clarification on that.

As the GPAC discussed the Land Use Alternatives Report and made a recommendation to the Planning Commission, who then made a recommendation to Town Council, that really was a framework that that was going to be implemented in the Land Use Element and other elements of the General Plan.

So in the discussion of that land use alternative, one of the concerns that came up is how does that actually get implemented? And a concern about if you

have something called an opportunity area that covers properties that are in different zones or different land use designations, and then there are some properties that are outside those opportunity areas, and so you have some portions of, for example, a Low-Density or Medium-Density Residential designated property, some that are within the opportunity areas, others aren't, and it gets very complex and confusing as to which are in and which are out and you've got different rules even within the same designation.

So as Staff worked with the consultants to look at how to implement the framework that was approved by Town Council one of the things that was discovered through that was that most of those opportunity areas, the areas that had high potential for redevelopment and a lot of potential for doing it in a way that supported of the community, were our Commercial and High-Density Residential areas, and so by shifting those changes in maximum allowed density just to the designations themselves rather than having a separate overlay zone or district, you simplified how the rules would work, clarified them, but really had very much the same effect.

So then the areas that were noted in that framework as opportunity areas then got concentrated

attention in the Community Design Element of the General Plan saying these are the areas where we think there is opportunity for redevelopment, and so it's really important to have some specific vision for each of these areas for what they look like now and what they could look like in the future, that that development is done consistent with the General Plan's Vision and Guiding Principles.

CHAIR HANSSEN: Thank you for that. I did understand that and I hope it made sense to everyone. If you look at the proposed modifications to the densities and the heights in the Land Use section of the draft of the General Plan, they're not specific to what geographic area of Town they're in, it's more we have like Low-Density Residential, we have Community Commercial, blah, blah, blah, we have these thing.

And we haven't discussed the Community Design Element yet, but when we created the Community Place Districts they're intended to be a vision for what the neighborhood would look like, but when we went through the General Plan discussion no one wanted to create specific zoning for those areas. Instead we wanted to say it was going to be either Mixed-Use Commercial or Community Commercial or something like that, but we weren't going to have different zones for that, so that was kind of my

interpretation of what you said. You said it better than I did, but I think that there was really no reason to change all the things that we did in the General Plan after all the time we spent on it, and I think we have a framework that is going to be just fine for moving forward. I'm not sure who suggested that. Was that from the public?

JENNIFER ARMER: Yes, that was in a number of different public comments that were received suggesting going back to that as approved by Town Council, though I will point out that the implementation of that framework in the form of the Land Use Element and Community Design Element, we did go for a kind of check back with the Town Council in November of that same year for them to take a look at how that was going to be implemented.

CHAIR HANSSEN: But since this went to Town Council multiple times and the GPAC had already sent direction, there doesn't seem to be a lot of benefit to revisiting it.

JENNIFER ARMER: Staff does not recommend it.

CHAIR HANSSEN: And that's why you didn't recommend it.

I'm going to go on to number 24, which we probably need to discuss more when we talk about the numbers, but I'll put it out there anyway.

A lot of people are very worried about increasing densities in Low-Density Residential, and so the proposed General Plan does have us raising the densities as high as 12 dwelling units per acre, and a big part of that is to facilitate missing middle housing. That's intertwined with the things that we have no control over, which are ADUs, which are ministerial permits and everyone anywhere is allowed to build a Junior ADU as well as a detached ADU, and that's state law.

Then we also have SB 9, which is just new this year and we don't know the full impact of that, so a lot of people have advocated to not increase densities in Low-Density Residential, because they're afraid there's going to be big, huge high-rises in their neighborhood, and so I thought it was worth having the discussion now even before we start talking about numbers to see what Commissioners thought about that, because the approach that the General Plan Advisory Committee took in recommending the whole framework, and I think it was a direct quote from then Mayor Jensen, which is basically no area should not have to help support the growth that's expected of the Town, and it could be in varying degrees, but that was the direction that was taken. So I open that up for comments.

Commissioner Thomas.

COMMISSIONER THOMAS: I think that the changes to the densities were very well thought out and discussed and analyzed, and I think that the ones that exist in the Draft 2040 General Plan are what we should go with if we have any chance of getting the Housing Element certified and then meeting our RHNA requirements, so that's how I feel about it.

The changes that are proposed to height and density, especially in Low-Density Residential areas I do not think are going to allow for high-rises to be built in areas, but if we don't get a Housing Element approved, then a lot of things could change and a lot of stuff could get built in places that people don't want it, so that's how I viewed this one, and I think that we should go with the densities that are in the 2040 General Plan.

Related to SB 9, I think that this kind of connects to number 26. I'm just curious about if establishing a new Low-Medium Density Residential land use category, is that even necessary because of SB 9? Because duplexes are going to be happening anyway, so I feel like it's kind of related. This is another density question that's kind of related, so if we felt so (inaudible) 26 (inaudible) might be helpful.

CHAIR HANSSEN: Let's talk about both of those at the same time.

COMMISSIONER THOMAS: And 25, even honestly. It's kind of more specific, but they're all related to density.

CHAIR HANSSEN: Number 25, I'll table that one for the second, but I'm going to make a generalized comment, because I know the origin of the Low-Medium Density Residential.

We have Low-Density Residential, we have Medium-Density Residential, so the proposal, as I understand it—and Staff, correct me I got it wrong—is that there are some community members who are afraid of what the impact of Low-Density Residential increase in possible densities would be in their neighborhoods have said if we created a new designation called Low-Medium Density Residential we could basically put the missing middle housing kinds of things in that.

My question to Staff when I first heard of it was where would we put this, because every geographical location in Town does have a General Plan zoning designation? The response I heard was then we would have to decide where it would be, so then it would well be your neighborhood is going to be Low-Medium Density Residential even though you have primarily single-family homes now, and

maybe someone else would stay Low-Density Residential. I see that personally as very problematic, if I understood that correctly, but I would like to hear what you all think.

I think Commissioner Janoff was first, then Commissioner Raspe, Vice Chair Barnett, Commissioner Clark, and Commissioner Thomas again.

COMMISSIONER JANOFF: Thank you. The notion that we could create a separate area for duplexes and triplexes doesn't make sense given SB 9, which allows for lot splits and for duplexes and fourplexes to be created on lots virtually any size, but it's more likely to be in Low-Density or Medium-Density, because that's where you've got the space to do that kind of development, so I agree that number 26 presents more complications than it seems to add benefit.

The rules of the state are going to allow for the Higher-Density and Low-Density anyway, which is why when you look at maintaining the level of Low-Density and if you say let's go back to the 2020 plan, you could do that, but you're still likely to see ADUs in this area. The 200 ADUs that we've got planned for currently in the RHNA numbers, they're more than likely going to be in Low-Density. So you

could say I'm not going to add density, but the state is going to allow you to do it anyway.

I just don't think it makes sense for us to put our heads in the sand and pretend that we can create isolated neighborhoods where we can prohibit a development when we simply can't, so my position on both 24 and 26 are, as Commissioner Thomas said, go with the recommended densities that the draft plan advises.

CHAIR HANSSEN: Which would mean not creating a new Low-Medium Density Residential, because it basically doesn't change the issue; it doesn't accomplish anything.

COMMISSIONER JANOFF: It doesn't accomplish anything.

CHAIR HANSSEN: Okay, got it. Commissioner Raspe, then Vice Chair Barnett, and Commissioner Clark, and then back to Commissioner Thomas.

COMMISSIONER RASPE: Thank you, Chair. Revisiting 24, and it's only because several commentators raised this comment, maintaining the existing 2020 General Plan densities for Low-Density Residential, given SB 9, and it's a little bit unfair to Staff, because I'm asking you to project when we're still in the infancy of this entire discussion, but given SB 9, if we were to theoretically maintain the 2020 densities in those areas, is it likely,

unlikely, unfathomable that we would hit our RHNA numbers, or do we just simply not know?

JOEL PAULSON: Thank you, Commissioner Raspe. The short answer is we don't know. SB 9 is the big unknown. As it has been mentioned, anyone in a residentially zoned property can go through the SB 9 process and have up to four units. Currently on any residential property you can have up to three units, even if you just do ADUs. Density is not a factor when considering ADUs or SB 9, so we already have consideration in the General Plan and then also in the Housing Element with the eight-year cycle approximately 25 units per year. We don't have guidance and we don't have a good track record to rely on like we do for ADUs to tell the state that this is how many SB 9s we think we're going to get. I think we have three so far, but those aren't even for units; those are just subdivisions so far.

We'll get more information as the year goes on, so if we do have the ability we'll probably at least ask that question. We'll definitely ask that question of HCD, letting them know here's how many SB 9 projects we have, whether it's units or subdivisions, and see if there's any possibility to include those.

There have been a number of suggestions and I think ultimately the low-density, if that is maintained as

it is and Staff says we're neutral on that, yes, it reduces the number, which is something that a lot of folks want. But ultimately something that also has the impact that we mentioned in the Staff Report is the work that was contemplated in the missing middle, which now some folks say is kind of superseded by the SB 9; that just gets pulled out of the General Plan.

Staff is comfortable with it either way. The big push and the big potential unit counts really are more in the commercial areas, so that's really where we're kind of interested in doing that. The challenge that was mentioned before is most of those sites are on Los Gatos Boulevard, so then you run into the issue of we're going to concentrate them all on the Boulevard or the predominant number of them on the Boulevard and that gets to be challenging from a number of aspects, but Staff is neutral. We envisioned that numbers were going to change going through this process, so we're comfortable either way, and so I think this is a good discussion to hear different perspectives of different Commissioners as you ultimately get to the point where you formulate a recommendation on specific densities.

COMMISSIONER RASPE: Thank you, Director Paulson. That answers my question.

CHAIR HANSSEN: And I wanted have this discussion without the numbers on the table, because I think the issue is important to discuss.

I do want to ask a question back to Staff on your comment, and you brought this up before and I believe that you answered it, but I wanted to make sure we really understood the answer.

Since people can build up to four units on any property I think regardless of even the size of the land underneath it, why would it make it necessary to take the missing middle housing discussion out of the General Plan? Because the people could do it anyway, even if we were to potentially reduce the densities, why would be need to take missing middle housing out of the General Plan?

JOEL PAULSON: I can start, and then if Ms. Armer has anything to add.

The missing middle is really a different opportunity. You wouldn't be going through SB 9 for a missing middle housing project, because we would be increasing the density, which would allow more units outside of that. So you really would have two different paths; you'd have two options. You either use SB 9, which has a lot of advantages, or you could go through the missing middle housing component, which would allow more

units on a site. So there really are two different paths, two different options, and so that's something the Commission and ultimately the Council will have to consider as well.

CHAIR HANSSEN: All right, that helps. Vice Chair Barnett.

VICE CHAIR BARNETT: Yes, thank you. I support maintaining the existing 2020 General Plan densities with a Low-Density Residential, and I'd like to reserve comment when we get to my submission to the Commission, but I would note that there is sufficient density in the High-Density Mixed-Use Office, Service Commercial, and Neighborhood Commercial designations to achieve that accomplishment, to achieve that goal, in the RHNA requirements, so I think that we can do it, especially in view of the SB 9 and the ADU requirements by state law.

CHAIR HANSSEN: Thank you for that. Let's see, Commissioner Clark.

COMMISSIONER CLARK: Thank you. I am not in favor of the changes recommended in 24 and 26, and I just want to say that I think creating a Low- to Medium-Residential category would be a really bad idea. I think that it would lead to some ugly arguments about what zoning goes where, and I don't know how those kinds of decisions would be

made, and the purpose of missing middle housing is that it blends in with the single-family homes, not that it gets its own designation in its own neighborhood, and so I also think that it would be kind of circumventing the benefits that we can get from missing middle housing.

CHAIR HANSSEN: Okay, thank you for that. Commissioner Thomas.

COMMISSIONER THOMAS: I agree with Commissioner Clark's comments, and I just wanted to say that I feel like it's really important that we have as many pathways as possible for people to develop housing, so including having the missing middle pathway option, as Director Paulson was saying, and SB 9 option. Having both of those moving forward I think is important for developers and individuals.

CHAIR HANSSEN: Thank you for that.

I just wanted to make a note for the entire Commission that we're not making a decision on anything right now, we're discussing, and then when we do talk about the numbers that would kind of go hand-in-hand and we'll do like we did with the other elements and take a vote on the entire list of recommended changes to the element. So if you find later on in the discussion that something swayed you in a little bit different direction, it's not an issue

at the moment, but I think this is a very good discussion to have.

Commissioner Thomas, you just spoke. Do you still have more to add? Okay. Anyone else that wanted to comment on 24 or 26? Okay.

So number 25 is somewhat related. I should say as a matter of background for those of you that are not on the Housing Element Advisory Board, there were some letters that were submitted to the Housing Element Advisory Board last week, and Staff would be more able to comment on it and it's probably more of a Town Council issue at this point, but the gist of it was that some people were upset about the SB 9 Urgency Ordinance, which would prevent people from doing lot splits in the hillsides, and in the same letter—and these comments probably predate that—they were talking about they wanted to be able to take their existing hillside property, split it, and basically be able to have two lots and be able to stay in their home.

Along with that we've gotten comments about there are some areas that aren't truly in the hillsides in the sense of big, huge slope and small roads and all the things that the General Plan Advisory Committee worried about in terms of increasing any density in the hillsides, so the proposal was to look at certain areas on the fringes of the

hillsides that don't have as much slope in the lots that could be possible candidates for additional density.

So I wanted to share what peoples' comments were in that area, but there are kind of a lot of things flying in the air right now around this topic.

Commissioner Janoff.

COMMISSIONER JANOFF: It's unclear what fringe areas adjacent to San Jose might actually be, but we do have two of them included in our areas of opportunity, the Union Avenue areas as well as the Harwood Area, so those are two that border San Jose that are kind of the fringe areas of the hillside. Well, Harwood for sure, maybe not Union so much. I'm not really sure what the fringe areas of Los Gatos would be, so not really understanding this I wouldn't be in favor of making those changes. The other communities that border, Campbell and Saratoga, I can't see those fringe areas not being truly hillside and being susceptible to the wildfire dangers, which drove the GPAC to saying no development in the hillsides, so I'm not in favor of 25.

CHAIR HANSSEN: Director Paulson, you had a comment?

JOEL PAULSON: Yes, thank you. Commissioner Janoff just mentioned one of them, which is this was

discussed and there wasn't an interest at the time with the GPAC to modify the density in the hillsides.

I'll give one instance of what could be fringe. I think this gets to the same conversation as creating a new category of this Low-Medium. I think the more potentially appropriate option would be, and you mentioned Harwood, so as you go up Harwood past that shopping center that's in the Community Place District there are some Hillside Residential that come down, and they're flat lots, they're not sloped.

If that was something that either the Commission or the Council were interested in, that would probably be a modification to the land use designation, because most of those abut Low-Density Residential, so it would be changing it from Hillside to Low-Density Residential, which would probably be more appropriate. I don't know that we have a whole lot of those areas. That's the one that comes to mind, because we did have a very large lot adjacent to an R-1:8 subdivision, but they're designated HR-1, and so that would probably be that fringe. That's not adjacent to San Jose.

The only areas in our hillsides that are adjacent to San Jose is really probably over by Hicks Road. We've got a subdivision out there that was done through a Planned

Development, but we don't really have a whole lot of areas that abut San Jose and that are zoned Hillside that probably are appropriate from that standpoint.

I will say some of the ones on Harwood do back up, they abut San Jose at the rear of their properties, up Alerche, some of those properties, and probably even some of the Harwood ones, but that's probably a very limited opportunity and I'm not sure if ultimately it's worth the consideration to increase just for a handful of sites rather than potentially modifying the land use designation to the Low-Density Residential adjacent to it.

CHAIR HANSSEN: Thank you for that. That helps to clarify kind of where it would be. The properties that you were just talking about off of Hicks Road, I forget the name of the community, but those are very, very, very large houses. I mean, I'm having a hard time visualizing how you would go with those houses that are on pretty large lots and then add a lot of density, and it's already fully built out is my understanding, so this sounds problematic to me how you would make that work.

Any other comments on this one? Vice Chair Barnett.

VICE CHAIR BARNETT: I apologize for not reading all the Staff Reports on GPAC, but I wonder if Mr. Paulson

could describe the basis for eliminating Hillside from the density increases? Is it the roads?

JOEL PAULSON: I'm sure Chair Hanssen and Commissioner Janoff and potentially Commissioner Thomas could add some additional, but generally it's wildfire access. Those are the typical issues, so to look at increasing the density in those areas, even though they are a lot of large lots, it was really some of those safety issues that were a big concern.

JENNIFER ARMER: I would add that while I think that was the primary element, also an important component of the character of the Town is the views of the hillsides, and so additional housing in the hillsides makes it more and more visible and changes that character, so I think the fire danger was the primary component, but there were also discussions about visual impacts with more density in that sense.

CHAIR HANSSEN: Yes, and I will agree that that was a secondary discussion, and I'll have Commissioner Janoff comment as well when I finish.

I can tell you that when we initially started the General Plan we had community meetings, and in one of those community meetings people were supposed to identify the things that were most important to them and most endeared

them to living in Los Gatos, and by far and away the number one thing was safety, and as we were talking through it—this was in 2018 when some of the worst wildfires had happened—a lot of people in the hillsides are in neighborhoods where they have private roads, and those private roads are really skinny roads, basically one-lane roads, and people are terrified of this scenario where there's a fire and there might be enough room for the fire truck to get up, but there might not be room for anyone to get out. That is actually a very common thing that we see in the hillsides, and so when we were talking through everything it was really a unanimous decision of recommendation of everyone on the GPAC that not only would we not encourage growth in the hillsides, but there is an implementation program in the General Plan to study the possibility of downzoning, which has it's own set of implications because people own the land and they do have a right to build to a certain extent.

The whole idea of what the General Plan Advisory Committee recommended is we can't stop people from building on their land, but we're not going to encourage a lot of additional density, because we don't have anywhere close to the infrastructure to provide for the safety that everyone in Town desires.

Commissioner Janoff.

COMMISSIONER JANOFF: What I wanted to emphasize is that we're working through the General Plan element-by-element, but when the General Plan Advisory Committee considered the General Plan it was as a whole. We're looking at land use in isolation, but in this particular case, this is where it crosses over to the Hazards and Safety, or as Ms. Armer suggested, it crosses over to the visual character of the Town, so we're looking at these in isolation, but it's important for us to remember as we go through this process that the General Plan is a really much larger picture, and the decisions we're making, or the recommendations we're making, regarding any one of these elements need to hang together with the other elements, and so this is one that was really a very robust discussion over wildland safety, wildfire, and so on, and that was really the predominant element when it came to discussing this particular piece of the Land Use Element. So I just wanted to point out that we want to make this document as internally consistent as we possibly can, and this is one of the examples where it really is.

CHAIR HANSSEN: And that was another good thing to bring up too about the open space. The open spaces that

the Town is responsible for are all in the hillsides, and so when everything added up it didn't make sense.

Now, I did want to add one thing before we get to the numbers. There was a lot of discussion in the public domain about the difference between the 3,738 number and the 3,904 number. I might be off a little on the numbers, but the difference being the hillsides, and there is a number in there that says there could be up to 166 hillside units, but it's not as a result of any policy that's recommended in the General Plan.

That's simply the fact that people do own land there and we consistently are still getting proposals from people that want to subdivide their 22 acres and build ten new homes, and when they come to the CDAC unilaterally every response has always been that's not a great idea, and a hundred neighbors come out and say that's not a good idea, but nonetheless there will be some growth in the hillsides whether we encourage it or not simply by the virtue of people that own land that have a right to build on it and the zoning says HR-1 or 2.5 or whatever the case may be.

Anyone else have comments on that? Like I said, we're not making a decision at this point. I just wanted to make sure that we put these things on the table, and I

think it will help when we are talking about any adjustments we want to make to the build-out option.

So then 27, "Utilize maximum FAR only for non-residential components of Mixed-Use project, because housing will be limited by maximum density."

I wanted to ask Staff a question about this. For all my years on the Planning Commission we've always used FAR, so this would be a departure from anything that we've done in the past.

JENNIFER ARMER: I will start with we have treated Commercial in a couple of different ways, depending on the land use designation or zoning.

For example, downtown there has been a floor area ratio that's been consistently used for the entire building for Commercial, and that's been in place for many years.

In other Commercial zones, rather than an FAR, which is the floor area ratio, ratio of the floor area of the building to the property size, there was a combination of a height limit and a lot coverage. So if you have a height limit of 35' and you're talking about an office building, it's really only going to be two stories, and if you have a 50% lot coverage, then that is actually effectively the same as an FAR of 1.0, because you could do

levels at 50% and you get 100% of the lot area in terms of floor area.

It's a little bit of kind of playing around with how to implement these, and one of the reasons to consider floor area rather than just lot coverage and height is that it does really look a little more at the massing of the building and gives some flexibility of how that building might be designed, depending on the layout of the site and the proposed uses, but there are different ways of using these different tools handled by different communities, and it looks like Director Paulson has something to add.

JOEL PAULSON: Thank you, Ms. Armer. She explained kind of the existing rules. Typically we're looking at density, and if you have three or more units FAR generally doesn't apply, but because we were increasing FAR—and the GPAC members will remember this fondly—we had conversations constantly about density versus intensity, so this was intended to capture that intensity component from a total square footage standpoint.

So if someone was proposing a Mixed-Use building, not only would we be counting the Commercial on the ground floor, but we'd be limiting to some effects the Residential up above, which for instance, one hypothetical is they want to go to the maximum density, which generally is going to

mean smaller units, so it's kind of balancing the density versus intensity, and that's why it's written as it is currently.

To Ms. Armer's point, that really gets to also I think ultimately trying to deal with if we only use it for the Commercial component someone could just develop Commercial and not have Residential. They're not required to be Residential in many of the designations, so then you end up with potentially a much larger, much more square footage for a Commercial building not having the Residential component.

So that's kind of another way to hopefully, as we implement it through zoning code or other mechanisms, again, incentivizing the development of Mixed-Use, which is a big component of the General Plan, so that we do get some of these sites containing Residential and Commercial. I think Ms. Armer might have some additional comment.

JENNIFER ARMER: I just did want to add one additional thought in response to the comment that Director Paulson shared about density versus intensity, and a comment earlier from Commissioner Janoff about how increases in height, or also increases in floor area for example here, might be a component of some incentive programs that might be discussed by the Housing Element

that if you build additional housing that additional floor area might be a possibility, and I think that is a component of some of the public comment that we've received related to this discussion of intensity versus density, that if you're going to allow additional intensity that it really should be tied to building more housing, since that's our goal. So I think that's another component to consider, whether those might be tied in future discussions of how to incentivize and encourage additional housing.

CHAIR HANSSEN: Staff recommended neutral on this, so my response as a member of the Housing Element Advisory Board would be I would only want to go in that direction if it was going to be an inhibiting factor for developers to want to build Mixed-Use. As long as the FAR is high enough I'm not sure that… And it seems like from our perspective FAR is a useful tool for controlling intensity, and then we have density and the interplay of those two things. So I didn't hear any reason to not use FAR unless developers were telling us we can't live using FAR at all when we're building a Mixed-Use Commercial. I don't know what other people think, but that was kind of what I heard.

No comments, so I guess you all agree. Okay, we'll go on.

Number 28 was, "Change development rules to increase construction of diverse housing types, including greater density, higher height limits, lower parking requirements, more transit and connection to light rail."

I'm not sure what that means in terms of modifying the General Plan. Does Staff have any thoughts about this?

JENNIFER ARMER: Thank you. I would say that we are doing some of that with the policies and changes that are proposed in the Draft 2040 General Plan. I would say that this comment is probably encouraging the Planning Commission and Town Council to consider going farther in some of those areas. Without specific recommendations, we shared that general comment just to make sure that there was that voice, since that is part of the public comment that was received.

CHAIR HANSSEN: And you did make a comment earlier on one of the other points that we could consider higher this or that than what is already proposed in the General Plan.

I'm going to take Commissioner Thomas' comment, but it seems like number 20 doesn't really give us any direction in terms of how we should modify the plan unless someone is saying I wish the FAR was 4 instead of 3.

They're not saying what form it would take beyond what we've already recommended.

Commissioner Thomas.

COMMISSIONER THOMAS: In general I support these ideas, because I think that they are important for covering a lot of the policies in the General Plan, like a lot of the goals that we're trying to reach for our community, but I wasn't really sure where it would be put or how it would change, so that's really what my comment was.

CHAIR HANSSEN: I think we can kind of save 28 for when we actually talk about the numbers and then see if people… They know Commissioners have a reaction to is number enough? Do we need to do more based on what we know today, which might not be everything?

Commissioner Janoff.

COMMISSIONER JANOFF: Again, I think 28, 29, and 30 all speak to the kind of detail that we need to get to in the Housing Element. They're all about housing. We've provided the framework in the General Plan to allow for, and I would just advocate that we allow the Housing Element to provide the exceptions or the incentives for high or higher density.

As Commissioner Thomas said, and I completely agree with, these are great ideas but it's not in this part of the General Plan where they belong, in my opinion.

CHAIR HANSSEN: So you're saying you wouldn't even address this in the General Plan, you'd save it for the Housing Element.

COMMISSIONER JANOFF: Yes, it's a real detailed and housing-specific kind of comment on 28. Number 29 is, "Allow Mixed-Use in High-Density." Well, we've talked a lot about Mixed-Use and how feasible that is in High-Density, whether it's buildable, whether builders build it, that kind of thing. What it all boils down to, as other Commissioners have said, is how are we going to get the housing that we need, and to me these three items, as well as others, are great incentives, but those details could be fleshed out in the… Keep this, but move it to the Housing Element.

CHAIR HANSSEN: I was only wondering about 29. I'm going to ask Staff. Because there is a permitted uses table for every land use designation in the General Plan. I thought we allowed Mixed-Use in High-Density Residential, but maybe we don't.

JENNIFER ARMER: No, the Residential designations do not allow any Commercial.

CHAIR HANSSEN: Okay, and we made a conscious decision not to do that, so that might be worth discussing either as part of our recommendation or deferring it to the Housing Element, but if we didn't allow it in the General Plan it would be hard to do it in the Housing Element.

We can think more about that, but I'm going to take Commissioner Clark's comment.

COMMISSIONER CLARK: Thank you. Yeah, Chair Hanssen, your comment that you just made kind of gets at my question, which is I completely agree with what Commissioner Janoff said. I think that these conversations really are best held in the Housing Element Advisory Board where there is a large group of experts and they're having those conversations, but then what is the rule of the General Plan when we understand that that's where these conversations will exist? Is it really important that make sure all of these ideas that we think are good will be possible, or do we understand that they might need to go in and make some changes to the decisions that will be made on the General Plan?

CHAIR HANSSEN: I'm going to ask Staff to comment on that one as well so that I know we're looking the right way about it. Director Paulson.

JOEL PAULSON: Thank you, Chair. Ultimately, as we go through the Housing Element we're going to hopefully get a General Plan adopted, then we're going to look at the Housing Element for those land use designations and see what number we can get to. There is a chance for one or more sites, or even designations. If we're not getting to the numbers, or HCD is not agreeing with all the sites that we selected, so we have to come up with other ideas, there may be implementation programs that have to be added. The hope is that that will be a minimal number of modifications that would be subsequent changes to the General Plan.

I think specifically 29; in rereading it I probably should have said this in the beginning. We're all interpreting the public's comments, which we may or may not be getting 100% right, so if any of these we're getting wrong, please feel free to submit additional written comments.

Looking at 29, we have very limited High-Density Residential land use designations, and so I actually in hindsight would say Staff would not recommend 29. Those are traditional High-Density—from the Town's perspective—multi-family apartment buildings and things like that. We do have High-Density Residential built into some of our Commercial,

the Mixed-Use specifically, so I just want to provide some of that context as well.

CHAIR HANSSEN: I think what you're saying is if we want to have High-Density Mixed-Use we should have that Mixed-Use designation, not modify High-Density Residential.

JOEL PAULSON: That's correct.

CHAIR HANSSEN: So you're going to change your recommendation on 29 to not recommend it for the reasons we just discussed. Okay, got it. That helps, and that clarifies kind of what we were discussing when we went through the General Plan.

I think we've covered actually 28, 29, and 30 unless people have other comments.

On number 30, I'm going to go with what Commissioner Janoff was saying, which is that it might be a good tool for the Housing Element, but we may not want to go and create like artificially high General Plan limits when we could use it as a technique to motivate people to do affordable housing. We can have that discussion more when we're talking about the land use build-out table and the standards, but right now we've gone up to 45', as Ms. Armer noted, to match downtown. It might be necessary to go higher, but we probably don't need to decide that just yet,

and we can decide what form it will take when we make our actual recommendation.

But if people have comments about it, I would like to hear anyone's thoughts about it. Okay, I don't hear anything else. No hands are raised.

I did want to talk about number 31 in spite of the fact that maybe it is more of a Housing Element discussion, but 31 is, "Reducing the maximum allowed floor area ratio in the Central Business District from 2 to 1.25." Staff, is it 1.25 in the 2020 General Plan?

JENNIFER ARMER: No, at the moment I believe the current regulations are .6 for downtown.

CHAIR HANSSEN: Oh, so it's even less than that. So putting more housing in downtown, as you've seen from the comments, has been fairly controversial, but I will share this, that the GPAC, in talking through the thing, it was a combination of no area should be immune, and especially we can for the most part rely on our objective standards to make sure that things fit in the neighborhood.

Then we also had the discussion on Thursday at the Housing Element Advisory Board as we started going through the proposed site inventory that there are several potential sites that housing could be build in downtown. One, for example, is the post office, and there was a very

long comment made by Vice Mayor Ristow about how the post office is really not the best use for downtown and that it could turn into a really beautiful property with a smaller post office, you could get more housing, it would fit right in, so there are definitely people on very polarized sides of the issue. The Town Council did vote, when we went over the land use alternatives, to incorporate the Central Business District having additional housing. Then the only question would be how much?

But that's part of this thing with the floor area ratios, where that all came from, so I would be interested if people had thoughts, and we'll have to end up having the discussion, when we talk about numbers, about whether and how much there should be in the downtown. No comments. Okay, I'll defer to when we talk about the numbers.

Let's see, there were several comments about the North Forty, and the general response that was given, and some of this was in the EIR, some of it was in other places, but the developers of the North Forty, it's my understanding the Specific Plan that governs the North Forty is separate from the General Plan, but it's not in conflict with it, and it has standards for how much can be built, and because there's the potential of additional housing—and Staff, jump in if I'm getting it wrong—that the

developers can enter into a development agreement with the Town to build more housing, which would supersede the limited amount of housing that they're able to in the North 20. Did I get that right?

JENNIFER ARMER: Yes, I think you got that pretty right. One of the things that I would add is that because the two Specific Plans that we have in Town are included in the General Plan, both as the zoning designation and the General Plan designation, it's there in place of another designation that might have been there previously, and so it does kind of defer to the rules that are in that plan. It looks like Director Paulson has something to add.

JOEL PAULSON: Thank you, Ms. Armer, Chair.

Ultimately, yes, I think most folks are aware there are a very limited number of units left from what's currently allocated in the North Forty Specific Plan, 33 units. There's been a lot of talk about the potential for additional units out there. There are multiple paths.

You mentioned one, which the development agreement, which would probably have to be coupled with a Planned Development, which is also the other minor change that was made in the Specific Plan.

The other probably more appropriate option would be to do a Specific Plan Amendment to increase that number.

The current General Plan looked at far more units and they were ultimately approved out there. I believe the number in the EIR was 750 units for the North Forty, so there's some capacity there from an environmental clearance perspective potentially, but should the Commission think that more units should go out there, those of you on CDAC saw a CDAC application that would have more units, which Staff at that time said would require a Specific Plan, but as you mentioned, there is the Planned Development development agreement option that may also be possible, but if it's the interest of the Planning Commission from a recommendation standpoint that that number should be increased in the Specific Plan or through another mechanism, I think that would be great input for Council.

CHAIR HANSSEN: Then I think that is something that we should discuss. What I understand from Staff's perspective is that the modification wouldn't happen in the General Plan, it would happen in the Specific Plan, because the Specific Plan has all the objective standards of how we would do the North Forty, and so the right way to go about adding more housing would be to modify the Specific Plan.

JOEL PAULSON: I think what we probably would recommend would be ultimately an implementation program that says modify the Specific Plan to increase the number

of housing units. For instance, on the Boulevard, which is a Mixed-Use designation, the current Draft General Plan is going up to 40 units per acre. The current Specific Plan is at 20 units per acre, which is the existing General Plan designation for Mixed-Use, so that could be part of the conversation as well.

CHAIR HANSSEN: All right, so probably an important thing that we should resolve before we finish recommending any changes to the Land Use Element is whether or not we would recommend to modify the Specific Plan to add more housing.

Commissioner Janoff.

COMMISSIONER JANOFF: Yes, thank you. I'm in favor of modifying the Specific Plan to include more housing (inaudible) since the EIR for the North Forty would accommodate additional housing, and it's also one of the areas that's probably on the Housing Element Advisory Board's site selection list, so we're already thinking of it in terms of providing additional housing, so it makes sense to me that we open it up to that possibility. It may not go there, but at least it gives us the option, and I think that makes sense.

CHAIR HANSSEN: That's good. Commissioner Raspe.

COMMISSIONER RASPE: Just to air the contrary view, my only concern is those units are just coming online now, and so we really don't have a full sense of their impact on this community, and so I'd like to have a further discussion of what the impact of those additional units might be to infrastructure, all those areas that various commentators raised as part of that discussion. I think that would be valuable. Thank you.

CHAIR HANSSEN: That was a good thing to bring up. I would just point out what Director Paulson said, when the North Forty phase one application was approved the EIR was studied for the capacity of 750 units, a much bigger number than the 320 units that we have.

The Environmental Impact Report looks at transportation, air quality, all those impacts, and although I remember that there was significant unavoidable impacts primarily in transportation, there was something in the order of $10-12 million dollars of mitigation that was paid for by the developers to alleviate and that reduce the impact somewhat, although it was still significant. Did I get that right, Staff? So I'm not sure if studying the thing further would have any impact if we already studied it for 750 units.

Commissioner Thomas, and then Commissioner Janoff.

COMMISSIONER THOMAS: I understand Commissioner Raspe's concerns and I think that we should be very thorough, but I assume that if there were any major changes to the plan and then there was actually development that would happen, we would have to do a very thorough analysis of the impacts, so I don't know if that's kind of doing an analysis now before changing, if that's putting the cart before the horse or not, but I might not be fully understanding the situation.

CHAIR HANSSEN: I'm going to put that back to Staff. Supposing that we modify the Specific Plan to allow what was proposed in the CDAC hearing, I don't remember, was it 300 more units or something? Right now they're only allowed to do about I think 30 more units, because the whole idea of the original Specific Plan was most of the housing would be in the southern part and then as you move north you would have more Commercial, and so in the original Specific Plan they were only allowed to do Residential over Commercial and not on a standalone basis, but it's been moving in the direction of more. Do we need to redo the EIR if the Town ends up going in that direction?

JOEL PAULSON: Thank you. The answer to that question is maybe. We would evaluate that when we received an application and look at whether or not we would have the ability to rely on the Specific Plan EIR or whether additional environmental review would be required. The big picture question at the General Plan level is do we think we should consider more units at this stage for the Planning Commission, and then we would go through the appropriate processes should we get applications for the site.

CHAIR HANSSEN: So it depends. All right, Commissioner Janoff.

COMMISSIONER JANOFF: Thank you. I wanted to add that as we go through the process through the Housing Element Advisory Board we're mindful of the big concern that too much development occurs in an areas that's already overloaded, and that's a consideration at the element level. We're at the General Plan level, which says where might development possibly happen? We're not saying it will, and certainly it wouldn't be North Forty, Los Gatos Boulevard. We just couldn't support that and HCD probably wouldn't certify that.

So again, we're at a high level here with the General Plan thinking we've got areas in Town that could be

developed and it could be beneficial for the Town, we just need to be able to have the ability to look at those areas or consider development or not, and I think because our numbers are so high, it's beneficial to have more areas to consider than not to help us hopefully get to where we need to be. I just wanted to remind everyone that we're not saying it's going to happen, we're just providing for these are potential areas that could work if we loosen some of the bounds that are in place right now.

CHAIR HANSSEN: I would also note, some of you guys are on the CDAC, I've listened in to the CDAC hearing where Harmony and Park Development and those guys were presenting their ideas for developing the North Forty, and the Los Gatos Community Alliance has been very vocal about limiting the amount of housing in Town and being conservative. They were all for putting more housing in the North Forty. You can ask what are all the reasons for that, but the fact was that that was a big thing, and I'm going to concur with what Commissioner Janoff said, which is that we probably shouldn't eliminate any options unless there's a really good reason for doing it, especially when we had to come up with that much housing.

In the Balancing Act tool that's out in the public right now the North Forty is a place where housing

could be put in terms of the draft site inventory, so we don't have to make a recommendation right now, but there are definitely reasons to consider it.

Let's see, let's keep going and see if we can at least get through the recommended changes.

Number 33 and number 34 are just wording changes to the existing policies.

Number 33 is adding the word "environment" to having to evaluate projects that have mitigation measures with things on the list, which they're adding the environment to this. It says, "Urban services, wildfire risk, including utilities, police, and fire."

Then the second one, 34, is to add the words "migration" and "biological corridors" when we're trying to, "Ensure that housing in the hillside will not adversely impact the natural environment."

So the question for Staff is you said you were neutral to adding the word "environment" to that policy statement in LU-3.2. Since we already have CEQA, what would be the benefit of adding the word "environment" to that policy?

JENNIFER ARMER: Thank you. I would say that we labeled this one and the next as neutral because that is covered elsewhere and through CEQA, that it's not a problem

to add that additional language to those two policies. We haven't identified a significant problem with that, but generally the sense is that it is covered either here in other locations in the document or CEQA.

CHAIR HANSSEN: So that's why you're neutral, it doesn't really materially change anything one way or the other to have it in there. Then I assume that "migration" and "biological corridors" as in adding that to number 34 is in the same category from Staff's perspective?

JENNIFER ARMER: Correct.

CHAIR HANSSEN: Okay. Does anyone have a feeling about is it important to add it or is it worth it?

Commissioner Clark, and then Commissioner Thomas.

COMMISSIONER CLARK: I would be in favor of both of the additions for number 33. I feel like the public feels like that is important to have in there and I'm perfectly happy to put it in.

And for number 34, I actually think that that increases consistent within the General Plan just because we've discussed some other areas that talk about wildlife corridors.

CHAIR HANSSEN: I hate to belabor this point, but since I heard all the people testify in the hillsides when we did the Fence Ordinance, in 34 it says, "Ensure the

housing in the hillsides will not adversely impact the natural environment," then adding "migration" and "biological corridors," so it's probably redundant to the natural environment, but given what was said and some of the testimony we got from people in the hillsides, would we have to add like a checklist once that wildlife corridor study is done and when people are trying to build and say well you can't build there? That would basically be included in the idea of the Least Restrictive Development Area, because it impacts a wildlife corridor. I don't think we know yet, but I'm just asking the question in terms of where would this go?

JENNIFER ARMER: I'd expect that if we do a wildlife corridor study that that would result in some specific recommendations, that we would be looking at how that study then might be implemented and that that would go through discussion with the Planning Commission and Town Council as to what components of that might be, say, added to the Hillside Design Standards and Guidelines as a new map or specific restrictions that would be part of the follow up discussion to doing that study.

CHAIR HANSSEN: Okay, fair enough. And by the way, for the rest of the Commission, I'm not opposed to adding those words; I just wanted to make sure I asked some

devil's advocate questions about it. So what I heard is it's really premature because we haven't done the wildlife study, and then there would have to be recommendations that came out of that, and so there's nothing to be concerned about adding those words.

Commissioner Thomas.

COMMISSIONER THOMAS: I was just going to second Commissioner Clark's comments that if the public felt like they wanted to add these in and Staff doesn't oppose it that we should include them, because I do think it creates some consistency in a way that it's not redundant, but I think that they're fine to include.

CHAIR HANSSEN: That sounds good. I'm going to suggest that we don't need to talk about 35 or 36, because they're both in the same genre of what we talked about with the North Forty, which are the special planning areas. If it's just a clarification thing, I would have no problem adding it, but if it's going to be to modify the General Plan substantially to change anything that the place to do that is in the Specific Plan so that it's not out of consistency with the General Plan, so that was my recommendation.

Just so everyone who wasn't on the General Plan Committee knows, we were very specific as we went through

the entire process that whenever there were wording changes that didn't impact the meaning of the General Plan we would have Staff unilaterally accept them and we didn't need to talk about them, because there was hundreds and hundreds of pages and English and grammar that we don't have to worry too much about as long as it doesn't change the intent.

So I'm just going to say we don't have to talk about 35 or 36 unless Staff feels differently.

Number 37 is another clarification thing. It's to add the Town is facilitating discussions for residents and stakeholders, and someone wanted to add other local governments input into planning activities early on and through the development process, which seems like an easy add. I would hope we would be talking to local governments anyway. I don't think it creates any conflict, and Staff was neutral.

Commissioner Clark.

COMMISSIONER CLARK: Thank you. I, personally, when I saw this kind of thought what would this actually look like and how important is it to specifically include local governments at all of these points? Especially I think the goal really is to reach the general public, and so first I don't think that we need it, but second, I would

definitely want a better idea of how we would even go about doing this if we were going to add this.

CHAIR HANSSEN: Actually, you raise a really good issue. If the development wasn't anywhere near a Town border, then why would we involve other governments? And stakeholder could be broadly defined to include local government, especially if it was near a border.

Vice Chair Barnett.

VICE CHAIR BARNETT: I'd be interested to hear from Staff why they're neutral on this point, because it does seem to be overly broad.

JOEL PAULSON: Thank you. From Staff's standpoint, "stakeholders" is the broad term, so that would be a member of the public and any other local governments if they were in the vicinity. We do that as a matter of course. We have other projects where if it's over a certain number of units, then we also make sure we reach out to school districts and other groups, so from our standpoint stakeholders covers a broad enough range from a General Plan perspective, but we're neutral if the Commission thinks it's important to add other local governments.

I think what happens with a lot of these, and we have these discussions at the GPAC, is once you start adding one group, then do we need to add NGOs, CBOs, all

these other groups potentially? From Staff's standpoint stakeholders covers it, but if the Commission is interested in adding additional qualifiers it's not going to be an impact from our perspective.

CHAIR HANSSEN: And number 38 is similar, about coordinating with public agency stakeholders such as Midpen specifically mentioned in this thing. That probably came from the Midpen, I don't know. What I'm hearing is maybe keep it more general, because if you start naming specific agencies, what if they change, and what if you left out somebody that you shouldn't have, and we would always want to reach out to everyone that was significantly impacted by any development that we did to make sure that we had a conversation going on about it.

I would say we haven't made a recommendation yet, but we could probably just not make any changes per 37 and 38 and it wouldn't hurt anyone and it would still be covered.

Then number 39, I wasn't sure where that was going and were we not doing enough to communicate with the public. I wasn't sure what the change was, because there was nothing underlined. Does Staff know where this comment came from, because there was things that were suggested that was more than what we were doing?

JENNIFER ARMER: If we look at what the existing language is for policy LU-20.4, it's talking about variety of public communication methods and it says that, "The Town shall continue to share public information across a variety of media, technology, and traditional platforms based upon the demographics of the community," and so in looking at this I think it mostly wants to make sure there are specific examples of what would be included within that policy rather than keeping it general. I'll also search and see if I can find whom that came from specifically.

CHAIR HANSSEN: Several people have their hands up. I think Commissioner Janoff, and then Commissioner Raspe, and then Commissioner Clark.

COMMISSIONER JANOFF: The way I read this is really traditional methods, like I don't have a computer and I'm not connected to the Internet, so how am I going to get informed? As we go to the digital means of communication, those who don't have access may feel that they're being left out, so that's how I read it.

CHAIR HANSSEN: That's good, because you look at something and you're like where did this come from, and so that makes sense.

Commissioner Raspe.

COMMISSIONER RASPE: Thank you, Chair. I read it the same way as Commissioner Janoff that we were perhaps missing important segments of our population that aren't exposed to electronic media. Specifically by way of example there were several comments that I think we could put in the no growth category, and I think if perhaps those individuals had a better understanding of, for instance, SB 35, some of the limitations that are placed upon the Town that really dictate this entire process, I think that would be helpful for the entire community and the Planning Commission and Town Council as well, so I think any effort that captures more of the community I think only serves to enrich the entire process.

CHAIR HANSSEN: That sounds great. Commissioner Clark.

COMMISSIONER CLARK: Thank you. I actually have a couple of problems with number 39.

First, LU-20.4 already does say traditional platforms, and so it's not like this is currently excluded. I think it is just specifying for this one and not the others, which I also think could be a problem.

Another thought that I definitely have is that this method is bad for the environment compared to other ones, and if we're talking about a 20-year General Plan I'd

like to think that we're able to find more creative ways to engage at some point, and since the language says, "traditional platforms based upon the demographics of the community," I think that that does get at the fact that we want to make sure that we're using outreach methods that will ensure everyone is reached, and maybe in 20 years everyone has a computer or something, so I don't think that it's super wise to include these specifics in the General Plan.

CHAIR HANSSEN: That's very good additional input on the other side of thing, and that's where this General Plan discussion is sort of like how far do you go? If it says traditional, is it enough, or do you need to have more?

Vice Chair Barnett.

VICE CHAIR BARNETT: I wanted to agree with Commissioner Clark on this particular matter. I think that the existing LU-20.4 is broad enough. We keep talking about keeping the General Plan at a high level, and I think this is really getting down into the weeds.

CHAIR HANSSEN: All right, I think that's good for now, and then when we get to the point where we're ready to make the recommendation on the entire Land Use

Element someone can make a motion about just leaving out 39 or whether to add it in any form.

Then number 40, I'm going to add it in the same bucket as the North Forty. Number 40 says to, "Modify the North Forty Specific Plan to allow up to 40 dwelling units per acre to be consistent with the Mixed-Use land use designation on Los Gatos Boulevard."

We can certainly include modify the Specific Plan. I'm going to ask Staff a question though when we get to talking about numbers and specific recommendations. Were you hoping that the Planning Commission would make a recommendation like that specific about what density?

JENNIFER ARMER: I would start by saying that we did say neutral for a reason, that really moving forward with additional housing in the North Forty area is going to be a separate process, but as Director Paulson stated, if there is an inclination from the Planning Commission based on your discussions, if that is something that you think would be worthwhile and that you do want to recommend and support, that that is a discussion point that we could bring forward to Town Council.

CHAIR HANSSEN: So it's probably worth being somewhat specific about it, but we don't have to decide it right now.

We did get through all of the recommended changes to the Land Use Element except for number 20, which would be to talk about whether or not we should modify the number of new housing units.

Now it is 10:54. We certainly aren't going to be able to finish everything tonight, but we could decide to vote to move forward to 11:30, or we could vote to stop and then take up the discussion of the numbers and the Community Design Element and then the final recommendations on that EIR, so those are the options that we have right now.

I'm going to ask Staff, I think because of our agenda we do have to have the report from the Community Development Director and subcommittee reports and the normal stuff for our meetings, is that correct?

JENNIFER ARMER: I don't believe we need to have those. I guess I could check and see. It could just have been our standard agenda since those will be taken care of on Wednesday. Mr. Paulson.

JOEL PAULSON: I would say yeah, we probably could have struck those from this agenda since we're going to be meeting Wednesday anyway. Obviously, you guys have been going at this for just shy of four hours. This next topic is going to probably engender a lot of discussion, so

I'm not sure if it would be good to start it if you don't think you're going to finish it, but that's my personal opinion, and ultimately it's up to the Commission.

CHAIR HANSSEN: Commissioner Janoff, you had a comment?

COMMISSIONER JANOFF: I agree, I don't think that we're likely to get finished with the Land Use Element tonight, but if it's possible I think it would be very beneficial for the Commission to have a framework for how you would like to carry the discussion forward, so if it's a table that you have in mind that we're going to do number adjustments, help us understand the structure of the logic that you want to go through so that we can be prepared to think through those numbers and the rationale for any changes or no changes.

CHAIR HANSSEN: Thank you for that. I can tell you what I had in mind was I'm going to go to page 14 of the Staff Report that came on April 15th in which discussion they took the 3,738 number that was out in the public domain and was the subject of a lot of press, mostly negative, for doubling our RHNA housing numbers, and although Staff has continued to explain that, that's still pretty controversial.

They went further than that on page 6 and talked about if you adjusted it for the fact that the General Plan is 20 years versus the Housing Element being on an eight-year time cycle, that we were down to 3,038 units because of existing projects and the accessory dwelling units that would built after.

And they said specifically therefore if you consider the 1,993 times of 15% buffer of 2,292 units, comparing that to 3,038 in theory we are 746 housing units greater than the expected need for the Housing Element if you took it to the minimum.

That is followed by some potential reductions in housing development capacity that were suggested by Staff after the result of the meeting that they had with Town Council back in December where they talked about potential directions where to go, and the Town Council is not telling us to reduce the number, they're just saying that if we thought it was recommended to reduce the number, then these are some ways that could do it.

So my idea about doing that was if you look at number 20 on Exhibit 7, it says, A) No increase in housing levels. These are possible modifications; B) Reduce the number of new housing units to a lower, less ambitious target; C) Reduce new housing units to 1,993, which is the

exact amount of our RHNA, and remember we're doing the General Plan, not the Housing Element; and D) Reduce the number of new housing units to 1,993 plus a 15-20% buffer.

The place we have to kind of start is I think number 20, which is can we rule out a couple of those options, and there is actually Option E that's not on here, which would be to leave it exactly as it is.

So that's where I'd ask you guys to start for when we do our next meeting and think about what are your responses to A, B, C, D, and E, and then we can talk about if the desire is to modify the housing numbers and make them lower what are the best ways to do that, and I think that will be a good discussion. Does that give you enough structure, Commissioner Janoff, in terms of what I was thinking of?

COMMISSIONER JANOFF: (Thumbs up.)

CHAIR HANSSEN: Does that help you guys in terms of thinking about it for when we continue the discussion? Okay. Are there questions that you have about how we should go about this, or suggestions that you would like to make before we set the date for continuing the discussion? Commissioner Clark.

COMMISSIONER CLARK: I just want to quickly make a motion to extend the meeting to no later than 11:30, assuming that we'll end much earlier than that.

CHAIR HANSSEN: That's right, because we have to do that. Thank you. Second? Commissioner Thomas has a second. I will just do a quick roll call vote. Commissioner Thomas.

COMMISSIONER THOMAS: Yes.

CHAIR HANSSEN: Commissioner Raspe.

COMMISSIONER RASPE: Yes.

CHAIR HANSSEN: Commissioner Janoff.

COMMISSIONER JANOFF: Yes.

CHAIR HANSSEN: Commissioner Clark.

COMMISSIONER CLARK: Yes.

CHAIR HANSSEN: Vice Chair Barnett.

VICE CHAIR BARNETT: Yes.

CHAIR HANSSEN: And I vote yes as well.

And as Commissioner Clark suggested, we aren't going to go nearly that long, but this would be a good time to help kind of frame things and ask questions that would help set us up for success when we continue the meeting so that we can finish the next meeting.

Commissioner Thomas, and then Commissioner Raspe.

COMMISSIONER THOMAS: I know that we don't want to get into a discussion of everything in detail, but I am just a little bit curious to hear some of the Commissioner's general thoughts on these ideas about where they're coming from so that we could kind of like take that away with us and process it over the next couple of days. I don't have any new information, but I know that this is an important discussion.

CHAIR HANSSEN: Here's a suggestion I have. Why don't we take a read on everyone's feedback on number 20, and adding in option E that's not on there, which is not changing the numbers at all, and see where everyone's initial read is on it, and then we'll have a more in depth discussion about whether we go in that direction and to what extent in the follow up meeting.

COMMISSIONER THOMAS: I think that would be helpful to me, because I just have no idea where everyone else is. I don't mind going first.

CHAIR HANSSEN: Go ahead.

COMMISSIONER THOMAS: As a member of the GPAC who already approved this, and understanding the full extent of the entire situation and what Staff has provided with us, I do not support A, B, C, or D. I don't think we should

modify. I think we should go with the original number in the Draft 2040 Plan.

CHAIR HANSSEN: So my suggestion of adding E, which is not modifying what's in the draft right now.

Commissioner Raspe, you had your hand up but you don't have it up anymore.

COMMISSIONER RASPE: I don't want to derail the train of discussion, but I was just going to address a procedural question. I think it's clear we're not going to finish Land Use and/or address the Design Element tonight, and we have a meeting scheduled Wednesday. I was curious—and I think I know the answer to this—can we add this discussion to that agenda, or is it too late because that agenda has been published, or should we consider our next meeting for this discussion? I don't mean to interrupt; I wanted to put that out there.

CHAIR HANSSEN: It's a very good question. I will hand it over to Staff, but I'm going to guess that because the agenda is already out there we won't be able to add it to Wednesday's discussion.

JENNIFER ARMER: Actually, Staff recommendation was going to be you continue to a date certain of the 27th and we would just add it on as an additional item after the existing items that are already on the agenda, so it would

be continued, and it would be Item 4, I believe. Director Paulson.

JOEL PAULSON: We did consult with the Town Attorney. We would just do an amended agenda tomorrow, given the timeframe, and we get that posted.

CHAIR HANSSEN: We can do that after we finish the question that on the table in terms of recommending the date certain, right? But that is good to know, because as your Chair I would rather do that than go to another special meeting.

ROBERT SCHULTZ: Chair and Commissioners, the Brown Act specifically allows you to continue a meeting within five days of the meeting, and you can continue this item to Wednesday. The Brown Act specifically allows you to do that and then (inaudible). And then Staff will change the agenda to reflect that tomorrow, but you're allowed to do that if you're within five days of the continuance, so you're able to do that.

CHAIR HANSSEN: That is very, very good to know, because the other advantage of doing it on Wednesday would be it will be fresh in our minds and we can kind of pick up from where we left off without a lot of interruption.

Would others like to comment on number 20, on what general direction they'd like to go?

Vice Chair Barnett.

VICE CHAIR BARNETT: I think it's apparent from my submission that I would go with D.

CHAIR HANSSEN: Okay. I don't know if you all saw Vice Chair Barnett's submission, but he had a spreadsheet with specific recommendations that he was advocating for.

Others? Commissioner Raspe.

COMMISSIONER RASPE: Thank you, Chair. I haven't had a chance to review Vice Chair Barnett's submission yet, but my thinking is largely similar to his in reducing it to a less ambitious target, so I will look at his figures as well as reducing it to the RHNA numbers plus a reasonable buffer in the 15-20% range. That's where my thinking is at the moment, but to be fair to the Commission, I'm still processing this information and so open to any discussion. Thank you.

CHAIR HANSSEN: No, that's fine. We're just weighing where we kind of stand right now, and then we're going to discuss it more, and then you may still feel the same way or not after we get through it.

Commissioner Janoff.

COMMISSIONER JANOFF: Thank you. I'm of two minds. I think as Commissioner Thomas said, it was quite a bit of deliberation that went into the numbers. The actual

number that was in the General Plan was a surprise to many of us, because that wasn't a number that we had seen. Nonetheless, it wasn't an unreasonable extrapolation from the discussions that we had, and keeping in mind that the General Plan is a 20-year plan and covers three housing cycles.

In the worst case you could envision three housing cycles that demand you to create 1,993 units in each cycle, which puts you in the neighborhood of 6,000 units. That's probably not going to happen, who knows? But even if you step back and say we're not likely to get a zero housing RHNA number, so what we've had in the past is somewhere in the neighborhood of 500-600, so then you have 2,000 from this cycle, 600 from the next cycle, and perhaps another 600 from the next cycle, which gets you to approximately 3,200 units.

I can understand the concern among the Town residents that the number is too high, and there's a difference between planning for a high number and saying that is the number that is going to be built, so that's an important distinction in my mind.

Having said that, I would recommend that we do B, but probably with a more ambitious/less ambitious target certainly than Vice Chair Barnett has proposed in his

table, because I think we do need to be mindful of the future cycles that will be under the umbrella of this General Plan, should it get recommended and approved.

Having said that, if we're going to review the Land Use Element every five years and make adjustments as needed to accommodate the trend of housing development under the current cycle or what we see in the future cycle, then I can see that we could have a less ambitious number now, but then the Town would need to understand that it could get ambitious later.

It's kind of a question of managing expectations, and I want to be sure that the Planning Commission and whatever we recommended is really dead, dead clear on this is this Housing Element, this is the next Housing Element, and this is the next Housing Element. So we separate out all of those pieces so residents can understand what those numbers are tied to, what are being actionable, what's actionable in this cycle versus outlying cycles, and why the General Plan needs to plan for more than just the current RHNA cycle, so that's my short explanation of why I'm at a fat B.

CHAIR HANSSEN: Thank you for that.

Commissioner Clark.

COMMISSIONER CLARK: Thank you. Something that I would like my fellow commissioners to consider before the next meeting is how many units, not that you want the RHNA number to be or anything like that, but how many units you want to be built, because I think that the reality is that that number is so big, because they're not going to get built. It is so hard to develop, and now matter how hard we tried that's not going to happen, especially just because of the amount of time that it does take to build, and so I think that I'm more in favor of keeping it a bigger number, because that way we're allowing for more opportunities for development in hopes that we might actually meet our RHNA number.

I think in terms of getting our Housing Element through, we've seen the HCD is very, very strict as we watched the Southern California cities go through review, and I think something that would go a long way with them is seeing that we are prepared for the capacity for more than we were actually required to, because that makes it a lot more likely that we actually reach our number, and that makes it easier to get the Housing Element through as a whole, because that I think will be one of the most highly weighted aspects, and then after that there's going to be

like AF of H and the policies and the outreach and things like that.

CHAIR HANSSEN: Thank you for that.

So I'll weigh in. This was mentioned a bit earlier, but when we started this whole process of updating the General Plan I remember sitting down with a couple of Town Council members and I said, "Well, if we're going to go through this process of trying to manage our growth kicking and screaming, instead of trying to take the reins and grow in the way that we'd like to grow, and that's hopefully in concert with what is expected by the state, I would much prefer to be with that kind of process where we're not kicking and screaming.

I've never been a fan of doing the absolute minimum and fighting everything every step of the way, because we have to be thinking that we're in the role of planning for the future, and it was obvious at the beginning of the General Plan process that we're not building the kind of housing that is going to be right for the kind of population that we're going to have going forward.

I'm not even considering talking about a lot of people that don't live in Town now, which we do need to think about, but just the seniors that want to go to move-

down housing, of which there's none. There is senior member care and things like that, but there's no move-down housing for seniors or for our youth. I have college age kids that are getting out of collage and they can't afford to live here, and we don't have the kind of housing that they can do either. Instead, we're building 6,000 square foot houses with 4,000 square foot faces that cost $4-5 million dollars that they won't be able to afford for decades, if ever. So I'm definitely of the mind that we need to build a lot more smaller units.

Getting back to the number, when we started the General Plan process we didn't know what the RHNA was. We talked about 2,000 units and it was big number, but we were looking at 20 years, and then as it turned out that became our RHNA, and then so when we were doing the General Plan we said since we already are at 2,000 units, do we need to think about planning for even more so we'd be covered, but now that we're talking about updating the Land Use Element, I don't feel as big about that.

So getting back to the actual recommendation, I'm sympathetic to all the concerns, and people are terrified in Town, and I too am a resident of the Town, and I think we have to worry about managing growth and growing in the right way, so I think that it would be prudent to think

about making some kind of reduction from the almost 4,000 number, even though we're looking at a 20-year timeframe, and bringing it back to something.

But if you consider, I'll just give D, for example, reducing the number of new housing units to 1,993 plus a 15-20% buffer, even that number isn't going to work, because just taking ADUs, for example, we have projected 25 ADUs per year for so many years, and then there's 300 more ADUs that we expect to get in the decade following the Housing Element that's coming up, and so there's going to be 300 more housing units that we have no control over whatsoever that are already going to be part of that process, so I'm definitely thinking it's going to be a number higher than 2,292, and then the question is what is the right number?

I'm open to hearing what you guys think, but I'm not keen on the idea of eliminating entire categories of places where we could add additional housing. So that's kind of where I came out, but I'll be interested to see where we go with the discussion, and hopefully we can come up with a good recommendation that will make sense for the Town Council.

That being said, we don't need to do the rest of the meeting stuff, because we're going to have our meeting

on Wednesday, but we do need to make a motion to continue this meeting to a date certain. Would one of you make that motion for me?

Commissioner Clark.

COMMISSIONER CLARK: I move to continue this meeting to April 27th date certain. Should I include the time?

CHAIR HANSSEN: No.

COMMISSIONER CLARK: That's my motion.

CHAIR HANSSEN: All right, second? It looks like Vice Chair Barnett has his hand up.

VICE CHAIR BARNETT: Yes, I'd be happy to second the motion.

CHAIR HANSSEN: Then we will do a roll call vote. Commissioner Thomas.

COMMISSIONER THOMAS: Yes.

CHAIR HANSSEN: Commissioner Raspe.

COMMISSIONER RASPE: Yes.

CHAIR HANSSEN: Commissioner Janoff.

COMMISSIONER JANOFF: Yes.

CHAIR HANSSEN: Commissioner Clark.

COMMISSIONER CLARK: Yes.

CHAIR HANSSEN: Vice Chair Barnett.

VICE CHAIR BARNETT: Yes.

CHAIR HANSSEN: And I vote yes as well, so that passes.

I wanted to take a minute just to thank you all for all your time and attention. It's been a long meeting and we've gotten through a lot of material, and I think we're in good shape to continue this and hopefully finish the rest of what we need on Wednesday, but certainly we should be able to finish Land Use and Community Design, and then hopefully the EIR as well. So I thank you all for that. We will see you in a couple of days, and this meeting is adjourned.

| | |
|---|---|
| DATE: | April 27, 2022 |
| TO: | Planning Commission |
| FROM: | Joel Paulson, Community Development Director |
| SUBJECT: | Review and Make Recommendations on the Draft 2040 General Plan and Final Environmental Impact Report to the Town Council. |

REMARKS:

On April 13, 2022, the Planning Commission received public comments on the Draft 2040 General Plan and Environmental Impact Report (EIR); and began the review of the Draft 2040 General Plan including the Introduction; Racial, Social and Environmental Justice Element; Mobility Element; and Public Facilities, Services, and Infrastructure Element.

On April 25, 2022, the Planning Commission held a special meeting to continue the review of the Draft 2040 General Plan including the Open Space, Parks, and Recreation Element; the Environment and Sustainability Element; the Hazards and Safety Element; and began review of the Land Use Element. Shortly before 11:30 p.m. the Planning Commission continued the discussion to the regular Planning Commission meeting on April 27, 2022. At this meeting the Planning Commission will continue their discussion including review of:

- The Land Use Element;
- The Community Design Element; and
- The Final EIR.

Exhibit 17 contains Planning Commissioner comments.

PREPARED BY: Jennifer Armer, AICP
Planning Manager

Reviewed by: Community Development Director

EXHIBITS:

Exhibits previously provided: (available online here: http://losgatos2040.com/documents.html)
1. Draft 2040 General Plan
2. Draft EIR
3. Revised NOA and Transportation section
4. Final EIR

Exhibits previously received with the April 13, 2022 Staff Report:
5. Draft Findings of Fact and Statement of Overriding Considerations
6. GPAC Recommended Changes to the Vision and Guiding Principles
7. Modifications Proposed in Public Comment
8. Board of Forestry Recommended Changes
9. Public Comments received between 11:01 a.m., Thursday, May 6, 2021, and 11:00 a.m., Monday, September 20, 2021
10. Public Comments received between 11:01 a.m., Monday, September 20, 2021, and 11:00 a.m., Thursday, April 7, 2022

Exhibit previously received with the April 13, 2022 Addendum:
11. Public Comments received between 11:01 a.m., Thursday, April 7, 2022, and 11:00 a.m., Monday, April 11, 2022

Exhibits previously received with the April 13, 2022 Desk Item:
12. Planning Commissioner Comments
13. Public Comments received between 11:01 a.m., Monday, April 11, 2022, and 11:00 a.m., Wednesday, April 13, 2022

Exhibits previously received with the April 25, 2022 Staff Report:
14. Planning Commissioner Comments
15. Public Comments received between 11:01 a.m., Wednesday, April 13, 2022, and 11:00 a.m., Friday, April 22, 2022

Exhibit previously received with the April 25, 2022 Desk Item:
16. Public Comments received between 11:01 a.m., Friday, April 22, 2022, and 11:00 a.m. on Monday, April 25, 2022

Exhibit received with this Desk Item:
17. Planning Commissioner Comments

**From:** Jeffrey Barnett
**Sent:** Tuesday, April 26, 2022 11:37 AM
**To:** Jennifer Armer; Joel Paulson
**Subject:** Revised Spreadsheet Regarding Buildout Capacity for Consideration on 4.27.22

Good morning, Jennifer and Joel.

Attached please find my revised spreadsheet which I wish to submit as a desk item. Again, this proposal represents my preliminary thinking, and I am certainly interested in the viewpoints of the other Commissioners.

The changes made are as follows:

1. Deleted Hillside Residential as part of the capacity (166 units).

2. Lowered the deduction for Medium Density to 165, thereby providing for 165 housing units in that designation. This is roughly half of the potential decrease of 327 indicated in bullet point two on Page 6 of the Staff Report of April 7, 2022 (packet Page 184)

3. Increased the reduction figure in the Central Business District to 67 from 56 due to a mathematical error. This reduction is roughly half of the full buildout capacity for downtown which is included in the 2,763 figure provided by Staff as shown on the same Page 6.

Thank you.



EXHIBIT 17

| Requirements | | Capacity | FIgures | Reductions in Capacity | Reduction Figures | Net New Housing | Total Over RHNA | % over RHNA With Buffer |
|---|---|---|---|---|---|---|---|---|
| | | | | | | | With Buffer | |
| 2480720-558 | 1993 | New and Redeveloped Under GP | 2763 | Low Density Residential | 279 | 2469 | 177.05 | 0.08 |
| | | | | | | | | |
| 15% buffer | 298.95 | ADUs: 25/year for 8 years | 200 | Medium Density Residential | 165 | | | |
| | | | | | | | | |
| | | Hillside Residential | 0 | Hillside Residential | 0 | | | |
| | | | | | | | | |
| Total | 2291.95 | In process | 75 | High Density Residential | 0 | | | |
| | | | | | | | | |
| | | SB 9 Developments | ? | | | | | |
| | | | | | | | | |
| | | Total Capacity Excluding SB 9 | 3038 | Neighborhood Commercial | 0 | | | |
| | | | | | | | | |
| | | Amount over RHNA | 746.05 | Community Commercial to Neighborhood Commercial | 58 | | | |
| | | | | | | | | |
| | | | | Mixed Use | 0 | | | |
| | | | | | | | | |
| | | | | Central Business District | 67 | | | |
| | | | | | | | | |
| | | | | Office and Service Commercial | 0 | | | |
| | | | | | | | | |
| | | | | Total Reductions | 569 | | | |

A P P E A R A N C E S:

| | |
|---|---|
| Los Gatos Planning Commissioners: | Melanie Hanssen, Chair<br>Jeffrey Barnett, Vice Chair<br>Kylie Clark<br>Kathryn Janoff<br>Steve Raspe<br>Emily Thomas |
| Town Manager: | Laurel Prevetti |
| Community Development Director: | Joel Paulson |
| Town Attorney: | Robert Schultz |
| Transcribed by: | Vicki L. Blandin<br>(619) 541-3405 |

P R O C E E D I N G S:

CHAIR HANSSEN: The last item on the agenda is the continuation of the discussion of the Draft 2040 General Plan as well as the Final EIR that goes along with it. Staff did an amended agenda.

The Planning Commission met on Monday of this week to continue its discussion that started in our April 13th meeting, and during the meeting on Monday, as noted in the Staff Report, we did finish several of the elements and got through most of the comments on the Land Use Element, but did not finish our recommendation on the Land Use Element. In addition we will be discussing the Community Design Element, and then we'll be discussing the Final EIR, and the goal is for the Planning Commission to make a recommendation regarding the overall Draft General Plan as well as the Final EIR and whether it should be certified or not.

That being the case, I will ask Staff if you wanted to make a quick Staff Report covering anything before we start the discussion?

JENNIFER ARMER: Thank you, Chair. Good evening, Commissioners. You actually did cover most of the points that I was going to go over to start us off this evening.

Just making sure that everybody who is watching is aware that there are materials on the Draft 2040 General Plan and Final Environmental Impact Report available in the Planning Commission packets for the April 13th meeting, the April 25th special meeting, and then for tonight's meeting.

The discussion so far has been focused on going step-by-step through the summary of potential comments and potential changes proposed by the public and other agencies and Staff, all included in Exhibit 7, and that's from the Staff Report from April 13th.

As previously stated, we have made it through most of the chapters, most of the elements of the General Plan, and at the end of the last meeting on Monday we got through a discussion of the Land Use Element. The discussion of the Land Use Element did go through all of the ideas summarized in Exhibit 7 as well as some other ideas by the Commissioners, though no specific motion was made, because we didn't get to the end of that discussion.

Staff's notes include general support from the Commission for items 21, 33, and 34, but we expect a motion giving specific direction would occur after the conclusion

of the discussion of the housing numbers, which is what we will be focusing on next. Once that discussion of the Land Use Element is complete, then as the Chair mentioned, we would move on to the Community Design Element and then on to the Final EIR.

I'm available to provide additional information on the Final EIR when we do get to that section, since that discussion is slightly different than discussing the Draft 2040 General Plan.

There was a Desk Item today with some additional Commissioner comments, but this concludes Staff's presentation and I'd be happy to answer any questions.

CHAIR HANSSEN: Thank you very much, Ms. Armer. Do any Commissioners have questions for Ms. Armer? I don't see any.

As a reminder to members of the public, we did take all of the verbal comments relative to the Planning Commission's consideration of the 2040 General Plan and Final EIR during our April 13th meeting, so we will not be doing public comments during this portion of the meeting, however, we have received hundreds of comments over the last year since the General Plan Update Advisory Committee ceased meeting and completed the Draft General Plan, and we continue to receive a number of written comments and

received quite a few verbal comments as well during our April 13th meeting, so all of those comments that you have made have been reviewed and considered by the Commission as we discussed the General Plan, and we do incredibly appreciate all of the public input that we've received on the Draft General Plan.

With that in mind, we will turn our discussion to, as Ms. Armer and I alluded to, where we were in the Land Use Element. The very last thing that we did in our meeting on Monday, which was a special meeting, is we talked about Exhibit 7 is something that Staff did for us and that was part of the April 13th Staff Report, and it is a summary of all of the comments that have been received since the Draft General Plan was received, and they did categorize them by element, and while we did go through all of the comments we did not complete the discussion of what the build number would be in the recommendation that was going to go to Town Council.

What we did do is we took a poll of the Commissioners in terms of what their feelings were on the possibility of reductions to the build number that were listed in item 20.

In the comments were no increase in housing units and housing levels whatsoever, which is not recommended, because that would be in violation of state law.

The second one is reducing the number of new housing units to a lower, less ambitious target than the 3,738 number that was put into the build table of the Draft General Plan.

Item C is reducing the number of new housing units to 1,993, which is not recommended by Staff, because that is the actual number for the RHNA for the plan and it doesn't incorporate anything that is naturally going to happen that the Town has no control over, such as growth of ADUs and projects that are already in the pipeline, and also that we are required to do a buffer by HCD.

Then item D is reducing the number of new housing units to 1,993 plus a 15-20% buffer, and of course while we can look at doing that, we also have to remember that there will be housing units built outside of the timeline of 2031 when the completion of the next Housing Element is done.

I added an additional item, which was item E, which was to leave the number and the densities in the Land Use section as they were and as are listed currently in the Draft General Plan, and the reason that's not in item 20 is

because the whole Exhibit 7 was recommended changes, and leaving it the way it is would not be a change.

I thought it might not be a bad idea before we go any further, rather than just having a poll of the Commissioners that we should vote whether or not to reduce the number in the General Plan versus leaving it the same. I was hoping to get a motion one way or the other and then we could vote on that, and then depending where the Commission comes out will help guide our discussion in terms of if the will of the Commission was to recommend to reduce the number, then we would be able to proceed with that, and if the will of the Commission was to leave it the same, then we would proceed with that. Are there any questions or comments on that?

Commissioner Janoff.

COMMISSIONER JANOFF: Thank you. I think that I will repeat what I said when we started this conversation at our last meeting on Monday.

We're the Planning Commission and our job is to plan and make sure the plans for the Town are recommended in a prudent and thoughtful manner listening to the public, listening to what we have to do legally, so we've got a big decision.

I understand why the number in the current Draft General Plan is what is, the total as well as the breakdown, and I'm also mindful of the amount of feedback we've gotten from the public. Let me say that it's more than feedback, it's more like uproar, recommending that we reduce those numbers, in some cases to the lowest that we would recommend, which would be the current RHNA housing cycle numbers plus the buffer, or someplace in between that RHNA number and buffer and what is in the current General Plan.

I'm in favor of doing what the Commission through its deliberation is interested in doing, but I would say, as I did last time, that in our planning capacity we have to remember that the General Plan is covering three housing cycles, two complete housing cycles and the initiation of a third, so I'd like to hear the Commission's discussion around whether it's prudent or not to simply ignore the next two or severely reduce the next targets for the next two housing cycles, which is the general direction that a lot of the public is asking us to take. What impact does that have—maybe is a question for Staff—if we don't include those numbers greater than the current RHNA cycle in anticipation of additional numbers coming in the future RHNA cycles?

I'm just interested in what the conversation around that would be. I personally feel like we have a responsibility to include those future cycles. Whether we need to do it with specific numbers or not, I'm not sure, but certainly our zoning designations and the changes that we're making to the zoning designations would facilitate growth in those future housing cycles. I'm just really struggling with that question and would appreciate conversation from the Commission and Staff.

CHAIR HANSSEN: Would you like Staff to respond to what you were saying, if we were to, say, focus only on 1,993 plus the buffer, how would that translate into possibilities for considering that the General Plan is a 2040 General Plan?

COMMISSIONER JANOFF: Yes, I would.

CHAIR HANSSEN: So if Staff could comment on that, that would be helpful.

JENNIFER ARMER: Thank you for that question. You are correct, this is a 20-year plan and the housing numbers associated with the RHNA allocation, that is just for the eight-year RHNA cycle, the next Housing Element update, and so that is one component of what has been discussed through this process, that there will be another cycle-and-a-half that's included in these 20 years, and so recognizing that

the growth projected in this Draft General Plan is based on a 20-year rather than just an eight-year cycle.

In addition to that, one of things though to keep in mind in this discussion is that you have recommended that there be a five-year kind of check in on the Land Use Element in particular, and there is an implementation measure for a ten-year check in on the whole General Plan, so there are options through that timeline to check in, or if we get to the next cycle and find that there isn't enough capacity within the General Plan, then it may be that as part of that Housing Element there needs to also be some updates to the land use regulations.

All of that being said, Staff is in support of the Draft 2040 General Plan as recommended by the GPAC, and if some reductions were proposed as part of the recommendation from the Planning Commission, we would recommend that it not be any more than the difference that was noted on page six of the Staff Report for the April 13th meeting where we laid out certain portions of the built-out table, certain portions of those numbers that wouldn't count towards the next eight year, for example, 300 ADU units, and we modified some of those numbers to try to make this more of a apples-to-apples comparison and then showed what the different between that and the RHNA plus buffer

is, and so a reduction that's greater than that would not be recommended by Staff.

CHAIR HANSSEN: Very good. Commissioner Thomas, you have your hand up.

COMMISSIONER THOMAS: Thank you, Chair Hanssen. I do appreciate the reminder that we will be checking in on the Land Use Element at a more frequent cycle than the 20-year General Plan cycle, I just don't see how we reasonably are not going to get similar RHNA numbers moving forward in the future, and so if that's the case I feel like this 3,700 number seems very reasonable. I completely understand that that makes a lot of people in Town very scared for very justifiable reasons, but I also am very confident that the rest of the General Plan and the implementation programs that are being prioritized over the next five and ten years are ones that will improve infrastructure and ensure that the Town can support this housing.

I think that when people voiced concerns to me prior to when I came I didn't talk to anyone about it, but when I saw all of our feedback and public comments that were received, I feel like people see this number and have an initial reaction without reading and looking at the entire General Plan, and I think that a lot of residents would be comforted by understanding more fully the entire

General Plan as an entire package instead of just this small piece of the Land Use Element.

I want to be in agreement with the other Commissioners tonight and I've really been trying to think a lot about this over the past two days since our meeting on Monday, but I am afraid that we're setting future Commissions, Housing Element Advisory Boards, and the Town up for many more challenges instead of opportunities to meet our future RHNA numbers if we reduce this number significantly. So that's my main concern, and I think that having a goal, and then if we in like five or ten years need to adjust this land use number down, that's going to be easier to do than getting our RHNA and then having to go back and change our land use, and check in with our Land Use Element as we're writing a new Housing Element, so I don't think we should plan on having to change the Land Use Element. I think we should try to hope for it to be designed to last 20 years and as the backup have it be available to be updated. So those are my feelings on these things.

I think also something that is really important is that no matter what the number is in the General Plan, the Town and the plan itself does not have control over how many units are going to be developed. The Town itself is

not developing those units. Developers have to come in and want to build, and what is much more important to the number of units that are going to be built is how zoning is going to be changed and densities are going to be changed. I think that just because this is written into the General Plan as a goal that's a Guiding Principle it does not automatically set us up for the addition of 3,700 new units in the next just couple of years at a growth that's unsustainable for the Town, because we still have local control. But if we don't meet our RHNA numbers, then I'm afraid that we're going to lose control over a lot of things that are really important to people in Town.

That's just how I'm feeling about this, but I really am curious to hear what other Commissioners have to say.

CHAIR HANSSEN: Thank you, Commissioner Thomas, for all your comments, and that was very thoughtful and gave us a lot of things to think about as a Commission in terms of making our recommendation.

Director Paulson has his hand up, so I'm going to ask him to comment before I go to Commissioner Clark.

JOEL PAULSON: Thank you, Chair. Thank you for the comments, Commissioner Thomas. Just for the entirety of

the Commission's understanding, a couple of points of clarification.

The challenge that has been brought up in public comments as well, we modify the densities for the General Plan to what is currently proposed. Under current state law there is not an option to draw those back, so we're not allowed to reduce those densities. I just want the Commission to understand that component.

It gets a little bit to the point, which I think we talked about before, if the number is changed, which is definitely under the purview of the Commission and then ultimately the Council, if that number is changed, should we run into an issue, whether it's five years or as we start to look at the next seventh cycle Housing Element out in probably 2028 or 2029, if we don't have capacity for whatever the anticipated number there for that cycle is, then ultimately we would be revisiting the General Plan Land Use Element either while we're going through the Housing Element or we would have implementation programs in that Housing Element that would require modification so that we could accommodate our RHNA if we didn't have the capacity left.

I just wanted to make those two points of clarification for both.

CHAIR HANSSEN: All right, thank you for that, Director Paulson.

Commissioner Clark.

COMMISSIONER CLARK: Thank you. I first want to say that I really, really value the opinions of my fellow commissioners and so I'll share my thoughts, but I'm really excited to hear what others have to say and I'm very open to everyone's ideas, comments, and knowledge.

A few of my thoughts are first, I do think just one problem we've had so far is misinformation and the knee-jerk reaction that people had to that number. I heard people saying that we're going to build 30,000 units, and so it did get really inflated, and also I think that people did imagine the Town going and building 3,700 units or something like that, and people not really understanding that this is for three cycles, like we've been talking about.

My thoughts are that I think that one thing that the entire community can agree on is that we want to get our Housing Element through, and I think that we agree on this whether you're the biggest CMB ever or whether you really want to avoid state control and to maintain local control that we all want our Housing Element to go through for whatever reason.

For me, I think that these numbers make it exponentially more likely that we get our Housing Element through and that we would need to accommodate for this number of units within the three General Plan cycles regardless, so my inclination for what's really best is that I think that we should leave it as is, or very close as is, but I also understand that we need to alleviate community concerns, and so I think regardless something we'll have to do after this is some additional education and really making sure that people understand the reasons behind whatever decision we make tonight.

But I also think in terms of keeping a high number, we need as many opportunities as possible to offer developers, so as many locations and as much density in the appropriate zoning, because there are only so many developments to go around and I think we don't want all of them to get built in other communities that were a little more ambitious or did do more to accommodate for construction, and so I want to make sure that we're also an appealing location and one where there is opportunity.

CHAIR HANSSEN: Thank you for that, Commissioner Clark.

Vice Chair Barnett.

VICE CHAIR BARNETT: Thank you. I also am desirous of hearing from all the Commissioners on this important issue.

I come from the other direction, more of what Mr. Paulson was saying, that we review the housing capacity on a five-year basis and see where we are, so we're not speculating about what the future RHNA requirements would be.

I also am very concerned that if we up-zone 40% of the land in the Town that we will not be able to down-zone despite problems with traffic and greenhouse gases, which are noted already in the EIR as being over the acceptable margins, and also problems concerning public service demands, school crowding, and water, which have been major sources of concern to the members of the public.

So again, while I'm open minded, I think that a more appropriate approach would be to start with the RHNA and the buffer and add additional housing opportunities in certain zoning areas as I've suggested in my submission. Thank you.

CHAIR HANSSEN: Thank you for that, Vice Chair Barnett. Commissioner Raspe.

COMMISSIONER RASPE: Thank you, Chair. First off, like all my fellow commissioners I think we've collected a

diverse group of Commissioners with varying ideas and I think that adds to this discussion. I'm looking forward to the discussion that we're about to have.

As part of that, as I was thinking about it over the last several days I called into question a little bit what is the roll of a Planning Commissioner? Are we here to just give our own voices, or is it to give voice to all those in the community? We certainly heard a lot of voices on these particular issues, and I think as Commissioner Janoff indicated, maybe upheaval is a better word. Those kind of set the tone for my thinking and my discussion.

I think at the end of our last meeting I indicated that I was in the camp of the RHNA numbers plus the buffer, 15-20%, and since that time I've done a little bit more thinking and I want to actually commend Vice Chair Barnett. I spent time studying your initial proposal and then our revised proposal that I looked at today, and in my view those are good starting points for the discussion. I think they encapsulate well, perhaps not the exact number that I'm at, but certainly my thinking on the subject.

And like Vice Chair Barnett, and as Director Paulson indicated, the five-year review gives me comfort that if we don't get it exactly right this first time, it's not irretrievable, it's not irreversible. This is going to

be an ongoing process. I think even if we adopt the GPAC numbers, it probably won't carry us through all the cycles that will occur in the 20-year General Plan, and so at some point it's going to have to be revisited.

Those are my thoughts, but again, I look forward to having this discussion with all my Commissioners.

CHAIR HANSSEN: Thank you for that. Before I go back to Commissioner Janoff and Commissioner Thomas, and Commissioner Thomas was first, I will reiterate some of what I said the other night.

When we started the process of the General Plan update back in 2018 we didn't know what our RHNA was, and so we had to imagine what might happen over the next 20 years, and the number we put in during the (inaudible) was 2,000 units, and low and behold, that became our RHNA for eight years.

Getting back to all the concerns that we had in the public, putting 2,000 units in Town, although we have no responsibility for building them, it will be developers doing that, we do have to plan for them, and it's a scary thing for everybody.

We've had issues, beach traffic and whatnot, so I'm of the mind that Staff made some recommendations in the Staff Report that we should consider a compromise position

in between satisfying the needs of the eight years and looking somewhat ahead, and being mindful of the fact there are some things over the 20-years that we have no control over, for example, Staff is forecasting that we'll have 500 ADUs, and that's based on the rate that we're getting ADUs right now, and state law makes it a ministerial permit to be able to do ADUs and there's nothing at all that the Commission or the Town Council or anyone can do about that.

My feeling is that we ought to consider an approach that's balanced, that does not isolate housing into one particular zoning category, but that is something in between what we saw and had put out a year ago and where we need to be in the RHNA numbers, so something in between those two is where I thought we should be, but I also respect and want to hear from the rest of the Commission.

I'll go back to Commissioner Thomas.

COMMISSIONER THOMAS: Thank you. I think that it is a great idea to be able to come back and review the Land Use Element every five years, but I don't think my intent of being able to do that and recommend that to Town Council was not so that we can come back and adjust our numbers every five years. That was an emergency because things might be changing over the next 20 years, and I still do think that it is our responsibility as a Planning

Commission to try to get this as good as we can for a 20-year vision and the backup to be that we can review this every five years and make updates if needed.

I also understand, Commissioner Raspe, what you're saying with regard to public comments and public outcry and what Commissioner Janoff mentioned, but I feel very strongly that it is also our job as Planning Commissioners to make sure that we represent underserved populations and their voices and those that can't necessarily speak up for themselves.

We're going to need to build a lot of these units and that's going to need to be for like young children who live in Town right now and who are going to grow up and can't afford to live here, and so I do think that we shouldn't just always listen to the loudest voice in the room as Planning Commissioners and it is our role to take a step back and make decisions that are best for the entire community, and that includes people that work here that can't afford to live here right now.

I do really want to come into agreement, but I really do feel strongly that we should be trying to plan for the next 20 years, even though I know that we have a backup plan of being able to change things on a five-year time period with the Land Use Element.

CHAIR HANSSEN: Commissioner Janoff.

COMMISSIONER JANOFF: Thank you. Let me just start by saying I noted in the 2020 General Plan currently in place there is a discussion of land use, but there's no discussion of numbers whatsoever, so I appreciate the fact that we've got a table of numbers in here. It's really full transparency to the public what is happening and is anticipated to be happening in terms of the drive by the State of California to increase housing, and the reason that we're at this 2,000 number now, which is extraordinary in itself, is because Los Gatos as well as—perhaps the exception is Morgan Hill—has not planned adequately to get to the population that's most in need.

I especially appreciate Commissioner Thomas' comment about the underserved in our community. That's precisely the sector that we don't hear from, but that's precisely the sector that the state is hoping to be better served through these laws and measures. So I just wanted to comment that I truly appreciate that the General Plan is laying it all out there, the draft plan, so that people can understand.

There are two bullets in the list of potential reductions that are reducing the density from 40 dwellings per acre to 30 in Mixed-Use and High-Density. My question

to Staff is if we did reduce that density in the General Plan, can we do incentives in a Land Use Element to provide increased density beyond the 30, if we were to reduce it to 30? Can the Housing Element incentivize over what's in the General Plan? My suspicion is the answer is no. But alternatively can we condition what's in the General Plan in terms of zoning densities that it's 40 units per acre only if you are providing this type of housing, otherwise it goes down to 30?

JENNIFER ARMER: Thank you for that question. I'll start with one point in terms of the densities and reduction of them and some concerns about reducing those down to, say, a level of 30, and then I would guess that our Community Development Director or Town Manager may have more to add.

The one thing to keep in mind in terms of reduction of some of those zones that are higher density under the current Draft 2040 General Plan is that if we are going to count those parcels are potential affordable housing it's not just that the maximum allowed density needs to be at least 30, it's actually that it needs to be a range with the minimum being 30, so it does actually need to be a bit above that, and we can talk more about that to provide additional clarification, but that's one component.

Providing incentives for more affordable housing is more likely to be something that would be part of the Housing Element, a program there, but with that I think I will pass it off Community Development Director Paulson.

JOEL PAULSON: Thank you. I think Jennifer touched on a couple of important points. For our default density, which in the last cycle was 20 dwelling units per acre, some of you might remember, because the San Jose metro area is now above two million we are now in a different category, which our default density is now 30 dwelling units per acre.

Just to go back, the reductions that are outlined in the Staff Report, those are just examples based on input from Council of what kind of information we should bring for consideration. They're not necessarily recommendations of Staff.

But ultimately, I think that range, again, getting back to the point of we're not going to be able to reduce the density, maybe rather than 30 to 40, it's an option of 30 to 35. Obviously, those could be reduced in any and all of the zones, so whatever the Commission and ultimately the Council want, but in those conversations I think it's important to understand that default density opportunity, and the biggest opportunity with that is that

once we hit that default density we're going to have better justification even though we're going to have to provide evidence and additional information to say that those types of sites, because we are increasing the density, are going to be able to accommodate that very low category, which is the most difficult for many jurisdictions, especially jurisdictions like the Town, to accomplish.

So as you get into those higher densities, that default density is going to be looked at differently this cycle, frankly, than the last cycle, and I think I might have mentioned that in one of the last two meetings we heard comments about the North Forty, that they had promised to do these affordable levels in the Housing Element and didn't do that. That wasn't a promise from the developer. That is part of the Housing Element, and because it was 20 dwelling units per acre the state said yes, you can say all of those are going to be affordable, and so that's what was done.

Even though we can't compel developers to build to those levels, there is not any state law that allows us to compel that, we do have inclusionary housing, which covers moderate and low, but we don't have anything that can get down to that very low. It's really, as you've seen with the North Forty, an affordable housing developer

teaming up with a market rate developer and them basically providing land and other options so it makes sense for the affordable housing developer to develop that house.

Ultimately, we need to have the density, from my perspective, and I'm not sure, we'll see if Ms. Prevetti has additional comments, but I don't think you can put in our General Plan the density is, let's say, 30, but if you do X, Y, and Z you can go to 40. That becomes challenging. There are a lot of opportunities through other state laws, state density bonus law changed recently and is much more generous. Previously the maximum density bonus was 35% through that law, now it's all the way up to 80% density bonus.

So those are some of the other factors to consider as you're going through this process, but the answer to your incentivizing, I would say no. We can, again as Ms. Armer mentioned, look for opportunities to incentivize through the Housing Element, which may lead to implementation programs that look to modify the General Plan; that's a possibility. Hopefully we can do it kind of as a standalone option, but those are definitely going to be opportunities through the Housing Element that we're going to have to explore just to try to come up with realistic opportunities for that very low housing level.

COMMISSIONER JANOFF: I did have a second question, unless the Town Manager wanted to jump in. My second question is would there be any problem with changing the way that the projected number of housing units is in the plan, instead of giving one lump number that separates it out by zoning designation, we have a table that separates the numbers by Housing Element, so it's clear that we've got Housing Element 1 with 2,292 units as the target, and then an estimate for the next cycle and an estimate for the third cycle, because that seems to be a way that we can make the numbers more understandable to the public rather than lumping it all together.

At this point I haven't really heard a compelling reason to reduce these numbers down to the number that Vice Chair Barnett is suggesting. That may be appropriate for the first eight to ten years, but we're still looking at a longer duration plan, and if the expectation is that we estimate a number or put a number forward that we think is reasonable for the entire period of the plan, then I think it needs to be a higher number. If what we're doing is recognizing what we know as our current RHNA target and then we don't know for the next two cycles, that's different.

I don't think that's as transparent as we should be with the Town, so at the moment I'm still not convinced that we shouldn't communicate the numbers much higher than the, I guess, 2,400 or 2,600 that Vice Chair Barnett has offered. But I'm open to understanding why that would make sense.

CHAIR HANSSEN: Thank you for that, and I just want to check in, because the Town Manager has her camera one. Did you want to comment or not?

LAUREL PREVETTI: I just wanted to say I think what Commissioner Janoff is suggesting is some kind of phased housing development in the General Plan, maybe 1,993 plus a buffer for the first, I don't know, eight or ten years, and then some other increment of housing for another time period. I just want you to know that from my experience of having tried to implement a phased housing General Plan, usually the sites that you identify for that first phase just never seem to line up with where the developers want to build, so you're still going to be looking at General Plan amendments and having those policy debates, and quite frankly, we're so small that I'm not sure a phased approach for Los Gatos would really work. In theory it can work, but the implementation of that is very, very, challenging, so I would recommend that the Commission

focus on a total number for the Council's consideration and then we can work through the implementation once we have an adopted General Plan. Thank you.

COMMISSIONER JANOFF: If I could just add a comment. I wasn't suggesting a phased plan per se, just that these are how the numbers might play out over a period of time, but not phasing. I don't think I would change the zoning designations that we have to enable the 3,700 or however many numbers, so I wouldn't recommend a phasing of any of those policies or zoning limits. It was just a matter of communicating this is the number we know for this cycle, and then there are going to be more without phasing.

JENNIFER ARMER: Commissioner Janoff, what I'm hearing from you is just ideas of how to share the information about what this development would be. Since these numbers were estimated based on a 20-year timeline, what is that estimate? If you broke that out into chunks of time over the 20 years, how many numbers would go into each bucket is what I'm hearing.

COMMISSIONER JANOFF: That's exactly what I'm suggesting, just for clarification for the public so they're not saying, oh my goodness, 3,700 units in the next five years; we'll be overwhelmed. Yes, we would be overwhelmed, and that's not what we're planning for.

JENNIFER ARMER: Yes, and I'm not sure if that's something that with a General Plan, it's general, it's long range, and so getting into that kind of detailed prediction is likely a difficult thing and might not be feasible. It looks like Director Paulson may have something to add.

JOEL PAULSON: We have tried through many methods to communicate the current cycle versus the 20-year plan and that we're going to have two-plus cycles in there. I would say absolute best-case scenario from an assumption perspective, we know that we have this cycle.

Let's say by some miraculous stroke of luck the state in the next cycle says that was too ambitious, we're going to go back to your fifth cycle number, which was 619, so you can just use that number, again, not knowing what that number is going to be. But if it did go back that far, we still wouldn't have the capacity in what we're currently proposing, and I think the reality is—we talked about this a lot in the GPAC also—this is a big leap for the Town in a lot of these areas from a density perspective, so we understand that.

My thought is going into this we understand that whether it's five years from now, ten years from now, 15 years from now, we're probably going to be reevaluating some other options so that we can accommodate whatever that

next cycle number is, because we probably aren't going to have the capacity, and then state laws change relating to Housing Elements.

You're all aware, there's much more stringent guidelines about using sites that were in previous elements, sites that are not vacant, and with a town like ours, we don't have a whole lot of vacant land sitting around, so those are going to be conversations over the next decades, whatever chunk you want to put that in, that we're going to have to accomplish, and we understand that, but we also appreciate that from the community's perspective this is a big leap from a density perspective in a lot of these areas.

CHAIR HANSSEN: Thank you for all that. I know Commissioners Clark and Thomas have had their hands up, but I do have a couple of questions that I think are really important to ask right now.

Supposing that it was the will of the Commission to be more conservative and know that we will have to reevaluate this thing at the next Housing Element cycle and that we weren't going to be tying our hands behind our back to get there, I wanted to ask a couple of specific questions about the suggestions that were on page six of the April 13th Staff Report.

One was about the potential reductions. If it was the will of the Commission to do potential reductions, Commissioner Janoff brought up about the density for Mixed-Use or High-Density, even knowing about how affordable housing happens I would be really reluctant to change any of the densities for Mixed-Use or High-Density, because what we really want to encourage is smaller units, and while there is no guarantee that the smaller units will be smaller prices, they will be but it might not be as small as we'd like, and that's where the affordable housing developers come in. The affordable housing developers are not going to get involved in Low-Density Residential, because it's simply not going to be enough units for them to make a difference, so I definitely wouldn't want to change any of that.

One of the things that occurred to me since I was on the GPAC, at the very last minute toward the very end of the process to give ourselves more tools we did add in the possibility of housing in Office and Service Commercial, and if you look on page six of the Staff Report, that translated in terms of modeling into 313 units, but when we were discussing it at the GPAC I don't think any of us thought that we would get that many units out of that, because a lot of the service that we're talking about are

like the auto repair shops. It's going to be one unit or something like that, so my question for Staff would be if we were take away that particular housing designation to allow housing in Office and Service Commercial, would that prevent us from having Mixed-Use in another area where there would be Office and Housing.

JENNIFER ARMER: Thank you. Office is an allowed use in some of our other Commercial zones, for example, Mixed-Use, and so having a Mixed-Use Office and Residential would still be possible in those land use designations.

JOEL PAULSON: In Office it currently is proposed at 40, and in Service Commercial it's currently proposed as a maximum of 30, so should those be more aligned with, for instance, the Neighborhood Commercial which has a maximum of 20, or as you suggested, should one or both of those be pulled off the table, I think the challenge you run into is if you still want to have the opportunity for Mixed-Use on those sites, then we need to have a density for those sites, so that gets to be the conversation. So if you were trying to maybe lessen the impact from a number of units perspective, but also allow the opportunity for a Mixed-Use project, for instance, then we would want to set a density range for that designation. Maybe it's just a lower density

range that incrementally reduces that number but not the entirety of the 313 units.

CHAIR HANSSEN: I think I understand. Similar question for Low-Density Residential. The current proposal in the General Plan is to go up to 12 units per acre. Twelve units per acre isn't anywhere close to the minimum density that's required to consider affordable housing, so I'm not sure what we get by doing that except for that we would be not concentrating as much in other zones, because it would be spreading the housing around more, and also the fact that with Low-Density Residential, and we're not planning as such to make ADUs happen, we're certainly educating people about it, but ADUs are where I would think would be mostly in Low-Density Residential, and then to the extent that SB 9 actually does take off, we don't know yet, that will be a Low-Density Residential as well, so would we be hurting ourselves in terms of production of affordable housing by lowering our density somewhat in Low-Density Residential? That's my question.

JENNIFER ARMER: Thank you for your question. I think the major impact of reducing the density in the Low-Density Residential zone is the loss of that missing middle housing. That density, you would need to keep it pretty close to where it is really to allow the potential for

triplexes and potentially fourplexes on some of the larger lots in the Low-Density. That still would need to be designed for compatibility with those neighborhoods, but allowing that missing middle, that variety of housing, not just the small affordable housing, but that in between, and so if we do move forward with a recommendation to reduce that density back to the existing level for Low-Density Residential, because the General Plan is no longer providing a place for the missing middle housing, then that discussion and those policies would be removed along with it.

CHAIR HANSSEN: That seemed like such an appealing thing to everyone in on the General Plan Advisory Committee.

Director Paulson.

JOEL PAULSON: Yes, thank you. Ms. Armer is correct, and as we pointed out in the Staff Report, that would be the impact to the current Draft General Plan.

I think what we've seen in public comment and we hear in public meetings, and you reference as well, is we don't know what's going to become of SB 9. SB 9, frankly, provides similar opportunities from a unit count perspective, and even with the missing middle, unless it was a very large site where you have five or more units

that are going to be proposed, which obviously SB 9 doesn't cover, because currently we've been limited to four, but five is our current trigger for our inclusionary housing, so unless it was a large site that would even accommodate five units so you're getting up to close to a half-acre even at the 12 range, that's where you lose that opportunity. The reality is even with missing middle, that's not going to get into the moderate or low, and for sure not the very-low, from an income category.

ADUs are a little bit different, because as I've mentioned before, we're currently able to count those as all moderate units, even though they're not deed restricted. We're going to have that same conversation with HCD. This time there's actually been some early guidance that in some jurisdictions HCD may be willing to allow jurisdictions to split their ADUs into three different categories: moderate, low, and very-low, and one of the ratios that we've heard is 30% moderate, 30% low, and 10% very-low. We're going to have to provide evidence if we're able to convince HCD to get down to that very-low level, and that could be based on factors such as Junior ADUs, which can't be more than 500 square feet, so those are going to be renting for a lower level. Whether it's the very-low or we're able to split in some ratio even between

moderate and low, those are the opportunities that we see with that.

Ultimately, I think that's the counter-argument you'll hear, that SB 9 creates that capacity already and we're not allowed to use density to limit that, so you're going to have a lot of those same opportunities potentially for SB 9, it's just a matter of how many folks are going to be interested in utilizing that state law.

CHAIR HANSSEN: All right, thank you for that. I'll go to Commissioner Clark, and then Commissioner Thomas.

COMMISSIONER CLARK: Thank you. I appreciated hearing your questions before, actually, so thank you.

Real quick, on that conversation we were just having about missing middle housing, I do think that it's pretty important that we don't reduce the density in Low-Density Residential just because those missing middle opportunities I think are one of the few ways that we have of building housing that's at least more affordable that doesn't require a non-profit developer to come in, so I think that's something that we should keep there. I know that there are some really affordable fourplexes in Los Gatos that aren't technically affordable housing; they're

just naturally affordable because of the way that they're built.

Then I have a few thoughts. I agree with what Commissioner Thomas said earlier. I don't think that we should use the every five years thing as a fallback. I think that the conversation we're having, we shouldn't keep saying but we can do this in five years or things like that. I think it's good to know that it's there, but we should try to plan for longer term than that, because it really is there more as a safety net.

In terms of the public outcry that we've been receiving, and obviously we've heard a lot from the public, I do absolutely think that our role as Planning Commissioners is to represent the public, not just our own voices and obviously not our own interests and opinions, but I do think we've heard more from members of the public who are traditionally engaging in these spaces and who have more access to that and are more affluent and are better off, and so they're coming more from a place of fear, and we haven't been hearing as much from the people who really need this housing, because they may are like working two jobs and so they don't have enough time to write public comment, or they're completely unaware that this is

happening, or they're currently working in Los Gatos but not able to afford to live here.

I, personally, work with those people. The non-profit I work at serves Los Gatos, and so I think that I personally feel like we need to remember to represent those voices, even if we haven't received an equal number of public comments from them.

Also I do think we need to balance the public comments in opposition with misinformation, so like for schools really we need more students in the schools. Like they're closing in this area, and statistically the way that the population is going, more children in the schools isn't going to affect the overall number just because of the way that our population is structured.

Then for water, like only 3% of water is used for residential, and that's just for landscaping and agriculture and things like that.

The last thing I want to say is just that I think in hindsight community members will be less upset about the higher number and things like that, because I remember when the Town was one of very few in the area not to appeal our RHNA numbers. People were up in arms and were so upset that the Town didn't do that, and then every single application got denied, and so in the end the Town saved us a lot of

money and time and resources by not doing that, and I think that the same could happen when the Housing Element review comes around. If ours is one of few that goes through, or we have a lot easier of a time, and other communities who tried to be as strict as they could don't have that same scenario happen for them.

CHAIR HANSSEN: All right, well said. Thank you for that, Commissioner Clark.

Commissioner Thomas, and then Commissioner Janoff.

COMMISSIONER THOMAS: I want to thank Commissioner Clark for bringing up the reminder about school enrollment and some of the populations that are less likely to engage in public discourse, because I think that that is really important and as a group we need to make sure that we are serving and representing.

I also think that the questions about the changes about the densities was really helpful, because I had a lot of questions about that, which ones are really open realistically to change, which ones we can change but should not, because it won't allow us for the growth that we need.

I think adding on to some of the comments that Commissioner Clark just said, I know that traffic is a

major, major concern in Town, and I know that that is honestly for a lot of residents one of the top, top reasons that they are opposed to this Residential build-out chart. And I understand. I grew up in Los Gatos and I still live here and I fully understand that traffic has gotten worse, but I do think when I look at our Pedestrian and Bike Master Plan, and I look at our Capital Improvement projects, and I look at the rest of the General Plan, and when we went to the Planning Commissioner Academy last year and we saw some of the really amazing changes for getting people out of cars and onto transit and into bike lanes and walking, all of us were really excited that we were there and got to see some of the amazing changes.

I think that the potential for those changes are really built into other parts of the General Plan outside of this very small section of the land use, and so I think that the GPAC did so much work before I got to it, and I was just so incredibly impressed with how forward thinking with regard to connectivity the General Plan really is, and I think that that will relieve a lot of the issues with traffic.

And one of the reasons traffic is bad is because people have to travel so far because people that work in Town can't affordable to live here, and that is one of the

reasons why traffic is bad, because people are living so far away from their place of work, and in lower density communities and lower density towns there is a higher cost to getting transit, so the most important part about getting connected to the rest of Silicon Valley, like getting our connection with VTA and light rail, is that we need to build higher density so that VTA will actually bring more service here. We know that Los Gatos has said we want light rail to extend all the way to Vasona, and light rail is like there's no point, because there's not enough ridership, because you don't have housing available there. I know that some people complain and say that because there's too much traffic we can't build more housing, but really this is like an if you built it, it will come scenario, and there is a ton of funding available for connectivity and transit, which makes me super excited for our Town.

It just makes me very excited for the opportunities, like very genuinely I really do love transit, but very genuinely it makes me really excited for our towns and for our youth.

I'm not a teacher here in Town, but I was just talking this week to my students. They're studying air pollution and they all are like the number one thing that

the State of California needs to do is get people out of cars and onto transit and other multimodal transportation, and they're like you need to make it easier to use, you need to build it out, you need to make it free, and they know this, and I'm like comment to this meeting. I feel like these are the people that we're planning for for the future, and we have to build higher density in some parts of our Town in order for transit to make sense and be economically feasible, and that will significantly reduce traffic in the entire region.

I just get really excited about transit, so thank you for letting me talk about it, but it is really fascinating because a lot of fears about traffic are very counterintuitive to reality, and there are a lot of studies that show that high-density housing reduces traffic because of linkages to transit.

The last thing, I know a lot people are nervous about this number in combination with SB 9. I agree with Commissioner Clark and I appreciate that Director Paulson has reiterated that we're going to have opportunities for duplexes and triplexes, etc., through SB 9. I think that it's nice to have two pathways and two opportunities, especially because one will be more locally controlled and

we'll have a little bit more say on it as a town and as residents.

A lot of people are worried and concerned and afraid of SB 9, and the reason that SB 9 is here is because towns like Los Gatos, not like us historically, but because towns and cities didn't make the all out effort to meet their RHNA numbers, and so the state is going further and further with trying to take state control, and I think that we have done a really amazing job with the General Plan and the GPAC did such a great job regarding trying to be a leader with the Racial, Social, and Environmental Justice element, and I really think that this is our responsibility to like be leaders right now.

Like Commissioner Clark just said, like not appealing, make it as easy as possible to get our Housing Element passed as a way to save time, energy, and money for our Staff and the Town, and try to make the effort to meet the growth that the state is going to demand of us, because I don't want us to look back and think that we have regrets because we resisted growth and there's more state-wide housing laws that come down the pipeline that strip us of local control.

I think that we really have an opportunity to be a leader in this, and I know that one major fear of Town

residents is losing local control, and so I think that that, even though we've heard a lot about the specific number, I think we need to take that fact and that idea of the potential loss of local control the more we resist growth and development as something that we need to take into consideration. I mean, there's even talk that all new housing projects will be exempt of CEQA no matter what, and so I think that I just really want us to be a part of the solution, so I just am very excited about the possibilities.

Now, I do want to say, and I will be done with my comments in a moment, I do think what Commissioner Janoff was mentioning earlier about the changing of the numbers, I appreciate that we are too small of a Town to phase things out over the next 20 years, but I do think that just adding a little bit of information to Table 3.3-1 with the build-out, with the explaining before like this is a 20-year thing; this is the expected growth of the entire county; the state is going to make us responsible for absorbing some of this growth over the next 20 years; this is our current RHNA number; we are going to go through two more cycles; etc., as a preface. Having that in there I think would maybe ease some of the public tension, and then also just having that like this number is also linked to all of

the planning in the entire General Plan. So that's my suggestion for a recommended change.

CHAIR HANSSEN: Thank you for that, and thank you for all your comments. I think we could make it really simple in terms of whatever the final number (inaudible) have to be to put it into the current RHNA cycle, and then anything after that. It doesn't have to be broken down in any more granular detail, but I think that would help at least in terms of communicating what we're doing.

If you look at what Staff did in the Staff Report, they essentially did that for our consideration. If you look at page five it has the 3,738 number, and then when they normalized it for the current RHNA cycle it was 3,038, 700 less units. I think something like that is really essential for everyone. It will help with some level of panic, but it is a big number and it's a scary thing for everyone.

Commissioner Janoff.

COMMISSIONER JANOFF: Thank you. I just wanted to add too that not all of the comments we received were negative. In fact, there were a number that came in that were in favor of growth, or in favor of the General Plan as it's drafted. We understand that there is likely to be infrastructure problems, but don't make the infrastructure

that we don't have now the barrier to adding housing that we need, because you'll never get the infrastructure in place before housing. There are great comments and levelheaded comments that came from a different perspective, and some of those comments included no, we shouldn't concentrate development or new housing in one space. This is a Town issue; we should spread housing throughout the Town and ensure that the burden is shared. Or you could say ensure that the benefits are shared, right?

We heard a lot of great testimony during our meetings with… I'm going to get the topic wrong, but it was engage in the communities so that we could hear the story relative to the low-income housing, and what we heard was such beautiful stories of communities and connectedness among people, increased diversity, and she made me really excited for the dimensions that Los Gatos could grow into, and so those are all really exciting things, and I think if we think about this as a benefit to the Town and try to see it that way and pursue it that way, it makes much more sense, and everyone can engage in a positive way rather a not in my backyard way.

I also appreciate the comments of Commissioners Clark and Thomas and I would just underscore the concept of

leadership. That's what we are here for. We are in a position to make a difficult designation or make an easy designation, however you see it, but that's what we need to do, and we need to make sure that we aren't just playing a numbers games, because for me the numbers, aside from the current RHNA cycle numbers, don't really matter.

The point is that we need to plan for growth and we need to plan for it reasonably, and that's what we're doing. I really am not sure that I care about the numbers beyond the current cycle, but it's still prudent to estimate for the benefit of the public, for transparency.

I'm still of a mind that the General Plan as written, maybe pull some of the numbers down a little bit if we are… One of the things that I had a little bit of an issue with was letting ADUs be a standalone number when in fact they may actually be—and Chair Hanssen and I have had this conversation over many months—that those ADUs are more likely to be in a Low-Density and Medium-Density Residential, and so you're going to have added housing in all density areas of Town. Acknowledge that and let it be part of the plan.

CHAIR HANSSEN: Thank you for that. Some very, very good comments.

Vice Chair Barnett, go ahead.

VICE CHAIR BARNETT: I appreciate all the comments that have been submitted. I have a couple of thoughts.

First, increased housing is not going to necessarily bring low-cost housing. What with the land values in Los Gatos, that's going to be a struggle. We did hear in the past about some consolidation of interest by nonprofits as well as for-profit developers as being a possible avenue to increase low-cost housing, but from the speakers that I heard at the presentation of Commissioner Clark's organization, West Valley Community Services, that's going to be a tough road to hoe. We hope it happens. I'm in favor of low-cost housing and there is a housing crisis throughout the State of California.

Saying that, I do think that we can achieve significant housing growth in Los Gatos without going up to the 3,738 number. We know there's going to be SB 9 and ADU developments that are going to go into the R-1 area and will make a reasonable contribution to the growth of housing in that area, and I think that it would be important to recognize that there is some value to keeping the traditional character of the neighborhoods in place where possible while still accommodating reasonable growth within the community.

So those are some of the concerns that I have, some perspectives on how Los Gatos can continue to be Los Gatos and yet meet the state legal requirements. I think they're compatible.

CHAIR HANSSEN: Thank you for that, Vice Chair Barnett. Commissioner Janoff.

COMMISSIONER JANOFF: A question related to what Vice Chair Barnett mentioned. It's not clear to me, and Staff, hopefully you can clarify how SB 9 units and/or ADUs over the 500 planned might be counted. Well, let's not talk about 500, let's talk I guess it's 200 that are in the first cycle. If those are not named as items to be counted in our Housing Element, but they come, do we count those as units toward the RHNA goals or do they not count at all?

JENNIFER ARMER: Thank you for the question. I think there are two different ways to respond to your question.

One part of it is what can we count in terms of the showing that the Housing Element will meet our RHNA requirement and getting it accepted by the state? That has to be based on our past history, and that's what this estimate of 200 units over the eight years is based on. It's based on our past history, which has been increasing, and so we will do a final study in terms of what that final

number is, but what we have right now is an estimate of 200 over that eight years.

The second part of your questions I think is then do those units, if we actually have more than that number built over those eight years, how are those counted? And they would be counted. Every new housing unit that comes into the Town during that RHNA cycle, that eight-year reporting period, would be counted. It would be part of the ongoing reporting that we do every year, and so they will be part of reporting out on how we're doing, our status, but we can't go beyond what our past studies show as reasonable; that's the justification we'd be providing to the state.

COMMISSIONER JANOFF: So you're saying that in the plan in advance of anything being certified or approved, but that the plan that we put forward needs to have history behind it, but once the plan is certified and we're moving forward in that period that whatever is built is counted.

But I think it's also fair to say that we acknowledge that ADUs and the SB 9 lot splits might not wind up being low-income housing, so if our density and our targets need to be focused on how to develop the low-income

housing, that's kind of a different conversation, but thank you for clarifying how the units are actually counted.

CHAIR HANSSEN: I would add to this, I had brought this up with Staff earlier. If you look at what the Housing Element Advisory Board is working on right now, we just met last week and talked about the site inventory, and since the beginning of the month the Balancing Act tool is something that was introduced as part of this Housing Element and the Balancing Act tool actually has the draft site inventory loaded into it, along with a possible housing production, and the way that the tool works is that you can't submit anything until you get up to 1,993, meaning that if you're any member of the public or anyone using the tool, if you only wanted to grow 200 units, you can't submit it, because you have to actually get the bar up to 1,993.

However, in that Balancing Act tool, it's set up where the 200 expected units of ADUs are actually deducted from the 1,993, so that is where I think Commissioner Janoff's question was going and I kind of had the some one.

But with the General Plan, because it's a 20-year timeline, Staff has pulled that out because we do expect 500 ADUs over the course of the timeline between now and 2020, but it does beg the question of do we really need to

plan for 1,993 units plus a buffer, or is it the 2,292 that would include the buffer minus 200 ADUs, meaning we only need to plan for 2,092 units.

So it's not clear how all that is going to work, but that is a question that I had as well, and so I don't know if we have the latitude to think about that as a potential reduction of the overall growth. That's a question.

JENNIFER ARMER: What I would say is the way that we presented it in the April 13th Staff Report was intended to try to narrow down the difference in numbers we're looking at, trying to avoid this confusion about how many ADUs are or aren't counted, so when we adjusted those numbers to the 3,038 that was trying to adjust how much of the potential development that's shown in that table in the Land Use Element of the Draft 2040 General Plan, how much of that capacity might potentially we counted toward the Housing Element since 300 of the ADUs could not be counted towards our RHNA requirement.

So then rather than needing to really fully understand where all those numbers come from and where they go, trying to adjust those numbers then to say if you start from an assumption that for the Housing Element we want enough capacity for the RHNA allocation, the 1,993, plus

the recommended buffer of at least 15%, then you look at the development capacity as estimated in the Draft General Plan.

What we came to was saying that there is some additional room within those calculations, because it is a 20-year plan, because the GPAC was trying to provide some additional capacity so that there would be some choices when we got to the point of working out the details, which is what the Housing Element Advisory Board is working on now. That extra capacity, as we laid it out in that Staff Report, is the 746 units.

So we can talk through more and try to understand how many ADUs you keep in or keep out, but as we laid out in the Staff Report, if the Planning Commission as a whole, the recommendation as a whole, is to reduce below what was recommended by the GPAC, if your desire is to find some way to reduce those numbers somewhat, the reduction factor, the limit of that reduction that Staff would recommend is that it not go for more than a 746 unit reduction.

Because we knew there was that interest for you to have some numbers to work with, both based on the public comments that were received, but also direction from Town Council to provide you with some nice, clear options, these aren't the only options, and you could do some kind of

partial options, but this was intended to allow if the Planning Commission wishes to reduce, to modify what was recommended by the GPAC, here are some different ways that you could do it.

Just like the Exhibit 7 was put together not as verbatim of all of the public comments, but a summary in a way that was intended to help in your discussion. For many of those Staff was neutral. It's really up to the Planning Commission to as to what changes, but we would recommend focusing on if you want to reduce as part of your recommendation what components, where would those reductions be, and focusing on a number in the range of that 746 kind of as a limit if you are going to reduce.

CHAIR HANSSEN: We thank you for that, and that's where I was going with some of my questions earlier. I believe that we're well and truly divided right now in terms of whether or not to reduce the number, and also it is 9:25, so I'm going to suggest that we take a ten minute break, and when we come back see if we can get to a consensus about whether or not the number needs to be reduced. It might be a split vote, but I think we need to see if we can get some resolution on that, and if we do decide to reduce it, then we do have to make a specific

recommendation on how we would do it. So let's do that. It's 9:25 and then we'll come back at 9:35.

(INTERMISSION)

CHAIR HANSSEN: …but we do at some point need to get to whether or not we want to recommend reducing the number that's proposed, and Staff has given us some possible ways to go about that. I'm not sure what the best way to proceed is, but I'm going to make a suggestion that because I think we're divided on this we could try having someone make a motion, because I'm quite sure that the six of us that are here are not going to vote for one or the other unanimously.

The options on the table would be to leave the number as is, which I know at least two Commissioners aren't there, and then as far as the option of reducing the number, I think there are varying opinions about how much to do. So would anyone want to try to make a motion and see where that goes, or do you want to ask more questions?

Commissioner Thomas.

COMMISSIONER THOMAS: I'm happy to make a motion. I think we all know what it would be, and if it passes, then we're done, and if not, then we'll need to discuss changes to the numbers.

CHAIR HANSSEN: Okay.

COMMISSIONER THOMAS: I guess I shouldn't include everything in the Land Use Element in this?

CHAIR HANSSEN: Not yet.

COMMISSIONER THOMAS: Oh, not yet. So we're just voting for number 20?

CHAIR HANSSEN: I think that would be best. We do have to go there on the other ones, but let's take it in two parts, kind of like we did with the Environment and Sustainability Element where we looked at sections of it.

COMMISSIONER THOMAS: Okay. We were in agreement from the other night on the other three items that the Staff mentioned earlier, correct? Or do we need to go back to discuss that more?

CHAIR HANSSEN: I don't know that we need to discuss it. That was close to my recollection on it, but I didn't know if Commissioners wanted to relook at it to make sure that that. Now I'm seeing no. Well then, go ahead and make the motion on the entire Land Use Element, including the other changes that…

COMMISSIONER THOMAS: Director Paulson says don't. I'm not, because then people will have to vote on some and not others, and then they're split.

CHAIR HANSSEN: Yeah, yeah, yeah.

COMMISSIONER THOMAS: I get it. I get it. But I could make a motion first for those other three, if you want me to try to do them together, two separate motions. I'm trying to be efficient and now I'm not.

CHAIR HANSSEN: You can make two separate motions, and that's fine, but in terms of timing I would just make them serial.

COMMISSIONER THOMAS: My first motion is to recommend the changes in the Land Use Element outlined in 21, 33, and 34. And 40? No.

CHAIR HANSSEN: Well, yes. Actually, that's a very good one to bring up. We had a conversation on Monday about making a recommendation to modify the North Forty Specific Plan.

COMMISSIONER THOMAS: Yes, so do we want to make that an implementation program? We do want to make that an implementation program. Okay, so yes, include 40 in that too.

CHAIR HANSSEN: Yes.

COMMISSIONER THOMAS: So 40, 34, 33, and 21 as written in the document.

CHAIR HANSSEN: All right, so then is there a second? Looks like Commissioner Clark has her hand up.

COMMISSIONER CLARK: I have a couple of modifications, a couple of other additions. I think I didn't realize at the end of the last meeting that we were done with it, so can I just make two short suggestions?

CHAIR HANSSEN: Yes.

COMMISSIONER CLARK: First is to add a definition of "rafters" to key terms, because they're referenced in the definition of eave, but there's no definition of rafters, and I felt like that could be helpful.

CHAIR HANSSEN: Okay.

COMMISSIONER CLARK: Then the other one was supposed to be in the Community Design Element, I'm sorry. I will second Commissioner Thomas' motion.

CHAIR HANSSEN: Will the maker of the motion be willing to add the rafters definition to your motion?

COMMISSIONER CLARK: The rafters was actually in Community Design Element. My bad

CHAIR HANSSEN: I'm sorry, that was for the Community Design Element, so we don't have to modify the motion at all.

COMMISSIONER CLARK: (Shakes head no.)

CHAIR HANSSEN: So the motion on the table that has been seconded is 21, 33, 34, and 40. So motion and a second. Any other comments? And this is on everything other

than the discussion we've been having about 20. So then we'll do a roll call vote, yes, no, or abstain.

CHAIR HANSSEN: Commissioner Thomas.

COMMISSIONER THOMAS: Yes.

CHAIR HANSSEN: Commissioner Raspe.

COMMISSIONER RASPE: Yes.

CHAIR HANSSEN: Commissioner Janoff.

COMMISSIONER JANOFF: Yes.

CHAIR HANSSEN: Commissioner Clark.

COMMISSIONER CLARK: Yes.

CHAIR HANSSEN: Vice Chair Barnett.

VICE CHAIR BARNETT: Yes.

CHAIR HANSSEN: And I vote yes as well.

So that one was easy. Then we have the harder one, which is whether or not to recommend any reductions. Normally we are only making motions if we were going to recommend a change, but in this particular case I think if the will of the Commissioner would be to keep it, we should vote that way as well.

Commissioner Janoff.

COMMISSIONER JANOFF: I just had a question before we attempt to form a motion. I think it's clear where Commissioner Clark and Commissioner Thomas are on a possible motion. It's not clear to me where Commissioner

Raspe and Vice Chair Barnett are. We've heard in early comments that you are recommending something that was about 1,000 units lower than what's already recommended in the General Plan, and I'm just curious to know whether that's your current position so you're really focusing on the current RHNA with a slight increase, or has the discussion at all modulated your thinking, and are we still so far apart, or had any middle ground been reached on your behalf? Sorry to put you on the spot, but I just am not sure where we are here.

CHAIR HANSSEN: I actually think that is a fair question, only because it's awkward to put motions out there that are going to fail. It's better if you know where you stand.

Go ahead, Commissioner Raspe.

COMMISSIONER RASPE: Thank you, Chair. I'll answer Commissioner Janoff's question to the extent I might.

First of all, I think I indicated a general support for Commissioner Barnett's proposal as he circulated on April 27th, and if I read it correctly I think it actually calls for a total reduction of 569 units, and as I read those I supported him and I still support them now.

I will tell the Commission I feel most strongly about the Low-Density Residential and slightly less, but also fairly strongly, about the Medium-Density Residential. Changes to those densities I find the most troubling of the recommendations, and so those are the ones I feel most strongly about, which I guess results in about 350 units or so, or maybe a little bit more than that.

That's kind of where my thinking is, and so I wouldn't support, if we were to take a vote, which I suspect we will immediately, not an across the board acceptance of the GPAC numbers. I would like to see some movement, most specifically in the Low-Density and Medium-Density Residential numbers. So that's my current thinking.

COMMISSIONER JANOFF: Through the Chair, may I ask a question?

CHAIR HANSSEN: Yes.

COMMISSIONER JANOFF: Commissioner Raspe, I wasn't clear if you were saying you wanted to see Low-Density and Medium-Density revert back to the 2020 numbers?

COMMISSIONER RASPE: Correct, yes.

COMMISSIONER JANOFF: And did the conversation about the missing middle give you any pause with respect to how going to the 2020 numbers might eliminate that category and the benefits that that offers?

COMMISSIONER RASPE: It absolutely did, and just in my own mind in response, and I think maybe Vice Chair Barnett or someone else made the comment, to the extent those developments come into play I'm not sure, again, the way those would be priced and built. I suspect those would be high-income developments, if they happened at all, but I'm not sure that it's just by virtue of the fact that we are bringing the densities up that those developments will come in. I understand your argument; I just don't know that it's going to be the natural flow of events that follow from our decisions.

CHAIR HANSSEN: Let's see, I'm going to go to Vice Chair Barnett, because he had his hand up next, but I suspect that Commissioner Thomas had a response to that, but let's hear from Vice Chair Barnett and then Commissioner Thomas.

VICE CHAIR BARNETT: I think the reductions that I proposed in my spreadsheet are reasonable and consider all the factors that have been talked about in realistic terms. How much are we going to be able to reduce traffic by multimodal? That's certainly the goal, but I think the public raised questions as to how practical that is in real life.

The other concerns about character of the neighborhood, of course I'm working off the 3,038 number with my reduction of 569, getting to 2,469, not the 3,738 number.

CHAIR HANSSEN: The 3,738 number as per the Staff Report on page five versus page six, they parse that out between what's beyond the current Housing Element and what's in the current Housing Element timeline.

VICE CHAIR BARNETT: I think that's realistic.

CHAIR HANSSEN: Can you reiterate for everybody that might not have that page open what the components were of the reductions that you were recommending?

VICE CHAIR BARNETT: Yes. The Low-Density, I was proposing all 279; Medium-Density reduction was 165; the Community Commercial to Neighborhood Commercial was 58; and the Central Business District was 67; so that's a 50% reduction in the Medium-Density and the Central Business District and 100% in the Low-Density.

CHAIR HANSSEN: What was the last one? You said 58 in Community Commercial to Neighborhood Commercial, and then what was the last one?

VICE CHAIR BARNETT: Central Business District.

CHAIR HANSSEN: And how much was that?

VICE CHAIR BARNETT: Half of the total, 67.

CHAIR HANSSEN: All right, good. That helps to not have every page open at the same time.

COMMISSIONER JANOFF: Through the Chair, can I ask a clarifying question? Vice Chair Barnett, you're recommending a reduction of 165 Medium-Density Residential units over what I'm looking at Table 3-1 in the General Plan, and there's a total of approximately 570 units in the Medium-Density. You're proposing to keep the balance of that number but just reduce it a little bit?

And I actually had the same question, again looking at Table 3-1 in the Draft General Plan. The Low-Density Residential total number is 283 plus 84, which would bring us to about 367. I'm not sure what table you might be looking at, but that's my reference in terms of the numbers proposed in the current Draft General Plan that we would be reducing from.

JENNIFER ARMER: Through the Chair, if I may?

CHAIR HANSSEN: Go ahead.

JENNIFER ARMER: Commissioner Janoff, I recommend you also take a look at page six of the Staff Report from April 13th. I believe that some of the numbers that are proposed for reduction are from that list of potential reductions laid out by Staff in response to previous input.

One of those, the 279, is the reduction in housing if the Low-Density housing designation were to revert back to the density allowed in the current 2020 General Plan, and then it appears that the 165 unit reduction for the Medium-Density Residential designation that's proposed by Vice Chair Barnett is half of the reduction, basically going halfway down to what is currently allowed in the 2020 General Plan, because bullet number two on page six of that Staff Report talks about reverting the Medium-Density housing designation to the existing 2020 General Plan level, and that that would be a reduction in 327 units. The Director has something to add too.

VICE CHAIR BARNETT: That's correct what you're referring to.

JOEL PAULSON: Through the Chair, I think it's important for the Commission to understand that the numbers that are in the Staff Report and that Vice Chair Barnett is using, that's the delta between the existing General Plan and the proposed General Plan, so that's why it's not coming up with the numbers. Commissioner Janoff, you're looking at the new, and that's why they're not jiving.

JENNIFER ARMER: So there would be some development.

COMMISSIONER JANOFF: Right, the numbers wouldn't be zero for Low-Density, or 165. Well, it might be 165, but it wouldn't be zero for Low-Density is what I'm hearing.

JENNIFER ARMER: Correct, because there is still, even with the current density, some capacity for growth and redevelopment.

CHAIR HANSSEN: Can I ask a question on what was said though? I'm looking at Table 3-1. Let's take Low-Density Residential. It talks about the proposed new density range, and then with the assumed redevelopment rate it's 84 units for Low-Density Residential, but if we reverted to the existing 2020 levels in the Staff Report as described on page six, it would be 279 units. Why would it be 279 units versus 84?

JENNIFER ARMER: Thank you for that question. The new housing from the Low-Density Residential is actually 283 on vacant land plus 84 for redevelopment. So those two columns actually get combined to give you how much additional housing would be estimated within the Low-Density Residential designations.

CHAIR HANSSEN: Yes, of course. I should have had my glasses on when I was looking at that.

JENNIFER ARMER: It's a lot of numbers.

CHAIR HANSSEN: But it's still not the same, because 283 plus 84 is well over 300, and then 279 is less than that.

JENNIFER ARMER: Right, and so 279, if we had Table 3-1 and we put in put in appropriate assumptions based on the current density for the current 2020 General Plan, those numbers in the columns would not be zero. There would be some redevelopment and there would be some new units on vacant land. It would be less than what is here, because the densities would be lower, the redevelopment assumptions would be lower because of those lower densities, so what we put in the Staff Report for some of the designations is what's that delta? We worked with the consultant to figure out what would those numbers be if we kept it at the 2020 General Plan, and we said what's the change? So if you revert back to the 2020 General Plan you don't remove all of the 283 plus 84 units; it's a portion of that.

CHAIR HANSSEN: I see. That makes perfect sense. Thank you for explaining that.

Director Paulson.

JOEL PAULSON: Just another way to think about it, I think Vice Chair Barnett is looking at roughly half of what is allowed in the proposed General Plan. Currently

the maximum density in the Medium-Density is 12, the proposed is 24, so if you split that in half you end up—and we'd have to run the numbers—but the maximum would come down from 24 to 18, because the difference between 12 and 24 is 12, and you cut it in half, so it would probably be around 18, if not 18.7. So that's how you could think about some of these numbers where it's half, whether it's this proposal or some other proposal that might have a different ratio, but this one happens to be half.

CHAIR HANSSEN: Thank you for that. That helps, because you have to kind of think through the whole problem.

Vice Chair Barnett and then Commissioner Thomas.

VICE CHAIR BARNETT: I just wanted to say that I was looking at the reduction numbers on page 184 and I did play with the Medium-Density Residential figure and figured it 8 to 18 instead of 14 to 24, just as an example.

CHAIR HANSSEN: Thank you for that. Commissioner Thomas.

COMMISSIONER THOMAS: Thank you for the clarification about the reduction and everything. I think that I understand the argument that higher density does not automatically equal lower income, but it does allow for

that possibility, and not including higher density is going to make lower income housing less likely to happen.

I know that there's been a lot of talk with the GPAC. I know the GPAC, before I joined, talked a lot about how all the Town has to absorb this new growth, like we all have to be responsible for it, and we all have to be responsible for trying to increase low-income housing throughout Town and affordable housing throughout Town, and I completely understand that we could do everything in the world and housing is still going to be expensive in Los Gatos, but we're definitely guaranteeing that we're not going to improve access to affordable housing if we don't increase our densities in certain areas, so I personally don't feel that the argument that higher density doesn't automatically equal more affordable housing or low-income housing is a reason that we shouldn't increase densities.

CHAIR HANSSEN: Thank you for that.

Commissioner Clark.

COMMISSIONER CLARK: I'm just going to quickly tack onto what Commissioner Thomas just said. I completely agree. I think even though a fourplex existing doesn't mean that the units will be completely affordable. Naturally, smaller units cost less, and so it will be more affordable than other housing and I think we really can count on that,

and I really agree with what she said that it's everyone's responsibility, it's every designation's responsibility.

Just because you live in a single-family neighborhood shouldn't mean that you're completely immune to these changes, and I really feel like the purpose of the kind of housing that this would allow, like fourplexes and triplexes and things like that, is that it blends in with the neighborhood, and I think that once there are a few around people will see that they're not so scary and that they can make a valuable contribution to a neighborhood, and so I really think that we should reframe how we're thinking about them. I think that they kind of guarantee more affordability compared to a large single-family home.

CHAIR HANSSEN: Thank you for that, Commissioner Clark.

Commissioner Janoff.

COMMISSIONER JANOFF: Thank you. I see the appeal of reducing the Low-Density designation. It seems to be popular among those who are most concerned, and I can understand that, and there has also been discussion that that designation isn't likely to generate as much housing, period, let alone affordable housing.

But the reason I'm having trouble with reverting back to the 2020 numbers is precisely what Staff said, and

that is that we lose the missing middle. I can't express to you how long and deeply the GPAC discussed missing middle and how important those concepts are in ensuring that the visual character of the Town is maintained, the transitions between single-story and two-story. The transitions in different areas between Low-Density and Medium-Density are really accomplished most beautifully by the missing middle concept, and it's a very, very important concept that I personally would have a lot of trouble just throwing completely out, and if that's the effect of reverting back to the 2020 General Plan density for Low-Density, I would not be in favor.

The change in the Medium-Density, maybe, but again, there are unintended consequences of messing around with the numbers and I think we run the risk of throwing something that's really important completely out.

I guess relative to Vice Chair Barnett, I would agree that the Community Commercial or Neighborhood Commercial could be reduced. The Office and Service Commercial, which is 313 units, maybe that could be reduced, but I'm really concerned about losing the opportunity in High-Density and many units of affordable housing aside, we heard a lot of feedback from the community about how we didn't want to ruin the visual look

of Los Gatos, and the missing middle really gives us more control over how that is going to be affected than anything, and if we think about missing middle as being a better for the Town alternative in terms of retaining Town charm and Town character then SB 9 simple lot splits, which could just be ugly boxes and we have no discretion whatsoever over how those look as long as they meet building codes, so I think we lose something extremely valuable in the ability to hold onto or control the character of our Town when we throw out the missing middle, so I would not be in favor of changing the density in the Low-Density back to 2020 numbers.

CHAIR HANSSEN: Thank you for that, Commissioner Janoff. Back to Commissioner Thomas.

COMMISSIONER THOMAS: I just really wanted to echo what Commissioner Janoff just said, because I do think that missing middle is the key to maintaining our Town character, which in addition to the traffic and other infrastructure concerns I know is a huge concern of residents in Town and it is something that is really important to a lot of people that live here, and I do think that if we can build visually appealing structures in Low- and Medium-Residential areas right now to accommodate for our growth, we're going to avoid having to go back and

change like the heights so that we're building a ton of concentrated housing on Los Gatos Boulevard.

And I know other communities have had this struggle in the past. I know up in San Mateo that they have made decisions to keep their Low-Density Residential densities lower, and then a lot of their growth has been concentrated in areas and gone really upward, because that's the only way that they can build more housing, and then people have been really unhappy with that in the area too.

So I do really think that missing middle, I know it was discussed a lot before I was on the GPAC, but I do know that it was definitely a priority and there was a lot of thought put into that with the whole entire General Plan, and I do think that it's something that is particularly helpful here in Town that we're truly missing for our specific residents and future residents.

CHAIR HANSSEN: Thank you for that. Before I take additional comments I wanted to ask Staff a question.

We haven't completed the process of the objective standards, but Vice Chair Barnett and I and former-Commissioner Burch had worked on where we could go with the objective standards and the consultants have taken it to the community, but supposing that we stay with the existing

proposed densities in the Draft 2040 General Plan, what tools do we have in Town to make sure that the vision we have describing the General Plan doesn't change the character of neighborhoods? Because I know people are really panicked, everyone's neighborhood, but for instance historic neighborhoods and whatnot. What tools do we have to enforce the idea of the missing middle?

JENNIFER ARMER: Thank you. I would say that yes, we are working on objective standards. We're going to the community for a community meeting with a list of draft standards based on the work that you discussed. That's going to be on May 12th to get input on that, and once we do get further input, that will be proceeding to Planning Commission and Town Council. That is really targeted at the Medium-Density Residential and High-Density Residential and Mixed-Use projects rather than these duplex type projects that go through the SB 9 process.

When we do work towards a permanent ordinance for the SB 9 type projects, that will include, as it did with the interim ordinance, some objective standards there as well, but for a lot of those smaller projects we don't have a whole lot of objective standards that apply to them.

It does look like Director Paulson has something else to add as well.

JOEL PAULSON: Thank you. Just briefly to try to differentiate from a control perspective SB 9 versus missing middle.

Missing middle, we would be using the controls of the underlying zone, so setbacks, height, coverage, that's where you get to what a lot of you have been talking about where you get the potential form of a single-family house but maybe it has three or four units in it, so you still have those controls from a zoning perspective.

Now, there could be some consideration after the General Plan gets adopted to modify some of those, maybe allow an additional 5' or a little bit more FAR like we do for ADUs, because we know we're having more units, whereas SB 9, a lot of those controls are gone, so the side and rear setbacks are 4'. Our lowest side setback for a residential building, and I'll use the R-1:D, which is happens to be Medium-Density Residential, is 5', so it's those types of things where a lot of the provisions of SB 9 give way more flexibility to whoever is developing those, and so that's where that control comes in.

The other is obviously SB 9 is going to be tied to objective standards, so when we're doing the ordinance we may want to look at that as a separate document. As Ms. Armer mentioned, the current objective standards really are

Mixed-Use and Multi-Family, so that's something to use as you're thinking about this from a control perspective; that's the simplest distinction I can make at this point.

CHAIR HANSSEN: I think that's fine. And we do have Residential Design Guidelines, and if you're really trying to make a duplex in the same form factor as a single-family home, then the Residential Design Guidelines will apply as well.

Commissioner Clark and then Vice Chair Barnett.

COMMISSIONER CLARK: I just want to say that I think we're seeing that it's risky when you start to play with the numbers, and I think what this is really all about is opportunities and the number of opportunities that we are providing, and I would hate to see us have to choose what density we're reducing in order to lower the numbers just because we want to lower the numbers, and then miss out on some opportunities that we could have had otherwise.

I just want to emphasize that we need a bigger number, because these units can't all get built. It's not going to be like we allow for all of this development and developers all come in, but I think that we need to make sure that we're providing options and that we're not limiting ourselves, which I just think that we do start to

do that when we start moving around the numbers like that and kind of having to choose where that happens.

CHAIR HANSSEN: Thank you for that, Commissioner Clark. Vice Chair Barnett.

VICE CHAIR BARNETT: I just wanted to point out that in my proposal there would be missing middle in the Medium-Density Residential zone for area in that designation, and again, I'm harping back on what I've said before, but the ADUs and the SB 9 units will add density to the Low-Density Residential designation as well.

One concern I had with the 3,738 number, the lower number, is how are we achieving that? Is it possible to realistically and reasonably project what the housing is going to be in the seventh and eighth RHNA allocations? I think that the number is somewhat arbitrary and it makes more sense to focus on what we have and then to adjust as we go forward, although I recognize there will be some small inconvenience in amending the General Plan at possibly two different cycles downstream, but it seems to me that's the more responsible approach rather than going into this with some speculative numbers. Thank you.

CHAIR HANSSEN: Thank you for that, Vice Chair Barnett. Director Paulson has something to say, and then I'll go to Commissioner Thomas.

JOEL PAULSON: Thank you, Chair. I just wanted to pull back a little on how we started this conversation, which was maybe you should have a conversation or ask the question of does the majority of the Commission think we should reduce the number or not, because if the majority thinks we should reduce the number, then we can get into all the which designations and how much it should be reduced, so I would say going back to where I think Commissioner Thomas started, that's where we're going to start.

Then we got to the elements outside of 20, but we were still going to come back to that conversation of should the numbers be reduced from what's currently proposed if there's a motion to that effect, and see where that does, and then that will help inform this continued conversation and think about what, if any, modifications should be done.

CHAIR HANSSEN: Well, that's how I started at the very beginning, and then I think a lot of the Commissioners had a lot to say and there has been a lot of very good discussion.

Here's a suggestion. I think that if I had to read where everyone was at I'm going to say that we have two Commissioners that are in the same place with Vice

Chair Barnett's suggestion that was submitted in writing, we have two Commissioners that are firmly convinced that we should stay with the numbers already proposed in the 2040 General Plan, and then Commissioner Janoff and I are somewhere in the middle I think is where I would characterize us.

Then the question should be whether or not we reduce it at all, and then we can see if there's consensus about that if we can get agreement on what the number is, although I suspect that the people who wanted to keep the number the same would not be comfortable with any changes that got made, but nonetheless we have to come to a decision.

I have comments from Vice Chair Barnett, and then from Commissioner Thomas.

VICE CHAIR BARNETT: I just want to say that I agree with the approach from the Chair.

CHAIR HANSSEN: All right. Commissioner Thomas.

COMMISSIONER THOMAS: I think that it's really important for us to try to maintain local say and control over what housing gets developed in Low-Density Residential, and if we don't increase the density and the only option is the SB 9 route, and we don't have any control over that, I think residents are going to be not

happy with our decision, and so that makes me really nervous about reverting back to the current General Plan's density, especially for Low-Density Residential, because I think that we want to keep the option open that people have the opportunity to increase density with input from neighbors and the Town and everything, so I feel that way.

I kind of feel like from Director Paulson, I don't know if I need to make a motion. I'm fine with my motion failing if it does. I can make a motion, but do we need to continue to discuss options? I'm not entirely sure what to do moving forward.

CHAIR HANSSEN: I think that the Staff did make the recommendation that we should see if we can't get some resolution on reduce yes or reduce no, and then we could talk about how.

I can tell you for me, personally, I would be very uncomfortable about reverting to the 2020 General Plan densities in any category, honestly, because I think that we're going to have unintended consequences.

When I looked at the proposed site inventory for the Housing Element, something like 70-80% of the sites are on Los Gatos Boulevard, and while that makes a lot of sense from so many dimensions, because we can put more High-

Density and Mixed-Use housing there, it's close to Commercial, all those things.

But it has the unintended consequence of if it all gets built there, if you think the traffic is really bad now, and Los Gatos Boulevard is one of the places where the traffic is the worst, how much worse is it going to get? What if there are several hundred units spread throughout the Town, through all of our single-family neighborhoods, that's going to be incrementally way, way less traffic for everyone and it won't be felt at all.

So while I'm not in one side or the other in terms of where I come out, I wouldn't be comfortable with going to zero change in any zone.

Commissioner Janoff.

COMMISSIONER JANOFF: As the other person who is sort of in the middle here, I'm going to make a recommendation that we start with the 2,262, which is the current RHNA cycle, and we add to that two cycles of 600 units which are commensurate with the previous RHNA cycles, so we have some history around why that might be. That gets me to a total of 3,462 units. If I subtract that number from the 3,782, that is the total proposed in the current Draft General Plan, the difference is 320.

My proposal then would be to remove housing from Office and Service Commercial designations, which is 313 units. That would be my recommendation. So we're coming down off the 3,782, we're recognizing that we're going to get something in the next two RHNA cycles, possibly not as much as what we've had this cycle, and then my question to Staff was are there any unintended consequences of removing housing from Office and Service Commercial that would make that less than a desirable option? But that would be my proposal.

CHAIR HANSSEN: Commissioner Thomas really wanted to say something.

COMMISSIONER THOMAS: You're saying 3,782, but I think it's 3,738, right?

COMMISSIONER JANOFF: Yes, thank you.

COMMISSIONER THOMAS: Okay. I just wanted to make sure before you wrote down any firm math.

CHAIR HANSSEN: And the RHNA plus the 15% buffer I believe is 2,292.

COMMISSIONER JANOFF: 2,292. I've got a lot of little errors in my math, but if you guys get the idea where I'm (inaudible).

CHAIR HANSSEN: We totally get it.

COMMISSIONER JANOFF: So we need to find a few more units if this seems like an acceptable approach, but I'd be interested in hearing from Staff. I'm so concerned about the missing middle loss that I don't want to go there. These are new housing opportunities for us and in general these were planned, these came up during GPAC. I said what if we added these here? It might be beneficial to the people who work in these sorts of environments, but we also had some concern about then becoming only housing.

CHAIR HANSSEN: It was the last thing that we added out of everything that we discussed.

COMMISSIONER JANOFF: Yes.

CHAIR HANSSEN: And so that's where I had started, but go ahead, Staff.

JOEL PAULSON: Thank you. The only unintended consequence I see we don't see it very often. I can't recall any in the Office, but technically someone could propose a Mixed-Use Office project, and so that would be the only one, but that obviously also is the largest number between Office… The Service Commercial is kind of light industrial, which was a new one for sure, but that was only 54 units, I think. So that's the only unintended consequence I could see. The other is the Office is spread around Town, so you have the option for that disbursement

as well, given what everyone has been talking about tonight.

So off the top of my head those are the couple of things from a consideration perspective I'd like the Commission to think about.

CHAIR HANSSEN: But let me go back to what I asked earlier though. If there are Office properties that are currently in a Mixed-Use General Plan designation, they can add housing, right?

JENNIFER ARMER: That's correct. For example, the new office building that's being constructed that was approved a few years ago on Alberto Way, that actually is the Highway Commercial designation, and so anything in that zone can be office. It also can be Mixed-Use, Office and Residential, or other Mixed-Use.

CHAIR HANSSEN: Where I was going with that is that by removing that designation where it's just Office or just Service Commercial, we're not eliminating the possibility of Mixed-Use using Office.

JENNIFER ARMER: Correct.

CHAIR HANSSEN: But it would have to already be in a designation where Mixed-Use with Residential were permitted along with Office?

JENNIFER ARMER: Correct. It's just eliminating Mixed-Use from those that are actually designated with the Office land use designation.

CHAIR HANSSEN: Yes. Okay, got it. So was that a proposal, Commissioner Janoff? It was sort of heading towards a motion.

COMMISSIONER JANOFF: I'd be happy to call that a motion if somebody has the correct numbers.

COMMISSIONER THOMAS: Can you read the numbers one more time so that we know them?

COMMISSIONER JANOFF: All right. Let me use the correct numbers. We're at 2,292 for the current RHNA cycle, plus 600 for the next RHNA cycle, and 600 for the third RHNA cycle. It adds 1,200 units to that. However, if you want to be really precise, we only have a fraction of the third RHNA cycle. We could change that third 600 down to, I think, 200 if you wanted to do that, so adding, let's say, 800 units, 600 and 200, then we're at 3,092. And then we subtract that from the 3,738. So if somebody wants to do that math, that comes out to about 720 units or so.

CHAIR HANSSEN: I'm just going to have you hold for a second, because the Town Manager just turned her camera on, but then I'm going to give you back the floor, Commissioner Janoff.

LAUREL PREVETTI: I just want to make sure that the motion includes the totality of what you're recommendation a few minutes ago was, that in order to get to that reduced number you were proposing that we remove housing from Office and Service Commercial on the order of the 313 units, and that might be a simpler way of explaining the net effect. Just a suggestion.

COMMISSIONER JANOFF: Through the Chair for the Town Manager. Is it reasonable to reduce that third RHNA cycle number from 600 if we only have a partial RHNA cycle to accommodate under this Draft General Plan?

LAUREL PREVETTI: I think the real exercise is what total capacity would you like to see in the 2040 General Plan, and I think it is useful, as we were talking earlier this evening to explain that we're trying to not only accommodate the current RHNA but also future RHNA. I think it might be simpler to just really focus on that the idea is that we need capacity for missing middle based on the conversation that the Commission is interested in more Mixed-Use opportunities. However, in the interest of trying to protect Service Commercial and some of these other needs that we have in the Town, that really what we're talking about is a net decrease of the 313.

And again, we can provide the context as discussed earlier, but I think simplifying the motion might be easier as we continue to move forward in the process. Again, that's just a suggestion based on the very nice recommendation you made just a few minutes ago.

CHAIR HANSSEN: I understood all that, so question for Commissioner Janoff. If I'm going by where the Town Manager is going with this, which is we should really be thinking of what is the overall capacity that we have, and based on the Draft 2040 General Plan we have 3,738 as the reasonable growth during that timeframe given the densities that are proposed, and if we take 313 off the table, then that only gets us down to 3,400-and-something, right?

COMMISSIONER JANOFF: Which is where I'm prepared to stop.

CHAIR HANSSEN: That is actually where you first stated talking, and if you look at what makes up that number, 300 units of that is ADUs that are not going to be built until after 2031, so in terms of more current housing, that number is going to be likely under 3,000.

Let's see, we have comments or questions from Commissioner Clark and then Commissioner Thomas.

COMMISSIONER CLARK: I do just want to clarify, so now we're talking about subtracting 313 units from the 3,738 original number, which would give us 3,425 is the number.

CHAIR HANSSEN: Okay. And then Commissioner Thomas, did you have a question or a comment?

COMMISSIONER THOMAS: My question is that I think we need to follow up with where those numbers would come from, if that's what I'm hearing from the Town Manager, that we need to make sure that we're reducing that 300 from a specific place, and I'm only seeing 259 in Office Professional, so that's a little bit confusing to me, or I'm not following something.

CHAIR HANSSEN: If you look on page six of the Staff Report, at the bottom it says, "These are some options to reduce," and it says if we remove housing from Office and Service Commercial it equates to 313 units. What's behind that is they would be changing the densities, and I think it's also a permitted use then for that category.

COMMISSIONER THOMAS: Oh, because it's Office and Service Commercial combined?

CHAIR HANSSEN: Yes.

COMMISSIONER THOMAS: Fifty-nine plus 54, got it.

CHAIR HANSSEN: I don't know if you remember when we discussed it at GPAC, but we all knew that Service Commercial is going to be a lot smaller, because we're talking about like a unit above an auto repair shop.

COMMISSIONER THOMAS: I get it. I just was like I thought you were only referring to Office Professional, and I was like wait, but it's Office and Service Commercial. Okay, now I understand that.

My concern with this is that I think that most of the feedback and input from the community that we have gotten is that people don't want growth and development in Low-Density and Medium-Density Residential areas, and so now we're just taking off the table development in other areas just to appease and make the number seem lower, and I feel like we're just taking away options for developers. I mean, I truly commend Commissioner Janoff for trying to get us to a consensus, but I just fear that the fear is coming from those other neighborhoods.

COMMISSIONER JANOFF: Let me elaborate a little bit. As we look back over the course of the meetings and information that we've received from developers in particular, we've heard a lot of input that this particular format is an unlikely format to build, that office builders build office, and home builders build homes, and putting

the two together may be a laudatory vision, but it's an unlikely thing to happen.

So realistically, looking at what developers would be interested in building, I think this is a very unlikely format. I could be wrong, but if that's the case and removing it doesn't affect any of the really special things that GPAC wanted to do to incorporate real beautiful change into the community, this doesn't really impact that vision, so that's my thinking behind it, and thank you for asking.

CHAIR HANSSEN: Director Paulson.

JOEL PAULSON: Thank you. I think Town Manager Prevetti may have some input.

CHAIR HANSSEN: Yes, go ahead, Ms. Prevetti.

LAUREL PREVETTI: Thank you. I just wanted to clarify, I think we have a motion on the floor and typically we need a second before discussing it.

CHAIR HANSSEN: Actually, you are correct about that and I was remiss because so many hands came up. So can we get a second for Commissioner Janoff's motion?

Commissioner Clark.

COMMISSIONER CLARK: I second.

CHAIR HANSSEN: Okay, so we do have a second, so we can continue the discussion before voting, and thank you for remind us of that.

Commissioner Clark, did you want to comment?

COMMISSIONER CLARK: Yes, thank you. I just want to jump off of what Commissioner Janoff was saying about the reasoning behind this, and I think something else we've discussed a lot tonight is everybody needs to do their part, and so to me it's if we do want to be a little less ambitious and build a little less housing, I want to do that in a way that doesn't alleviate anyone of playing some sort of role in this, because we need to do this as an entire community, so I think that, along with it not being as realistic of an option for developers, to me makes it the best way that we can reduce our numbers.

CHAIR HANSSEN: Thank you for that.

I would comment that I like where this is going, and that my first thought when we were thinking about these exercises is that especially since the GPAC added that at the very end and it didn't seem essential, and then since we've gotten the additional feedback from developers it doesn't seem like it's that feasible.

We kind of have a good idea about ADUs, but because of the uncertainty of where SB 9 will go, it would

be my preference. I could get comfortable with where we are. It would be my preference to take something off the table in Low-Density Residential, but not all of it. But that might not be enough for me to not vote…to go with the motion that Commissioner Janoff presented. I don't know if other people have thoughts about that.

Commissioner Janoff.

COMMISSIONER JANOFF: Question for Staff. Is it possible to reduce the density in Low-Density and still get missing middle, and if so, what would that look like?

JENNIFER ARMER: There is probably some room to reduce it somewhat, but my understanding is if it went below ten dwelling units per acre, then that really would eliminate the possibility of missing middle housing. I believe that's what we've discussed previously.

CHAIR HANSSEN: I know we talked about this earlier, that if we were going to go in this direction that you wouldn't automatically be able to spew out what would the number be with that change in density, but I'm sure if we took it to ten it would be less than 279.

JENNIFER ARMER: Correct.

CHAIR HANSSEN: But we don't know how much less, so that's the uncertainty of this process, but we could go down that path and in theory, I guess, but if we don't know

what numbers it gives us, it kind of makes it hard, but I would be agreeing with Commissioner Janoff that I wouldn't want to do anything that would take away the possibility of missing middle housing, because I think that really is essential to creating balance in the community, but if it was possible to bring it down a little bit, I think that makes a lot sense, and that would take away some of the uncertainty with where we don't know where SB 9 is going to go.

Commissioner Janoff.

COMMISSIONER JANOFF: Thank you. Even though I started the motion by talking about numbers, I think at this point we should depart from that conversation and give Staff the guidance. I'd be willing to modify the motion or add to the motion that we consider reducing the density in Low-Density and Medium-Density to a number that still supports missing middle but lowers the numbers. It may be a small number, but if that makes sense to do so, I don't need to know what that number is. Staff can take that into consideration and then run the numbers and include that as part of the illustration of how the numbers come down, but I would be willing to do that. The numbers themselves are kind of general, but if we can get more specific reductions

in density without losing the benefits that the GPAC has put forward, I would say that is a reasonable inclusion.

CHAIR HANSSEN: Thank you for that. Let's see, I think it was Commissioner Clark and then Commissioner Thomas.

COMMISSIONER CLARK: I think it was Commissioner Thomas first.

CHAIR HANSSEN: Oh, thank you for that. Actually, Director Paulson has his hand up, so I just want to make sure we capture Staff's comments before we continue to deliberate on this.

JOEL PAULSON: Since Commissioner Clark was the seconder; she would need to accept that amendment.

COMMISSIONER CLARK: Yes, I accept that amendment. Actually, can I ask you a question about it, or do I need to second it before I can ask a question?

JENNIFER ARMER: You can ask a clarifying question.

CHAIR HANSSEN: Yeah, I think you can ask a question.

COMMISSIONER CLARK: I just want to clarify, like I want to make sure that we're on the same page about what it would mean to still allow missing middle. I think we need to be really clear about that. For me, it would be all

the way up to fourplexes, because I think that those are able to very well fit the structure of a single-family home and that they don't look very different from triplexes and stuff, but they're still affordable, and so would that be what we consider?

COMMISSIONER JANOFF: I think missing middle to me means whatever number of units is proposed. It doesn't have to be up to a limit, I don't think, but I would certainly be in support of fourplexes, or five or sixes.

CHAIR HANSSEN: I was going to say, Commissioner Clark, and Staff would probably explain it better than me, but if you're looking at, let's just say, the hearing we had earlier to day, the 6,800 square foot lot, you'd have to do the math and figure out if you're doing ten dwelling units maximum per acre, then what percentage of an acre that is, and so if it's ten, it depends on the size of the lot whether you could get four units, if that makes sense.

COMMISSIONER CLARK: Okay, I do see what you mean.

CHAIR HANSSEN: And so it wouldn't unilaterally be true that… Even with 12 dwelling units per acre, I'm not sure if you could do a fourplex on every single lot, but maybe Staff would a better way to talk through that.

Director Paulson has his hand up.

JOEL PAULSON: Thank you, Chair. I was just going to comment to Commissioner Clark's thought on if we're trying to get four to allow four units at ten dwelling units per acre, for instance, you need more than a 15,000 square foot lot, and if you're talking about, let's say, eight units as a max, then you're looking somewhere around approximately 20,000 square feet in lot size to accomplish that.

COMMISSIONER CLARK: Thank you. I just want to make sure we're providing the right amount of direction, if that makes sense, so understanding what it means to slightly reduce the number. I don't know if we are being clear enough about that. I also do trust Staff and they have all the context of this conversation.

CHAIR HANSSEN: Director Paulson.

JOEL PAULSON: Thank you. Commissioner Janoff and Commissioner Clark can correct me if I'm wrong, but I would envision how Staff would carry this forward to Council is that there was a desire to have some reduction of the maximum density for Low-Density Residential, and so ultimately we would provide a couple of options or scenarios like I just mentioned, but we check those numbers to see what the exact number is from a lot size to get to the four units to make sure that what's the minimum lot

size that's required to allow four units. So that would be one way we would carry it forward to the Council for their consideration.

COMMISSIONER CLARK: Okay, thank you.

CHAIR HANSSEN: Then the other question that we wish we knew the answer to is out of all our Low-Density Residential, how many lots are there at that size? Because we do have a fair number of lots that are like 8,000 square feet. I don't expect Staff to have the answer to that, and they won't in tonight's meeting, but that would be important information to know to increase the comfort level with making that decision, the recommendation.

I'll go back to Commissioner Clark, and then I don't know between Commissioner Janoff and Commissioner Thomas who was first, but they both have their hands up.

COMMISSIONER CLARK: Thank you, and yes, I see Commissioner Janoff has her hand up. I'm curious to hear what you'll think about this, but I feel like reducing the number in Low-Density Residential is not doing what we want it to do, because where the number is only really allows up to missing middle, and so reducing the number will just reduce the number of missing middle housing, so if we do feel like we need to reduce it, I would rather go up one level or something, and especially just because we don't

know how many lots it would affect, and you do need a relatively lot to do this.

CHAIR HANSSEN: I hear you. Commissioner Janoff.

COMMISSIONER JANOFF: Commissioner Clark, when you say you would like to go up one level, do you mean to do Medium-Density?

COMMISSIONER CLARK: Yeah, like if we felt like we needed to do that, I'd be more comfortable in Medium-Density, although my preference would be to leave the motion as it originally was.

COMMISSIONER JANOFF: My hand is up because I wanted to just clarify with Director Paulson that the interest is in reducing the density in Low-Density and Medium-Density as long as that reduction can still accommodate missing middle, and if it can't, then I wouldn't be in favor of making a reduction.

JOEL PAULSON: Thank you for the clarification. Yes, it's Low-Density and Medium-Density. I only gave the example for Low-Density. Medium-Density, right now the maximum is 24. Like we talked about before, if we cut it in half we'd still be at 18, so that would accommodate missing middle even on smaller lots than our Draft General Plan currently allows in Low-Density.

COMMISSIONER JANOFF: Thank you.

CHAIR HANSSEN: I think it would be fine to proceed forward with that motion, since there is still some investigation to be done as long as the proviso is that we're not eliminating missing middle, then the research can be done, and if it turns out that it doesn't work for Low-Density Residential, then we should stay with the 2040 proposal as is, is kind of where I was thinking that would go.

Ms. Armer.

JENNIFER ARMER: Thank you. I wanted to ask whether the seconder had received enough clarification that they could accept the modification or not?

COMMISSIONER CLARK: I'd like to ask one more clarifying question, and I think I'm just having a hard time grasping this, but to me it seems like reducing the density in Low-Density Residential only has the possibility of like reducing or eliminating missing middle, because I want to know pretty much at that density level what other types of properties there is the possibility of reducing, if that makes sense.

COMMISSIONER JANOFF: I'm not if that's a question to me, but the motion would be to reduce density only if it did not eliminate missing middle.

COMMISSIONER CLARK: And Staff, are you able to clarify if there are other types of properties that might be like not possible if you go from 12 to ten units per acre, for example?

JENNIFER ARMER: In just taking a lot at some of the numbers, we have a lot of Low-Density Residential, for example, it's 8,000 square foot lots, and even at the 12 units per acre, that's only going to allow a duplex, the two units plus whatever ADUs, for example, so this modification wouldn't necessarily change for that size of lot a whole lot of what would be allowed.

It is really going to be on the slightly larger lots where there might be possibilities for triplexes or fourplexes, and we can provide some of that additional information, and that Planning Commission's recommendation was only to do the modification to this Low-Density Residential designation if it doesn't reduce or eliminate the possibility to missing middle housing.

I think just based on looking at some of those numbers preliminarily that the reduction is more likely to be possible in the Medium-Density Residential designation rather than Low-Density Residential, but we can provide the qualitative motion from the Planning Commission and provide them some quantitative numbers that they can then consider

in determining whether to accept the recommendation from the Planning Commission or to do something different.

COMMISSIONER CLARK: Thank you. Yeah, I think that that's where my stipulation was. It feels like in the Low-Density Residential that wouldn't really happen, but I also think because that's in the motion then that would be okay, so I'm still comfortable seconding the motion. Thank you, everyone, for clarifying.

CHAIR HANSSEN: No problem. Commissioner Thomas.

COMMISSIONER THOMAS: I think that I am much more comfortable just reducing the overall number by 313 from the Office Professional and Service Commercial areas, because we know that those were added at the end for GPAC, those were like just bonus extra things that were added on at the end, and we know that that type of a development is going to be the most difficult for the Town to essentially incentivize, because it's just not appealing to developers, so I would be much more comfortable reducing the number by 313 with those.

I think that the only thing that we achieve with reducing the density in Low-Density Residential or Medium-Density Residential is making the SB 9 pathway more appealing, which again, doesn't allow for as much local input and I think could actually upset people in those

neighborhoods. I wouldn't want to reduce any potential housing opportunities that could go through Town. I want to make our options in Town more appealing than going the SB 9 route, if that makes sense, because I do think that that's in the best interest of the community and neighbors that will be affected by any new development or redevelopment, so I'm not in favor of changing the densities, but I do understand and think that it's a good compromise to knock those 313 units off from those two places.

I think that that also gives a very clear recommendation to Town Council, and I'm afraid that if we say we can change the densities a little bit for Low-Density Residential and Medium-Density Residential and we forward that along to Town Council, it's not quite as clear, and then that is a concern to me that we're not going to really see the final number before we forward that, so that's where I'm at with this motion.

CHAIR HANSSEN: Based on us having a motion and a second, you would be a no vote. I would go ahead and count it before I go back to Commissioner Clark.

Commissioner Clark and I both went to the recent Planning Commissioner Academy and they did a pretty extensive thing on SB 9, and what I remember them talking about was that it actually is really hard only with SB 9 to

get fourplex, because you would have to do it with a lot split, start with a lot split was my understanding of it, and so it would have to be supplemented by ordinances from towns that would help facilitate that, so it isn't necessarily the panacea that everyone thought it was, and that's why they're not expecting the take up rate to be super high, because not everyone is going to want to do a lot split.

But with that being said, we don't know for sure, right? And so I understand your concern, but given that we have this motion on the table we should probably see that through and see if we can get enough votes and go from there, but Commissioner Clark, you wanted to comment and it's fine to go ahead.

COMMISSIONER CLARK: Can I ask a clarifying question about that? I mean, that makes me feel better if you think that it is going to not be as appealing to do a fourplex at that level through the SB 9 route. I hope that we're all on the same page, that we want people to take the local Town route versus the SB 9 route as much as possible.

I'm trying to ask you, Chair Hanssen, you're not concerned that reducing the density slightly in these two areas would discourage people from going through Town or only give people options to go through SB 9?

CHAIR HANSSEN: Based on what I understand, which I'm no expert, but based on what I've heard about SB 9 so far, and Staff probably knows more than me, I don't know that you could make the statement that slightly reducing the densities in Low-Density Residential for the General Plan would open the door for SB 9, because I think there are enough things about SB 9 that are limiting, that's all.

COMMISSIONER CLARK: Okay, thank you.

CHAIR HANSSEN: If Staff has anything more to add on SB 9, because you guys are closer then I am, but that was my impression. But I don't see them.

Commissioner Clark, and then Vice Chair Barnett.

COMMISSIONER CLARK: Thank you. I'll add something on SB 9. It doesn't allow fourplexes, which I think is another reason why these density changes are really important, because they'll open up that possibility, because that's something I'm bummed about with SB 9 is that that wasn't an option.

Then I want to clarify something. So the amendment to Commissioner Janoff's original motion had been made because of Chair Hanssen's concerns with Low-Density Residential, and so I wasn't sure how Medium-Density Residential became part of the motion and if it officially

is part of it, because it would be my preference to keep it for just Low-Density Residential.

CHAIR HANSSEN: I would have said both Low-Density Residential and Medium-Density Residential with a slight reduction with the idea that I'm not taking too much off the table for any one particular thing. That was my logic.

COMMISSIONER CLARK: That's good with me. Thank you.

CHAIR HANSSEN: Vice Chair Barnett.

VICE CHAIR BARNETT: Thank you, Chair. I'm having trouble understanding how we could give meaningful direction to the Council if we're talking about not impairing the missing middle in the Low-Density Residential and Medium-Density Residential designations. I don't see how we can, given the variety of types of those kind of housings with duplexes, triplexes, fourplexes, I don't know how that can materially be evaluated. Maybe I'm missing something.

CHAIR HANSSEN: Staff, first of all, we aren't going to get any more clarity on this for our meeting tonight, so then if we were able to get resolution on this and get a majority vote, what could you tell the Council on this particular point?

JENNIFER ARMER: Thank you. What I heard from the Planning Commission this evening on this item and this motion is that if this were supported, the recommendation to Town Council is to remove the housing densities from the Office and Service Commercial and to consider lowering the allowed densities in the Low-Density Residential and Medium-Density Residential zones, but only to a point that would still allow the missing middle.

As I said, it's more of a qualitative kind of quality direction rather than a number direction. It's indicating that you recognize that there is interest from the community to not increase the densities in those designations as far as in the Draft General Plan, but recognizing the importance of missing middle housing, and so that they could then when they have additional numbers consider that recommendation and how to implement it, if they support it. Is that helpful?

CHAIR HANSSEN: Vice Chair Barnett took his hand down, so I guess he got his answer as much as we have an answer.

VICE CHAIR BARNETT: It seems to me that it's still pretty ambiguous and doesn't give a lot of direction. I would favor going for a number such as proposed, or a

bigger number than that, but I think we're moving into a nebulous area.

CHAIR HANSSEN: Ms. Armer has her hand up.

JENNIFER ARMER: Thank you, Chair. I just wanted to call attention to the fact that it is 10:57, and so we will need a motion if we want to go past 11:00 o'clock.

CHAIR HANSSEN: I'm going to ask someone to make a motion to continue to 11:30, because I would like to at least finish this part of the discussion. I don't think we'll finish the rest of the plan, but would someone make a motion to continue to 11:30? Let's see, I've got Commissioner Janoff, is that a motion? And then Commissioner Thomas.

COMMISSIONER JANOFF: Sorry, I had my hand up for a clarification, but I defer to Commissioner Thomas.

COMMISSIONER THOMAS: I move to extend the meeting until 11:30.

CHAIR HANSSEN: Okay, thank you for that, and do we have a second? Commissioner Clark.

COMMISSIONER CLARK: Second.

CHAIR HANSSEN: And then a quick roll call vote. Commissioner Thomas.

COMMISSIONER THOMAS: Yes.

CHAIR HANSSEN: Commissioner Raspe.

COMMISSIONER RASPE: Yes.

CHAIR HANSSEN: Commissioner Janoff.

COMMISSIONER JANOFF: Yes.

CHAIR HANSSEN: Commissioner Clark.

COMMISSIONER CLARK: Yes.

CHAIR HANSSEN: Vice Chair Barnett.

VICE CHAIR BARNETT: Yes.

CHAIR HANSSEN: And I vote yes as well. We may not need to go to 11:30.

So Commissioner Janoff, you had a question, and then I think Commissioner Thomas does as well.

COMMISSIONER JANOFF: Actually a clarification. The purpose of adding the Low-Density and Medium-Density reduction possibilities is to call attention to the Council that if it goes too far they'll lose missing middle, and so it's really a notion that the GPAC felt very strongly about missing middle, and we had over the course of time a number of Council members on the GPAC also very much in favor of missing middle, so it's really not a number per se. I mean, Staff will get it down to a number by the time this goes to Council, so they'll know what that is, but the notion is the Planning Commission is in favor of retaining missing middle.

CHAIR HANSSEN: To add onto that, if you look at it from the number perspective, such as you did, Vice Chair Barnett, it has to translate into a change in density, so if you say all, then it goes back to 2020, but if it's half and you say I want to reduce the number in half, then the Staff has to do the calculations to determine at what density level would it actually translate into half of that, so you wouldn't know the answer to that if you put the number out there either in terms of the only thing that will change in the actual General Plan is the density, because we don't have control over the exact number, we have only a model that translates from the density, if that makes sense.

Commissioner Thomas.

COMMISSIONER THOMAS: I understand what you're saying, but I do still have the same concerns as Vice Chair Barnett, and so therefore I'd just feel comfortable like knocking off the Office Professional and Service Commercial, because I feel like that's just a very specific thing that we can eliminate from this equation and sends a message that we think the missing middle is still important, which is also what we want to do as a group.

COMMISSIONER JANOFF: Through the Chair, that number is already part of the motion.

COMMISSIONER THOMAS: I know, but I think that that's the only part of the motion that I support. I don't want to change the densities also, because I think that then it does get into a gray area and we're forwarding something that we haven't seen the final numbers of.

CHAIR HANSSEN: Okay, that's a fair comment. Are there others that would like to comment on this? Commissioner Clark.

COMMISSIONER CLARK: I agree overall with Commissioner Thomas. I think that would definitely be my preferred motion, but I don't think that's the direction we're overall going. I also think that Commissioner Janoff's motion does kind of acknowledge that Council still very well might reduce these numbers further, and so if we do it this way there's a very strong message to keep missing middle housing, and we've also created a path in which missing middle housing is retained in the General Plan, and so yeah, I think for those reasons I prefer this motion overall.

CHAIR HANSSEN: I don't like having an uncertain situation go along to Council, but I feel like there's enough parameters on it with Commissioner Janoff's motion, and then as I said, we kind of knew when we had a meeting before this meeting to discuss it that we would end up with

incomplete information, because you can't off the top of your head translate densities into numbers necessarily, so we would have ended up in the this situation unless we went with one of the numbers that's on this page here in the Staff Report, because they've already done those calculations for us for those.

If there are no other comments, I think it would be worth going ahead and taking a vote and see where we stand, and if we can't have a majority, that's fine, we'll have to come up with another motion and go from there.

So the motion on the table, do we need to go back over it, or is everyone clear? I think Commissioner Janoff did outline it several times, so I think we're fine. I will start out with Commissioner Thomas.

COMMISSIONER THOMAS: No.

CHAIR HANSSEN: Commissioner Raspe.

COMMISSIONER RASPE: No.

CHAIR HANSSEN: Commissioner Janoff.

COMMISSIONER JANOFF: Yes.

CHAIR HANSSEN: Commissioner Clark.

COMMISSIONER CLARK: Yes.

CHAIR HANSSEN: Vice Chair Barnett.

VICE CHAIR BARNETT: No.

CHAIR HANSSEN: And I vote yes, so we're split 3-3, so the motion fails, and we have to go back and come up with another suggestion.

Commissioner Thomas and then Commissioner Janoff.

COMMISSIONER THOMAS: Commissioner Janoff can go. I'm fine.

COMMISSIONER JANOFF: So we understand the concern that Commissioner Thomas voiced, and I'd like, if it's not inconvenient, to ask Commissioner Raspe and Vice Chair Barnett if you're still with Vice Chair Barnett's numbers, or is there something else that you have in mind?

CHAIR HANSSEN: Commissioner Raspe, you have our hand up.

COMMISSIONER RASPE: Sure. I raised that for a different reason, but I'll answer Commissioner Janoff's question.

As I indicated earlier, my strongest concern is changing the numbers of the Low-Density housing designation, and the motion as presented leaves great ambiguity in that respect. Largely it's unknown if we vote for that motion what will happen to those designations, whether those numbers will change. It could be the case that none may change, it could be the case that a great many will change.

And I appreciate the guidance we want to give the Council, but I think in that formulation it leads to too many questions and too much unknowns, so that hopefully answers your question, Commissioner.

Mine was a question more to Staff. I'm curious; we are two or three different positions amongst us. Is it necessary that we agree on a point to provide to Council? Would it be adequate that we provide them an advisement that two Commissioners feel this way, three Commissioners feel this way, etc.? Because again, these are recommendations we're making to Council, as I understand it, so would that be a way through this? I'm just thinking out loud. I'm sorry. And part of it is it's 11:00 o'clock. Thanks so much.

CHAIR HANSSEN: Would Staff want to comment on Commissioner Raspe's question?

JOEL PAULSON: Thank you. I think we're typically looking for a majority motion. There are a lot of different views and ideas across the Commissioners that we have here tonight, and I think that's pretty obvious through the discussion. It may be that, as I mentioned before, we'll send them verbatim minutes.

I'll defer to Ms. Prevetti after I say what I probably shouldn't say, but it is after 11:00, so I'm going

to say it anyway. You could get to a point where you can't reach majority on any reconfiguration of the numbers, and so at that point we're going to come to an impasse and we're just going to have to move it forward without an actual, explicit motion on any reduction in the number is my thought.

LAUREL PREVETTI: And I would support Director Paulson with that. You've had a very robust conversation over these last two meetings over the numbers, and so there is a lot of really good commentary for the Council to consider. We do have a little bit of time yet tonight if somebody would like to try another motion, but it's perfectly fine for us to express the three-way split that has emerged through the course of these conversations. Thank you.

JENNIFER ARMER: Just to clarify that, I would say that if that is where the Commission ends up finding themselves on the numbers, then in the end the motion that the Commission would be considering is a recommendation to forward the Draft 2040 General Plan to Town Council for consideration with the modifications that we have discussed over these three meetings and no specific recommendation on modifications to the housing densities, but Staff would

provide a summary, and as Town Manager Prevetti mentioned, they will have access to verbatim minutes as well.

COMMISSIONER RASPE: Thank you, Staff. And just to be clear, I don't believe we're at an impasse yet, I think there are still discussions and ideas to be had. I just wanted to discuss the what-if situation just so we all have that in our heads, so thank you for answering the question.

CHAIR HANSSEN: We're going to have to go to another meeting anyway, because we haven't gotten to the Community Design Element or the EIR yet, so that isn't going to happen tonight.

The other thing that is in play here is Commissioner Tavana is not here, so we have six votes instead of seven, and even the last motion couldn't have been split.

So that being said, I think that where we're stuck is kind of where I'm not seeing that anybody has a problem with the motion to remove Office and Service Commercial housing and therefore the density associated with it from the 2040 General Plan.

The issue is around Low-Density Residential and Medium-Density Residential and where the split is is between taking that off the table except for what's already

ministerial by law or something in between, and then we have the let's not change anything so that we can make the most possible.

Commissioner Janoff and then Commissioner Clark.

COMMISSIONER JANOFF: What I'm thinking is in order to further assist if we don't have a majority decision is to go through the bullets on page 219. We're talking about potential reductions, and I think for clarification to Council we should probably indicate which the Planning Commission would be in favor of, kind of a yes or no, and then if we had any conversation… I think it's clear where we are with the Low-Density and Medium-Density. We've already suggested removing the Office and Service Commercial. "Revert properties in New Community designation back to Neighborhood 58 units," that could be. But I think we also agree that we don't want to reduce the density in the Mixed-Use designation or the final bullet.

CHAIR HANSSEN: You're suggesting we have that discussion?

COMMISSIONER JANOFF: That's my summary. We've kind of been talking around these bullets, but I was just thinking since these bullets were potential reductions that came I believe from Council, then responding to those potential reduction areas probably further gives guidance

as to the recommendation of the Planning Commission, even if we can't reach a consensus.

CHAIR HANSSEN: Yes, I think that makes sense.

Commissioner Clark, you have your hand up.

COMMISSIONER CLARK: Thank you. I do feel like we can reach an at least majority consensus, and I think that to me feels like an important thing to do to really be able to pass a single General Plan on with at least something that we've all come together to recommend.

Earlier we were able to have a majority who agreed to eliminating the 313 from the Office and Service Commercial designations, then beyond that the concern was that they get the strong message about missing middle housing that they understand that the dissenting Commissioners' concerns are related to Low-Density Residential and Medium-Density Residential.

So I would like to make a motion that is along the lines of the original one, which is to remove the 313 housing units from Office and Service Commercial designations.

CHAIR HANSSEN: You mean to just get approval for that and recognize that the Commission is not comfortable with the balance of it? I'm trying to understand.

COMMISSIONER CLARK: I think we were all in a place where we were ready to agree with that or that we had the majority in agreement with that, and then beyond that our concerns were that the Council receive certain messages, and so I think that it's recommending that number and then us having the comfort of knowing that the Council will be aware of this entire conversation and of the nuances of our conversation.

CHAIR HANSSEN: I think I understand where you're going. I'm not really comfortable with that personally as the Chair, but it is a Commission decision, but feel like we should, and it is our role to try to come to some resolution on the other issues that are on the table besides that.

Director Paulson

JOEL PAULSON: I just wanted to say, we have a motion on the floor, we need to at least see if we have a second, and then we can have a discussion.

CHAIR HANSSEN: Yes, fair enough. Thank you for that. Commissioner Thomas.

COMMISSIONER THOMAS: I second the motion.

CHAIR HANSSEN: So there is a motion and a second, and the motion is simply about the Office and Service Commercial. My question is we're not making a

recommendation on the overall land use number, we're only making a recommendation on that one aspect of the land use number, is that correct?

COMMISSIONER CLARK: I think that my vision of it is that it's pretty much Commissioner Janoff's original motion, so that it is on the overall number with the reduction of the 313 units. Does that make sense?

CHAIR HANSSEN: Yes. So there's a motion and second, and is there other discussion?

Commissioner Janoff.

COMMISSIONER JANOFF: Yes, I think that I would like to hear from Commissioner Barnett regarding also adding to this the Community Commercial to Neighborhood Commercial and Central Business District reductions. Vice Chair Barnett is recommending a 50% reduction in those numbers and I'm just curious what of those numbers is actually on the list of bullets from the Council, and I'm just wondering whether there is agreement in adding the reverting the properties in the new Community Commercial back to Neighborhood Commercial for an additional 58 units, and reducing the Central Business District down to 67 units?

CHAIR HANSSEN: So Vice Chair Barnett.

VICE CHAIR BARNETT: The motion that's on the floor, I thought we already voted on it and it was a motion that failed. Yes, in the abstract with looking at specific line items I would agree with the two changes that Commissioner Janoff just mentioned, but that leaves all the other ones to be discussed.

CHAIR HANSSEN: Commissioner Clark.

COMMISSIONER CLARK: I'd like to amend my motion to include those two additional changes suggested by Commissioner Janoff.

CHAIR HANSSEN: And is there a second? Commissioner Thomas, do you agree to the amendment of the motion?

COMMISSIONER THOMAS: Yes. Can they be repeated one more time before I agree? I need clarification.

COMMISSIONER JANOFF: Yes, and let's look at the Town's bullet number four, "Revert properties in the New Community Commercial designation back to Neighborhood Commercial, which would have a reduction of 58 units," and then not on this list, but Vice Chair Barnett has recommended the Central Business District be reduced, I don't know what from, but to 67. Let me just look.

COMMISSIONER THOMAS: It's from 135 total.

COMMISSIONER JANOFF: Right, 135 total down to 67.

COMMISSIONER THOMAS: Down to 67. Yes, I accept the second.

CHAIR HANSSEN: Ms. Armer, did you have a comment?

JENNIFER ARMER: In looking at the numbers it looks like the reduction in the Central Business District, I believe you just reduced the total number half. That keeps it still slightly above the densities that are currently allowed in downtown, but gets it pretty close to what the existing is. We have to do some numbers to figure out what the density would actually be.

JOEL PAULSON: I'll just jump in real quick. Since the max now is 20 and proposed is 30, he's cutting it in half, the 135, so it's probably somewhere in the order of a maximum of 25 (inaudible) that's greater.

CHAIR HANSSEN: All right, so we do have a motion from Commissioner Clark and then a second by Commissioner Thomas. Is there more discussion? I'll weigh in. I'm not super comfortable for a couple of reasons.

One is given the discussion that we had at the Housing Element Advisory Board about the site inventory, and we did already go through downtown. We had some very

passionate comments from the Vice Mayor, who lives downtown, and a few others about there are some really wonderful opportunities for Mixed-Use development that could fit in nicely with downtown, and one of the specific properties that was mentioned was the post office, and while there is no application on the table at the moment that I know of, I'm not sure that given the things that we've been hearing from people about Mixed-Use that that wouldn't come off the table if we were to take more density off the table. In fact, what I've been hearing is we might even need to do more, so I'd be uncomfortable with that part of it alone.

The Community Commercial to Neighborhood Commercial was fine, but I would further add that I'm not sure that not reducing anything in Low-Density or Medium-Density is going to be acceptable to Commissioner Raspe and Vice Chair Barnett. We can go ahead and try to vote on it, but those are the problems I see.

Let's see, Commissioner Thomas and then Commissioner Clark.

COMMISSIONER THOMAS: Chair Hanssen, which part of the motion are you uncomfortable with?

CHAIR HANSSEN: The Central Business District, downtown.

COMMISSIONER THOMAS: Just the reducing the density of that specific space?

CHAIR HANSSEN: Yes.

COMMISSIONER THOMAS: But you're okay with changing Community Commercial, reverting that back to Neighborhood Commercial?

CHAIR HANSSEN: Yes. But I don't know if it's going to work out to not make some reduction in Low-Density or Medium-Density, but I could be okay with that.

COMMISSIONER THOMAS: Okay.

CHAIR HANSSEN: Let's see, Commissioner Clark and then Commissioner Janoff.

COMMISSIONER CLARK: Thank you. Here's my thought. Since we're clearly going to meet again, would it be possible to have Staff explore that loose guidance that had been given about reducing the densities in Low-Density Residential and Medium-Density Residential to a point where they still allow missing middle housing, and then we would be able to use that to guide our discussions since some of the problems were with the ambiguities?

JOEL PAULSON: I'll jump in. That's a definite maybe. We'll see what we can pull together. It's almost 11:30. We still have to get through this motion if we ever actually call the question, and then we also are going to

have to continue this to a date certain, so we need to keep that in mind. We may need another motion to extend past 11:30, but we will work with Staff to see what we can pull up from a numbers perspective to try to get what the minimum lot size for four units or missing middle is and then see if we can go through our GIS to figure out how many lots of the lots in those designations would still remain viable.

COMMISSIONER CLARK: Thank you. That's a lot of work, so thank you very much, and yeah, I think that's my preference. I don't know if this is possible, but I don't think we need to worry about that motion I made previously, and the motion that I would prefer that we make is what I just suggested, to wait and have the Staff explore that possibility.

CHAIR HANSSEN: Can she just withdraw her motion?

JOEL PAULSON: She would need to withdraw her motion, yes.

COMMISSIONER CLARK: I withdraw my motion.

CHAIR HANSSEN: All right, and then since we are running close to our deadline, I don't know that we need to continue past 11:30 as long as we can come up with a date certain and vote on that before, but I'm going to look to Staff for guidance on that.

JENNIFER ARMER: Thank you, Chair. We have looked at the Town's calendars in terms of upcoming meetings and what dates might be possibilities for continuance. Next Monday, May 2nd would be one option. If it were a 7:00 o'clock meeting it would not conflict with other scheduled Town meetings.

Unfortunately we've got a lot of evening meetings coming up, so another option then would be Tuesday the 10th, which is the day before your next regular meeting on the 11th, which would also be an option.

CHAIR HANSSEN: Can I just see a show of hands from the Commissioners who can make it on Monday, May 2nd? It looks like everybody. And Tuesday, May 10th. Not as much. Okay.

I'll go ahead and make the motion to continue this to a date certain of Monday, May 2nd at 7:00 o'clock. Can I get a second? Vice Chair Barnett.

VICE CHAIR BARNETT: I second the motion.

CHAIR HANSSEN: Okay, great.

Commissioner Raspe, did you have a question.

COMMISSIONER RASPE: Quick question. I just want to confirm with Staff that May 2nd is enough time for them to complete the work that we've asked them to do?

CHAIR HANSSEN: Thank you for that. That's a good question.

JENNIFER ARMER: Well, as Director Paulson said, it's a definite maybe. We will put together what information we can for a Staff Report this Friday, but that is the day after tomorrow, so we can pull some information, but it would likely be limited.

JOEL PAULSON: I'd just offer that if we can't get it for the Friday memo, then we can see what we can pull together on Monday for a Desk Item.

CHAIR HANSSEN: I think that was a good issue to raise though. It looked like we had five out six of us for the 10th.

Commissioner Janoff.

COMMISSIONER JANOFF: I would just like to say that personally I'm not looking for a precise number, it's more an order of magnitude. Are we going to get 10%, 20%, just so we know that there's a meaningful reduction if we go down that route? I know that some Commissioners are keen on having a precise number, but if time does not allow for that analysis, then I think knowing that there's a substantial enough number or not would be sufficient for me.

JENNIFER ARMER: And I would say that I think we can come up with some numbers as to what minimum lot size would be required for a fourplex based on a couple of different densities, and then I am hopeful that we would be able, if not Friday then by Monday, to figure out the number of parcels in our Low-Density designation to meet that. It may be that we would need to do that for Medium-Density as well, so I think we could get you some information. It's just it is going to be a quick turnaround, so we don't want to promise too much.

CHAIR HANSSEN: I think that would be enough. I hope you guys feel the same way. There's always going to be more, but I think that would give us, based on the questions I was hearing, so can I get a second for my motion for Monday, May 2nd?

Commissioner Raspe.

COMMISSIONER RASPE: I'll second.

CHAIR HANSSEN: And then I will do a quick roll call vote.

CHAIR HANSSEN: Commissioner Thomas.

COMMISSIONER THOMAS: Yes.

CHAIR HANSSEN: Commissioner Raspe.

COMMISSIONER RASPE: Yes.

CHAIR HANSSEN: Commissioner Janoff.

COMMISSIONER JANOFF: Yes.

CHAIR HANSSEN: Commissioner Clark.

COMMISSIONER CLARK: Yes.

CHAIR HANSSEN: Vice Chair Barnett.

VICE CHAIR BARNETT: Yes.

CHAIR HANSSEN: And I vote yes as well.

Since we're continuing the meeting we don't need to do the concluding things, right Staff? Okay.

I want to thank you all for a really very good and in depth discussion, and I think that so much good things have gone on and that's why there are some people in different directions on this thing, but I think the end result is going to be much, much better because of all the issues that we're bringing up and vetting through this process, so we will see you all on Monday, May 2nd, and good night.

This meeting is adjourned.

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DATE: April 29, 2022

TO: Planning Commission

FROM: Joel Paulson, Community Development Director

SUBJECT: Review and Make Recommendations on the Draft 2040 General Plan and Final Environmental Impact Report to the Town Council.

REMARKS:

On April 13, 2022, the Planning Commission received public comments on the Draft 2040 General Plan and Environmental Impact Report (EIR); and began the review of the Draft 2040 General Plan including the: Introduction; Racial, Social and Environmental Justice Element; Mobility Element; and Public Facilities, Services, and Infrastructure Element.

On April 25, 2022, the Planning Commission held a special meeting to continue the review of the Draft 2040 General Plan including the: Open Space, Parks, and Recreation Element; Environment and Sustainability Element; Hazards and Safety Element; and began review of the Land Use Element.

The review included the following unanimous motions:

1. In the Open Space, Parks, and Recreation Element, recommend the modifications in Exhibit 7 listed as Items 81 and 84, and remove "provided on a full cost recovery basis" from the first paragraph under Recreational Services on page 7-7 of the Draft 2040 General Plan;
2. In the Environment and Sustainability Element, recommend the modifications in Exhibit 7 listed as Items 89, 90, 95, and 96 but with "ensuring" changed to "working towards";
3. In the Environment and Sustainability Element, recommend the modifications in Exhibit 7 listed as Items 98 (with "improve" instead of "improves"), 104, and 105;
4. In the Environment and Sustainability Element, recommend the modifications in Exhibit 7 listed as Items 106, 107, 108, 110, and 116 with the language modified to state, "Plant Based Education: Develop and implement a plan ~~Implement programs~~ to educate and

PREPARED BY: Jennifer Armer, AICP
Planning Manager

Reviewed by: Community Development Director

REMARKS (continued):

support residents about the environmental, economic, and social benefits of shifting to a plant-based diet, examples of which may include informational materials, educational programs, community events, coordination with schools and businesses, or guidelines for procurement ~~which includes improved health, curbing greenhouse gas emissions, reducing biodiversity loss and deforestation, reducing water usage, and reversing pollution of our air, land, and water~~."

5. In the Environment and Sustainability Element modify Implementation Program M to include linkages between movement corridors;
6. In the Environment and Sustainability Element modify the existing language about the Ohlone on page 8-17 of the Draft 2040 General Plan as suggested by Commissioner Clark:
   - Policy ENV-13.8, "Support a community sense of stewardship for historic and cultural resources through supporting talks, tours, and other programs that increase awareness and promote Los Gatos as a destination with historic cultural resources and through including Ohlone people in the conversation and planning."
   - Section 8.8, "Los Gatos is in an area once occupied by the Ohlone (or Costanoan) people, which extends from the point where the San Joaquin and Sacramento rivers flow into the San Francisco Bay to Point Sur, with the interior Coastal Ranges most likely constituting the inland boundary. Before colonization ~~outside contact~~, Ohlone lived in base camps of tulereed houses and seasonal specialized camps. Ohlone ate food gained by hunting, gathering, and fishing. Mussels were particularly important to their diet, as well as sea mammals and acorns.

     Seven Franciscan missions were built in Ohlone territory in the late 1700s, and all members of the Ohlone group were eventually forced ~~brought~~ into the mission system. After the establishment of the missions, the Ohlone population was decimated ~~dwindled~~ from roughly 10,000 people in 1770 to 1,300 in 1814. In 1973, the population of people with Ohlone descent was estimated at fewer than 300 after what is widely cited as a genocide. The descendants of the Ohlone united in 1971 and have since arranged political and cultural organizations to revitalize, maintain and pass on ~~aspects of~~ their culture."
7. In the Hazards and Safety Element, recommend the modifications in Exhibit 7 listed as Items 119 and 117 subject to review by the Santa Clara County Fire Department or CalFire; and
8. Modify definition of "equity," in addition to the modifications to that definition agreed upon at the previous meeting, to include a reference to "status and rights."

On April 27, 2022, the Planning Commission continued the review of the Land Use Element of the Draft 2040 General Plan.

The review included the following unanimous motion:

REMARKS (continued):

1. In the Land Use Element, recommend the modifications in Exhibit 7 listed as Items 21, 33, 34, and 40 (as an implementation program).

In addition, the Planning Commission discussed the options for whether and by how much the residential densities proposed in the Draft 2040 General Plan should be modified. This discussion included the following perspectives expressed by one or more Commissioners:

- There is a need to include sufficient capacity for future residential growth in the 2040 General Plan; and
- There is public concern over whether the growth potential as a result of these changes could be too much, or too little, or not of the desired type.

In addition, there seemed to be general agreement by the Commissioners that it would be acceptable to remove the new housing densities listed for the Office Professional and Service Commercial designations, since these were additions later in the General Plan Update Advisory Committee's (GPAC) process. The discussion of changes to the densities in the Central Business District and Community Commercial designations were not as clear, as there were concerns that reducing densities in those areas would reduce the potential of some key sites currently under consideration by the Housing Element Advisory Board (HEAB) as part of the Housing Element Update.

As a result of these discussions, Planning Commissioners requested information to provide a more complete understanding of what potential reductions might be made in the allowed densities in the Low and Medium Density Residential designations without eliminating the opportunity for Missing Middle Housing. The following information has been prepared in response to this request:

| Maximum Dwelling Units per Acre | Lot Area Required to Allow Four Units (Acres) | Lot Area Required to Allow Four Units (Square Feet) | Properties That Meet Four-Unit Lot Size | | | |
|---|---|---|---|---|---|---|
| | | | Low Density Residential Designation | | Medium Density Residential Designation | |
| | | | Number of Parcels | Percent of Parcels | Number of Parcels | Percent of Parcels |
| 5 | 0.8 | 34,848 | *170* | 3% | - | - |
| 8 | 0.5 | 21,780 | 462 | 7% | - | - |
| 10 | 0.4 | 17,424 | 831 | 12% | - | - |
| 12 | 0.33 | 14,520 | **1,145** | 17% | *179* | 5% |
| 18 | 0.22 | 9,680 | - | - | 354 | 11% |
| 24 | 0.17 | 7,260 | - | - | **708** | 21% |
| Total Number of Parcels by Designation | | | 6,751 | | 3,294 | |
| Number of Parcels in LHP by Designation | | | 25 | | 321 | |

REMARKS (continued):

In the table above, the numbers in **bold** are based on the land use densities in the Draft 2040 General Plan, and those in *italics* are based on the 2020 General Plan. This chart also includes the number of parcels within the Landmark and Historic Preservation Overlay Zone (LHP) because those are parcels that would not qualify for projects under Senate Bill 9 (SB 9).

Shortly before 11:30 p.m., the Planning Commission continued the discussion to a Special Meeting on May 2, 2022. At this meeting the Planning Commission will continue their discussion including review of:

- The Land Use Element;
- The Community Design Element; and
- The Final EIR.

Once these discussions are complete, and the Planning Commission makes their recommendation, the process will continue with consideration by Town Council of the Draft 2040 General Plan and Final EIR, including consideration of recommendations from the GPAC and Planning Commission, and additional comments from the public.

EXHIBITS:

Exhibits previously provided: (available online here: http://losgatos2040.com/documents.html)
1. Draft 2040 General Plan
2. Draft EIR
3. Revised NOA and Transportation section
4. Final EIR

Exhibits previously received with the April 13, 2022 Staff Report:
5. Draft Findings of Fact and Statement of Overriding Considerations
6. GPAC Recommended Changes to the Vision and Guiding Principles
7. Modifications Proposed in Public Comment
8. Board of Forestry Recommended Changes
9. Public Comments received between 11:01 a.m., Thursday, May 6, 2021, and 11:00 a.m., Monday, September 20, 2021
10. Public Comments received between 11:01 a.m., Monday, September 20, 2021, and 11:00 a.m., Thursday, April 7, 2022

Exhibit previously received with the April 13, 2022 Addendum:
11. Public Comments received between 11:01 a.m., Thursday, April 7, 2022, and 11:00 a.m., Monday, April 11, 2022

REMARKS (continued):

Exhibits previously received with the April 13, 2022 Desk Item:

12. Planning Commissioner Comments
13. Public Comments received between 11:01 a.m., Monday, April 11, 2022, and 11:00 a.m., Wednesday, April 13, 2022

Exhibits previously received with the April 25, 2022 Staff Report:

14. Planning Commissioner Comments
15. Public Comments received between 11:01 a.m., Wednesday, April 13, 2022, and 11:00 a.m., Friday, April 22, 2022

Exhibit previously received with the April 25, 2022 Desk Item:

16. Public Comments received between 11:01 a.m., Friday, April 22, 2022, and 11:00 a.m. on Monday, April 25, 2022

Exhibit previously received with the April 27, 2022 Desk Item:

17. Planning Commissioner Comments

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|---|---|
| DATE: | May 2, 2022 |
| TO: | Planning Commission |
| FROM: | Joel Paulson, Community Development Director |
| SUBJECT: | Review and Make Recommendations on the Draft 2040 General Plan and Final Environmental Impact Report to the Town Council. |

REMARKS:

Exhibit 18 includes public comment received between 11:01 a.m., Friday, April 29, 2022, and 11:00 a.m. on Monday, May 2, 2022.

EXHIBITS:

Exhibits previously provided: (available online here: http://losgatos2040.com/documents.html)

1. Draft 2040 General Plan
2. Draft EIR
3. Revised NOA and Transportation section
4. Final EIR

Exhibits previously received with the April 13, 2022 Staff Report:

5. Draft Findings of Fact and Statement of Overriding Considerations
6. GPAC Recommended Changes to the Vision and Guiding Principles
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PREPARED BY: Jennifer Armer, AICP
Planning Manager

Reviewed by: Community Development Director

Exhibit previously received with the April 13, 2022 Addendum:

11. Public Comments received between 11:01 a.m., Thursday, April 7, 2022, and 11:00 a.m., Monday, April 11, 2022

REMARKS (continued):

Exhibits previously received with the April 13, 2022 Desk Item:

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Exhibit previously received with the April 25, 2022 Desk Item:

16. Public Comments received between 11:01 a.m., Friday, April 22, 2022, and 11:00 a.m. on Monday, April 25, 2022

Exhibit previously received with the April 27, 2022 Desk Item:

17. Planning Commissioner Comments

Exhibit received with this Desk Item:

18. Public Comments received between 11:01 a.m., Friday, April 29, 2022, and 11:00 a.m. on Monday, May 2, 2022

**From:** Lee Fagot
**Sent:** Friday, April 29, 2022 3:16 PM
**To:** Planning
**Cc:** Joel Paulson; Jennifer Armer; Laurel Prevetti
**Subject:** Please post for Planning Commission to review.

Melanie, Jeff, Kylie, Katheryn, Steve, Reza and Emily,

Thank you, Commissioners and Town Staff, for the commitment to both the process and the final product you are working on for our Community. The long, and LATE, hours you are all putting in is appreciated, as well as the discussions where you each listen to the other's views on issues and work to find compromise - true democracy.

Following last night's (5/28) discussion on changes being proposed to the Density Ranges to achieve the Targeted Housing Element numbers, plus the decade following, a few suggestions:

- When considering changes to the Density Range in the proposed numbers, by Land Use Designations (Pg 182, of Draft 2040GP and Final EIR), please also link the Maximum Height because this too will have a significant impact on the sites being considered. For example, with no units in the Public, Open Space or Agriculture, why change the Max Height from 0 to 30 or 35 feet. Leave at 0, please, to demonstrate consistency.
- And, in Low Density, Medium and High Density Residential Designations, the Draft proposal is more than doubling the Density Range. Please continue to review, keep the densities as close to the current Range to realize the goals (more on goals below) and do NOT increase the Heights in those sites, as the Draft indicates, going up by 50% to 45Ft., just in Hight Density, for example. That truly changes the character of these "sights and sites" to change the character of our Town, in a negative way. We do not want tenements or row houses as you see in metro areas of our Eastern US cities. "Row" housing is not a good solution. I lived in one once…NO THANK YOU. I could not tell the difference between my street and the next two on the same block.
- Increasing some housing in Mixed Use makes sense, but not at 45 ft heights. Just 35ft.
- Limit Office Professional to 30 unites and Service Professional could move the Density Range to 20 unites per acre from 0, but no more as you pursue the real target for the 20 year plan.
- Please stay focused on the goal of 1993 (next RHNA allocation starting next year), plus a 10% buffer and recognize that the number can be adjusted when the 5 year reviews are done in our General Plan. Trying to forecast 20 years of housing and speculating (guessing) what Sacramento and ABAG ( in the next cycle) will demand of us, is far too risky. Remember, too, that developers will then be able to build "by right and without local control" if the Town adopts targets that go beyond reasonable expectations of REAL town growth/demand or to appeal to current reasonable developers. Note that we are seeing declining populations, an aging in place populations and NOT just because of land costs, but folks preference for other lifestyles (less marriages, children, etc), town character and scenery.
- The current average residents per housing unit is 2.4 folks, and the significant population increase projected with the far too aggressive housing unit proposals will have a deleterious effect on VHT, infrastructure, cost to Town Budget, etc. Lets be realistic and focus accordingly.



EXHIBIT 18

- Remember why folks moved here, and why they want to stay. This is a pleasant and accommodating community. Lets be accommodating, but do NOT change the real ambiance and character of Los Gatos

Thank you, and keep up your good work for all of us.

Lee Fagot, resident for more than 26 years.

A P P E A R A N C E S:

| | |
|---|---|
| Los Gatos Planning Commissioners: | Melanie Hanssen, Chair<br>Jeffrey Barnett, Vice Chair<br>Kylie Clark<br>Kathryn Janoff<br>Steve Raspe<br>Reza Tavana<br>Emily Thomas |
| Town Manager: | Laurel Prevetti |
| Community Development Director: | Joel Paulson |
| Town Attorney: | Robert Schultz |
| Transcribed by: | Vicki L. Blandin<br>(619) 541-3405 |

P R O C E E D I N G S:

CHAIR HANSSEN: As you might note on the agenda, this meeting is a special meeting of the Planning Commission, and what we are trying to accomplish tonight is to hopefully complete our review and recommendation on the Draft 2040 General Plan as well as the Final EIR that goes with the General Plan.

We had our first meeting to consider the General Plan and any changes that we wanted to make on Wednesday, April 13th, and then we continued to a second meeting on Monday, April 25th, and now we are at the point where we still have things to cover to complete our review of the General Plan, but hopefully we'll be able to do that this evening, and I will turn it over to Staff for their Staff Report.

JENNIFER ARMER: Thank you, Chair. Good evening, Planning Commissioners. Tonight we will continue consideration of the Draft 2040 General Plan and Final Environmental Impact Report.

As the Chair just stated, on April 13th the Planning Commission received public comment and began their discussion of the Draft General Plan. They also closed the

public comment of this item at that time, though we have continued to receive written comments. That discussion and consideration continued at meetings on April 25th and 27th.

The discussion has been using as a primary guide Exhibit 7 to the April 13th Planning Commission Staff Report, which provides a summary of some of the recommended changes that were received in all of the public comments.

We've made it through most of the elements of the General Plan thus far, but tonight we will pick up with the Community Design Element, the Final EIR, and potentially final discussion of housing numbers in the Land Use Element.

There was a Desk Item today with some additional public comment received after 11:00 o'clock on Friday.

This concludes Staff's presentation, but I'd be happy to answer any questions.

CHAIR HANSSEN: Thank you, Staff. Do any Commissioners have questions for Staff at this time? You will have additional opportunities to ask questions of Staff during our discussion.

And I did want to thank Staff for reminding me that we actually had a third meeting where we continued the discussion of the General Plan to our regular meeting of last Wednesday, April 27th, and so as stated we do need to

cover the Community Design Element, the Final EIR, and then complete our discussion of the Land Use Element, and in particular the build numbers for the General Plan.

What I've decided to do in the interest of trying to get things complete is we will start with our review of the Community Design Element, then we will take questions and comments on the Final EIR, and then we will go to the numbers regarding the Land Use Element, because that was what took the most time in our last couple of meetings.

With that in mind, what I'd to do is to start, as we did with the other elements, with Exhibit 7, and in Exhibit 7, for the benefit of everyone who is watching as well, is a summary from Staff of all comments received from the time that the Draft General Plan was released until the April 13th meeting, and then Staff weighed in and summarized those comments and stated whether they were neutral to them, whether they recommended that we include them, or not recommended because it might not have made sense for the General Plan. They've done that as well for the Community Design Element and it starts on page 222 of your April 13th packet, and then there are comments from number 41 to number 55.

What we did in our past discussion of elements was we've asked Commissioners to raise their hand and talk

about any changes of any of the items that might be included that they would like to go along with the Planning Commission's recommendation to Town Council, and if you had any of your own comments or recommendations as well, that's fine. So we'll start with that and see if any Commissioners have items in the recommended changes in Exhibit 7 to recommend incorporating for the Town Council's consideration.

Commissioner Janoff.

COMMISSIONER JANOFF: Thank you. Just to get things started here I wanted to ask a question of Commissioner Thomas, or anyone else on the Commission who has knowledge, regarding numbers 43, 48, and 50. These three ask that we incorporate with native noninvasive or non-fire prone plant species. The topic of plants came up before and I just wanted to seek the opinion of our expert Commissioner as to whether those are acceptable changes?

CHAIR HANSSEN: So, Commissioner Thomas.

COMMISSIONER THOMAS: Thank you. I do think that the only problem that I see with these descriptors is that I do think that another completely acceptable type of tree to plant in new developments is fruit trees or other edible tree types, so that's the only thing. I think that native noninvasive or non-fire prone are all very appropriate, and

I think that covers enough that it would allow for sustainability. I do think that we should also be encouraging planting trees that grow food that people can eat, so that was the only thing when I read through that, how I felt.

Then for number 50, were you just wanting to ask my opinion about (inaudible)? It doesn't have to do with the trees, right?

COMMISSIONER JANOFF: Yeah, 53, not 50.

COMMISSIONER THOMAS: Oh, 53, right, because that one also had that. Yes, so that is what I have to say, but it looks like Vice Chair Barnett also has something to say about that.

CHAIR HANSSEN: Vice Chair Barnett.

VICE CHAIR BARNETT: Thank you very much. I wonder if we could have some wisdom from the Public Works Staff about the wisdom of 43, 48, and 53. I had some questions about whether that would be too limiting.

JOEL PAULSON: Thank you. Unfortunately, Parks and Public Works Staff has not been able to join us yet, so as we go through the discussion if Mr. Kim is able to join, then I will let you know. The other caveat would at this point, again, we're just making a recommendation, so even if we don't have Parks and Public Works Staff, we can

always forward that recommendation and they can provide additional input for Council's consideration if they're concerned.

JENNIFER ARMER: I will add that at least on one of these it says, "if feasible," so that leaves some flexibility for situations where it is deemed not appropriate, not feasible.

COMMISSIONER JANOFF: If I may, I was asking for clarification so I could start down the list, but if Commissioner Thomas or others have anything to add, that will be good.

CHAIR HANSSEN: Commissioner Thomas.

COMMISSIONER THOMAS: Thank you. I think that also I agree that we shouldn't make anything too limiting, but I like the aspiration, and it does say neutral next to two of them and then nothing, so I'm assuming that one was neutral too on number 53 from Staff, so that makes me feel more comfortable that they were neutral on that and not opposed to it.

CHAIR HANSSEN: Before you start down that path I did want to make a comment on a couple of things just in case you didn't know the background.

Number 41 was a suggestion from one of the General Plan Update Advisory Committee members to change

the name of Community Place Districts to Community Growth Districts, because that really was the intent, to make them into growth districts, but the comment came in late and there wasn't time for the Housing Element Advisory Board to discuss that particular item, I don't believe, but that was a recommendation from one of the General Plan Update Advisory Committee members, but we did vote on using Community Place District during the process.

Ms. Armer.

JENNIFER ARMER: I was going to add a bit of my memory of how that discussion of the proposed change to the Community Place Districts names went. This was a suggestion that was part of the discussion, and I believe in the end the consensus was to not make this change, because some of these places might grow. There might be some initial redevelopment, but a term like "growth" might not actually apply to the district in the future once it has had that redevelopment, and so using a term like "place" was something that the GPAC as a whole was supportive of and so decided to stay with it, but that Committee Member was encouraged to share the idea so that it could be considered by other bodies.

CHAIR HANSSEN: Thank you for that further clarification, because we had 35 meetings and I had

forgotten exactly what we had decided. But I only wanted to bring it up because a GPAC member brought it up, and my personal opinion was not to include it. Normally we wouldn't discuss it, but because that particular GPAC member felt really strongly about it I wanted to make sure we heard the thoughts on it.

I also wanted to make a comment that there were a couple of requested additions from the people that have been really advocating for the dark sky, and I just wanted to bring up a point that I thought the Planning Commission should consider, that when the GPAC created the Community Design Element we sat down and talked about the Community Place Districts and trying to create neighborhoods, and so I see a bit of a conflict between the dark sky to protect and also the safety needs of the people in the community.

Some of the recommendations are tending towards eliminating outdoor lighting, and then there is also the need for safety lighting with the neighborhood, so if anyone from the Planning Commission wants to recommend those I would ask you to consider having the language be such that we're going to be sure to protect safety as well as the needs of the wildlife that we're protecting with the dark skies. So that was my comment.

Let's see, I'll go back to Commissioner Janoff, and Commissioner Thomas, did you have more to say? No. Commissioner Clark, I will go to you.

COMMISSIONER CLARK: I think it's Commissioner Janoff's turn right now, right?

CHAIR HANSSEN: I think Commissioner Janoff is waiting to make a recommendation, is that correct? If not, then go ahead.

COMMISSIONER JANOFF: That's correct. I was planning to walk through these.

COMMISSIONER CLARK: Okay. I'll just make a couple of comments on what we've discussed so far.

I like the idea to add fruit trees to 43, 48, and 53, and I also share that same concern as you, Chair Hanssen, about the lighting being kind of conflicting with public safety, and I think especially as a woman that's something that I think is very important. I'm not sure how we could alter it to make sure it still includes safety, because, for example, it says, "Turning off lights after activity hours," in number 47, and we don't want all lights off after activity hours, so I would be curious if there are any ideas for how to incorporate that, because people were very in favor of the night skies policies.

CHAIR HANSSEN: Let's see if anyone has comments. Commissioner Thomas has her hand up.

COMMISSIONER THOMAS: I did just have one more comment that I think would be helpful to go over for the group, because I know that we had a lot of discussion as the GPAC about the difference between should and shall, and there was a recommended change for number 44, so Commissioner Janoff, when you get to that one if you want to discuss that there or whatnot, but just a quick overview of the difference between those for the group so we're all on the same page I think is important, because that comes up a couple of times in some of the language of these.

CHAIR HANSSEN: Thank you for bringing that up. Any other comments on that? I don't see anyone with their hand up. We can see where Commissioner Janoff is going with recommendations, and reminding ourselves that the goal is to identify things that should be included. With the other elements we definitely had items that we didn't include, because it might already be covered adequately in the General Plan, but sometimes when the comments come in the people want to put emphasis on it, but it's usually addressed in the General Plan somewhere, but the question is how it's worded.

So, Commissioner Janoff.

COMMISSIONER JANOFF: I was going to just walk through those that I would recommend including, but I did want to comment on Community Place.

I'm in favor of Community Place, because we talked long and hard in the GPAC meetings about place making and the importance of creating that element of welcome, and so the word "place" took on sort of a new meaning for me, so I would not make a change to that.

Numbers 43, 48, and 53, which are related as we discussed, I would advocate that we say yes, and we could add fruit trees.

Number 44, 46, and 50 are all related to lighting. Forty-four to me got convoluted in the edits. We get the idea, but I would say safety is a definite issue on that one, so I would not be in favor of 44.

I don't know enough about the dark skies. We did talk a lot about wanting to reduce the illumination at night, particularly in the hillsides, so I'm neutral around 46 and 50.

I would say yes to 51, although it might be too much of a detail, a question for Staff. I'm in favor of the concept, whether they want to put that level of detail in here or not might not be appropriate, especially if things change, if we have a different correlated color temperature

chart or something other metric that comes into play in another 20 years.

Number 54, possibly, but I think we've got implementation plans regarding (inaudible) connections; we talked a lot about that at our meeting last time.

And number 55, I don't know how that would impact the Town, given that there is a fiscal impact, the Mills Act, with regard to tax credits. I don't know whether that will be something the Town could implement or whether that needs to be at a higher level that we don't really control that property tax.

So that's what I have. In summary, it's 43, 48, and 53, possibly the dark sky lighting, and possibly number 54.

CHAIR HANSSEN: And you said 51 as well. I also wanted to hear what Staff's thoughts were, because one of the things that we try to do with the GPAC is to keep the General Plan general, and stating that it has to be below 3,000 kelvin is very specific, and as Commissioner Janoff noted, it might be that five or ten years from now what defines low voltage lighting is different than it is now, so I wondered if Staff had a thought? You said you were neutral.

JENNIFER ARMER: Thank you. We are neutral on this one, but as you said, the General Plan is intended to be general; these are policies. It could be that this sort of consideration of what light level limitations we should have might be more appropriate as part of some guidelines or other documents for implementation.

One concern with something like this that gets this specific if making sure that the Town has the appropriate equipment to judge this when somebody complains about lighting and we need to go an verify that the lighting is appropriate, so those are some initial Staff thoughts. It looks like Director Paulson has some additional thoughts.

CHAIR HANSSEN: Go ahead.

JOEL PAULSON: Thank you, Ms. Armer. I can't remember which element, but one of the implementation programs is to consider a dark sky ordinance, so this is the type of thing that could have something more specific like this, or something a little more specific and then gets translated into another policy document or guideline document, as Ms. Armer mentioned. I think a lot of the dark sky stuff the Commission has talked about we do have an implementation program to address that, so I'm not sure

it's necessary to get to that level of detail, but again, it's up to the Planning Commission.

CHAIR HANSSEN: Thank you for that. I had forgotten that we had recommended an implementation program. If we have an implementation program and it becomes an ordinance, that obviously carries a lot more weight than a policy in the General Plan that doesn't turn into an ordinance.

Let me see what Commissioner Raspe has to say on this.

COMMISSIONER RASPE: Thank you, Chair. I just wanted to voice my support. I concur with all of Commissioner Janoff's recommendations as modified with Commissioner Thomas' language regarding fruit-bearing trees, and I just wanted to add a little bit more emphasis with respect to number 55 that is the Mills Act.

It's clear that the Town of Los Gatos generally and through its General Plan dispersion is placing great emphasis on its historic resources, and while I understand that there could be tax implications, it seems to me that the Mills Act could be ideally suited towards this Town and its stated objectives, preserving those resources, so I would encourage the Planning Commission to forward a recommendation to Council either through a policy or

implementation program to strongly consider adoption of a Mills Act scenario for our town. Thanks.

CHAIR HANSSEN: Thank you for that. Commissioner Janoff.

COMMISSIONER JANOFF: Yes, I would support that as well, although I would recommend an implementation program to study adoption of the Mills Act so we understand what it is, how it would impact us, presumably beneficially, and then implement if that were warranted.

CHAIR HANSSEN: And you got a thumbs up from Commissioner Raspe, so I think as long as it's covered.

Commissioner Clark.

COMMISSIONER CLARK: Thank you. I agree about adding 43, 48, and 53 and including fruit trees, and I like the idea to add 55, as in studying the adoption of the Mills Act.

Then I wanted to see if anybody has thoughts on 49, because for me I thought that maybe it could be good to add that policy, but then I also felt like the description of the policy as actually just a definition of sensitive natural communities rather than a policy action, and I was curious if any Planning Commissioner had thoughts on that one.

CHAIR HANSSEN: Commissioner Thomas.

COMMISSIONER THOMAS: I agree that I like the idea and intent behind it, but I also then thought is this already covered in the Environmental and Sustainability Element? So I could go either way, and I agree it's really like a policy, so I don't know. I would like to hear what other people have to say.

I also would say that it's like I don't know the technical language, but for 43, 48, and 53 I would like it to be not just fruit producing trees, but like edible or any food producing trees, like nut trees and things like that that are more generic. Just food producing trees, maybe that's the term, but Staff I'm sure can figure it out. So yeah, I am interested in what other people have to say about 49.

CHAIR HANSSEN: I was hoping Staff might comment on 49. I would remind all the Commissioners that this is the Community Design Element. It doesn't talk about how you would incorporate protecting sensitive communities in your community design, and so then I'm not sure that it would be that helpful in this part of the General Plan, but I wanted to ask Staff to what extent… Because we did go over environmental sustainability before, but I don't recall what policies we might have had, so Staff, could you help on this?

JENNIFER ARMER: Thank you. I can search through and see what we can find. One difficulty in finding something that's exactly this is we might have used a different term that gets at the same idea of protecting sensitive natural communities, and we definitely do in the Environment section. That element definitely gets into those types of topics, but it might be in different ways.

I do agree that it seems more connected with that topic rather than community design. One thought, if the Commission is interested in including this here is that it could be a definition combined with a policy that just states that we preserve sensitive natural communities. Rather than having all of that text in the policy, it could be broken into those two.

But I will see if I can find some specific references in the General Plan under these terms or others, and I'll let you know if I find something.

CHAIR HANSSEN: I do recall over our 35 meetings that I did have a conversation with Commissioner Thomas about we wanted to incorporate some concepts of sustainability to make sure that it was in this Community Design Element, but then as we were going through it there was this push and pull between whether or not it's too much detail and is it going to be contrary to some things in the

Environment and Sustainability Element, so we did keep it very, very general in the Community Design Element.

I did want to put that out there that although it sometimes is good to repeat the things in the different elements, if it is covered in the Environment and Sustainability Element that probably takes priority and you would want to consider the environment and sustainability in your Community Design anyway, because that's part of the General Plan.

Vice Chair Barnett.

VICE CHAIR BARNETT: Thank you. On 46 and 50 there's a reference to this model, more ordinance, of the Illuminating Engineering Society of North America, and while I couldn't find that document online it did appear to be 40 pages, and that means to me that it's far more detailed than we want in the General Plan.

Then I support 55, as other Commissioners have said.

As to 49, to me it just seems like it is commentary; there's no substance that's added to the General Plan, so I would be against that one.

CHAIR HANSSEN: Thank you for that. Director Paulson

JOEL PAULSON: Thank you. Just to that point on 49, in the Environment and Sustainability Element there are a number of policies and implementation programs related to special status species, retaining natural conditions, and habitat and movement corridors, so there are a lot of other policies in that element that do cover this topic.

CHAIR HANSSEN: Thank you for that, Director Paulson. My personal advice, although it is the recommendation of this entire Commission, would be to keep it simple in the Community Design Element and have more details on that subject in the Environment and Sustainability Element.

Commissioner Janoff.

COMMISSIONER JANOFF: I would agree. I think also including this here, which is a section of really the hillside development, clearly we've got that interest in the hillside probably throughout the plan, but it also would apply to other areas in Town, so I would be against including it there.

And if we've got enough coverage in the Environment and Sustainability Element, and I think we've got it in spades as written, I agree with Vice Chair Barnett that it's a statement without anything under it if

it were a policy, and then the balance of the statement that is in quotes is actually a definition.

So we kind of have a mix here. I think we're in favor of the general concept, but this isn't the place for it.

CHAIR HANSSEN: Thank you for that. Commissioner Clark.

COMMISSIONER CLARK: Thank you. I just have one thing to add to these comments, and I had accidently brought it up during the Land Use Element, but adding the definition of "rafters" to key terms.

CHAIR HANSSEN: Refresh my memory. Did we agree to do that?

COMMISSIONER CLARK: No, because I immediately retracted the comment.

CHAIR HANSSEN: Oh, because you were going to bring it up again in Community Design.

COMMISSIONER CLARK: Yeah, because rafters are referenced in the definition of eave, and then there's not a definition of rafters, so I thought it could be beneficial to add that.

CHAIR HANSSEN: Okay. Let's see if anyone else had comments on that. Vice Chair Barnett.

VICE CHAIR BARNETT: I was remiss in not bringing up 54. I have concerns about whether that's invading private property rights. Maybe Mr. Schultz could comment on that. There may be safety or other reasons that the Water District would not want people trespassing on this property.

ROBERT SCHULTZ: I'm sorry, can you repeat your question again?

VICE CHAIR BARNETT: Number 54.

JOEL PAULSON: Mr. Schultz, this is in Exhibit 7, and it's basically asking that, "New trail connections on or open to Valley Water property must be open to the general public and permitted by Valley Water."

JENNIFER ARMER: And I'll add that this was a suggestion based on a comment from Valley Water. In general I would say that that's the type of thing that would be part of the project consultation in terms of the conditions that Valley Water would place on that, but the question was directed to the Town Attorney, so I'll pass it on to him.

ROBERT SCHULTZ: No, I agree, it should be on a case-by-case basis. There might be times when it might be appropriate to do that type of dedication or require that in a condition of approval, and there might be other times

where it might not be appropriate, so I wouldn't want it to be a shall or a mandatory condition or policy.

CHAIR HANSSEN: Question for Staff. I feel in the Open Space, Parks, and Recreation Element, without having it open in front of me to look at the policies, that we had plenty of policies that encourage connections of trails and open up private trails. I felt like we covered that in many ways in the Open Space, Parks, and Recreation Element, but again, I don't have it open in front of me, so I'm not sure if that would be beneficial in the Community Design Element, unless it's just a general statement.

JENNIFER ARMER: So CD-11.6, which is the policy that this comment is suggesting you modify, states, "Require development that is adjacent to Los Gatos Creek Trail to provide secondary access to the trail." Valley Water's comment is that if there is access being provided to the public trail, that that needs to be public access, because it is access to a public trail, that they don't want access from private property that is only open to the users of that private property is my understanding of the comment. So the policy is already there to say that there should be additional connections to the Los Gatos Creek Trail. The recommendation from Valley Water, as I

understand it, is to modify that policy to clarify that any new connections would need to be open to the public.

CHAIR HANSSEN: And further permitted by Valley Water.

JENNIFER ARMER: Yes.

CHAIR HANSSEN: There was a checkpoint in there.

JENNIFER ARMER: Correct.

CHAIR HANSSEN: If you wanted to do that, you had to get it okayed with them.

JENNIFER ARMER: Right. We might say require, but there are certain additional permits that would be required to make that possible.

CHAIR HANSSEN: Well then, that sheds a different light on it.

Let's see, Commissioner Thomas.

COMMISSIONER THOMAS: Reading the actual thing, it does say, "Require development that is adjacent to Los Gatos Creek Trail to provide secondary access to the trail." I don't know if we could just add, "to the public," like if that would satisfy, or if we're not allowed to say required to the public.

JOEL PAULSON: I'll just use one example. We have the Aventino Apartments, for instance. Obviously they don't have public access from the creek trail into their

apartment community, so that did have a gate there. I'm not sure how much development like that we'll really see along the creek trail, frankly. I think the policy as written in the draft plan provides enough flexibility that we would work through those details. If it happened to be adjacent to Valley Water property with the developer of that site when it came through, then we would have that conversation with them anyhow.

A lot of the creek trail, and depending on where you're at, some of that creek trail might be in Valley Water ownership, and so I think they're trying to make sure that we at least go through that step, which we could just as a matter of course, so that would be a conversation we would have anyhow.

CHAIR HANSSEN: Okay, that makes sense. Let's see, I'm not sure who was first. Commissioner Janoff.

COMMISSIONER JANOFF: In light of the conversation perhaps we can modify the existing 11.6, just insert the word "public" between secondary and access, so it's clear that it's a public access, not just for the benefit of the development, should there be one. And then of course as Director Paulson said, Staff will go through the normal checks and permitting should that be warranted.

CHAIR HANSSEN: Question for Commissioner Janoff. I know it wasn't suggested by 54, but is perhaps the word "require" too strong? If there are that many checkpoints that we have to consider, it sounds like there's going to be a feasibility issue. We didn't discuss it this way during the GPAC, but thinking about it now, I wonder if "required" might be too strong in 11.6.

COMMISSIONER JANOFF: I'm actually comfortable with the word "require" because it sends a really clear message for the developers that this is an expectation to provide access to nature, so I would have no objections to the way it's written and insert the word "public" if that's more clarifying.

CHAIR HANSSEN: Okay, and then leave it to Staff to deal with Valley Water if it's accessing their property. I think that would work for me. I just wanted to ask that question.

Let's see, are there other comments?

Before Commissioner Janoff turns this into a motion I did want to say one more thing on 46 and 50, which are essentially saying the same thing. They're about referencing the Illuminating Engineering Society of North America's lighting ordinance. I thought we were going there, but I just wanted to say that I don't think we need

to add those to the General Plan if we have an implementation program to look at an ordinance. I don't know if we sealed that off or got there yet, but it wasn't in your list of things to add, Commissioner Janoff. I just want to make sure we were okay with that.

So do you want to go ahead and make a motion, Commissioner Janoff?

COMMISSIONER JANOFF: I will move that we accept numbers 43, 48, and 53, with the language that adds to the insert edible tree… Staff can find a good way to say that, but we know what Commissioner Thomas is suggesting, and it's a good suggestion. And we are adding number 55 as an implementation program to evaluate or to study the Mills Act and its impact on the Town.

CHAIR HANSSEN: And on number 54 you wanted to add the word "public"?

COMMISSIONER JANOFF: Yes, to the existing…

CHAIR HANSSEN: To the existing 11.6 policy in the Community Design Element.

COMMISSIONER JANOFF: I just am going through. I think that's it.

CHAIR HANSSEN: And then it looks like Commissioner Thomas had her hand up. Are you seconding?

COMMISSIONER THOMAS: I second, yeah.

CHAIR HANSSEN: Okay, great. Commissioner Clark, you had your hand up. Is it about seconding, or did you have comments before we take a vote?

COMMISSIONER CLARK: I wanted to ask about adding the definition of "rafters" to key terms.

COMMISSIONER JANOFF: Yes, and add the definition of "rafters" to key terms.

CHAIR HANSSEN: And does the seconder of the motion agree to that addition?

COMMISSIONER THOMAS: Yes.

CHAIR HANSSEN: And thank you, Commissioner Clark, for reminding us of that so we didn't forget. So we have a motion and a second. Is there any further discussion by Commissioners before we take a vote? Okay, we're going to do a roll call vote, and please answer yes, no, or abstain. I will start with Commissioner Thomas.

COMMISSIONER THOMAS: Yes.

CHAIR HANSSEN: Commissioner Tavana.

COMMISSIONER TAVANA: Yes.

CHAIR HANSSEN: Commissioner Raspe.

COMMISSIONER RASPE: Yes.

CHAIR HANSSEN: Commissioner Janoff.

COMMISSIONER JANOFF: Yes.

CHAIR HANSSEN: Commissioner Clark.

COMMISSIONER CLARK: Yes.

CHAIR HANSSEN: Vice Chair Barnett.

VICE CHAIR BARNETT: Yes.

CHAIR HANSSEN: And I vote yes as well.

As we had done with the other elements, this is a progress vote. What really has to happen at the end of this process is we have to make a recommendation to vote to accept the entire General Plan with all of the recommended changes, but this at least puts a stake in the ground for each one of the elements to help us through the process so that it's not unwieldy when we get to the end of the process.

That is all of the elements with the exception of the build numbers for the land use, so we will now turn our attention to the Final EIR, and there are a number of Commissioners that haven't been with us while we've had to review an EIR, and this is a different kind of EIR than we might hear about from a project, so I wanted to ask Staff to give us some guidance and feedback on how we should be considering the Final EIR in our recommendation.

JENNIFER ARMER: Thank you, Chair. The next part of our discussion is a discussion of the Final EIR, which incorporates the Draft EIR, the modified sections, and all

of the findings that have been provided to you as part of your packet for the April 13th meeting.

So this is a program EIR, which is a different kind of analysis than a project-level EIR, which you'll see more often. Future projects that come in under this are going to need to go through project-level analysis as well. As with any EIR, this isn't solving existing problems, it's looking at baseline and then it looks at what the program might create and proposes mitigation for those items. It's very common with a program EIR for an update to a General Plan for there to be unavoidable impacts, as we have in this case, and in fact, that's been true for at least the last few General Plan updates that the Town of Los Gatos has had.

One thing to keep in mind when considering this document is it is an informational document, so it's the Town's document. The Town Staff, including the Town Attorney as well as the Town's consultants, environmental consultants, and experts have worked on this document and we do believe that it is legally adequate pursuant to CEQA.

This discussion tonight is not intended for changing anything in the EIR. It really is more focused on answering questions and providing clarifications. Since this is an informational document, it's intended to support

your consideration of the proposed project, the proposed program, and so once we've talked through and answered any questions that the Planning Commission might have, the next step in terms of the EIR is going to be part of your motion on the Draft 2040 General Plan. It would be a combined motion on the Draft 2040 General Plan along with a recommendation on the certification of the Final EIR, so there's no need to worry about the findings of fact; that's all part of that motion. That would all be included in your recommendation on the Final EIR, since that includes all of those documents.

That's my presentation, but we are here and happy to answer any questions.

CHAIR HANSSEN: Before I go to the Commissioners, it also includes, does it not, the Statement of Overriding Considerations?

JENNIFER ARMER: Correct, and the final decision of course is made by Town Council, but your recommendation to Town Council on the Final EIR does not need to be any more detailed than that. It really can just be a recommendation on the Final EIR. It includes all of those components.

CHAIR HANSSEN: Just playing devil's advocate, a question for Staff before I go to the Commissioners. If

there were a reason to not certify the EIR, what would it be?

JENNIFER ARMER: If there was a concern that it was done adequately, that it didn't meet the requirements of CEQA, that there was some recirculation. In this case, as we were working through the review after the circulation of the Draft EIR we actually did determine that there was some additional information that was mislabeled and some things that needed to be clarified and decided that because of those it was prudent and required, based on the CEQA regulations, that we put the notice out again and recirculate the appropriate sections, and so that's the sort of thing that might trigger the Planning Commission to not recommend certification.

But hopefully at this point Staff and our consultant, our experts, do believe that this is in compliance with CEQA and so we are recommending certification.

CHAIR HANSSEN: Thank you for that excellent Staff Report; we appreciate that. And to remind the Commission that at this point in time we're not going to be making a motion on the EIR, we're going to just take comments and questions that you might have before we get to the motion on the entire General Plan at the very end, but

this would be the time to ask those questions so that we don't have a prolonged discussion when we're trying to make the final motion.

Commissioner Raspe.

COMMISSIONER RASPE: Thank you, Chair. First of all, thank you to Staff for your efforts in providing this exhaustive review and document. It's impressive to go through it, the various iterations and all the work that went into it.

Generalized discussion or thoughts. I noticed that in our EIR both greenhouse gas emissions and traffic are identified as significant, unavoidable impacts for which there is no mitigation, and I just wanted to get Staff or our consultant's thoughts if that's typical for a General Plan. I understand a General Plan by definition in generalizing; we can't foresee everything. I just wanted to hear their thoughts on these two impacts and how we're dealing with it in the EIR. Thank you.

JENNIFER ARMER: Thank you, Commissioner, a very good and helpful question for this discussion.

So yes, there are significant unavoidable impacts for vehicle miles traveled, for greenhouse gases, and traffic or transportation impacts and greenhouse gas impacts. That's pretty common for a community like Los

Gatos, so because this project does involve additional housing it also means that you're going to have increased trips, because we don't have the transit facilities that you could, say, cluster housing around and therefore reduce trips.

However, I will point out as is discussed in the Final EIR, the proposed locations for housing, the greenhouse gas impacts, and the vehicle miles traveled impacts are actually lower than the current rates for the community overall. So while there is an overall increase and there isn't a way without high-speed transit for the Town to fully mitigate those increases, it's actually increasing at a lower rate than previous development in Town.

COMMISSIONER RASPE: If I could ask one follow up question. Thank you.

It's also my understanding that while both VMTs and gas emissions are dealt with generally in this, to the extent there are specific projects that come into Town, those may also require additional different CEQA analysis as well and we may as a Town deal with those projects individually both with respect to gas emissions and traffic, that's correct?

JENNIFER ARMER: So yes, there would be environmental review for those. One of the goals of this General Plan and its EIR is to do a community-wide analysis of things like greenhouse gas and vehicle miles traveled, which is a very difficult thing to address at the project level when you have a single project. It's really much more a community-wide or even region-wide type of issue, and so being able to do this analysis at this level and include in it these mitigation measures that then would be applied at the project level is generally the direction that we were working towards with this analysis.

So in terms of vehicle miles traveled impacts it may be that if something is compliant with the General Plan, as long as they are following the mitigation measures that are included in the EIR, that it may be a project level to a certain extent would actually be covered by this analysis.

COMMISSIONER RASPE: Thanks for your response. It's very helpful.

CHAIR HANSSEN: That was a very good question. Do other Commissioners have questions or comments on the EIR? For those of you that are relatively new to EIRs, in the Final EIR there is opportunity for public comment, and as Ms. Armer stated, this was circulated twice, so there have

been multiple opportunities for public comment. Then when the public comments come in Staff does respond to each and every comment as to whether there is any resolution needed for that comment, so if questions came up during that process Staff has answered them all and those responses are noted in the Final EIR. However, if you have questions about any of that, this would be a good time to bring that up.

Let's see, Vice Chair Barnett.

VICE CHAIR BARNETT: Yes, thank you. Since you invited comments rather than questions, I have a couple to make.

First, I wanted to thank Staff for an incredible job on that project, which is a tremendous piece of work to undertake and to revise over the years. I appreciate the comments from Mr. Schultz today regarding the sufficiency of the General Plan in response to the public comment about the CEQA requirements not being met, and I also understand that an attorney retained by the consultant came to the same conclusion. I also found that the Staff's responses to the public comments were well founded and convincing. Thank you.

CHAIR HANSSEN: Very good. Thank you for those comments. Do other Commissioners have questions or comments on the EIR?

Commissioner Janoff.

COMMISSIONER JANOFF: I'd just like to echo what Vice Chair Barnett said, and in summary would be supportive of certifying this Final EIR.

CHAIR HANSSEN: Very good. And I would echo, especially in the case of there have been some very vocal comments and critical comments on the whole General Plan process that came in over time, which is everyone's right, but Staff did an excellent job of responding to all of the questions and what action could or couldn't be taken, so I feel comfortable with being able to recommend certification of the Draft EIR.

I think Staff's comments were particularly helpful in the area of talking about program level EIRs versus specific project EIRs, so that when supposing there's a 100-unit building that comes down the road after the General Plan is adopted, then if it meets the requirements for a CEQA analysis, then a CEQA analysis will be conducted on that project, so it's not the only time that the traffic and greenhouse gases will be looked at as

we go through the process of living through the General Plan.

Let's see, does anyone else have questions or comments? Commissioner Raspe.

COMMISSIONER RASPE: And again, I join in my fellow commissioners' comments. I don't think we're making a motion, but are we making a recommendation to Town Council to certify the EIR?

CHAIR HANSSEN: What we're going to do is we're going to hold off on making any motion on the Final EIR until we're done discussing the General Plan, which we haven't done yet.

COMMISSIONER RASPE: Very good. Thank you.

CHAIR HANSSEN: So we have covered all of the elements and we took comments on the Final EIR as well. The thing that we have not finished is what we discussed during our last two meetings, which was what kind of recommendation that the Planning Commission would want to make to Town Council regarding the land use build numbers that are covered in the beginning of the Land Use section.

To refresh everyone's memory, Staff had a discussion that starts around page three or four about the Land Use Element and goes through the proposed density ranges that are in the Draft General Plan looking at the

20-year timeline versus the more immediate timeline of the Housing Element and what falls in those two categories.

Then further on, on page six of this original April 13th Staff Report there was a list of possible reductions that we could consider if we wanted to.

To recap where we were at our last meeting, we had a motion to make some reductions, but the motion failed because there were people on both sides of the argument about it. It wasn't enough, or it was too much, and so it was a 3-3 vote.

In thinking about this since our last meeting on April 27th, one thing that I thought might be helpful would be to try to identify things that we are in agreement with and maybe talk about the specific reductions that Staff presented and see if there is consensus from the Commission to do that before trying to take a motion on the overall number, because I think everyone might have different ideas on some of the elements of that.

I'm looking at the bottom of page six from the original Staff Report, which says, "Potential reductions in housing development capacity," and I did want to give credit to at least one Commissioner who was recommending that we not make any reductions in the capacity to make sure we get the best possible chance of meeting our

numbers. With that being said, if it is the will of the Commission to make reductions, we should talk about which ones of these might be acceptable to the Commission.

I want to start out with the one that I thought we had agreement with, and Staff felt that we did too and it was noted in the Staff Report, which was the third bullet, which was, "Removing housing from Office and Service Commercial designations," and if we were to do that, according to the modeling that was done, that would reduce the potential increase in housing units by 313 units.

I just want to put that out there. We had talked about it was a late addition during the GPAC process, and doing more research on it the general feeling was we weren't going to get a very big take up on it, and we can also do Mixed-Use. As long as the land use designation is Mixed-Use it is possible to do Office and Residential together, it just has to be under that land use designation versus Office Commercial.

Does anyone have any concerns about leaving that change out of the General Plan and not increasing density there? I think everyone is okay with that.

Let's talk about Low-Density Residential and Medium-Density Residential. Where the discussion was going

on Low-Density Residential and Medium-Density Residential was that there are many people in the community that are very concerned about the potential of SB 9 and ADUs and this General Plan update on increasing densities significantly in the Low-Density Residential and Medium-Density Residential, and so there are varying opinions about in order to have this missing middle housing we really need to be able to have some increase in density, and then there are others that don't want to increase density at all.

Staff did an analysis for us, and it's in the Staff Report for this meeting, in which they talked about if you wanted to be able to have a fourplex and the density level was X for Medium-Density Residential and Low-Density Residential, how many properties would be able to do a fourplex there? So I hope you all got to see that in the Staff Report, but I thought we ought to maybe have a discussion about that and see what people are thinking about reducing the densities that are proposed from what's in the current Draft General Plan or leaving them the same.

I'll start with Commissioner Janoff.

COMMISSIONER JANOFF: Thank you, and thank you, Staff, for putting together this data; it was very helpful.

I just want to confirm, my takeaway from this table is that we will not lose missing middle if we were to reduce the density in Low-Density from 12 down to 10 or 8 units per acre, is that a correct interpretation?

JENNIFER ARMER: Thank you, Commissioner. As we stated last time, a reduction to 10 would still retain enough that the missing middle could still be included as a portion. Our main concern is that if you get to the point where it's less than 10% of the parcels are actually large enough for the fourplex, then that's getting to be a pretty small amount and it's not going to be through most of those neighborhoods. It would be in the neighborhoods that have the larger parcels rather than throughout, so it's potential, but I think we still would recommend that if we're going to keep the missing middle in there that a 10 dwelling unit per acre would be the appropriate threshold.

COMMISSIONER JANOFF: Thank you.

CHAIR HANSSEN: Just a clarifying question on the table. The way that this is presented, it's cumulative, so if you start from 5 it's 3% of parcels, then 7% is 8, and then 12% at 10.

Just to refresh everyone's memory, including people who are watching, where the discussion was going was that several Commissioners and the GPAC in having this

discussion during that whole process, the missing middle housing was identified as a way to help transition slightly more dense housing into the same neighborhood and still having the same look and feel, and having a very seamless transition, the alternative being doing very High-Density Mixed-Use or just High-Density Residential, which would be many stories, and so this would be a way to create some balance in the community.

Several of the Commissioners were concerned that if we reduced proposed densities too much in the land use tables that we might not be able to have the discussion of missing middle housing at all, which most of the GPAC felt was essential to the vision of what we were trying to create going forward with having to add quite a few additional units.

With that in mind, it comes down to, I guess, from what I'm hearing in this discussion, that as far as missing middle housing it's going to be impacted in the Low-Density Residential, and I'm going to ask Staff a clarifying question. There is really no issue with any of the densities in Medium-Density Residential that would cause us to take out missing middle housing, is that correct?

JENNIFER ARMER: Yes, that's correct.

CHAIR HANSSEN: Other comments on if we were to recommend reducing densities for Low-Density Residential or Medium-Density Residential? What would you recommend and why?

Commissioner Clark.

COMMISSIONER CLARK: I'd just like to get clarification on that last question you asked about Medium-Density Residential. You were saying that no density changes would impact the amount of missing middle in the Medium-Density Residential?

CHAIR HANSSEN: I asked the question.

COMMISSIONER CLARK: Yeah.

CHAIR HANSSEN: I was assuming because it was denser to start with that you could still… But on the other hand it does say at the current density only 5% of parcels would be able to do a fourplex, is that correct, Staff?

JENNIFER ARMER: That is correct, because a lot of the Medium-Density Residential properties are small lot properties, so you don't have as many that are of the size that's required for that number of units on the property. It's actually a lot of these parcels get the increased density because the lot size is smaller.

CHAIR HANSSEN: Very good. So we really do need to consider for both Low Density Residential and Medium

Density Residential if we were not to increase the densities, then doing missing middle housing in either would be below the 10% mark.

COMMISSIONER CLARK: Thank you. If it's okay, can I make a comment?

CHAIR HANSSEN: Go ahead.

COMMISSIONER CLARK: Thank you. I'll just say for the Medium-Density Residential, I think that it definitely seems like it needs to be increased considering it's only 5% of lots as is in the 2020 General Plan, and I also think it's important that we take into account that this is the number of lots for us to be able to build up to four units in the Medium-Density Residential, which I think feels like a pretty palatable number for Medium-Density.

CHAIR HANSSEN: And you didn't say there's also the possibility of triplexes or something more than fourplexes, but I thought that was a good benchmark that you suggested for us to consider. So the numbers would be different if we looked at different sizes of units, if we were going to have five or six units or three.

Commissioner Thomas.

COMMISSIONER THOMAS: Thank you, Chair Hanssen. When I originally looked at this I thought that although it doesn't change the number of parcels… Well, I guess it cuts

it in half, right? So for Medium-Density Residential I did also think about what just has been said and what we spoke about last time, how it doesn't mean that necessarily all these parcels will be developed, but giving the Town and individual owners and residents the option in having it spread out through more areas I think is something that I want to make sure that we're not getting too close to that less than 10% number, because I do think that that just is more limiting and not as flexible for residents in town. So I just wanted to say that when I initially looked at all of these figures, that was my initial reaction.

CHAIR HANSSEN: While the rest of you are thinking, I would also point out that one of the things that we came to in the last meeting was trying to translate between density and numbers of units, and while this table that is in the Staff Report today gives us an idea of the numbers of units that would qualify for a fourplex, that's not the same as how many units of reduction if we were to, say, go from maximum of 12 density dwelling units per acre to 10 or to 8 in Low-Density Residential, it's not going to tell us how many units less of a potential build-out we would have, because it models on to assume how many units would actually convert over, and so even if we pick the

densities we're not going to know for sure how many units it will be.

Likewise when we were talking at our previous meeting and we were talking about trying to reduce a certain number of units we don't know what the density would be until all the calculations get made, so we have to kind of deal with imperfect information regardless of what we do, but my thought in thinking about this since last week is that we should think more about the density, because we can kind of visualize where and how many we could do of that kind of housing, and then Staff will have to come up with a number, because if we come up with a number we don't know if we'll be able to have missing middle housing.

Commissioner Thomas is nodding her head, but do you have more comments?

COMMISSIONER THOMAS: Yes, I just wanted to add onto that, I think that that is really important to be thinking about and it has made this conversation I feel like harder for us to have, because we don't know what some of the outcomes of the changes will be.

I did actually have a question for Staff. I was wondering what other Commissioners thought about this. If we decide to change some of the densities or any of the

numbers essentially in this Land Use Element, does that delay the process of it being forwarded to the Town Council? Because I feel like we've had a really robust discussion, and I know that our Town Council members listen to what we say and they will get verbatim minutes, so I just don't want to waste anyone's time by saying let's make all these changes and then they're going to make changes again or revert back in some areas, so I was just wondering how it would affect the timeline or if it doesn't affect the timeline at all?

JENNIFER ARMER: Thank you, Commissioner. What I would say is that this is actually very similar to the recommendation you received from Town Council on the types of options they wanted to make sure we provided to you for your discussion. You can give Town Staff direction on the types of changes that you'd like to recommend to Town Council, and then we can provide additional details for Town Council when they consider your recommendation. They will have a summary both of the resulting numbers, but also of the comments that were shared by the Planning Commission for their consideration. I don't expect that that would delay us getting to Town Council. There are certain logistical things like public noticing that need to be done, and so within that time we expect we should be able

to pull together that additional information to fully describe what your recommendation is and the implications in terms of numbers.

COMMISSIONER THOMAS: Okay, thank you. I just wanted to make sure that we were not unintentionally delaying something further, because I know that we've been trying very hard to get this to Town Council so that we can get it finalized and really start working on the Housing Element, so thank you. I appreciate that.

CHAIR HANSSEN: Before I call on Commissioner Janoff I was going to state that I didn't specifically go there when I made my introductory comments, but that it would be our intent, even if we are still divided on some of the issues surrounding the numbers, that we will not continue this to another meeting, that we'll leave it at that, but it is my hope, and with the additional information we got in the Staff Report, that we can get closer, because I think there was consensus on a number of things when we had the discussions previously, so we'll see where we are.

I will go to Commissioner Janoff now.

COMMISSIONER JANOFF: Thank you. In light of this discussion I would like to offer a recommendation on bullets one and two with some rationale, because again, I

think it's not a good idea for the Planning Commission to just throw out numbers without having a reason why we want to change those numbers.

We already talked about the Office and Commercial. In Low-Density I would recommend that we reduce the density from 12 dwelling units per acre to 10. This gets us above the 10% number that Staff is recommending where the missing middle is still a robust part of the solution set, and that's of great interest to the GPAC and to me personally, so I would recommend going to 10. In addition, I would recommend that we go from 24 in Medium-Density down to 18 for similar rationale.

One of the reasons why I'm making this recommendation for reduction is related to what the Town Attorney provided as guidance, and that is with regard to SB 330 we don't want to up-zone so far that we don't have room afterward to say oh no, and we're stuck. So if we up-zone a little bit without going to the maximum, we still have room to grow and we have the five-year review of the Land Use Element, so if we feel that we're not making the necessary headway, we have the opportunity to bump that up to 12.

I know that Commissioners were eager to see the General Plan with numbers that didn't need to change at

that five-year mark, but I think in light of the comments that we received today, it's prudent that we have a buffer that we could work from, so those would be my recommendations for bullets one and two.

CHAIR HANSSEN: Thank you for that, Commissioner Janoff. Commissioner Thomas and then Vice Chair Barnett.

COMMISSIONER THOMAS: I did have a question actually for Commissioner Janoff. I do agree that I think that changing the Low-Density housing from 12 to 10 seems like that is still a significant increase from where we're at today in the current General Plan, and I think that it's good and allows for opportunity and is still above that 10%, but I do think that Medium-Density Residential is closer to areas where we can end up building more transit and I think that that's going to end up being places where we would like some more redevelopment and more walkable/bikeable neighborhoods

I know that Town Staff just put 24, 18, and 12 in here to show a halfway point, but would you be interested in changing it to like 20 instead of all the way down to 18? Because I feel like decreasing this whole area percent of parcels by half seems like we're just going to be losing out on a lot of opportunities possibly for redevelopment

jumping from 21 to 11, but I am open to hear what people think about that.

CHAIR HANSSEN: Thank you for that comment. I will go to Vice Chair Barnett, and then Commissioner Clark, and then back to Commissioner Janoff.

VICE CHAIR BARNETT: I'm in support of Commissioner Janoff's recommendation. If I could refer to some notes that I made, I can explain my position.

Since our last meeting I've given considerable thought to the comments of my fellow commissioners regarding the build-out capacity, and I've spent a lot of time looking at the numbers and I agree that the reduction from 24 to 18 and 12 to 10 makes a lot of sense. Although we don't have the precise numbers of the units that will yield from that at this time, I think we can generally find that those are reasonable.

My willingness to include a larger figure at this time is based on a number of factors, including the consideration that the RHNA goals include increasing affordable housing, promoting socio-economic equity, and furthering fair housing, and I think that the ADUs and SB 9s will provide additional housing in the Low-Density Residential designation.

Finally, it's just been referred to before, we're planning for capacity and not controlling the building, and so for better or worse the actual housing construction likely will go to very much smaller than the capacity due to the economics of development.

I'd like to give an example. In the 2019 ordinance in the City of Minneapolis that allows duplexes and triplexes on all residential lots, which was cited in the article recommended by Council Member Ristow, only three triplexes were built in 2020 according to a later article in the same publication.

So I think for all those reasons it makes sense to come to a reasonable compromise. Thank you.

CHAIR HANSSEN: Thank you very much for those comments, and what Vice Chair Barnett was referring to is Vice Mayor Ristow referred an article to us that was talking about trying to come up with affordable housing and what are some of the dynamics about that, and it was a very helpful article, I think, for all of us in terms of this discussion, so thank you so much for that, Vice Chair.

Then I will go to Commissioner Clark, and then Commissioner Raspe, and if anyone else wants to speak.

COMMISSIONER CLARK: Thank you. I will just say I personally would not be in favor of reducing any of these.

This is how I would feel, but I'm perfectly willing to compromise and I'm not going to just vote no because I wouldn't...

This isn't my perfect scenario, obviously, but to me this missing middle housing and these fourplexes are exactly what we are talking about in terms of what can satisfy our housing needs without dramatically increasing traffic and without changing the character of our Town, and so to me it doesn't feel like it makes a lot of sense to reduce these opportunities, especially things like if these are able to be spread throughout Town in these areas, then that would ease traffic a lot rather than just us putting all of our housing on Los Gatos Boulevard or something like that.

Then also segregation is very real, and a lot of times affordable housing ends up in the same area and towns can become very segregated. We've seen this in other communities in our area and so I think that this housing is also a really good solution for dispersing it.

I completely understand the wanting to appease some of the community members and make it clear that we've been hearing their concerns, but I especially think in the Medium-Density Residential cutting that number in half doesn't make sense to me. I think that in particular, like

Commissioner Thomas said, that is probably closer to transportation and where we could build more transportation and I would prefer to leave that where it is, because fourplexes in Medium-Density Residential I think make particular sense to me.

CHAIR HANSSEN: Thank you very much for your comments, Commissioner Clark. Commissioner Raspe.

COMMISSIONER RASPE: Thank you, Chair. First I wanted to thank Staff for preparing these numbers. They're extraordinarily helpful, and I know we gave them very little time to prepare them, so thank you again for hopefully not working on the weekend, but pulling all these together. Random thoughts in no particular order.

First, I join Commissioner Clark in her comments. I was surprised that the current allocation of parcels in Medium-Density areas that were able to handle fourplexes was only 5%. In my mind's eye it seems to me that missing middle and fourplexes specifically are a perfect fit for Medium-Density, so I was really surprised that it is only currently 5%, and so I support an increase in those areas, and I can be discussed either way as to whether that should go to the entire GPAC number or some lower number thereof.

On lower-density housing, I think my previous position was I was hoping to hold close to the bottom on

those, but again, this report is very helpful. Currently only 3% of our parcels would support missing middle, and it seems to me that that's a number that can be raised and we can still maintain the integrity of the look and feel of Los Gatos that so many of our residents voiced during their comments, and so I would be willing to come up from that 3% number.

Commissioner Janoff proposes 10%. I'm a little bit more comfortable with 8% as the figure just because of the SB 9 situation. I think that there is a potential for lot splitting. I think there may be more development in that area than we're currently aware of.

Then taking into account the SB 330 discussion, I'm leaning towards keeping that at the lower number, but it seems to me that Commissioners are coming towards a consensus, and if there's a consensus in that discretion I remain flexible and my mind is opened, so I'm happy for this discussion.

Again, thank you, Staff, for providing this material for us. I think it really has helped us move the ball forward on this one.

CHAIR HANSSEN: Thank you for your comments, Commissioner Raspe. That was very helpful. Commissioner Thomas.

COMMISSIONER THOMAS: Can I get clarification from Commissioner Raspe? When you say the lower number, what numbers were you specifically referring to that you are most comfortable with?

COMMISSIONER RASPE: With respect to Low-Density or Medium-Density?

COMMISSIONER THOMAS: Well, I feel like for Low-Density you referred to 10.

COMMISSIONER RASPE: For Low-Density my inclination before the meeting tonight was for 8, and I still feel that that would be a useful number, again considering that we have SB 9 to also add numbers in those areas, and SB 330 is kind of a backdrop that there could be problems in up-zoning as opposed to down-zoning and we'll revisit every five years.

On the Medium-Density, I think I like your suggestion. It seems like there's a large chasm between the percentage of parcels, 11% and 21%. I wouldn't mind seeing a discussion maybe in between those two ranges, because again, in my mind's eye Medium-Density is the perfect fit for missing middle.

COMMISSIONER THOMAS: I agree. Thank you for clarifying. I think also what has helped me is looking at the land use diagram, figure 36 in the Draft General Plan,

but looking at it, that Medium-Density Residential is concentrated along Los Gatos Boulevard near the Highway 9 intersection into downtown and then downtown, and actually a lot of that is some historic overlay zones, which I think a lot of those parcels look small, but I think that that also offers additional protection in the sense of maintaining the character of the Town, and I think that it's also in areas that have very strong neighborhood feels already, and so I really think that it does provide us with a lot of opportunities to retrofit and change things into duplexes and triplexes and fourplexes but really maintain the integrity and Town character that is really important to people, so that's one of the reasons why I felt like reducing all the way down to 18% seemed like a really big jump, like we might be missing some opportunities there.

I just again want to emphasize what Vice Chair Barnett just said, that just because the number of parcels are available, only a small fraction of those are actually going to get developed, so for me personally, like Commissioner Clark said, I want to come to a consensus and I want to vote with the group and be supportive as a Commission with a recommendation moving forward, but my gut is still telling me that we be able to provide property owners with the opportunities to be able to do this.

I know that the down-zoning is not an option in the future, but it just still seems like we need to be providing options instead of limiting options, so that's my main concern.

CHAIR HANSSEN: Thank you for that, Commissioner Thomas.

I was just going to make a few comments. I love where this discussion is going, because it sounds like we're kind of gelling on some sort of consensus.

After thinking it over since last week and listening to the discussion tonight, during last week's discussion I was in the camp of making some reductions but not eliminating any categories, and the reason I gave for it, and I'll give again, is that I think as we were talking during the whole GPAC process that we don't want to concentrate affordable housing in just one part of town, and the early things we've been seeing with the Housing Element with our inventory, for many, many reasons it turns out that a very large number of the sites that have potential for affordable housing are going to be on Los Gatos Boulevard.

However, those are not Low-Density Residential converting to a four-unit fourplex. We're talking about bigger numbers, because when we're trying to put together

the Housing Element we're only going to be able to have so much room to put Low-Density Residential as unit counts into meeting our RHNA, so going back to the numbers I was of the mind of making a reduction but not going all the way back to the 2020 levels, and in looking at the table, which I also thought was very, very helpful.

I actually started out in the same camp as Commissioner Raspe, which is 8 dwelling units per acre for Low-Density Residential, because I thought we could increase it later, but if we're not going to even make it possible to do missing middle housing, then what is the purpose of even changing the density at all? And we also want to be mindful of trying to spread some of the housing across Town, so I am comfortable with the 10 dwelling units per acre. We will have the opportunity to relook at it in five years, and if it turns out that the housing production isn't what we want, we can revise it, but we obviously can't go backwards.

On the Medium-Density Residential I initially thought the 18 dwelling units per acre, but in looking at it again and hearing the comments tonight, I think we ought to consider maybe splitting the difference and doing 20, and that way we can assure the production of missing middle housing in some of the areas to help spread out the growth.

I'll go back to Commissioner Janoff.

COMMISSIONER JANOFF: Thank you, and what Chair Hanssen just finished saying was just about verbatim what I was going to say, and thank you so much for the perspective on the Medium-Density. I do still recommend a reduction, so that gives us a little bit of room under the SB 330, and I would certainly support a recommendation that splits the difference at 20, but I would still recommend 10 on Low-Density.

CHAIR HANSSEN: Commissioner Tavana.

COMMISSIONER TAVANA: Yes, thank you, Chair. I wasn't here the last two meetings and I want to say that in a general sense I'm in support of lowering the density across the Board, but using the rationale of up-zoning right now and the revisiting in five years. I would think it would be wiser to be conservative and just go not as high as I would say 8 or 10, so I would err on the conservative side personally.

CHAIR HANSSEN: Thank you. Everyone has their thinking behind this and we want to hear what everyone thinks.

Commissioner Clark.

COMMISSIONER CLARK: Thank you. Just a quick comment on Medium-Density Residential for splitting the

difference to 20. So 20 is only two over 18 and 4 below 24, and my concern is we don't know how much more or less we're getting when we do that. Like we might only get 50 more units or something, and so I don't know if this is possible, but I was wondering if there's a way to do that one by number of parcels, and so like 500 parcels, which would actually be kind of splitting the difference between 350 and 708 or something like that?

CHAIR HANSSEN: I think I see where you're going on it. I'm going to ask Staff a question. If we were to make that as a recommendation that we want to make a reduction, but since we don't know what the table would be, if it were 20 dwelling units per acre could we do it by the number of parcels that would be eligible for a fourplex?

JOEL PAULSON: I'll start, and then Ms. Armer can jump in. That's not really a direct correlation, because it would be a different lot size, so then we have to rerun the GIS to figure out how many parcels that is. It's not a linear if you change it to 20 it's going to be halfway between or something like that, so that would be my caution, but Ms. Armer might have some additional comments on it.

JENNIFER ARMER: I would say that we could do the research to find out approximately what density would bring

us up to 500 parcels. It's a little more complex, since we have to run multiple numbers until we get kind of close to that to figure out what level of density captures and includes 500 parcels, so I think that's something that we could do. We might end up with a very odd density, like 20.5 or something odd like that, so I don't think that's what Staff would recommend in terms of a way of moving forward with his. Round numbers generally are a good plan in terms of implementation of this.

But I think there's clearly an understanding that you're looking for something that's a bit more than some of the numbers there. I think we can include that as part of the description of the discussion that the Planning Commission had. If it's the will of the Planning Commission, I think we could try to come up with a number based on the number of parcels that should be large enough to allow a fourplex, but it does become a much more complicated calculation, and it looks like Director Paulson might have something to add.

JOEL PAULSON: Just for further clarification, we would probably run 20 and 22, so you have kind of every increase of two units per acre; we'd get you those numbers and we can provide that.

I think bigger picture, stepping back, it sounds like the Commission is having another great conversation. It really is what's that comfort level from a Commission perspective? Is it on, as Commissioner Tavana spoke about, the more conservative side, or is it the more aggressive side, or somewhere in between that? I think these are helpful conversations.

We wouldn't come up with a 20.5 density obviously, so again, we'd probably provide information on 20 and 22, see how many parcels that is, and see if that helps inform a decision, unless there's an opportunity tonight where the Commission agrees to a number moving forward, and then as Ms. Armer mentioned, we'll carry forward. There were some other thoughts obviously.

Many Council members, if not all of them, have been watching all of these meetings, so I think that's helpful that they also will, as has been mentioned tonight, get verbatim minutes as well. The videos are all available. So it's helpful to have these dialogues and see if we can come to a conclusion, but if the Commission can't get there this evening we can always continue it and provide whatever additional information within reason that the Commission is interested in.

JENNIFER ARMER: Or I would say that the Planning Commission could make a recommendation for, say, 20 with an indication that the desire is to get the number of units close to 500, and if it's not close to 500 then we could include in the Staff Report to Town Council an alternative that is closer to that number.

CHAIR HANSSEN: Thank you for that, Staff. Before I go back to Commissioner Thomas and Commissioner Clark, just listening to this, I think for the sake of simplicity it would be cleaner to… Because we know for sure that if it was 20 it would be somewhere in between 354 and 708 parcels that would be eligible, so we know it would be more or less if you're looking to reduce the amount of units of growth. I would be comfortable more with choosing the density in between and then having Staff run the numbers, but let me see what others think.

Commissioner Thomas was first, and then Commissioner Clark.

COMMISSIONER THOMAS: Thank you, Chair Hanssen. I think that for me personally, having a conversation about percentage versus number of parcels would be helpful to see where people are at. I understand, Staff, that that still creates the same issue for you, but I think that that really is the key piece of data here considering that some

of us really strongly feel that we need to definitely stay above 10%, but I think that I would feel comfortable saying that we want to move forward with keeping the 24 units per acre to the Town Council with the note that if they get additional information ensuring that they have our "blessing," for lack of a better term, to definitely change it downwards as long as it stays above X percent of parcels, something like that. I don't know if that would be easier for us to discuss or not and come to a conclusion on, but that is my maybe a suggestion.

CHAIR HANSSEN: Several Commissioners have their hand up, so Commissioner Clark is next, and then Commissioner Raspe, and then Commissioner Tavana.

COMMISSIONER CLARK: Thank you. I really like Ms. Armer's suggestion of changing the density to 20 with the indication that we want to keep it above a certain number of units, and I think that 500 is a good number for that, because technically the perfect middle between 354 and 708 is 531, and so I think adding the indication to keep it over 500 would be a good way to ensure that we're still meeting our intended purpose when lowering the density to 20.

CHAIR HANSSEN: Thank you for that, Commissioner Clark. Commissioner Raspe.

COMMISSIONER RASPE: Thank you, Chair. Again, just with respect to Medium-Density, I would encourage us to have more specificity rather than less. I think the last meeting we had, and the reason we had this chart, was because we started getting into fields of discussion that were less precise and I think Commissioners, at least myself, weren't comfortable in that direction, and so I would like to stick to the numbers that I think have been presented to us.

While I would have loved to have seen figures between 18 and 24, which yield percentages between 11-20%, since we don't have that this evening my present inclination would be to proceed with 18, as Commissioner Janoff suggested, again with the understanding this is subject to the five-year reviews and is subject to SB 330. I think as Commissioner Tavana indicated, it's a more conservative approach but still gets us over the 10% threshold, which it would allow missing middle to, I think, at least begin to flourish in Medium-Density. Thank you.

CHAIR HANSSEN: Thank you for that, Commissioner Raspe. Commissioner Tavana.

COMMISSIONER TAVANA: Thank you, Chair. Just a couple of general comments from a high level here. Looking at these numbers they do kind of scare me; I'm going to be

honest. 1,993 units is a lot for our Town in my opinion, so talking about going up to 3,700-and-some-change from a high level was scary, and then digging a little bit deeper into this and trying to take a more conservative approach, and also knowing that this is a General Plan. I know we emphasize this throughout all of the elements, that the General Plan is general, and there are a lot of unknowns in my opinion about moving forward with this many housing units, how it's going to be implemented, so personally, for me, I would be comfortable with the RHNA allocation plus 15%, and then delineate it down there below.

That's a conservative approach based on the rationale we discussed and I was watching at previous meetings. We're going to revisit this in five years, so I don't know why we take a more aggressive approach. The control is with us at the Town level, but if we over-zone or add too many units, we can't backtrack and then we lose all that control, so I think we would have the most control by being the most conservative right now and then adding down the road.

CHAIR HANSSEN: All right, thank you for that, Commissioner Tavana. If you notice in the Staff Report, there are some elements of this discussion that while we're talking about reducing the number and we're primarily

talking about what's going to happen in the next eight years for this current RHNA cycle, there are some things that are going to change the numbers, and I see some other people with their hands up.

For instance, the ADU count, there are 200 units of ADUs in the current eight-year time cycle, and then there's going to be another 300, and this is a number that we feel pretty good about because we have experience with ADUs, and regardless of any changes that we make in densities here, ADUs are completely out of our control. So there's going to be another 300 units of growth from ADUs regardless of the RHNA, because we can't count the 300 ADUs that will happen in the future in the RHNA, if that makes any sense.

So I'll see what the other Commissioners say, but when we had the discussion at the last meeting about whether or not in number 20 in the Land Use section the recommendation to stick to only exactly 1,993 plus a 15% buffer, that technically isn't possible in the General Plan because of some things that are outside of that timeline that we have no control over.

So I think it was Commissioner Janoff, and then Commissioner Thomas, and then Commissioner Clark.

COMMISSIONER JANOFF: Thank you. I just wanted to emphasize that what we're working on, as Commissioner Tavana says, it is a General Plan, but it has to be a plan. If we're expecting to reach anything close to what the expectation is for housing it's got to have a lot more units than just the RHNA, and as Chair Hanssen said, we are planning for 12 additional years beyond just the RHNA numbers, so it has to be more, because you couldn't possibly anticipate that the next couple of RHNA cycles would be zero, so we are planning. We're not building, but we have to have a plan that makes sense to the Town, we have to have a plan that makes sense to developers, we have to have a plan, in my opinion, that continues to enable Staff to have more local control than not, and so providing these mechanisms I think for growth, and height, and density, do all of those things.

We've heard from many, many developers what doesn't make sense and how the Town's codes are in some ways limiting what they can do, and I think the article from Vice Mayor Ristow was very informative in underscoring those points, so I don't think this is the time to be conservative. I completely understand that position. We all are sensitive to growth uncontrolled, but that is not what we are talking about. We are talking about planned growth.

I could support any number of versions of Low-Density and High-Density, but they can't be back to the 2020 numbers. We can't get there from those, and I'm not sure that it makes sense overall.

And again, I've spoken before about how the General Plan is intended to be an internally cohesive document. We can't get to the sustainability of work, we can't get to racial and social justice, if we don't take this as a whole. This part is just one piece that creates that last arc that we need to have the General Plan as a whole, and I think it's really important for us to be able to be more forward looking than not, and I just really appreciate the comments of the Commissioners. This has been a great conversation. I've learned a lot and I like the path that this is going down.

CHAIR HANSSEN: Thank you for that, Commissioner Janoff. Commissioner Clark.

COMMISSIONER CLARK: Thank you. Thank you so much for that, Commissioner Janoff. That was very well worded and I completely agree. I just have a couple of comments.

I think in terms of why do we take a more aggressive approach if we're going to be looking at this again in five years, I think to me my answer would be five years is actually pretty far away and there are new state

bills coming every single year, and I think that there's a very real possibility that if we waited five years to make these changes we could have a lot less control by than, and I think it's better to keep it in our own hands and that's a strong argument for being a little more forward thinking, because I think five years is becoming a longer and longer amount of time in this state with the way that housing is moving.

Also, just in terms of getting our Housing Element through, we have to do that now. We're not going to do that in five years, and the bigger the number the more likely it will be that we get it approved.

I also think in terms of reducing the Medium-Density Residential to something like 20 and saying keep it over a threshold of 500 parcels is way less ambiguous than what we were doing last meeting, which was pretty much just saying change the density but don't lose missing middle housing, so I think that it's not ambiguous. I think if we have a very strong understanding that it will be pretty much between 20-22 and it will be like a threshold of 500, that that is specific enough for me to feel comfortable with it.

CHAIR HANSSEN: Thank you very much for that, Commissioner Clark.

I concur completely. I think that that is a very specific recommendation, and I think that although there are people at different degrees of this, I think we have a general consensus from the Commission to reduce the total build number somewhat to be more conservative, because we don't know what the RHNAs will be after the 2031 timeframe.

So I would go back to where I was when I made my comments earlier, that I would be very comfortable with making some reduction in Low Density Residential and Medium Density Residential, and we already agreed to take Office and Service Commercial off the table, and so I think that the 10 number is the one that makes sense for the Low-Density Residential so that we can facilitate missing middle housing.

Then I like Commissioner Clark's suggestion about the 20 with the proviso of it being in the range of 500 so that it's specific what we are trying to accomplish, and that's still a reduction from the maximum of 24 that is currently proposed in the plan, so it does get the number down some and reduces risk some, but it still doesn't preempt missing middle housing.

Commissioner Janoff, and then Commissioner Thomas.

COMMISSIONER JANOFF: If I'm summarizing, I would say that the proposal is Low-Density Residential at 10; and Medium-Density Residential at either 20 or 22, whichever gets us to the 500 or close to the 500 number, 500 or above. So we have a specific number and a specific goal, and I think that's pretty clear.

CHAIR HANSSEN: And are you comfortable with it?

COMMISSIONER JANOFF: (Nods head yes.)

CHAIR HANSSEN: Okay. Commissioner Thomas.

COMMISSIONER THOMAS: Thank you, Chair. My recommendation is that we, like I said, go with a percentage, because I think that gives Staff more flexibility. Instead of being like it has to be at 500 we say like… I mean, splitting the difference between the 21 and 11 would be 16%, but that's like it's more about the overall percent than the number of parcels, so then whatever number… The number of parcels is always like an odd number. I mean, not necessarily odd, but a random not even or round number, so that would be my recommendation. I feel like that might be easier for Staff to go in that direction to say a percent. I don't know if that makes sense.

CHAIR HANSSEN: Ms. Armer has a comment for you.

JENNIFER ARMER: I just thought I'd clarify what I heard in the most recent comments from Commissioner Janoff, which is that if she were to, say, turn her summary into a motion it would be that the Medium-Density Residential would be 20 units per acre, unless that doesn't include 500 parcels, in which case it would be bumped up to 22. And so it isn't that it needs to be exactly 500, it's just that if the 20 isn't getting you to 500 parcels that you would be recommending it go up to a density of 22 units per acre.

COMMISSIONER THOMAS: Okay, thank you. I think that the 500 was a number that Commissioner Clark threw out and it's actually like closer to 550 than 500, so that was my recommendation of like choosing a percent, then it is kind of a little bit more. I don't know, anyway, if it doesn't make sense to everyone else, then that's fine.

CHAIR HANSSEN: Thank you for that. Commissioner Janoff.

COMMISSIONER JANOFF: I was just going to comment that I do agree that we want to do what is easiest for Staff to get us to a solid number. I think in either case it isn't a linear projection, so you could say 15% and you might still only be at 400. We don't know, because we don't know how those numbers work out. I would defer to Staff. If

Staff says they can get us to an increase over the 18 with 20% or 22%, then I would say that that's probably a simpler way for Staff to go than try to hit a percentage.

CHAIR HANSSEN: Commissioner Thomas.

COMMISSIONER THOMAS: I guess that my problem with this whole discussion is that I don't really care about the number of parcels, it's about the percent of parcels that qualify. So like yes, 500 is somewhere between 708 and 354, which is great, but at the end of the day if we're being told 10% is the marker, I don't understand why we can't have the conversation… Or I think that, I don't know, I just feel like it isn't easier like as 15%... Like thinking about 15% of parcels around Los Gatos is a much easier number to understand and acknowledge and recognize, I think, than, say, 300, 400, 500, 600, 700 parcels, because we don't… I just want to know what people I guess are comfortable with percent-wise, because I think that that's the key part.

CHAIR HANSSEN: Thank you for that. Director Paulson, you had your hand up, and so why don't we go back to you?

JOEL PAULSON: Thank you. I'm not sure it's necessary to get to a percentage. This is the third meeting we've talked about this and talked about different metrics,

but maybe to alleviate some of the concerns of Commissioner Thomas, 500 units is 15% of the total parcels in the Medium-Density Residential, so that number actually is the number, and so whatever that density is, we'd have to determine that by doing the GIS on the parcel size that equates to that density, but just from your percentage conversation, 500 is actually 15%.

COMMISSIONER THOMAS: Yeah, and I understand that. I just want to know what other Commissioners think about what percent is like the cutoff, because one of us just threw out 500 units and no one else like I don't really think went into that math right then, so is 15% something that we're all comfortable with? Because I think at the end of the day that's the important part.

CHAIR HANSSEN: Commissioner Clark, and then Commissioner Janoff, and then Commissioner Raspe.

COMMISSIONER CLARK: Thank you. The reason I had thrown out the 500 number was that 531 is the middle between 354 and 708, so I didn't just like say 500 for no reason, but I think that it's pretty much just being used to then decide the density number. Like 500 is not going to be a number that goes out and is used in the General Plan or that is talked about a lot, but it will be the threshold for deciding whether it's 20 or 22, and so to me I don't

see a difference between the percent of parcels and the number of parcels, because I think as you get to that area it will at least very closely correspond to the percent, like 500 ended up being 15%.

My main point would be that I think we should do it however Staff is most comfortable doing it and whatever makes it the easiest on them, which to me it sounds like is just giving a number.

CHAIR HANSSEN: Thank you for that, Commissioner Clark. Commissioner Janoff, and then Commissioner Raspe, and then back to Commissioner Thomas.

COMMISSIONER JANOFF: To answer the specific question of what percentage are we comfortable with, I'm comfortable with following Staff's guidance, which is greater than 10%. We're already at 11% at the 18 dwelling units per acre, so without needing a very specific number I'm comfortable saying an increase will be an increase over that 11%.

CHAIR HANSSEN: Thank you for that. Commissioner Raspe.

COMMISSIONER RASPE: Thanks, Chair, and to answer Commissioner Thomas' question, again, we're all kind of thinking out loud and rolling with it as we go. Fifteen-percent seems not an unreasonable number. Again, this is

Medium-Density housing allocation and we're talking about missing middle housing and fourplexes. Again, I said it earlier, to me those two go together splendidly, and so the notion that we would allocate 15% of those structures to this very purpose seems to me appropriate, so whether we fashion it as 15% or 500 units, the result seems to be the same for me. I feel very comfortable in that allocation.

CHAIR HANSSEN: Thank you for that. Before I go back to Commissioner Thomas we have to remember what our goal is. Nothing other than the dwelling units per acre is going to be in the General Plan. Well, there's height too, but nothing is going to be in the General Plan other than that number, so we're all saying that same thing, that we want to ensure the production of missing middle housing and that makes especially good sense in Medium-Density Residential.

I think the consensus of the Commission, although there are people on both sides, is to do something more than 18 and less than 24, so I think the end number is going to end up being around 20, but as Commissioner Clark said, and also you, Commissioner Thomas with the 15%, it might be a little bit different than that, but we're trying to ensure the production and still be more conservative than the current Draft 2040 General Plan. So I think we're

all saying the same thing, it's just a question of how it's worded.

Commissioner Thomas.

COMMISSIONER THOMAS: Thank you for answering that question. I'm hearing from Commissioner Janoff that really anything above 11 is what she supports, and Commissioner Raspe is saying that 15% seems reasonable, it's a halfway point in between, so I am just curious what the other Commissioners think, because I think that we're coming towards a consensus about what percent. Sixteen-percent is the halfway, 15% is a little bit less, the 500 versus like 530.

CHAIR HANSSEN: Vice Chair Barnett.

VICE CHAIR BARNETT: My position is a bit of Commissioner Janoff. I think 500 is a good target.

Then I wanted to harken back to a lot of the public comments about restricting our analysis for the build-out to the first RHNA cycle, the sixth cycle. Initially that was part of my thinking as well. I now look back at the government code and see that we're supposed to be looking at a long-term plan for housing, and so my thinking has changed on that, but I didn't know if Staff or Mr. Schultz wanted to weigh in. I would be interested in

their thoughts about why we should be looking at 20 years rather than the first RHNA cycle, eight years.

JENNIFER ARMER: Thank you, Commissioner. I can start with giving some context to that.

So yes, a General Plan is on a longer timeline than the Housing Element. There isn't a requirement from the state as to what timeframe is required or how frequently a General Plan has to be updated, but generally it is done every 10 to 20, or in some cases 30 years, but it is intended to be a long-range plan. It is supposed to be looking out.

Generally most of them are 20-year plans, and so that is really the goal in terms of the goals and policies. We've got a lot of implementation measures. In fact, we don't expect we'll be able to do all of them, but having that time period over which to work towards this vision is very essential to the purpose of a General Plan.

Whereas the Housing Element is something that, while it's a component of the General Plan, it is specified by state law that it needs to be updated every eight years, and so we have several Housing Element update cycles within that 20-year timeframe for the General Plan, and as we're working on this General Plan at the same time that we're starting the update of the Housing Element, it does confuse

things a little bit, because we're tying these discussions of the Land Use Element very closely with the discussions that the Housing Element Advisory Board is also having right now as to how to meet that RHNA requirement, the Regional Housing Allocation, and so those do get tied together.

One of the things that we pointed out in the Staff Report for the meeting on the 13th is that there are certain things, as the Chair pointed out, certain amounts of the accessory dwelling units, for example, that if you want an apples-to-apples comparison with these numbers you need to remove 300 of those, because the number 500 ADUs that's included in that build-out is based on that 20-year timeframe, and so it's based on a certain number of ADUs per year since we don't know exactly where those are going to develop.

There are certain things that we did pull out, for example, the current projects that we know are getting their building permits before the beginning of the next RHNA cycle; we pulled those out of the calculation as well to try to get this closer to a comparison that's more of an apples-to-apples.

But it's true that some of these redevelopment assumptions in the General Plan are based on that 20-year

timeline, and so the reasonableness of assuming that that development would all occur during the eight-year cycle is a little bit difficult in terms of how we relate these numbers in terms of the requirement for the Housing Element to these projections for the 20-year General Plan.

Hopefully that gives a little bit of context. If I can clarify specific additional questions, please let me know.

CHAIR HANSSEN: Thank you for that, Ms. Armer.

I think we're relatively close to a consensus on this particular issue; it's only a question of how we state it. So if you stay away from a very specific number I think that the desire is there to be a bit more conservative, but without hampering the production of missing middle housing, so then the number is somewhere in the range of 15%, or 500 units, or 20 dwelling units per acre; they're all almost the same thing. I think that we should try to put a stake in the ground and remember that the thing that we have to put on the table is the dwelling units per acre and we have to make sure we're comfortable with that, with whatever number we put behind it.

Commissioner Clark.

COMMISSIONER CLARK: Thank you. I'd like to try a motion. I think I have a good understanding of where we are.

I move to recommend number 20 under the Land Use Element with the following changes: Remove housing from Office and Service Commercial designations, so that would reduce it by 313 units, and then reduce Low-Density Residential to 10 maximum units per acre, and reduce Medium-Density Residential to either 20 or 22 units per acre, whichever gets us more than 500 parcels.

CHAIR HANSSEN: Okay, I like that, and is there a second? I do have a comment after we get a second. Commissioner Janoff, is that a second?

COMMISSIONER JANOFF: It's actually a question. There are three more bullets on the list that we were marching through. Do we want to take a partial motion and vote now? Because it looks like we're in a good place to conclude bullets 1-3, but we haven't yet addressed 4, 5, and 6. Just a question for the Chair on how you want to do that.

CHAIR HANSSEN: That was actually my comment, so the maker of the motion, before I call for the second, we ultimately have to decide on all of the bullets, but it is okay with me if we take a partial motion. I want you to

modify your motion to say these three bullets, this is my motion, and then know that we're going to discuss the other three.

COMMISSIONER CLARK: Sorry, which bullets are you referring to?

CHAIR HANSSEN: I'm looking at page six of the April 13th Staff Report, at the bottom where it says, "Revert Low-Density housing designation," and then second one, "Reduce Medium-Density housing designation," and third one, "Remove housing from Office and Service Commercial," and then there are three more after that.

What we were trying to do is avoid the thing that we got into at the last meeting, which was trying to swallow the whole thing at one time, and then it was making people uncomfortable and people were voting no because one part of it was not suiting them, so I'm fine with proceeding with your motion, just as you say that this is just for those three categories, and then we'll probably take a break and then talk about the other three and anything else that you want to bring up before we finish, because we're not that far.

COMMISSIONER CLARK: Thank you. Yeah, I didn't think we were discussing those other three bullets, and that's my bad. I personally think that I'd prefer to wait,

but what happens with the other three could definitely influence how I feel about the first three.

CHAIR HANSSEN: That is a very good point. So you're going to withdraw your motion?

COMMISSIONER CLARK: Yeah, sorry about that. Thank you.

CHAIR HANSSEN: And I would also remind the Commission that where we started was Staff, between pages five and six of this report, talked about the difference between the 3,738 number and normalizing it to a more current timeframe, it was 3,038 units, and gave us the guidance that if you wanted to be ultimately conservative and not plan for growth any more than the RHNA plus the buffer or versus where the General Plan is right now, there is margin of I believe it is 746 units, is that correct, Ms. Armer? Yes, she's nodding her head.

So if you think about these bullets, it might not be necessary to change all of them to get to a number that's more conservative, so that would my guidance, to wait until we talked about the other three and see if you want to make the changes that I think we have consensus on.

But it is 9:12, so I was going to suggest that we take a ten-minute break and come back at 9:22, and then we'll finish up the other three bullets and hopefully get

to a final recommendation on this plan. Sound okay to everyone?

(INTERMISSION)

CHAIR HANSSEN: Thank you. I think we've made really, really good progress so far in terms of finishing, and so I did want to give some thought to the other three bullet points that were on page six of the April 13th Staff Report, which were possible options for reduction in the total build number, and see where the Commissioners are on those as other potential options besides the three that we've already talked about.

We did talk about the fourth one at our last meeting, and we started to get toward some consensus, but I don't know if we moved any further on that, but it is reverting properties in the new Community Commercial designation that we created, and Staff, correct me if I'm wrong, it was part of the GPAC and the Community Place Districts. We created a new land use category called Community Commercial, and maybe that's not right, because we're changing the densities, but changing the Community Commercial densities back to the same level as Neighborhood Commercial, and that would give a 58 unit reduction. Staff, correct me if I'm wrong, I believe it's going from 30 to 20?

JENNIFER ARMER: All of the properties that are currently shown as Community Commercial in the land use map for the 2040 General Plan were previously designated as Neighborhood Commercial, and so these are areas like the Union Shopping Center or the shopping center over on Winchester, and adjacent to downtown the North Santa Cruz area. Those were areas of Commercial where in implementing the increased growth that was discussed in the land use options the thought was that those could be slightly higher than some of the other shopping centers, like Pollard Road, for example, where it would be kept at the Neighborhood Commercial. I can pull up what those densities were.

JOEL PAULSON: The existing Neighborhood Commercial is a maximum of 20 dwelling units to the acre and the Community Commercial was moving up to a maximum of 30, so the question is whether or not we revert back to the 20 for those areas that were previously Neighborhood Commercial.

CHAIR HANSSEN: I know that the GPAC's vision for those neighborhood centers was to basically convert them into ground floor Commercial, bring it closer to the street, having parking behind, and then have Residential above, and basically everything that the Commission had been hearing in some of the meetings with affordable

housing developers and whatnot is that more density, not less, is needed if you want to go with any meaningful production for Mixed-Use, so it sounds to me like if we were to go back to 20 it could hamper the production of Mixed-Use, but then it's not known if there is a willingness to redevelop those centers either, so I throw that out there and see what you all think.

Commissioner Clark.

COMMISSIONER CLARK: Thank you. It sounds to me like those are places that were very specifically chosen as places that should have higher density, and so I don't think that we should lower them, and I also think that even if there isn't a willingness to redevelop there, we should at least provide the opportunity for someone to do so.

CHAIR HANSSEN: We definitely learned it's not if you build it they will come, but if you create the land use standards we will get more interest from developers, so it's a balancing act, but yes, I agree with that.

Thoughts from others about whether or not to reduce Community Commercial to the same (inaudible) as Neighborhood Commercial?

Commissioner Thomas.

COMMISSIONER THOMAS: I agree with Commissioner Clark, and I think that they are very small and very

specifically chosen places in Town where we could really use some redevelopment, so I would be in favor of keeping them, especially after hearing from developers about how hard it is to actually develop with our height limitations and everything, so I think that in order to hope for any of these areas that are really strip malls and not efficient and really not meeting the needs of the community right now, I think that we should keep them at 30.

CHAIR HANSSEN: Thank you for that. Other thoughts?

I would definitely say for myself, having been part of the GPAC for two-and-a-half years, that that is really one of the essential areas for growth that we thought of, and I don't want to hamper the possibility of redevelopment in those areas by making the density too low, and 30 is not even that high.

Commissioner Janoff.

COMMISSIONER JANOFF: In agreement with keeping it at the 30, and you probably want to hear from other Commissioners, but the same argument is true for reducing the density in Mixed-Use, which is the next bullet.

We talked long and hard about increasing that, because of remarks that we heard from developers, and so I

would also be in favor of not reducing the allowed density in Mixed-Use.

CHAIR HANSSEN: Actually, I think that's worthwhile. Let's add Mixed-Use to the discussion for people to comment on, because it might be a bit different only because there are way more Mixed-Use designations, but if you go by where the Housing Element Advisory Board is right now, the vast majority of numbers of properties are on Los Gatos Boulevard, and a lot of those are already Mixed-Use designation, and that's where the hope is for production of affordable housing, and it would only be by having height and lots of units that we could get the smaller units and be more affordable housing.

Commissioner Clark.

COMMISSIONER CLARK: I agree with Commissioner Janoff. I think that it's important to keep those Mixed-Use increases to help us build them, and I especially think Mixed-Use satisfies a lot of our concerns, like that if there was already going to be buildings where that is, and the closer people live to businesses and services, the less that they have to drive and the more they're able to walk, and so environmentally and also traffic-wise it eases a lot of concerns, and then when they do need to go further they're more likely to be near public transportation.

CHAIR HANSSEN: Thank you for that. Commissioner Thomas.

COMMISSIONER THOMAS: Thank you, Chair Hanssen. I agree with everything that has been said, and if we look at this land use map a majority of this area is concentrated on Los Gatos Boulevard, and I think that that is one of the easiest places for us if higher density housing gets built along Los Gatos Boulevard in a Mixed-Use way. Like Commissioner Clark said, people will be close to a lot of amenities and I think that that's a really easy route to connect more to VTA, because a lot of VTA buses run down Samaritan Drive right now and turn right on Bascom and head towards Campbell, and I think that if we had the number of people that would actually be taking transit, it would be an easy way to connect to the VTA bus routes that already exist in this area, so I do think that I feel strongly about keeping this at 40 dwelling units per acre.

I think that, once again, like what we said before, I think that it's going to be really expensive and we're going to be really lucky if we get any redevelopment essentially according to the developers that we've talked to recently, and so I think that keeping these numbers a little bit more dense in some of these areas is really going to be important for helping us reach our RHNA.

CHAIR HANSSEN: Thank you for that. Other thoughts on either the Community Commercial going back to the density of Neighborhood Commercial, or reducing the Mixed-Use density from 40 to 30?

Commissioner Raspe.

COMMISSIONER RASPE: Thank you, Chair. I'll just reiterate, I think I'm in support of what my prior Commissioners have said, keeping the Community Commercial designation at the higher density together with the Mixed-Use designation. I think it makes a lot of sense where those areas are located, as Commissioner Thomas has indicated, for both traffic and environmental reasons, locating those in a denser scenario makes a lot of sense, and helps us with our RHNA numbers.

I'm hopeful again that it will also help us achieve some affordable housing. That's a difficult concept to do in Los Gatos, but I think in those areas maybe there is some room for those, so I think higher densities in those areas check a lot of boxes and makes a lot of sense to me and I would support those.

CHAIR HANSSEN: Thank you for that. It was said, I think, very well by Commissioner Clark the other day. We can't control the market forces, but there is no question if you build a 1,000 square foot unit or an 800 square foot

unit versus a 6,000 square foot house, the first unit is going to be costing less than the others, so that's what the whole GPAC effort was about and that's why we went to Mixed-Use as a primary methodology for achieving growth to help along the affordability, because we knew that (inaudible) would be coming.

Any other comments on this? All right, so then the only one left of these bullet points is the last one. Oh, Director Paulson.

JOEL PAULSON: Like you say, Chair Hanssen, there should be a seventh bullet, which would be whether or not we want to change the Central Business District for downtown. Currently the max is 20. The proposed General Plan goes up to 30 like Community Commercial, but we have received comments on that, so I make sure we touch on that one.

JENNIFER ARMER: And that was additional information provided either in the Addendum or Desk Item for that same meeting, and so that reduction from the proposed density in the Draft 2040 General Plan to the existing density would bring that number down by 76 units.

CHAIR HANSSEN: So we will talk about that. I did make a note that it wasn't on there and I remember we

talked about it last time, so yes, we need to talk about that as well.

The one after Mixed-Use is High-Density Residential, which is proposed to go from 30 to 40, and were we to change it back to 30 it would give us a reduction in unit growth given the redevelopment assumptions of 111 units.

From my perspective I think High-Density Residential and Mixed-Use are kind of intertwined only with the exception of with Mixed-Use you're requiring there to be another use in the complex, so I think it would be hard to achieve the goals of much smaller housing without raising the density.

Commissioner Thomas.

COMMISSIONER THOMAS: Thank you, Chair. Looking at the land use map again, there's very little High-Density Residential in Town, and I think that some of it, like one is a retirement community senior center, which I think that we would be happy if they redevelop and fit more units into that space, because we know that a really high need area of housing is for older populations.

So I'm in support of keeping it as it is, the Draft 2040 Plan, because I do think there are very few places that it would be impacted by, and so I think that it

makes sense for us to keep it at the higher density to allow for any possible redevelopment in those areas.

CHAIR HANSSEN: Thank you for that. Other comments? Commissioner Janoff.

COMMISSIONER JANOFF: I would concur with Commissioner Thomas and add that part of the reason why we are looking for higher density is because we're also hoping for smaller units, which translates to affordability, so I think keeping the density high is an important component to reaching that objective.

CHAIR HANSSEN: Well said. Thank you. Other comments on this High-Density Residential?

Okay, then let's talk about the last one, which is Central Business District. I believe it was brought up in the comments that we went through in a previous meeting going through all the other comments about land use and we did go ahead and make the recommendation, for example, for an implementation program to up the density in the North Forty, to make a recommendation to modify the Specific Plan to allow for more density in the northern portion of the North Forty. I think this was either a Desk Item or it was in the comments, but in case we talked about it a little bit last time.

I know when we talked about the site inventory at the last Housing Element Advisory Board meeting—this is one of the benefits of having the process run concurrently, I suppose—the Vice Mayor spoke very eloquently about the possibility of redeveloping the post office site into more housing opportunities, and the post office being a very high traffic but low use kind of facility, but it requires a lot of cars in and out for the short trips, so it could be scaled back, and she talked about how it could turn into a really nice thing.

Then we had also heard in the affordable housing discussion about agri-hoods in San Jose, and there is also some property over there by the parking lot near the post office where that could be redeveloped, so the discussion of the Housing Element Advisory Board was to not take anything off the table. Well, actually that's true for many parts of Town, because we didn't have all the numbers yet, but in particular downtown.

While people are scared about the idea of adding housing downtown, there are definitely some sites where you would want to make that happen, and so it could be down to the site inventory about which ones could happen, but if you don't have the density available to make that housing production, then it would be hard to make that happen and

developers want to redevelop it. The Housing Element Advisory Board was definitely about making sure we kept our options open in downtown.

Commissioner Janoff.

COMMISSIONER JANOFF: Thank you. I just wanted to add that the Housing Element Advisory Board was interested in keeping the density higher on the height side. There was actually a lot of excitement around doing that, because the downtown is a wonderful place to be.

This might not be the place where you'll have the affordable housing. It would be great if we could find a site for affordable housing. In the downtown area also, if I'm not mistaken, there are a couple of lots that are owned by the Town, which makes them potentially more feasible for affordable housing, low-income housing, so there are some possible opportunities there that really should be explored. What are we doing? Is it recommendation to remove it, to change?

CHAIR HANSSEN: To not change it. Yeah, these are all possibilities of how to make the number lower, and so whether we would take that off the table.

COMMISSIONER JANOFF: I would not take it off the table.

CHAIR HANSSEN: And we are talking about going from 20 to 30, it's not 20 to 40, because we were just talking about Mixed-Use, and so we're not talking about going to 40, we're talking about going to 30, and so this would be about not going back to 20, if that makes sense.

Other comments on the Central Business District? Commissioner Raspe.

COMMISSIONER RASPE: Thank you, Chair. This is actually one of the areas that, I think like Commissioner Janoff I'm most excited about. It creates an opportunity, I think, to really revitalize our downtown, make it extraordinarily walkable to the extent it already is, but I think if we were having exciting, interesting livable units in proximity to our shops, it gives us the opportunity to even increase our foot traffic in those shops. It will support our merchants, maybe introduce new concepts, restaurants, clothes, all of it, into our downtown. I think it provides a great stimulation. This is, I think, an investment in our community, and so I would be excited and I would not support reducing our density allocation in the Community Commercial District.

CHAIR HANSSEN: Very good. Thank you. Any other comments? All right, I want to ask Staff a question before we proceed.

There were no comments except for in the Desk Item today about height, however, the General Plan does talk about density as well as height, and if you look at the table in the Draft General Plan there are a bunch of changes to height, so I'm asking Staff if we should at least have a quick discussion about height just for the sake of completeness, because there were very few comments listed in Exhibit 7 regarding height. We did get one in the Desk Item today.

JENNIFER ARMER: Thank you, Chair. I would recommend that if there are any Commissioners that feel there should be some change to the heights that are listed in the Draft General Plan that that is definitely something that should be talked about now, but if there aren't any Commissioners who feel a need to change what's currently in the 2040 General Plan, then there isn't any need to discuss.

CHAIR HANSSEN: Very good.

JENNIFER ARMER: And Director Paulson has something to add.

JOEL PAULSON: I was just going to say if there is interest, then Ms. Armer can pull up page four, which has the side-by-side comparison of height, what's changing

and what's not, if that's something that the Commission is interested in looking at.

CHAIR HANSSEN: You're probably sorry I brought it up, but I wanted to make sure we didn't forget about that in case there was somebody that felt we should change something.

I will say this, if you read the Desk Item there was a suggestion to not go above 35'. I believe it was on Los Gatos Boulevard, and I don't have it in front of me right now, but the thing is that I think most of us were in that affordable housing discussion where 45' is probably not enough to get five stories, so I for one would be reluctant to go to 35'. I mean, we're at 35' now and we're not getting any interest in affordable housing and Mixed-Use housing, so it's not going to help to keep the height down.

That being said, there was also the discussion about whether or not the General Plan should have even higher limits, and I know some of the discussion at the Housing Element and around that were we haven't gotten very far, but that you can also offer incentives to developers, so the question remains though should we change anything, reduce anything, that's in the Draft General Plan?

I think that the GPAC was all for the changes that were recommended to help facilitate the housing production from the feedback that we've gotten from developers, and we had meetings with developers during the process as well. I know you weren't expected to review the heights, but it is part of the General Plan.

Commissioner Janoff.

COMMISSIONER JANOFF: Just to start a brief conversation if you're inclined. GPAC really did go into depth on heights and these were well considered. I feel comfortable with the heights that are here. I know we did hear from developers that even the 45' might be too low, and as Chair Hanssen has already commented, the Housing Element Advisory Board is already talking about what sort of incentives could be offered should developers be willing to add smaller units, and so higher density, higher height, in order to achieve specifically our low-income goal, so I think we've got good numbers here, but I would be interested if other Commissioners have other points of view.

CHAIR HANSSEN: Commissioner Thomas.

COMMISSIONER THOMAS: I agree. I know that before I joined the GPAC there was a lot of time and energy put into this, and I do think that even with these densities

and height restrictions developers are going to have to be really innovative to get stuff done in the Mixed-Use area along Los Gatos Boulevard, so I'm in support of keeping the heights at what they are at.

I also appreciated that height was reduced in the hillside areas to protect those views, and stayed the same in Low-Density Residential. So with those in mind I think that I would not support changing any of those numbers.

CHAIR HANSSEN: Thank you. Before I go to Commissioner Tavana, quick question. It did come up in the comment in the Desk Item as well, and I had forgotten about this. In that table that you just had up, the reason for having height for Open Space and Agriculture was what? Because we don't allow building in open space, and there's nothing in the existing General Plan for the last three, the public Open Space and Agriculture. Why did we put the height in there for those three?

JENNIFER ARMER: Those structures are all allowed, and so I believe those numbers were based on the height limits that are within the zoning, just so that we've got those numbers provided consistently in the General Plan for all zones.

CHAIR HANSSEN: So it was an omission from the 2020 General Plan?

JENNIFER ARMER: Yeah. So there are certain elements, for example, height, that wasn't specified in the 2020 General Plan consistently across all districts, it was specified for some and not for others, and so we were trying to get that consistently shown for all designations.

CHAIR HANSSEN: Okay. I didn't need you to (inaudible) discussion, but I remember someone had asked that, and when I saw it was an A for the existing General Plan I wanted to make sure we asked about that, so I understand.

Let's see, Commissioner Tavana.

COMMISSIONER TAVANA: Thank you, Chair. Just a quick comment really, since we're talking about heights. I did make note of the Public and Open Space designation height only being 35'. I thought that might be higher to match that of Mixed-Use and High-Density heights at 45', just to support parking potentially. So that was my only comment as I was looking through this. Just thought I would throw that out there.

CHAIR HANSSEN: Actually, that's an interesting thought. Does Staff have any feedback? Would other jurisdictions have a 45' height limit for public?

JOEL PAULSON: We don't have that information. They may. I think one thing we look at is a lot of our

public is schools, and so we actually don't really regulate the height for schools, because they go through the state, as you can see from many of the structures around our school campuses, especially the high school. If that's something the Commission is interested in, that can always be included in the recommendation.

CHAIR HANSSEN: Does any other Commissioner have any comments on the height, because I'm going to then turn to hopefully us making a motion.

Vice Chair Barnett.

VICE CHAIR BARNETT: I don't have an issue about the height recommendations in the plan, or the provisions, but I am curious about what type of structures would be allowed in Open Space and Agriculture?

JENNIFER ARMER: Generally a single-family home would be allowed, one house per large parcel, or other agricultural buildings like barns, etc.

VICE CHAIR BARNETT: Thirty-five seems to be a pretty big number for a single-family home.

JENNIFER ARMER: It is consistent with the maximum height limit in our Single-Family Residential zones, so that's why we were using that as a height limit, because that was consistently in our Zoning Code based on that.

CHAIR HANSSEN: There are any number of other controls that are in our other land use documents besides the General Plan that would govern what could be built and how it could be built in those types of areas, right?

JENNIFER ARMER: (Nods head yes.)

CHAIR HANSSEN: All right, any other questions about height?

So then, what I'm hoping for is that we can start out with a recommendation on any reductions to the build number and/or the height numbers in the General Plan, which in this case of the build number it would be related to densities.

Then, having done that, if we can get through that we should go to overall recommendation on the General Plan and the Final EIR.

Commissioner Clark.

COMMISSIONER CLARK: I'll defer to Commissioner Raspe first, because I was going to make the motion.

CHAIR HANSSEN: Okay, Commissioner Raspe.

COMMISSIONER RASPE: Thank you, both Commissioner Clark and Chair Hanssen. I had one question.

It feels like we're largely in accordance here, but before you go to motion, a question or clarification from Staff. Revisiting Low-Density Residential and the

difference between maximum dwelling units per acre, 8 versus 10, could you explain once more the impact of that on missing middle? How does having 10 improve the changes of missing middle over having 8. Thank you so much.

JENNIFER ARMER: Thank you, Commissioner. I would say that based on the discussion at the last meeting there was an interest in knowing how many parcels in the Low-Density Residential designation would be large enough to allow four units, so a fourplex, as a way of determining kind of a threshold for missing middle housing.

So at the 10 units per acre level, 12% of the parcels within Low-Density Residential designation would be large enough to allow four units, and so they would be over that 17,424 square foot size.

At the 8 dwelling units per acre, that lowers it down to only 7%, and the thinking there, it's not an absolute number threshold of one allows missing middle and one doesn't, but the thinking there is that when you lower that, then those properties that are large enough for a fourplex end up being just those that are in the largest zones, so it's not distributed through the others, so when you look at the zoning designations that are included under the Low-Density Residential that includes a number of different R-1 zones.

We've got R-1:8, which is a minimum lot size of 8,000, and then it goes up. You've got R-1:10, R-1:20, and so when you change this density and you get to the point where only 7% of the lots would allow that fourplex, then you're most likely talking about those that are in the larger lot size requirement, so it's not going to be integrated as much through all of that Low-Density Residential.

We didn't get to the point of making maps of where those different levels are; that would have been another level that (inaudible), but that's kind of the assumption that we're making to get to this recommendation, that using a 10% threshold is a reasonable one to have a result where it is more integrated through more of the Low-Density Residential areas.

COMMISSIONER RASPE: Thank you so much. That's extraordinarily helpful. Thank you.

CHAIR HANSSEN: All right, very good. I will go back to Commissioner Clark.

COMMISSIONER CLARK: Thank you. I believe I can actually make the same motion that I did before, so I move to recommend number 20 under Land Use with the following changes: Remove the additional housing from Office and Service Commercial designations, reduce Low-Density

Residential to 10 maximum units per acre, and reduce Medium-Density Residential to either 20 or 22 units per acre, which ever gets us more than 500 parcels.

CHAIR HANSSEN: And then no other changes?

COMMISSIONER CLARK: No other changes.

CHAIR HANSSEN: Is there a second? Vice Chair Barnett.

VICE CHAIR BARNETT: I'll second the motion.

CHAIR HANSSEN: Very good. Is there any further discussion? I think we had quite a bit of discussion on everything, but there's always room for more questions. I don't see anyone with their hand raised.

And this is a predecessor vote to voting on the entire… Director Paulson has his hand up. We might have missing something.

JOEL PAULSON: Just one point of clarity. There have been a couple of motions, some of them included the no change to Office and the removal of Service Commercial, so I don't know if that was included in your motion, Commissioner Clark, or whether that was not something you were interested in.

JENNIFER ARMER: She did include the removal of those two designations, the housing.

JOEL PAULSON: Thank you.

CHAIR HANSSEN: It was the no changes to those designations from the current 2020 General Plan.

Ms. Armer.

JENNIFER ARMER: I did want to make sure that I got that down correctly. In your motion, Commissioner Clark, are you recommending that Office and Service Commercial be reverted to the 2020 General Plan density levels?

COMMISSIONER CLARK: Yes.

JENNIFER ARMER: Not what's in the 2040 General Plan?

COMMISSIONER CLARK: Yeah, like doing the third bullet point.

JENNIFER ARMER: The lower. Okay, thank you.

COMMISSIONER CLARK: Thank you.

CHAIR HANSSEN: Director Paulson, is there more clarity needed?

JENNIFER ARMER: (Shakes head no.)

CHAIR HANSSEN: Okay, he took his hand down.

All right, so we have a motion and we have a second. We will do a roll call vote, and I will start with Commissioner Thomas.

COMMISSIONER THOMAS: Yes.

CHAIR HANSSEN: Commissioner Tavana.

COMMISSIONER TAVANA: Yes.

CHAIR HANSSEN: Commissioner Raspe.

COMMISSIONER RASPE: Yes.

CHAIR HANSSEN: Commissioner Clark.

COMMISSIONER CLARK: Yes.

CHAIR HANSSEN: Commissioner Janoff.

COMMISSIONER JANOFF: Yes.

CHAIR HANSSEN: Vice Chair Barnett.

VICE CHAIR BARNETT: Yes.

CHAIR HANSSEN: And I vote yes as well. Very good, so we did it, we got consensus.

We have covered all parts of the General Plan as well as the EIR, and so Staff, help me if I'm not saying this correctly about how we need to make a motion on… What we want to do is make a recommendation to the Town Council to approve the Draft 2040 General Plan with the changes that we discussed in our last four meetings, which are noted in the record and then there will be a further record of tonight's meeting, and then also recommending certification of the Final EIR and all its accordant documents, including the Statement of Overriding Consideration. You don't have to say the latter part, but certification of the Final EIR implies certification of all the relevant documents that go along with it.

JENNIFER ARMER: Correct.

CHAIR HANSSEN: That covers it? Okay. Commissioner Janoff.

COMMISSIONER JANOFF: I would be pleased to make a motion to forward the Draft 2040 General Plan and Draft EIR to Town Council with a recommendation for approval of the Draft 2040 General Plan with the changes that the Planning Commission has documented over the last several meetings, and to certify the Final EIR.

CHAIR HANSSEN: And a second? It looks like Commissioner Thomas has her hand up first.

COMMISSIONER THOMAS: Second.

CHAIR HANSSEN: Okay. Any other further discussion before I call the question? I will go ahead and call the question and start with Commissioner Thomas.

COMMISSIONER THOMAS: Yes.

CHAIR HANSSEN: Commissioner Tavana.

COMMISSIONER TAVANA: Yes.

CHAIR HANSSEN: Commissioner Raspe.

COMMISSIONER RASPE: Yes.

CHAIR HANSSEN: Commissioner Janoff.

COMMISSIONER JANOFF: Yes.

CHAIR HANSSEN: Commissioner Clark.

COMMISSIONER CLARK: Yes.

CHAIR HANSSEN: Vice Chair Barnett.

VICE CHAIR BARNETT: Yes.

CHAIR HANSSEN: And I vote yes as well.

Staff, are there any appeal rights for this action/recommendation by the Commission?

JOEL PAULSON: There are not, Chair, as it's a recommendation. Thank you.

CHAIR HANSSEN: Thank you.

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**TOWN OF LOS GATOS**

**INFORMATIONAL MEMORANDUM**

**To:** Town Council

**From**: Laurel Prevetti, Town Manager

**Subject:** **Planning Commission Recommendation on the Draft 2040 General Plan and Final Environmental Impact Report**

**Date**: May 19, 2022

BACKGROUND:

On Monday, May 2, 2022, the Planning Commission completed their deliberations on the Draft 2040 General Plan and Final Environmental Impact Report (Final EIR). The recommendation was to adopt the Draft 2040 General Plan with modifications and certify the Final EIR. This memorandum summarizes the Commission's recommendations to allow the Town Council and public an opportunity to begin to prepare for the upcoming Council meeting on June 20, 2022, regarding the Draft 2040 General Plan and Final EIR. A staff report to the Town Council with additional information will be prepared for the June 20, 2022 meeting.

The Planning Commission's deliberations occurred on April 13, April 25, April 27, and May 2, 2022, and were based on the materials provided in the staff reports, particularly Exhibit 7 to the April 13, 2022 Planning Commission Staff Report. All staff report materials are available online: https://losgatos-ca.municodemeetings.com. Verbatim Minutes will be posted once completed on the General Plan update website: www.losgatos2040.com.

PLANNING COMMISSION RECOMMENDATION:

The Planning Commission's final unanimous recommendation was to adopt the Draft 2040 General Plan with modifications and certify the Final EIR. The recommended modifications included:

PREPARED BY: Jennifer Armer, AICP
Planning Manager

Reviewed by: Community Development Director

1. In the Introduction, recommend approval of the General Plan Advisory Committee (GPAC) recommendations for the Vision and Guiding Principles (Exhibit 7, Item 1)[1];
2. In the Introduction, modify Section 1.5 "The Los Gatos Community" to include additional information about the indigenous peoples in relation to the land that the Town of Los Gatos now occupies and the cultural history of the land, rather than only the topographical history;
3. Adopt modifications recommended by staff in Exhibit 7 listed as Items 2 through 7;
4. In the Racial, Social, and Environmental Justice Element, add a new Implementation Program, "Research the viability of increasing support for the acceptance of food vouchers at local food retailers and farmers markets" to implement Policy RSEJ-4.1;
5. In the Racial, Social, and Environmental Justice Element, modify definitions for equality and equity, to state "Equality. The state of being equal, especially in status, rights, and opportunities. Equal opportunity, levels of support, and allocation of resources, regardless of different circumstances." and "Equity. Fairness or justice in the way people are treated. Differing allocation of opportunities, levels of support, and resources based on each person or group's circumstances and needs, thereby reaching an equal outcome." (Commissioner Barnett expressed concerned about change of these definitions, and has provided additional input in Exhibit 14);
6. In the Racial, Social, and Environmental Justice Element, modify Policy RSEJ-6.2 to state, "Support leadership development programs for historically marginalized and socially disadvantaged individuals and groups to enhance effective engagement in Town processes." (Exhibit 7, Item 17);
7. In the Racial, Social, and Environmental Justice Element, recommend the modifications in Exhibit 7 listed as Items 11, 15, and 18;
8. In the Mobility Element, recommend the modifications in Exhibit 7 listed as Items 62 and 63 as a single Implementation Program;
9. In the Mobility Element, recommend the modification in Exhibit 7 listed as Item 67;
10. In the Mobility Element, recommend a change to the timeframe of Implementation Program D to 2020-2025;
11. In the Public Facilities, Services, and Infrastructure Element, recommend a new definition of recycled and reclaimed water; and
12. In the Public Facilities, Services, and Infrastructure Element, recommend modified language of Implementation Program C to include consideration of alternative ground covers and a change to the timeframe to 2020-2025; and
13. In the Public Facilities, Services, and Infrastructure Element, recommend the modifications in Exhibit 7 listed as Items 70, 73, and 80.
14. In the Open Space, Parks, and Recreation Element, recommend the modifications in Exhibit 7 listed as Items 81 and 84, and remove "provided on a full cost recovery basis" from the first paragraph under Recreational Services on page 7-7 of the Draft 2040 General Plan;
15. In the Environment and Sustainability Element, recommend the modifications in Exhibit 7 listed as Items 89, 90, 95, and 96 but with "ensuring" changed to "working towards";

[1] References to Exhibits are from staff report materials provided to the Planning Commission at one of the four meetings listed above.

16. In the Environment and Sustainability Element, recommend the modifications in Exhibit 7 listed as Items 98 (with "improve" instead of "improves"), 104, and 105;
17. In the Environment and Sustainability Element, recommend the modifications in Exhibit 7 listed as Items 106, 107, 108, 110, and 116 with the language modified to state, "Plant Based Education: Develop and implement a plan ~~Implement programs~~ to educate and support residents about the environmental, economic, and social benefits of shifting to a plant-based diet, examples of which may include informational materials, educational programs, community events, coordination with schools and businesses, or guidelines for procurement ~~which includes improved health, curbing greenhouse gas emissions, reducing biodiversity loss and deforestation, reducing water usage, and reversing pollution of our air, land, and water~~."
18. In the Environment and Sustainability Element modify Implementation Program M to include linkages between movement corridors;
19. In the Environment and Sustainability Element modify the existing language about the indigenous peoples on page 8-17 of the Draft 2040 General Plan as suggested by Commissioner Clark:
    - Policy ENV-13.8, "Support a community sense of stewardship for historic and cultural resources through supporting talks, tours, and other programs that increase awareness and promote Los Gatos as a destination with historic cultural resources and through including Ohlone people in the conversation and planning."
    - Section 8.8, "Los Gatos is in an area once occupied by the Ohlone (or Costanoan) people, which extends from the point where the San Joaquin and Sacramento rivers flow into the San Francisco Bay to Point Sur, with the interior Coastal Ranges most likely constituting the inland boundary. Before colonization ~~outside contact~~, Ohlone lived in base camps of tule reed houses and seasonal specialized camps. Ohlone ate food gained by hunting, gathering, and fishing. Mussels were particularly important to their diet, as well as sea mammals and acorns.

      Seven Franciscan missions were built in Ohlone territory in the late 1700s, and all members of the Ohlone group were eventually forced ~~brought~~ into the mission system. After the establishment of the missions, the Ohlone population was decimated ~~dwindled~~ from roughly 10,000 people in 1770 to 1,300 in 1814. In 1973, the population of people with Ohlone descent was estimated at fewer than 300 after what is widely cited as a genocide. The descendants of the Ohlone united in 1971 and have since arranged political and cultural organizations to revitalize, maintain, and pass on ~~aspects of~~ their culture."
20. In the Hazards and Safety Element, recommend the modifications in Exhibit 7 listed as Items 117 and 119 subject to review by the Santa Clara County Fire Department or CalFire; and
21. Modify definition of "equity," in addition to the modifications to that definition agreed upon at the previous meeting, to include a reference to "status and rights."
22. In the Land Use Element, recommend the modifications in Exhibit 7 listed as Items 21, 33, 34, and 40 (as an implementation program).
23. In the Community Design Element, recommend the modifications in Exhibit 7 listed as Items 43, 48, 53 (including edible food producing trees), 54 (with the addition of the word "public" between "secondary" and "access" in Policy CD-11.6), 55 (as an

implementation program to study implementation of the Mills Act), and add a definition of "rafters."

24. In the Land Use Element, modify the maximum allowed residential densities in the following ways:
    - Remove residential density from the Office Professional and Service Commercial designations;
    - Reduce maximum allowed residential density in the Low Density Residential designation from 12 to 10 dwelling units per acre; and
    - Reduce maximum allowed residential density in the Medium Density Residential designation from 24 to 22 dwelling units per acre.

POTENTIAL HOUSING BUILDOUT:

As a result of the recommended modifications to the residential densities in the Land Use Element, the General Plan Residential Buildout table (Table 3-1 on page 3-4 of the Draft 2040 General Plan, available: www.losgatos2040.com) would be modified as follows:

| Land Use Designation | | Density Range (du/ac) | Typical Density (du/ac) | Assumed Redevelopment | New Housing (Vacant Land) | New Housing (Redevelopment) |
|---|---|---|---|---|---|---|
| LDR | Low Density Residential | 1 to 10 | 10 | 5% | 230 | 56 |
| MDR | Medium Density Residential | 14 to 22 | 18 | 10% | 201 | 302 |
| HDR | High Density Residential | 30 to 40 | 36 | 15% | 110 | 268 |
| NC | Neighborhood Commercial | 10 to 20 | 18 | 10% | 26 | 91 |
| CC | Community Commercial | 20 to 30 | 26 | 15% | 0 | 156 |
| MU | Mixed-Use | 30 to 40 | 36 | 20% | 126 | 605 |
| CBD | Central Business District | 20 to 30 | 26 | 15% | 21 | 113 |
| | Subtotal | | | | 714 | 1,591 |
| | **Housing Units, New and Redeveloped** | | | | | **2,305** |
| | Housing Units, ADUs | | | | | 500 |
| | Housing Units, Existing Projects | | | | | 475 |
| | **TOTAL NEW THROUGH 2040** | | | | | **3,280** |

As noted in the April 13, 2022 Planning Commission staff report, the Town's Regional Housing Needs Allocation (RHNA) is 1,993 dwelling units plus a recommended 15 percent buffer, resulting in 2,292 units for the eight-year Housing Element need. If one were interested to understand the contribution of accessory dwelling units (ADUs) and existing projects towards the eight-year RHNA, then at a minimum, 300 ADUs and 400 units of Existing Projects should be removed prior to making a comparison. As a result, the potential residential buildout for the eight-year period based on the Planning Commission recommendation would be 2,580 units,

which is 288 housing units above the RHNA plus buffer, instead of the 746 excess units noted in the April 13, 2022 staff report for the Draft 2040 General Plan recommended by the GPAC. This reduces the excess units by more than half.

Please note that the table does not include the potential for growth through new homes on properties in the Hillside Residential designation because the 116 units noted in previous documents is based on acreage of undeveloped lots, with no consideration of land slope or other constraints, and the Draft 2040 General Plan does not include any changes to the current regulations in this designation.

Please note the calculations have not taken into consideration that the Town's zoning regulations do currently allow housing as part of a mixed-use project in the Office zone through a Conditional Use Permit, even though the Office Professional General Plan designation does not specify if housing is allowed or not. It is therefore not yet been determined whether residential could now be prohibited in these zones, due to constraints imposed by Senate Bill 330. If residential has to continue to be allowed in the Office zone, an additional 114 units would be added back based on an existing typical density of 18 dwelling units per acre.

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Below is a summary of questions received at the September 20, 2021 Joint Study Session of the Town Council and Planning Commission, and the December 7, 2021 Study Session of the Town Council. Some questions have been reworded for clarity or combined to avoid repetition. Responses are provided below each in *italics*. This information is provided in addition to the written public comments and information from staff that have been published with past staff reports.

- How many Los Gatos residents engaged with the 2040 General Plan update process?

  *As detailed further in the April 13, 2022 Planning Commission Staff Report, the four-year 2040 General Plan update included extensive outreach and numerous engagement activities throughout process and while there is no count of the number of people or residents who have been engaged, 29,343 unique visitors to the Los Gatos General Update website since June 2021, and of the unique visitors, 92 percent originated in the United States.*

- Is there a mid-level document that can highlight what has changed and the degree of impact from the Draft 2040 General Plan in a form that is more approachable than the giant document?

  *Newsletter #4 was prepared, posted online, and distributed at in-person events starting in June 2021. In addition, a series of one-page posts were created and distributed through the website and the Town's social media accounts as a "Breaking it Down" series to provide information that is more approachable.*

- Can the definition of Missing Middle Housing be expanded, or modified to address affordability? Will the Housing Element include more specific guidelines for where affordable housing is developed?

  *As detailed further in the April 13, 2022 Planning Commission Staff Report, Town Council could consider a modified definition, and several examples are provided. Affordability levels for housing is addressed in the Housing Element, both for Missing Middle Housing and other housing development.*

- How does Senate Bill (SB) 9 change the development numbers listed in the plan?

  *As detailed further in the April 13, 2022 Planning Commission Staff Report, housing units produced through the processes established under SB 9 will be counted to the extent possible in the Housing Element. However, because these are regulations that went into effect at the beginning of 2022, there is not enough of a record on which to develop projections for the number of housing units that will be developed through these new processes.*

- How did the estimated number of housing units provided in the Preferred Land Use Alternative increase to the number shown in the Draft 2040 General Plan? And why did it not return for Town Council consideration after the changes were made?

  *As detailed further in the September 20, 2021 Town Council and Planning Commission Joint Study Session Staff Report (and shown below), the Preferred Land Use Framework was implemented in a Draft Land Use Element produced in the fall of 2020 and reviewed by both Town Council and the General Plan Update Advisory Committee (GPAC) in November 2020. Following that review the GPAC recommended additional changes, including the addition of additional housing units to the Office Professional and Service Commercial designations:*

  - *Land Use Alternative C in the Land Use Alternatives Report (available online here: http://losgatos2040.com/documents.html): **2,303** housing units including Accessory Dwelling Units (ADUs).*
  - *GPAC Recommended Preferred Alternative: **2,464** housing units including ADUs and downtown.*
  - *Town Council adopted Preferred Land Use Alternative Framework: **2,464** housing units including ADUs and downtown.*
  - *Staff and the consultant developed an implementation of the Framework: **2,950** housing units. This approximately 400-unit increase is primarily a result of an increase in the assumed typical density for the Mixed-Use Designation (previously 26 dwelling units per acre, currently proposed 36 dwelling units per acre), and inclusion of a new Community Commercial land use designation so that Neighborhood Commercial designated shopping centers like Pollard and Harwood could remain at a lower height and density.*
  - *GPAC added 313 housing units to Office Professional and Service Commercial: **3,263** housing units.*
  - *With the 475 existing/previously approved projects included: **3,738** housing units as shown in the General Plan Buildout table in the Draft 2040 General Plan.*

  *The Planning Commission recommendation on the Draft 2040 General Plan includes reductions to several land use designations, including Office Professional and Service Commercial. The Town Council will make the final decision whether to make these or other modifications prior to approval of the 2040 General Plan.*

- Could we keep the 0-5 dwelling units per acre density for high fire danger and historic areas, and then higher density in other areas?

  *Alternative densities could be considered, however this would likely require creation of a new land use designation. Most of the areas in Town that are in the high fire danger areas are already at a lower density because of their hillside residential designation, which is not proposed to be changed from the existing levels.*

- How much of housing is near facilities (schools, freeways, etc) to reduce impacts on infrastructure?

  *As shown in the Draft 2040 General Plan Residential Building Table, and discussed in the Environmental Impact Report (EIR), the majority of the estimated housing units are within the Mixed-Use designation along Los Gatos Boulevard and other existing commercial districts which would be located near essential services.*

- Is there a way to use the additional units in office to bring down the number of units elsewhere?

  *As detailed further in the April 13, 2022 Planning Commission Staff Report, there are numerous areas where the Draft 2040 General Plan could be modified to adjust the projected development including:*
  - *Revert Low Density Housing designation housing density back to the existing 2020 General Plan level: 279 units;*
  - *Revert Medium Density Housing designation housing density back to the existing 2020 General Plan level: 327 units;*
  - *Remove housing from Office and Service Commercial designations: 313 units;*
  - *Revert properties in the new Community Commercial designation back to Neighborhood Commercial: 58 units;*
  - *Reduce the allowed density in the Mixed-Use designation from 40 dwelling units per acre to 30 dwelling units per acre: 255 units;*
  - *Reduce the allowed density in the High Density Residential designation from 40 dwelling units per acre to 30 dwelling units per acre: 111 units; or*
  - *Revert properties in the new Central Business District designation back to housing density allowed in the existing 2020 General Plan: 76 units.*

- Why does the 2040 General Plan include more than the RHNA?

  *As detailed further in the April 13, 2022 Planning Commission Staff Report, a direct comparison between the Regional Housing Needs Allocation (RHNA) and the estimated residential buildout in the Draft 2040 General Plan can lead to confusion because of the following factors:*
  - *The General Plan Residential Buildout Table is an estimate based on a 20-year timeline;*
  - *The General Plan Residential Buildout Table includes 475 residential units from existing projects, where most will have building permits issued prior to the start of the next Housing Element cycle, and therefore won't be counted toward the 1,993 unit requirement;*
  - *The General Plan Residential Buildout Table includes 25 ADUs per year, which resulted in 500 units for the 20-year timeline, but only 200 over the eight-year RHNA cycle; and*

- *The Housing Element will likely need to include capacity for at least a 15 percent buffer, above the 1,993 housing units, for a total of 2,292 housing units, in order to be certified by the California Department of Housing and Community Development (HCD).*

*When modified to accommodate some of these elements the difference between the required 1,993 housing units plus 15 percent buffer (2,292 dwelling units) and the portion of the development from the 20-year General Plan that might be developed within the 8-year Housing Element cycle (3,038 dwelling units) is 746 dwelling units. The reductions included in the recommendation from the May 2, 2022 Planning Commission motion reduces that difference to 288 dwelling units. Town Council can consider this recommendation and/or additional reductions in residential density.*

- Why was the RHNA allocation not appealed?

  *As described further in the September 20, 2021 Joint Study Session Staff Report, many jurisdictions did appealed their RHNA allocations. The Town did not choose to file an appeal, and there was no indication from the public or Town Council during the appeal period that an appeal was desired. Appeals are nearly always unsuccessful absent unique extenuating circumstances. Appeals also often provide false hope to residents that there will be a significant reduction in their RHNA as evidenced by the SCAG and ABAG appeal processes.*

- How does the plan ensure adequate water, electricity, sewer, schools, police, and fire protection capacity for the new development?

  *As detailed further in the EIR, the impacts of the projected development are not considered significant impacts under CEQA.*

- Are we doing/could we do a fiscal analysis report to estimate fiscal impacts of the development?

  *As detailed further in the April 4, 2022 Town Council Staff Report, additional information was provided to Town Council about the possibility of conducting additional fiscal analysis. As a result of that meeting the Town Council voted to not conduct any additional analysis for the Draft 2040 General Plan update. Planning Commission recommendation includes a suggestion made by staff that an additional implementation program be included in the Draft 2040 General Plan to review fiscal impacts related to the Land Use Element every five years.*

- Do we know if the RHNA numbers are going to continue to go up, when the California population is going down?

  *Additional information on recent California and Santa Clara County population numbers are included in the April 13, 2022 Planning Commission Staff Report. There is no current*

*information on what future RHNA requirements might be.*

- Could the development allowed under the 2040 General Plan be divided into quarters?

  *As detailed further in the April 13, 2022 Planning Commission Staff Report, the Draft 2040 General Plan and HCD reporting requirements result in tracking of development numbers on an annual, five-year, and 10-year basis. While specific thresholds could be implemented they are not recommended.*

- When it comes to supporting Vasona Light Rail, there is language "if/when", what does that mean?

  *While there is a plan for Vasona Light Rail to be developed in the future, there is currently no funding for implementation, and so any policies related to that potential future light rail stop are contingent on the VTA to move forward with those plans.*

- When will the Planning Commission and Town Council consider additional comments/changes that came in after the GPAC finished their work?

  *All written comments received by the Town were included in the staff report materials when the Draft 2040 General Plan and Final EIR were presented to the Planning Commission for their review and recommendation. All of those written comments, along with any received after 11:00 a.m., Monday, May 2, 2022, will be provided to Town Council with their staff report materials.*

- Do other communities do General Plan and Housing Element updates simultaneously?

  *Because of the required eight-year update cycle for Housing Elements, and the standard 10- to 20-year cycle for General Plans they are not often updated simultaneously. However, it is not uncommon for a Housing Element update to include implementation programs that require certain specific updates to the existing General Plan in order to comply with housing number requirements.*

- Why is the 2040 General Plan a 20-year plan?

  *As detailed further in the April 13, 2022 Planning Commission Staff Report, the development of the Draft 2040 General Plan was based on a 20-year timeframe as stated in the consultant contract, approved by Town Council in June, 2018. This is a common timeframe for a long range plan. However, the Draft 2040 General Plan also includes Land Use Implementation Program J which requires a 10-year review of the General Plan.*

- How does the plan address community concerns about traffic?

  *As detailed further in the EIR, the impacts of the projected development are considered*

*significant and unavoidable impacts under CEQA. However, when a long-range plan includes development without transit to support that development, there are rarely feasible methods for reducing or mitigating those impacts. The EIR does describe that the proposed locations for increases in housing in commercial areas will reduce the per unit Vehicle Miles Traveled (VMT) below development under the current General Plan.*

*In addition, the Mobility Element of the General Plan has been completely reorganized to emphasize alternative modes of transportation, reduce VMT, and provide facilities so that residents have options other than single-occupancy vehicles.*

- How does the plan address community concerns about wildfire?

  *The Hazards and Safety Element has been updated to enhance the Town's preparedness for wildfires and comply with State law. The California Department of Forestry has reviewed and recommended approval of the draft element.*

- Why is the 2040 General Plan approved by Town Council, why not by voters?

  *Land use decisions are the purview of the Town Council, however, the Town Council appointed a committee of 12 residents (the GPAC) to direct the modifications to be made to the General Plan, and extensive outreach was a critical component of the update process.*

- What is the status of the Town's creation of objective standards? Will it align with the adoption of the 2040 General Plan?

  *Planning Commission is scheduled to consider draft objective standards for mixed-use and multi-family development at their meeting on June 22, 2022.*

- If housing is not income restricted can it still count toward the required RHNA number?

  *Yes, all housing produced will be reported to HCD, and the Housing Element projections will include unrestricted housing, including ADUs and Junior ADUs.*

- What is the Housing Element update based on, since the 2040 General Plan not yet adopted?

  *As detailed further in information provided to the Housing Element Advisory Board (HEAB) and Town Council, the Housing Element analysis will start with the existing General Plan, but will consider what increases in residential density may be needed either through the adoption of the 2040 General Plan, or through implementation programs included in the Housing Element.*

- What happens if HCD doesn't approve the Housing Element? Do we immediately go into a mode where infrastructure dollars are being withheld in the State takes over our process, or is there a period where we can remedy what we do?

  *The Town will have multiple opportunities to submit the draft Housing Element for review by HCD and respond to comments in order to develop a Housing Element that can be approved by HCD.*

- Where does the 74,000 number from Community Alliance come from?

  *It appears that the development calculations included in the Los Gatos Community Alliance comment letters is based on a calculation of what could potentially be built if all land in Los Gatos were vacant and were developed to its maximum possible capacity. This is not the appropriate method for providing a realistic analysis of potential impacts of a program, which is different from when you have a specific development project analysis. The program EIR for the General Plan includes additional information in response to these comments.*

- If we don't meet our current RHNA allocation, do those housing units get added to our next Housing Element cycle? And do the existing projects listed in the residential buildout table count toward the current cycle or the next cycle.

  *No, the requirements for the next Housing Element update is 1,993 plus the recommended buffer. No additional units are required, even if production underperformed in the last cycle. Staff estimates that 400 of the 475 existing units listed in the Draft 2040 General Plan Land Use Element would be issued building permits during the current Housing Element cycle.*

- If development exceeds the assumptions in the 2040 General Plan and EIR, at what point would we need to do further environmental review?

  *Development will be tracked every year, so staff would be alerted if actual development numbers are trending above what is permitted by the General Plan, and would initiate additional environmental review if needed.*

- Is the plant-based diet language appropriate for the General Plan, or is it government overreach?

  *The proposal from public comment to include additional language in the General Plan about plant-based diets is focused on educational programs, not mandating diets.*

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The following images were presented as a series of social media posts published across the Town's social media accounts between July 30, 2021, and March 11, 2022, and then posted as a collection on the 2040 General Plan Update website to share information about the Draft 2040 General Plan, the update process, and respond to specific comments and questions received.

TOWN OF LOS GATOS
GENERAL PLAN 2040

# General Plan Update

## Let's break it down!

An Environmental Impact Report (EIR) is written to inform you about potential significant environmental effects.

- Available online now at: www.LosGatos2040.com
- Comments are due by September 13, 2021

What is examined?

Aesthetics, Agriculture, Air Quality, Biological, Cultural, Energy, Geology, Greenhouse Gases, Hazards, Water, Land Use, Noise, Population, Public Services, Transportation, Utilities, and Wildfire



**More at www.LosGatos2040.com**

TOWN OF LOS GATOS
GENERAL PLAN 2040

# General Plan Update

## Let's break it down!

### What are the key proposed changes in this General Plan Update?

- New Racial, Social, and Environmental Justice Element;
- Increased housing opportunities for mixed-use developments in commercial areas and missing middle housing in neighborhoods with design requirements;
- New Community Place Districts to provide more objective design standards and focus on community form for all development;
- Shift in focus of transportation policies to street design, connectivity, and mobility for all users (bicycles, pedestrians, vehicles, etc.) to reduce Vehicle Miles Traveled;
- New goals in the Environment and Sustainability Element; and
- Expanded policies to prepare for wildfire, climate change, and community health threats.




**More at www.LosGatos2040.com**

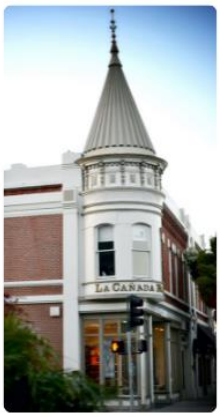
TOWN OF LOS GATOS
GENERAL PLAN 2040

# General Plan Update

## Let's break it down!

### Why does the Draft 2040 General Plan allow more housing density?

- Encourage more variety in types of housing to support the Town's commitment to inclusivity.
- Support mixed-use redevelopment for more housing around existing services and commercial areas.
- Incorporate housing for all, including teachers, firefighters, service workers, youth who want to move back, and seniors who want to downsize.
- Provide room in plan for future Regional Housing Needs Allocations (RHNA).



**More at www.LosGatos2040.com**

TOWN OF LOS GATOS
GENERAL PLAN 2040

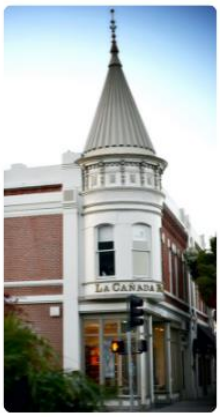
# General Plan Update

## Let's break it down!

The Draft 2040 General Plan supports inclusivity with a new chapter on Racial, Social, and Environmental Justice.

Goals and Policies include (but are not limited to):

- Goal RSEJ-1: Support equity, inclusion, and access to opportunities for all community members, employees, businesses, visitors, and local organizations.
- Goal RSEJ-2: Respect, protect, and promote the civil and human rights of all members of the community.
- Goal RSEJ-6: Engage the public, in particular, socially disadvantaged individuals and groups, in Town decision-making and facilitate public involvement in civic life.



**More at www.LosGatos2040.com**

TOWN OF LOS GATOS
GENERAL PLAN 2040

# General Plan Update

## Let's break it down!

### Is the Town building 3,738 more housing units?

No. This plan is not proposing any new construction. The General Plan looks at the Town as a whole, and sets limits on development, like height and density, and sets goals and policies, like design guidelines.

The Draft 2040 General Plan limits are different and would allow more housing than the 2020 General Plan, focusing most of the potential new housing in mixed-use and commercial districts. While more housing would be possible, it is planned for 20 years, and it is unlikely to all be built.



**More at www.LosGatos2040.com**

TOWN OF LOS GATOS
GENERAL PLAN 2040

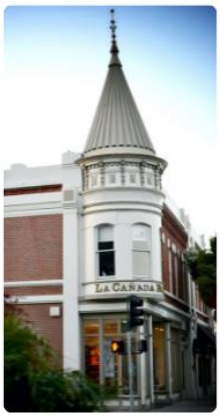
# General Plan Update

## Let's break it down!

### Why are we talking about housing if the Housing Element of the General Plan hasn't been updated yet?

The General Plan includes chapters, called Elements, on nine interrelated topics. State law requires that we update our Housing Element every eight years, in contrast to the whole General Plan which is updated every 10 to 20 years.

The General Plan update considers the whole Town, and includes draft changes, after careful consideration of where best to allow additional housing, that will be needed in the Housing Element to satisfy the Regional Housing Needs Allocation (RHNA), and to do so with policies to guide it under sections like Land Use, Community Design, and Sustainability.




**More at www.LosGatos2040.com**

TOWN OF LOS GATOS
GENERAL PLAN 2040

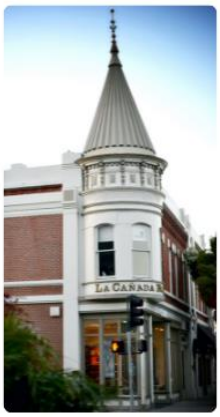
# General Plan Update

## Let's break it down!

### Why didn't the Town appeal the Regional Housing Needs Allocation (RHNA) allocation?

Many jurisdictions have appealed their RHNA allocations. The Town did not choose to file an appeal. Appeals are nearly always unsuccessful absent unique extenuating circumstances. For example, the Southern California Association of Governments (SCAG) has already concluded their appeals process which resulted in only 2 jurisdictions receiving reductions in their RHNA of the 47 jurisdictions that filed appeals.

Appeals also often provide false hope to residents that there will be a significant reduction in their RHNA, which is unlikely as evidenced by the SCAG appeal process.



**More at www.LosGatos2040.com**

TOWN OF LOS GATOS
GENERAL PLAN 2040

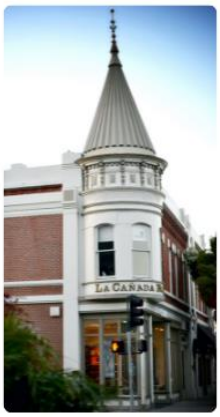
# General Plan Update

## Let's break it down!

The Draft 2040 General Plan protects our hillsides from wildfires and climate change.

Goals and Policies include (but are not limited to):

- Goal ENV-9: Support local and regional efforts in the Town's response to climate change.
- Policy ENV-9.2 Require all planning documents to incorporate newly identified and revised adaptation measures consistently, including measures in the Hazards and Safety Element, the Sustainability Plan, and the Emergency Operation Plan.
- Goal HAZ-2: Incorporate fire safety precautions as an integral consideration in planning development.
- Policy HAZ-2.1 Require new development, including additions to existing structures, located in or adjacent to fire hazard areas to minimize hazards to life and property, by using fire preventive site design, access, fire-safe landscaping, building materials, and incorporating defensible space and other fire suppression techniques.




**More at www.LosGatos2040.com**

TOWN OF LOS GATOS
GENERAL PLAN 2040

# General Plan Update

## Let's break it down!

The Draft 2040 General Plan increases sustainability efforts in Town. Look for the Green SUS logo throughout the document.

Goals and Policies include (but are not limited to):

- Policy CD-2.41: Encourage the use of environmentally friendly building materials and products for all development.
- Goal PFS-6: Encourage development that reduces the use of non-renewable energy resources and expands the use of renewable resources and alternative fuels.
- Goal ENV-9: Support local and regional efforts in the Town's response to climate change.
- Goal ENV-10: Become a zero-waste Town through encouraging sustainable procurement, extended producer responsibility, and innovative strategies.
- ENV Implementation Program W: Establish and maintain a "sustainability information center" at Town Hall to inform the public and distribute brochures and provide information.



**More at www.LosGatos2040.com**

TOWN OF LOS GATOS
GENERAL PLAN 2040

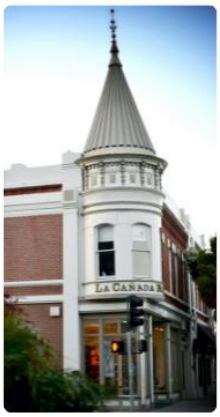
# General Plan Update

## Let's break it down!

**The Draft 2040 General Plan protects our trees and supports planting more.**

Goals and Policies include (but are not limited to):

- Policy CD-2.12: If feasible, require street trees to be installed for all new developments, to enhance neighborhood character and to maximize shade coverage when mature.
- CD-2.13: Preserve and protect trees designated under the Town's Tree Preservation Ordinance, and existing native/heritage trees as a part of any development proposal.
- CD-6.4: Hillside landscaping shall be designed to minimize formal landscaping and hardscapes and site them close to the residence, follow the natural topography, and preserve native trees, native plant and wildlife habitats, and migration corridors.
- Goal ENV-2: Maintain/enhance trees and significant natural features.
- Policy ENV-2.1: Ensure tree removal and replacement during development is consistent with the latest in tree conservation standards to support the Town's Arbor Day Foundation status as a Tree City USA.




**More at www.LosGatos2040.com**

TOWN OF LOS GATOS
GENERAL PLAN 2040

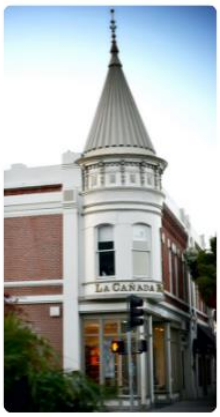
# General Plan Update

## Let's break it down!

**The Draft 2040 General Plan protects our historic neighborhoods.**

Goals and Policies include (but are not limited to):

- Policy LU-9.4: Ensure that any new Downtown development compliments the existing identity, from both a historical and a design perspective.
- Goal LU-15: Provide for the protection of Los Gatos' cultural heritage through the protection and maintenance of historic resources.
- Goal CD-3: Preserve historic and architectural features within the Town.



**More at www.LosGatos2040.com**

TOWN OF LOS GATOS
GENERAL PLAN 2040

# General Plan Update

## Let's break it down!

## Why is it important to have a General Plan?

Preparing a comprehensive plan allows us to choose how we grow in a thoughtful and Town-wide manner, rather than in a reactive way one proposed development at a time.



**More at www.LosGatos2040.com**

TOWN OF LOS GATOS
GENERAL PLAN 2040

# General Plan Update

## Let's break it down!

**The Draft 2040 General Plan encourages missing middle housing to keep the character of our neighborhoods.**

What is missing middle housing? This housing lies between the low-density single-family housing and the medium/high-density multi-family apartment/condominium housing.

Examples include duplexes, triplexes, fourplexes, cottage courts/clusters, and townhomes which would be built to comply with the existing maximum height and maximum floor area.






**More at www.LosGatos2040.com**

TOWN OF LOS GATOS
GENERAL PLAN 2040

# General Plan Update

## Let's break it down!

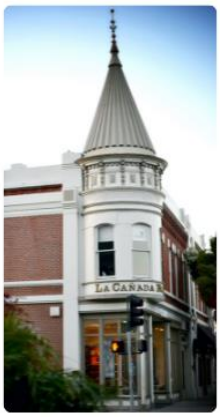
### Can we still change the Draft 2040 General Plan?

Yes.

We are still welcoming comments and suggestions via email at GP2040@LosGatosCA.gov and via the website comment tab at www.LosGatos2040.com.

If you have questions please email them or come by and visit us at our table at the Farmers' Market on October 31st, November 21st, or December 19th.

Your comments will be shared with Planning Commission and Town Council. Planning Commission will have a chance to recommend changes to the Draft 2040 General Plan, and Town Council will consider public comments along with the recommendation from Planning Commission when they make the final decision.



**More at www.LosGatos2040.com**

TOWN OF LOS GATOS
GENERAL PLAN 2040

# General Plan Update

## Let's break it down!

### What is the process for updating the General Plan?

- Town Council established the General Plan Update Advisory Committee (GPAC) and selected a consultant.
- Background Report and Issues, Opportunities & Constraints Report in consultation with GPAC and input from community meetings.
- Vision & Guiding Principles, reviewed/approved by GPAC, Planning Commission & Council.
- Alternatives Report and selection of Preferred Land Use Alternative Framework by Council.
- Council review Land Use Element implementation of the Preferred Land Use Alternative Framework.
- Update each Element of the General Plan with revisions directed by the GPAC.
- Public Review of Draft Environmental Impact Report (EIR) & GPAC recommended Draft 2040 General Plan. ← **We Are Here**
- Final EIR including response to comments.
- Planning Commission review and recommendation to Council of Final EIR and Draft 2040 General Plan.
- Town Council review of Final EIR and Draft 2040 General Plan with determination on final revisions.
- Creation of online interactive and accessible 2040 General Plan.




**More at www.LosGatos2040.com**

TOWN OF LOS GATOS
GENERAL PLAN 2040

# General Plan Update

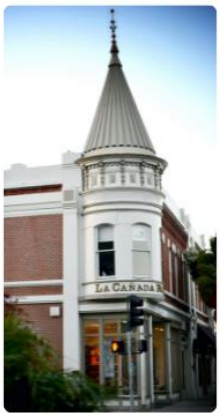
## Let's break it down!

### Is the Town of Los Gatos trying to push out auto shops?

No. The Draft 2040 General Plan is keeping the existing Service Commercial land use designation which allows businesses such as automobile repair shops.

One change that is considered in the Draft 2040 General Plan (available at www.losgatos2040.com) is to allow residential uses within the Service Commercial land use designation, as long as they are developed using a mixed-use format.

If you have thoughts or suggestions on this proposed change, please email GP2040@losgatosca.gov.



**More at www.LosGatos2040.com**

TOWN OF LOS GATOS
GENERAL PLAN 2040

# General Plan Update

## Let's break it down!

**The Town is reopening the public comment period on the Draft Environmental Impact Report (EIR) for the 2040 General Plan Update.**

**Q: What does this mean?**
**A: The public may submit comments on the Draft EIR for an additional 45-day period until 5:00 p.m. on Friday, January 7, 2022.**

**Q: Why is this happening?**
**A: A draft Traffic Analysis was appended to the Draft EIR rather than the final Traffic Analysis. The final Traffic Analysis removes a draft water mark and highlighting, and makes slight text changes. To avoid confusion, the Town is recirculating the final Traffic Analysis along with the associated section of the Draft EIR (Chapter 4.15, Transportation) with the revisions to provide additional clarification and to include new and revised traffic impacts. No other sections of the Draft EIR have been updated.**

**Q: Are public comments limited to the section with the revisions?**
**A: No, the Town will accept comments on the entire Draft EIR.**

**Q: Where can I find the Draft EIR and submit comments?**
**A: Please visit www.LosGatos2040.com. Comments may also be emailed to GP2040@losgatosca.gov.**




**More at www.LosGatos2040.com**

TOWN OF LOS GATOS
GENERAL PLAN 2040

# General Plan Update

## Let's break it down!

**What does the Draft 2040 General Plan do to preserve what we love about Los Gatos?**

Goals and Policies include (but are not limited to):

- Policy RSEJ-1.6: Promote Los Gatos as a welcoming, safe, and inclusive community regardless of age, ability status, and socio-economic status.
- Policy LU-5.2: Promote livability, enjoyment, and safety for all residents through quality neighborhoods.
- Goal LU-9: Enhance Downtown Los Gatos as the historic center of the Town, with goods and services for residents, while maintaining the existing Town identity, environment, and commercial viability.
- Policy CD-2.13: Preserve and protect trees designated under the Town's Tree Preservation Ordinance, as well as existing native and heritage trees as a part of any development proposal.
- Policy OSPR-2.1: Preserve the natural open space character of hillside lands, including natural topography, natural vegetation, wildlife habitats and migration corridors, and viewsheds.




**More at www.LosGatos2040.com**

TOWN OF LOS GATOS
GENERAL PLAN 2040

# General Plan Update

## Let's break it down!

### Is the 2040 General Plan going to fix our traffic?

There is no one thing that will get rid of traffic, but the Draft 2040 General Plan contains many policies to reduce its impacts including (but not limited to):

- Policy LU-11.2: Enhance the working environment and reduce traffic impacts by promoting small retail areas and restaurants to serve employees in Office Professional, Service Commercial, or Light Industrial designations.
- Policy MOB-7.3: Make effective use of the traffic-carrying ability of Los Gatos's arterials and collectors while providing multimodal support for users of all ages and abilities.
- Goal MOB-9: Mitigate the impact of cut-through traffic, with the objective of making it easy for residents to move throughout Town while ensuring Los Gatos remains a welcoming place for visitors.
- Policy MOB-9.5: Support efforts to keep regional traffic on regional roadways, such as SR 85 and SR 17, prioritizing opportunities for increased transit and greater roadway efficiency, over expanding roadway capacity.
- Goal MOB-10: Prevent and mitigate transportation impacts from new development.




**More at www.LosGatos2040.com**

TOWN OF LOS GATOS
GENERAL PLAN 2040

# General Plan Update

## Let's break it down!

### What does the 2040 General Plan do to make sure housing is safe?

Goals and Policies include (but are not limited to):

- Goal RSEJ-5: Develop, implement, and enforce policies to ensure access to safe and sanitary housing throughout the community.
- Policy RSEJ-5.1: Develop and adopt policies, regulations, and Ordinances which reflect up-to-date construction and safety measures for all residential structures, while continuing to take enforcement actions for violations of any municipal or State building and safety codes.
- Implementation Measure RSEJ-O: Create a program to ensure that all rental multifamily housing is inspected on a three to five-year cycle to ensure compliance with all building, housing, and other codes for safe and sanitary housing.
- Policy LU-5.2: Promote livability, enjoyment, and safety for all residents through quality neighborhoods.
- Implementation Measure LU-C: The Town shall actively enforce the State Housing Code to ensure that unsafe, dilapidated residential structures are rehabilitated or demolished.
- Policy CD-2.20: To increase safety for residents, new development with a street frontage shall incorporate a street oriented front entrance and windows facing the frontage. Units not facing the street shall be oriented to provide visual access to entryways, pedestrian pathways, recreation areas, and public spaces.




**More at www.LosGatos2040.com**

TOWN OF LOS GATOS
GENERAL PLAN 2040

# General Plan Update

## Let's break it down!

**Does the Draft 2040 General Plan discuss our Library and Senior Services?**

Yes, these are both in the Public Facilities, Services, and Infrastructure Element, which also includes Goals and Policies on all of the following:

- Water
- Wastewater
- Storm Drainage and Flood Protection
- Solid Waste Disposal and
- Utilities and Alternative Energy
- Public Facilities and Services
- Law Enforcement
- Fire Protection
- Emergency and Medical Services
- Schools and Lifelong Learning
- Libraries
- Town Arts
- Healthy Community



**More at www.LosGatos2040.com**

TOWN OF LOS GATOS
GENERAL PLAN 2040

# General Plan Update

## Let's break it down!

### Does the 2040 General Plan protect and expand access to parks?

Yes. Goals and Policies in the Open Space, Parks, and Recreation Element include (but are not limited to):

- Goal OSPR-1: Expand open space areas within the Town of Los Gatos, particularly lands which provide recreational uses.
- Goal OSPR-3: Make open space areas within the Town accessible to all residents and visitors to the Town.
- Policy OSPR-6.1: Acquire and develop more publicly accessible active and passive community recreation spaces and/or facilities, with priority given to locations not currently within ½ mile of an existing park.
- Policy OSPR-7.3: Encourage the development of informal gathering spaces for local residents and visitors in appropriate locations throughout the Town.



**More at www.LosGatos2040.com**

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GENERAL PLAN 2040

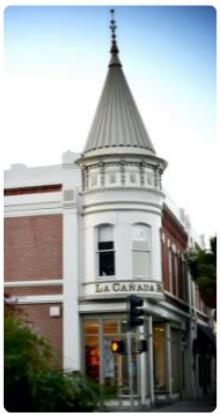
# General Plan Update

## Let's break it down!

### How does the 2040 General Plan change our other guidelines and regulations?

Policies and Implementation Programs include updates to current documents for consistency with the General Plan, as well as new ideas, including but not limited to:

- Update Zoning Regulations and other applicable plans and programs to implement the 2040 General Plan.
- Update Historic Resource Inventory (HRI) survey, review Historic District and neighborhood boundaries, and reconsider the construction date for presumptive historic resources.
- Update the Commercial Design Guidelines, the Hillside Development Standards and Guidelines, the Bicycle and Pedestrian Master Plan, the Sustainability Plan, and the Town's Water Efficient Landscape Ordinance for consistency with the General Plan and to reflect the Town's priorities.
- Update the Town's street lighting policy, landscape conservation programs, emergency management plans, and EV charging station ratio requirements for parking.



**More at www.LosGatos2040.com**

TOWN OF LOS GATOS
GENERAL PLAN 2040

# General Plan Update

## Let's break it down!

### Who was involved in preparing the Draft 2040 General Plan?

In addition to all the ideas and feedback received from the public, Section 11: Acknowledgements includes those whose efforts we particularly want to acknowledge, including the members of the:

- Town Council;
- Planning Commission;
- General Plan Update Advisory Committee;
- Arts and Culture Commission;
- Community Health and Senior Services Commission;
- Complete Streets and Transportation Commission;
- Historic Preservation Committee;
- Library Board;
- Parks Commission; and
- Youth Commission.



**More at www.LosGatos2040.com**

TOWN OF LOS GATOS
GENERAL PLAN 2040

# General Plan Update

## Let's break it down!

**How does the Draft 2040 General Plan improve the Town's operations to be more Environmentally Sustainable?**

Goals and Policies in the Environment and Sustainability Element include (but are not limited to):

- Policy ENV-7.6: Consider alternative methods prior to utilizing herbicides and pesticides on Town property to minimize potential damage to native plants, birds, and other wildlife.
- Policy ENV-9.1: Take action to achieve target reductions in GHG emission levels from operation of Town facilities and services to 40 percent below 1990 levels by 2030.
- Goal EN-10: Become a zero-waste Town through encouraging sustainable procurement, extended producer responsibility, and innovative strategies.
- Policy ENV-10.6: Incorporate a "life-cycle costing" approach into Town purchasing considerations that takes into account long-term cost savings from energy efficient products.
- Policy ENV-11.2: Invest in cost-effective energy efficiency and energy conservation programs in municipal facilities.




More at www.LosGatos2040.com

TOWN OF LOS GATOS
GENERAL PLAN 2040

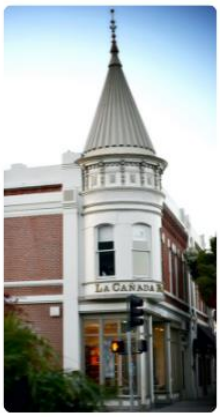
# General Plan Update

## Let's break it down!

### How does the Draft 2040 General Plan prepare the community for emergencies?

Goals and Policies include (but are not limited to):

- Policy HAZ-1.3: Provide community awareness information and education about potential health, natural, and human-caused hazards in Los Gatos and how to responsibly prepare for or mitigate them.
- Policy HAZ-6.3 Partner with organizations responsible for essential health care and human services to ensure those services are provided as early as possible to respond during and recover after a public health emergency or event.
- Hazards and Safety Element Implementation Measure D: Conduct Emergency hazard drills with key stakeholder organizations, community groups and organizations, outside agencies, and local and County officials across the community to improve preparedness for known threats and hazards.



**More at www.LosGatos2040.com**

TOWN OF LOS GATOS
GENERAL PLAN 2040

# General Plan Update

## Let's break it down!

### How does the Draft 2040 General Plan make sure we can get around Town?

The Mobility Element includes Goals and Policies on all of the following topic areas to improve and maintain mobility throughout Town:

- Reduce Vehicle Miles Traveled;
- Bicycle and Pedestrian Facilities;
- Multimodal System/Complete Streets;
- Transit Services and Facilities;
- Transportation Systems;
- Roadways;
- Parking; and
- Goods Movement.



**More at www.LosGatos2040.com**

TOWN OF LOS GATOS
GENERAL PLAN 2040

# General Plan Update

## Let's break it down!

**Why hasn't the Town made changes to the Draft 2040 General Plan yet? Have the comments been heard?**

Yes, we have received and heard your comments. Thank you for sharing your thoughts. This is a big Plan and we are moving through the process.

- Since the final General Plan Update Advisory Committee meeting on May 6, 2021, the Town has been and is continuing to receive comments on the Plan itself.
- In September, the Town Council and Planning Commission held a joint Study Session and received all comments submitted to that point.
- Comments on the Environmental Impact Report (EIR) were received in mid-September and again in early January 2022 after the recirculation of the EIR.
- By State law, the EIR comments must have responses. The comments and the responses will be available with the Final EIR.
- The Final EIR and all comments received since the September Study Session will be provided to the Planning Commission and Town Council as part of their public hearings and deliberations on the Draft 2040 General Plan. Dates have not yet been scheduled.
- Comments are welcome and can be sent to: GP2040@losgatosca.gov.




More at www.LosGatos2040.com

TOWN OF LOS GATOS
GENERAL PLAN 2040

# General Plan Update

## Let's break it down!

**Does the Draft 2040 General Plan address our seniors and senior services?**

Goals and Policies include (but are not limited to):

- Policy MOB-4.5: Plan for the needs of people with disabilities, seniors, and children when designing trail facilities and bicycle and pedestrian facilities.
- Policy HAZ-1.5: Require the identification of isolated seniors who may need assistance in natural disasters such as fires, earthquakes, or floods.

And the Public Facilities, Services, and Infrastructure Element includes a set of four Goals and nine Policies focused on Senior Services (pages 6-19 and 6-20).



**More at www.LosGatos2040.com**

TOWN OF LOS GATOS
GENERAL PLAN 2040

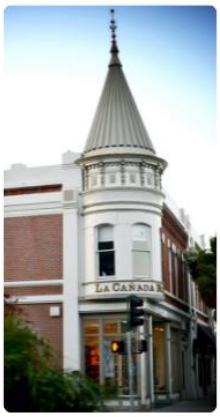
# General Plan Update

## Let's break it down!

### What are Vehicle Miles Traveled (VMT) and why do we want to reduce them?

VMT measures the total amount of vehicular travel (the length of all trips) and is used to analyze potential air quality and greenhouse gas impacts. VMT is also the required method used for the evaluation of environmental impacts as required under the California Environmental Quality Act (CEQA).

Take a look at the Mobility Element to see how the Draft 2040 General Plan endeavors to reduce VMT: losgatos2040.com/documents



**More at www.LosGatos2040.com**

TOWN OF LOS GATOS
GENERAL PLAN 2040

# General Plan Update

## Let's break it down!

**How does the Draft 2040 General Plan encourage our youth to actively participate in our community?**

The Public Facilities, Services, and Infrastructure Element includes a description of Youth Services in Town on page 6-13 and numerous Goals and Policies including (but not limited to):

- Goal PFS-10: Offer a wide range of youth programs and services within the Town.
- Goal PFS-11: Encourage civic involvement of all youth in the community.
- Goal PFS-12: Ensure that bicycling and walking are safe for youth throughout the Town.
- Implementation Program T: Town staff shall meet with agencies as needed to identify the needs of youth in the community.



**More at www.LosGatos2040.com**

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**To Planning Commission**
**May 2, 2022 Continued Hearing on the Draft 2040 General Plan**
**From Lee Quintana**

**These comments focus on:**

- **Land Use Element and Community Development Element**[1]
- **Missing Middle Housing - definition of and how it might be implemented**
- **Figures, Illustrations, Tables, Glossary and Acronyms , Key words**

**GENERAL COMMENTS:**[2]

**Staff Report to Town Council. Please include the following:**

- Provide a redline copy of the changes recommended by the Planning Commission
- Provide a separate list of changes not recommended by the Planning Commission.

**A Few Comments on Land Ue**

P. 3-5 Key Terms: Missing MIddle Housing. The following is my attempt at a better definition/explanation of Missing Middle Housing. I would prefer the term small unit housing.

Quote from Missing Middle Housing - Big Ideas for **Small** Buildings to Respond to Today's Housing Crisis not by providing "affordable" housing but by providing housing over a greater price range. It is just one piece of the puzzle to respond to today's need for housing. The "missing middle" concept, to me, appears also to be related to the concept of "placemaking", a concept which is more closely tied to economic sustainability and stability. Missing Middle Housing:

- Provides a way to increase density without increasing perceived increase in intensity of development, (invisible density or hidden density) i.e invisible density by regulating the lot size setbacks, % open space, height (to eaves), dimension of structure footprint (depth and width), number of stories and the relationship of structures to each other. While "Missing Middle Housing" does not regulate density it allows for higher density that fits into traditional single family zoning districts.
- Provide a range of affordability (though not necessarily "affordable housing" as defined by the state). Its objectives are many: including walkability to daily needs, reduced use of motor vehicles, reduced consumption of non-renewable resources, an enhanced sense of "community" and providing a greater range of housing opportunities with respect to both size and type.

[1] And hopefully clarify the essence of the meaning of Missing Middle Housing and the need to develop out of the box ideas for how to implement it.
[2]

- This concept is very similar to the communities that developed in the late 1880' and early 1900's prior to with a variety of housing types and sizes in close proximity commercial and retail uses. and retail areas developed before the introduction of zoning single family home, by providing smaller units parcels accessible to people and families over a price range, in walkable location. It provides a way to increase density without increasing the perceived intensity of development on a parcel.
  Missing Middle House is intended to be built on parcels with a General Plan Designation and zoning that allows single family houses in areas with a General Plan Designation of Low Density Residential and Medium Density Residential and a Zoning Designation of R-1, R-1D and R-D.
  that allow single family housing in a manner that does not increase the perception of increased development on a site.[3] Missing Middle Housing is the name given to a range of multi-unit buildings or a group or clustered of detached housing units located on a single parcel that are compatible in scale, form and mass with existing single-family homes.
  The intent is to encourage the development of greater density
  The intent is to provide an additional opportunity or pathway to provide a diverse range of housing options which will additional smaller units on parcels that allow single family housing When well-designed the units fit into existing neighborhoods as invisible density, i.e density while maintaining the greater density) without appearing to increase intensity . The forms feel familiar. Most older American cities contain many examples of aesthetically pleasing, small unit buildings such as duplexes, fourplexes, or as detached units granny flats, cottage clusters and bungalow courts, and single family homes that have been divided into multiple units,

**A Few Comments on Community Design.**

- Most of this Element fits better into the Land Use Element, for example the Community Place Districts which are a type of Special Planning Area.
- The discussion on Community Form is to general to be useful and does not establish standards
- I would recommend going back to the format used in the Community Design Element of the 2020 General Plan.

**Figures**

- **All Figures:**
  - **Change the color of the Figure Titles and increase the font size so it is immediately clear what the figure is attempting to portray. The subject of a figure should be immediately obvious.**
  - **Where boundary lines overlap separate the lines so they are easily visible**

[3].See the Hillside Area Map included in the Hillside Development Standard and Guidelines.

    - **Add major roadways to all figures.. For example for Figure 2-7 add Main Street and Highway 9. Enlarge the fonts so they are readable in the printed 8 by 11 format**

- **Figure 1-1: Change title to Regional <u>and Local</u> Context and add Campbell, Saratoga, and Monte Sereno**
- **Figure 1-2: In the legend and on the figure differentiate between areas within the Town Limits and within the County so it is easier to understand the relationships between areas. Also see comment Los Gatos Planning Boundaries**
- **Figure 3-6 Land Use Diagram:**
    - **Move the title (and increase font) either to the center of the page above the box or to the upper right corner within the box.**
    - **Divide and label the legend for Figure 3-6 to match the divisions used in Table 3-2. At a minimum provide visual space between the land use divisions - this helps the reader immediately to understand what information the figure wants to convey.**
- **Figure 3-7:**
    - **I am not sure what this figure is trying to convey.**
    - **Add all General Plan Land Use Designations within the Downtown Area If that is what this figure is trying to convey. If not then clarify the purpose of the figure.**
    - **It is not clear what the boundary is based on. I think most residents would include the area to the west (to the Town Limits) as part of the Downtown Area.**
- **Figure 3-8:**
    - **Include the underlying Land Use for the Specific Plans: Mixed Use of the North 40 and Light Industrial for Albright.**
    - **Why not add the district names directly on the Figure and eliminate in the legend,, as was done for Figure 3-10. It makes the intent of the figure immediately apparent.**
    - **Also see comments under 3.6 Special Planning Areas**
- **Figure 4-10:**
    - **This is a duplicate of Figure 3-9**
    - **Suggest deleting one of the figures and referring to it where needed.**
- **Figure 4-44:**
    - **This is essentially a duplicate of Figure 3-10 are both needed?**
- **Figure 4-12, 4-13, 14-16, and 4-18 through 4-22:**
    - **It is not clear what information these figures are trying to convey.**
    - **If they are trying to convey the relationships of the land uses within the districts to those adjacent to the districts then the areas around districts should not be half-toned - Of the two choices I think it is important to understand the land use relationships of the Land Use Designations.**
    - **If the intent is just to highlight the uses within the districts rather than the relationships with the area outside the districts then the area outside the**

**district should be grayed.should be grayed *and* the land use designations outside the district should be deleted from the legends. At least in the printed version the half-toned open space appear similar to Agriculture, it is difficult to distinguish between the area of Vasona (Open Space), Albright Specific Plan is hard to differentiate from Medium Density Residential and Low Density Residential is more similar to Hillside Residential.**

- **Figure 4-16: Again, on the printed copy, the North Santa Cruz District matches Community Commercial rather than Neighborhood Commercial. Is that the intent?**
    - **Where two districts are within the same Figure both should be labeled on the map itself.**
- **Figures 4-18 (Winchester District) and Figure 4-19 (Lark District):**
    - **On the General Plan Land Use Map the area to the east of the Albright Specific Plan is shown as Open Space but on Figure 16 it appears to be either agricultural or the North r0 Specific Plan (again in the print copy of the 2040 Draft GP).**
    - **Figure 4-18 extends the Albright Specific Plan beyond its boundary and splits it between the Specific Plan between Winchester Boulevard District and the Lark District. The 85 Freeway splits the North and South parts of the Winchester Blvd. District. The configuration of the Winchester District if questionable given that during the approval process for the Albright PD (turned Specific Plan) it was determined that it would be extremely difficult to provide a safe pedestrian/bike connection on the east side of Winchester over the 85 Freeway**
    - **In addition Figure 4-18 incorrectly shows the Albright Specific Plan extending beyond the Plans Boundary. The area at the bottom of this figure should be shown as Light Industrial. This is correctly shown in Figure 4-19 Lark Avenue District.**
- **Figure 7-1 Open Space, Parks and Recreation Facilities within Town Limits:**
    - **For ease of use suggest numbering Kennedy Loop Trail and the Open Space Preserves.**
    - **Delete "....~~within the Town Limits~~ from the Title. Areas of the Open Space Preserves are within the Town Limits.**
- **Figure 8-4: Planning Watershed and Figure 8-3: Wellands and Water Habitats:**
    - **Both identify Lexington and Vasona as Lakes rather than as reservoirs**
    - **It is hard to see the red lines of the Riverine areas and it is not clear that the light green lines are Freshwater Forested Shrub Wetlands or something else.**
- **Figure 8-5 Future Noise Contours:**
    - **The scale of this make hard to read. Is it possible to increase the scale by turning it on its side even if it did not include the total Planning Area?**
    - **Add Highway 17 and Highway 85**
- **Figure 9-1 Fire Hazard Severity Zone:**
    - **Move the Note up and increase the font size.**

    - **This is a truly scary map!**
- **Add a figure showing the Dam Inundation Zone for Lexington and Vasona**

**<u>Illustrations and Photos:</u>**

- **Re label as Illustrations rather than figures. Figure 4-1, through Figure 4-9, , 4-14 to 4-15, 4-17 and 4-23**
- **Identify the photos within Community Design Element**
- **The Community Design Element is the only Element that contains illustrations and photos and they are significantly different from Figures.**

**<u>Tables</u>**

- **Table 3.1 General Plan Residential Buildout. Update and move to Appendix in Final Approved GP**
- **Table 3.2 General Plan Land Use Designations and Development Standards:**
    - **Provide more information regarding allowed use in the description of each Designation.**
    - **For Designations that allow ADU's move the information regarding ADU's to the end of the description and indicate that ADU's do not count towards density.**
    - **Delete mention of Missing Middle Housing (See comments under Implementing Missing Middle Housing.**

**<u>Chapter 12 Glossary and Acronyms</u>**

- **I came across numerous differences in definitions between Key Terms and the definitions in the Glossary. Please verify that definitions are the same.**
- **Verify that all Acronyms are included in Chapter 12.**
- **Gross Ace and Net Acre: There is an inconsistency between the definitions of Net and Gross Acres.**
- **Archaeological Resources: Differentiate between historic and prehistoric archeological resources**
- **Add :Below Market Price (BMP)**
- **Add: Below Grade Square Footage**
- **Building Coverage: Is this based on net or gross lot:**
- **Add CPTED and define**
- **California Points of Historical Interest: What criteria is used to identify these for Los Gatos? This appears to go beyond pre 1941 homes.**
- **Add: Capital Improvement Program**
- **Community Place District: What is the relationship between Community Place District (CPD?) and Placemaking?**

**Comments on Chapter 3 Land Use Element:**
**Section 3.2 Implementing Missing Middle Housing**

- **This whole section needs revision. It talks about Missing Middle Housing but there is little in it that relates to how to implement it. It is not until the last sentence that one of the essential points of Missing Middle Housing as intended by Daniel Parolek is even mentioned, i.e. the development of smaller units. It is interesting to note that the title of his book Missing MIddle Housing is subtitled "Thinking Big and Building Small to Respond to Today's Housing Crisis.**
- **Consider that the term Missing Middle Housing has become almost a buzzword or jargon that no longer clearly represents the meaning given to it by Daniel Parolelk who popularized the term.**
- **The concept of Missing Middle Housing is only one aspect of the solution to today's housing crisis.**
- **Missing MIddle Housing does not promise housing at a density defined as "affordable housing" by the state, rather it is intended to**
    - **Provides an opportunity for greater range of unit size and price, both rental and for purchase, therefore making housing more accessible to a greater number of people and provides the basis for creating a more inclusive community. For example:**
        - **seniors looking to "downsize" or because their income "downsized" and they may no longer be able to afford their larger homes.**
        - **professionals, teachers, police, fire fighters, young adults (including our children) and people employed by local businesses who may not qualify for "affordable housing" but who may not be able to afford the cost of larger market rate housing.**
    - **It means greater walkability, reduced reliance on cars, an opportunity to increase interaction with neighbors and build "community"**

**The following comments focus on:**

- **Introduction.**
- **Land Use Element and Community Development Element[4]**
- **Missing Middle Housing - definition of and how it might be implemented**
- **Figures, Illustrations, Tables, Glossary and Acronyms , Key words**
- **A better understanding of the interconnectedness of the entire General Plan**
- **What I don't cover here I will follow up with comments to the TC.**

[4] And hopefully clarify the essence of the meaning of Missing Middle Housing and the need to develop out of the box ideas for how to implement it.

**GENERAL COMMENTS:**[5]

**Staff Report to Town Council. Please include the following:**

- Provide a redline copy of the changes recommended by the Planning Commission
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https://www.mml.org/pdf/resources/publications/decade_of_placemaking_in_Michigan_book_final_2017.pdf

**Figures**

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- **Figure 3-8:**

[5] I have tried to organize my comments, unsuccessfully, to avoid overlap but in the end after many tries I gave up on that approach given that the GP Draft itself has many overlaps without providing links between them.

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- **Add: Capital Improvement Program**
- **Community Place District: What is the relationship between Community Place District (CPD?) and Placemaking?**

**From:** Jean-Marc F. Blanchard
**Sent:** Monday, May 2, 2022 6:25 PM
**To:** GP2040
**Cc:** Planning Comment
**Subject:** Draft 2040 General Plan comments

Dear Members of the Los Gatos Planning Commission:

I am writing to share some thoughts about the Los Gatos 2040 General Plan ("2040 GP"). I wanted to do so many months ago, but work commitments precluded me from doing so. First, I want to thank all of you for volunteering for this major undertaking. Your public service is appreciated. Second, the 2040 GP is quite impressive in its breadth of coverage and policy recommendations. In any event, I would like to make some suggestions as well as note various concerns about the 2040 GP. I apologize for sending this to two separate emails, but it was not clear from the Town of Los Gatos newsletter which would be appropriate.

As for writing issues, the 2040 GP could be far more concise. While I realize there is much to cover, there should be a serious effort to remove repetition. For example, in the Community Design section, the discussion for almost all the Districts ranging from Los Gatos Boulevard (p. 4-24) to Union Avenue (p. 4-42) repeatedly discusses the need for mixed-use developments, setbacks, pedestrian activation, parking relocation, connectivity, better landscaping, and mid-block crossings. All these common recommendations could be consolidated on to 1-2 pages with District-specific goals, policies, and programs highlighted separately. In addition, definitions could be moved into footnotes. Finally, the report should have active hyperlinks throughout (especially the Table of Contents) to allow readers to easily shift to other relevant sections of the report and to locate other materials (e.g., the Background Report and the EIR) mentioned in various places. A more succinct, fluid, and easily used 2040 GP is essential to facilitate community participation and encourage a thorough reading.

It seems to me that the 2040 GP could be more focused. It is not clear, for instance, why the Town of Los Gatos should be working on promoting safe and clean water (RSEJ 5.2 on p. 2-6), promoting the acceptance of EBT in order to facilitate the use of SNAP/WIC food programs (RSEJ 4.1 on p. 2-5), or running climate change, zero waste, low water landscaping, and limited pesticide application education programs (see the sections on Public Facilities, Services, and Infrastructure and Environmental and Sustainability). The point is not that these are undesirable goals or programs. The point is that it may be better for other government bodies or non-government organizations to run such programs/undertake such initiatives. A 2040 GP that has too many goals, policies, and programs risks stretching Town staffing and financial resources too thin to the detriment of accomplishing other more pressing and realistic goals.

The 2040 GP mentions many of the ways that the Town encourages participation with respect to the 2040 GP. These include hearings, booths, online and print reports, and standing and ad hoc commissions. More may not be better. The Town should seriously consider if the length of hearings, the form and length of reports (the 2040 GP is a vivid example of the length problem), and terms associated with being a commissioner discourage participation by a diverse set of Los Gatos community members in shaping the 2040 GP and associated materials.

The 2040 GP has very little to say about how the Town will get developers to advance all the goals and policies enumerated in the 2040 GP. The Town certainly can implement new zoning requirements,

require Planning Commission approvals, and the like, but it is entirely possible that developers will go elsewhere where they deem it less burdensome and/or more profitable to build. As part of its arsenal of policies and programs, the Town needs to consider more incentive schemes that can motivate developers to build in Los Gatos on 2040 GP terms.

The role of the Police Department in facilitating the realization of the 2040 GP's Mobility element receives scant attention. As a regular walker and biker around our Town, I am always struck by how many people speed or drive dangerously on many Town streets including the usual suspects such as Lark Avenue, Los Gatos Boulevard, and Highway 9, but also unlikely candidates like Santa Cruz Avenue between Highway 9 and Main Street, Main Street between Santa Cruz and Los Gatos High, and so on. Enforcement, of course, is not the only answer, but it has to be part of the answer. Many so-called traffic calming measures like signs indicating car speed are not working. I see this weekly on Lark Avenue.

The discussion in the Land Use and Community Design sections emphasizes setbacks, step backs, and so on as ways to make bigger buildings conform to the look and feel of Los Gatos. These are not the only ways. Buildings that integrate clever architectural (non-box) designs, have balconies, and/or embedded greenery throughout can be taller while having a reduced effect on views, climate change, and water runoff. These possibilities do not appear to be discussed in the 2040 GP. On a related matter, encouraging solar power is recognized in various places in the 2040 GP, but the report does not seem to incorporate an accompanying set of specific policies and program to drive increased solar usage.

Lastly, none of the policies or programs listed in the 2040 GP mention requirements for any new expenditures or staffing or an awareness of the possibility that the 2040 GP policies and programs may require one or both. If new expenditures or staffing will be needed, then this should be mentioned in the 2040 GP in the interest of full disclosure. If they will not require new staffing or expenditures, then this is worth highlighting, too. If such discussion is outside the scope of conventional General Plans, then it should be made clear at what stage such expenditures or staffing would be considered so readers are aware of potential tradeoffs.

Thank you for your time and consideration.

Jean-Marc F. Blanchard, Ph.D.

DATE: June 20, 2022

TO: Mayor and Town Council

FROM: Laurel Prevetti, Town Manager

SUBJECT: Conduct a Public Hearing, Review the Planning Commission Recommendations, Determine Any Additional Modifications, Adopt the Draft 2040 General Plan, and Certify the Final Environmental Impact Report.

REMARKS:

Attachment 24 includes Council Member comments. Staff is prepared to support the Council in its discussion of these and other comments at tonight's meeting.

Attachment 25 includes additional public comments received between 11:01 a.m., Wednesday, June 15, 2022, and 11:00 a.m., Monday, June 20, 2022.

ATTACHMENTS:

Attachments previously received under separate cover:
(available online here: http://losgatos2040.com/documents.html)
1. Draft 2040 General Plan
2. Draft EIR
3. Revised NOA and Transportation Section
4. Final EIR

Attachments previously with June 20, 2022 Staff Report:
5. Draft Resolution Certifying the EIR for the 2040 General Plan, with Exhibit A Draft Findings of Fact and Statement of Overriding Considerations
6. Draft Resolution Approving the 2040 General Plan
7. Planning Commission Recommendation

PREPARED BY: Jennifer Armer, AICP
Planning Manager

Reviewed by: Town Manager, Assistant Town Manager, Town Attorney, and Community Development Director

ATTACHMENTS (continued):

8. April 13, 2022 Planning Commission Staff Report, with Exhibits 5-10
9. April 13, 2022 Planning Commission Addendum Report, with Exhibit 11
10. April 13, 2022 Planning Commission Desk Item Report, with Exhibits 12-13
11. April 13, 2022 Planning Commission Verbatim Minutes
12. April 25, 2022 Planning Commission Staff Report, with Exhibits 14-15
13. April 25, 2022 Planning Commission Desk Item Report, with Exhibits 16
14. April 25, 2022 Planning Commission Verbatim Minutes
15. April 27, 2022 Planning Commission Desk Item Report, with Exhibits 17
16. April 27, 2022 Planning Commission Verbatim Minutes
17. May 2, 2022 Planning Commission Staff Report
18. May 2, 2022 Planning Commission Desk Item Report, with Exhibits 18
19. May 2, 2022 Planning Commission Verbatim Minutes
20. Planning Commission Recommendation Informational Memo
21. Study Session Questions and Responses
22. Breaking it Down Series
23. Public Comment received between 11:01 a.m., Monday, May 2, 2022, and 11:00 a.m., Wednesday, June 15, 2022

Attachments with this Desk Item:

24. Council Member Comments
25. Public Comment received between 11:01 a.m., Wednesday, June 15, 2022, and 11:00 a.m., Monday, June 20, 2022

**From:** Rob Rennie <RRennie@losgatosca.gov>
**Sent:** Saturday, June 18, 2022 1:33 PM
**To:** Laurel Prevetti <LPrevetti@losgatosca.gov>; Joel Paulson <jpaulson@losgatosca.gov>
**Subject:** General plan questions

Laurel,

I think there is a couple mistakes and I have a question or 2.

Possible errors:

1. recommendation 1 protect natural environment. It says biotic communities. Should this be symbiotic communities?
2. recommendation 3 bullet 9 new policy HAZ2-9 "...infrastructure are ubiquitous through out its town..." Should it be "the town"
3. recommendation 5 bullet 1. Says class 1 to class II. Aren't we building a class 4?

My questions:

1. The LDR category says 230 units from vacant land. Where do we have vacant land that is zone LDR. How much of it will still be LDR after housing element site selection? I think maybe we want to discourage LDR on bare land unless it is a small lot.

2. In the recommendation 1. I do not like the removal of the last line about mixed business serving residents. For a long time los gatos has focused on being a full service community where residents did not have to leave los gatos for most needs. I believe this has been lost in the vision statement with the changes. Could you suggest wording I can propose to get this idea back in the vision?
3. It is not complete clear to me the zoning in the community place districts?
4. I am interested in promoting the idea of the higher density LDR only with in 1/4 mile of the community place districts. Is it possible for staff to create a zone map of what the would look like? Anything that is already zone MDR or HDR should stay as is.

Thank You,
Rob Rennie
Los Gatos Town Mayor

Help me prevent brown act violations. Please do not forward this email

**From:** Matthew Hudes <MHudes@losgatosca.gov>
**Sent:** Saturday, June 18, 2022 4:26 PM
**To:** Laurel Prevetti <LPrevetti@losgatosca.gov>
**Subject:** Questions about Item 1

Hi Laurel,

I believe that you correctly instructed the Planning Commission on April 27 when you said, "I think the real exercise is what total capacity would you like to see in the 2040 General Plan." Unfortunately, the Planning Commission was not presented with an analysis showing that total capacity before they voted their recommendation. (As was the case with the GPAC.) Zoning and density changes are a means to achieve an end that results in a total capacity that must meet population growth and be accompanied by an EIR that can be certified. The Council must see the total capacity before it approves the General Plan.

When the Council last approved total capacity on April 7, 2020, the Council approved Option C and there was an accompanying table showing total capacity. When the Draft 2040 General Plan was released, Table 3-1 showed 3,738 units and there were additional 166 Hillside units, for a total capacity of 3,904. In May 2022, the Planning Commission made recommendations to change zoning densities without the benefit of a staff report showing the total capacity of their actions. Subsequent to their vote, Table 3-1 has been produced to reflect the Planning Commission's total capacity of 3,280 units plus 116 Hillside, for a total of 3,396 units.

On October 19, 2021, a majority of the Council requested that the Council consider whether to perform an analysis of the total capacity representing the current RHNA allocation of 1,993 units plus a buffer. To date, this has not happened, and I cannot find a document that analyzes the 1,993 option and states what changes to the General Plan would need to be made to achieve that. It is important for that option be provided to the Council for consideration of the 2040 Draft General Plan, as a majority of residents with whom I have communicated have expressed a strong preference for 1,993 total capacity. Could staff please provide a version of Table 3-1 that totals to 1,993 plus a buffer of 15%, or approximately 2,292 total capacity?

I'm still working through the new information presented in our packet, but I wanted to give you a head's up about this.

Thanks,
Matthew

*In compliance with the Ralph M. Brown Act, please do not forward my email.*

Councilmember Matthew Hudes
Town of Los Gatos
[redacted]
mhudes@losgatosca.gov

**From:** Matthew Hudes <MHudes@losgatosca.gov>
**Sent:** Monday, June 20, 2022 9:31 AM
**To:** Laurel Prevetti <LPrevetti@losgatosca.gov>
**Cc:** Joel Paulson <jpaulson@losgatosca.gov>
**Subject:** Re: Item 1

Here are some formatting and minor edits.

*In compliance with the Ralph M. Brown Act, please do not forward my email.*

Councilmember Matthew Hudes

Town of Los Gatos

[redacted]

mhudes@losgatosca.gov

QF: Bookmarks are unintelligible

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# Summary of Comments on LGGPU_PD_PRD_Full_2021-06-24.pdf

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Author: mhude Subject: Callout Date: 6/20/22, 9:08:26 AM

QF: PDF Bookmarks are unintelligible

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QF: Include a comprehensive [illegible] Changed

# Page: 6

Author: mhude Subject: Callout Date: 6/20/22, 9:05:28 AM

QF: Include a comprehensive What's Changed section

## Key Terms

**BIPOC.** Acronym referring to Black, Indigenous, and Persons of Color.

**Community Member.** Any individual who resides, owns property, is a business owner, or is employed in the Town of Los Gatos.

**Disadvantaged Community.** An area identified by the California Environmental Protection Agency (CalEPA) pursuant to Section 39711 of the California Health and Safety Code or a predominately low-income area that is disproportionately affected by environmental pollution and other hazards that can lead to negative health effects, exposure, or environmental degradation.

**Environmental Justice.** The fair treatment of people of all races, cultures, incomes, political and religious affiliation, and national origins with respect to the development, adoption, implementation, and enforcement of environmental laws, regulations, and policies.

**Equality.** The state of being equal, especially in status, rights, and opportunities.

QF: better definition: "fairness and impartiality"

**Equity.** Fairness or justice in the way people are treated.

**Implicit Bias.** Attitudes or stereotypes that affect our understanding, actions, and decisions in an unconscious manner, often based on characteristics such as race, ethnicity, age, and appearance.

**Resident.** Any individual who resides in the Town of Los Gatos.

**Social Capital.** The ability for residents to feel a sense of belonging in their community and to have a meaningful connection to the place where they live.

**Socially Disadvantaged Individuals and Groups.** Socially disadvantaged individuals and groups who have been subjected to prejudice or some form of discrimination or bias because of their perceived identity as a member of a particular group (i.e., race, ethnicity, culture, sex, political or religious affiliation, sexual orientation, age, immigration status) without regard to their individuality and/or merit.

QF: Or "inclusion"

## 2.1 Racial and Social Justice

This section identifies goals and policies which seek to advance Town efforts toward diversity and inclusivity. Implementation of the programs presented will allow the Town to monitor its progress in achieving racial, social, and environmental justice. It is the Town's intent to take actionable efforts to implement a more racially and socially just Los Gatos.

The following goals and policies are intended to promote equality in Los Gatos.

| RSEJ-1 | Support equity, inclusion, and access to opportunities for all community members, employees, businesses, visitors, and local organizations. |
|---|---|

**RSEJ-1.1 Service Delivery**
Direct Town services to address inequities.

**RSEJ-1.2 Community Budgeting**
Engage the community through multiple participation opportunities in the Town's budget process.

**RSEJ-1.3 Institutional Bias**
Continue to build organizational and institutional skills in all Town Departments to advance equity, while identifying and eliminating institutional and structural inequities, and implicit bias.

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Author: mhude Subject: Callout Date: 6/20/22, 8:45:30 AM

QF: standard definition: "fairness and impartiality" Justice is another term.

Author: mhude Subject: Callout Date: 7/25/21, 11:12:28 PM

QF: Or "inclusion"

| | Programs | Implements Which Policy(ies) | Responsible Supporting Department(s) | 2020 – 2025 | 2026 – 2040 | Annual | Ongoing |
|---|---|---|---|---|---|---|---|
| I | **Diversity, Sensitivity, and Awareness Training**<br>Develop diversity, sensitivity, and awareness training courses and curriculum for residents, business owners, and local organizations to take part in. Training could include, but is not limited to, an informational column in the weekly newsletter and/or links to recommended online material, lectures, and community engagement events. | RSEJ-2.8 | Town Manager | ■ | | | ■ |
| J | **Citizens Police Academy**<br>Implement a Citizens Police Academy, or similar program, to educate community members in law enforcement policies, practices, and problem-solving, as well as promoting the opportunity for one-on-one interaction with Department members in a relaxed environment. | RSEJ-2.9<br>RSEJ-2.10 | Town Manager<br>Police Department | ■ | | | ■ |
| K | **Community Engagement**<br>Develop mechanisms to communicate and engage members of the community who are not typically active in civic issues to foster relationships with the Town and the Police Department. This can be accomplished by leveraging technology and by focusing resources on non-enforcement interaction with the community. | RSEJ-2.9<br>RSEJ-2.10 | Town Manager<br>Police Department | ■ | | | ■ |
| L | **Healthy Food Access Regulations Audit and Update**<br>To remove any administrative barriers to increase access to healthy foods, conduct an internal audit of and make necessary changes to Town regulations, including but not limited to the Zoning Ordinance.<br>EJ HC | RSEJ-4.2 | Community Development | | ■ | | |
| M | **Capital Improvement Prioritization**<br>Create a defined set of criteria that measures and prioritizes equitable distribution of Capital Improvement (CI) Projects Town-wide.<br>EJ | RSEJ-4.4 | Parks and Public Works<br>Town Manager | ■ | | | ■ |
| N | **Tree Canopy Study**<br>Develop a study to measure tree canopy distribution throughout the Town and encourage the use of native plants when increasing green space. | RSEJ-4.6 | Parks and Public Works | | ■ | | |
| O | **Rental Multi-Family Housing Inspection Program**<br>Create a program to ensure that all rental multi-family housing is inspected on a three to five-year cycle to ensure compliance with all building, housing, and other codes for safe and sanitary housing.<br>EJ | RSEJ-5.1 | Town Manager<br>Community Development<br>Code Compliance | | ■ | | |

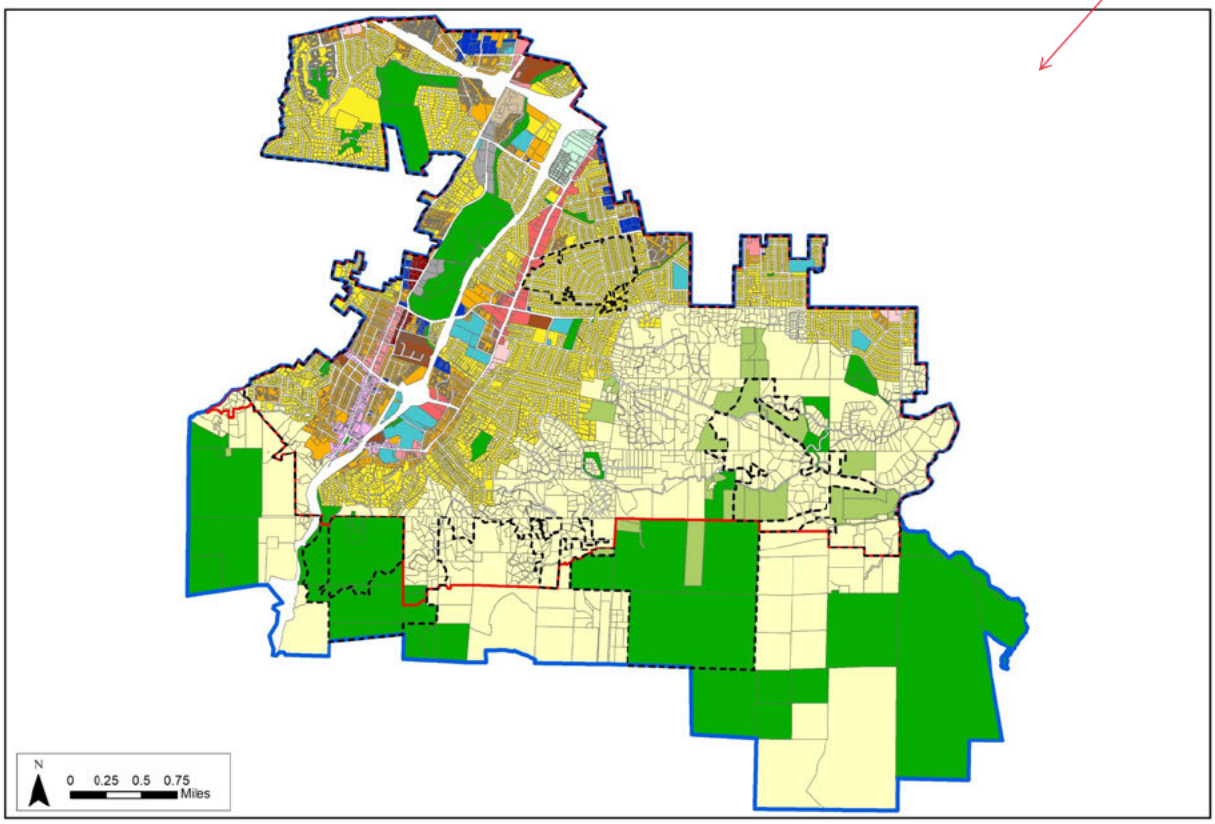
QRSEJ: Audit impractical

# Page: 31

Author: mhude Subject: Callout Date: 6/20/22, 8:54:31 AM

QF: Audit has specific meaning and in this context impractical, "review"

QLU: Is there a hi-rez version of this available?




TOWN OF LOS GATOS
GENERAL PLAN 2040

**Figure 3-6: Land Use Diagram**

**Land Use Designation**
- Hillside Residential (HR)
- Low Density Residential (LDR)
- Medium Density Residential (MDR)
- High Density Residential (HDR)
- Mixed Use (MU)
- Neighborhood Commercial (NC)
- Community Commercial (CC)
- Central Business District (CBD)
- Office Professional (OP)
- Service Commercial (SC)
- Light Industrial (LI)
- Public (PUB)
- Open Space (OS)
- Agriculture (AG)
- Albright Specific Plan (A-SP)
- North Forty Specific Plan (NF-SP)

**Town of Los Gatos**
- Town Limit
- Planning Area
- Urban Service Area

# Page: 41

Author: mhude Subject: Callout Date: 6/20/22, 9:03:22 AM

QF: Is there a hi-rez version of this available? Perhaps a fold-out or multi-page.

| Designation / Map Color | Description | Standards | Compatible Zoning |
|---|---|---|---|
| **Commercial Designations** | | | |
| **NC** Neighborhood Commercial | The purpose of this designation is to provide for necessary day-to-day commercial goods and services required by the residents of the adjacent neighborhoods. This designation encourages concentrated and coordinated commercial development at easily accessible locations. Residential uses, developed using a mixed-use format, are allowed in the designation. | **Density:** 10 – 20 du/ac<br>**FAR:** Up to 1.0<br>**Max. Heigh** 35 feet | C-1 |
| **CC** Community Commercial | The purpose of this designation is to provide for commercial goods and services to support residents, businesses, and visitors, and located to serve the entire community. Residential uses, developed using a mixed-use format, are allowed in the designation. | **Density:** 20 – 30 du/ac<br>**FAR:** Up to 3.0<br>**Max. Height:** 45 feet | C-1 |
| **CBD** Central Business District | The purpose of this designation is to encourage a mixture of community-orientated commercial goods and services within the Downtown CBD. This designation applies exclusively to the Downtown CBD, with the goal to accommodate and retain local merchants and preserve the Town's character. New development in the CBD shall integrate with existing structures of architectural and historical significance. Residential uses, developed using a mixed-use format, are allowed in the designation. | **Density:** 20 – 30 du/ac<br>**FAR:** Up to 2.0<br>**Max. Height:** 45 feet | C-2 |
| **Employment Center Designations** | | | |
| **OP** Office Professional | The purpose of this designation is to provide for professional and general business offices, incubator spaces, and innovation centers. This designation applies to various locations throughout the Town, often in proximity to neighborhood- or community-oriented commercial facilities, or as a buffer between commercial and residential uses. The intent of this designation is to satisfy the community's need for general business and professional services, and local employment. Residential uses, developed using a mixed-use format, are allowed in the designation. | **Density:** 30 – 40 du/ac<br>**FAR:** Up to 1.0<br>**Max. Height:** 35 feet | O |
| **SC** Service Commercial | The purpose of this designation is to provide for service businesses. These businesses include automobile repair, building materials sales, paint suppliers, janitorial services, towing businesses, contractor offices and yards, laundries and dry cleaners, as well as wholesaling and warehousing activities. Residential uses, developed using a mixed-use format, are allowed in the designation. | **Density:** 20 – 30 du/ac<br>**FAR:** Up to 1.0<br>**Max. Height:** 35 feet | LM |

QLU: ZONE Need "principally or primarily"

# Page: 44

Author: mhude Subject: Callout Date: 6/20/22, 9:01:11 AM

QF: Need "principally or primarily" required. Otherwise any business that provides goods for even one resident in neighborhood can be considered neighborhood, even if it is principally or primarily a regional business.

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RUTAN
RUTAN & TUCKER, LLP

**Matthew D. Francois**
[redacted]

June 17, 2022

**VIA E-MAIL [council@losgatosca.gov]**

Honorable Rob Rennie, Mayor
and Members of the Town Council
Town of Los Gatos
110 E. Main St.
Los Gatos, CA 95030

**Re: Proposed Draft 2040 General Plan; June 20, 2022 Town Council Hearing, Agenda Item No. 1**

Dear Mayor Rennie and Members of the Town Council:

We write on behalf of the Los Gatos Community Alliance ("LGCA"), a group of concerned citizens, in regard to the Proposed Draft 2040 General Plan (the "Proposed Plan") and associated Environmental Impact Report ("EIR"). The Proposed Plan significantly upzones the entire Town for no apparent purpose. The EIR does not study the significant environmental impacts associated with that upzoning. The EIR is legally inadequate and cannot be relied on to adopt the Proposed Plan. We urge the Town Council to revise the Proposed Plan in the manner outlined in Section II below, which would help to address some of the EIR's key shortcomings.

## I. The EIR Is Flawed And Cannot Legally Be Relied On To Approve the Proposed Plan.

In our September 13, 2021, January 5, 2022 and April 12, 2022 letters to the Town, we detailed the myriad inadequacies in the EIR. The Final EIR ("FEIR") does not adequately or sufficiently respond to or address those concerns. We summarize some of the key issues below.

### A. The EIR Fails To Analyze The Impacts Of The "Whole Of The Project," As Required By CEQA.

The EIR fails to analyze the impacts of the buildout potential allowed under the Proposed and thus fails to comply with CEQA. Instead of the tens of thousands of additional housing units and tens of millions square feet of new commercial development allowed by the changes to the land use densities under the Proposed Plan, the EIR analyzes only a small fraction of this development. This undermines the EIR's analysis of every single environmental resource from Aesthetics to Wildlife. CEQA does not allow or authorize an agency to greatly upzone every single residential and commercial land use designation and then fail to consider the environmental impacts associated with it. There is also no reason for such upzoning given the 1,993 units needed to satisfy the Town's Regional Housing Needs Allocation ("RHNA"), which can readily be accommodated in the mixed-use corridors designated as Community Place Districts.

At the Town Council's December 7, 2021 study session, Town Staff claimed that it was "standard" practice to assume only a fraction of the growth enabled by changes to a plan. In reality, such an approach is directly contrary to the law, which mandates that an EIR analyze the "whole of an action" that may result in either a direct or reasonably foreseeable indirect physical change in the environment. (*See, e.g.,* Public Resources Code § 21065; CEQA Guidelines §§ 15146(b), 15378; *Laurel Heights Improvement Assn. v. Regents of University of California* (1988) 47 Cal. 3d 376 [EIR found inadequate for studying only a portion of a proposed laboratory/office development project]; *Las Virgenes Homeowners Federation, Inc. v. County of Los Angeles* (1986) 177 Cal.App.3d 300, 307 [in upholding the cumulative impact analysis of a project EIR that relied upon plan EIRs, the court reasoned that the plan EIRs "necessarily addressed the cumulative impacts of buildout to the maximum possible densities allowed by those plans" with mitigation measures proposed and any overriding benefits of development noted]; *accord, Banning Ranch Conservancy v. City of Newport Beach* (2012) 211 Cal.App.4th 1209, 1228-1229 [upheld project EIR that relied on general plan EIR because plan EIR assumed "worst case" conditions for development on, and access to, the project site].)

At the December 7th study session, Staff also indicated that the Town would monitor growth, and if it reached the maximum amount studied, the Town would conduct additional environmental review. This too fundamentally and irreconcilably conflicts with CEQA. Courts have routinely rejected similar claims to study environmental impacts *after* a project has been approved. (*Laurel Heights Improvement Assn., supra,* 47 Cal.3d at 394 ["If postapproval environmental review were allowed, EIR's would likely become nothing more than *post hoc* rationalizations to support action already taken."]; *accord, Save Tara v. City of West Hollywood* (2008) 45 Cal.4th 116, 138; *see also City of Santa Ana v. City of Garden Grove* (1979) 100 Cal.App.3d 521, 533 [EIR should be prepared as early in the planning process as possible to enable environmental considerations to influence project, program, or design especially since general plan EIRs are used as foundation documents for specific project EIRs].)

It is also important to keep in mind that if the densities under the Proposed Plan were to be enacted, the Town would generally be prohibited from denying or reducing the density of any housing project that complied with those new density standards under the State Housing Accountability Act ("HAA"). (*See* Gov. Code § 65589.5; *see also California Renters Legal Advocacy & Education Fund v. City of San Mateo* (2021) 68 Cal.App.5th 820 [First Appellate District ruled that city violated HAA by denying a 10-unit project based on a non-objective design guideline].)

### B. The Final EIR Acknowledges The Use Of Inconsistent And Conflicting Baselines.

The FEIR states that the EIR used future conditions as its baseline. For instance, on page 117, the FEIR states that the EIR "uses the potential growth the Town is likely to achieve by the year 2040 as its baseline for analysis of potential impacts. This is not a hypothetical number but based

on existing conditions and the potential for future development in this time period." The FEIR then contradicts itself by saying "[t]he projected 3,738 dwelling units is comprised of multiple parts and focuses on the total buildout for the Town, not just a 20-year horizon." (*Id.*)

In reality, the baseline is the existing conditions, normally represented by conditions at the time the notice of preparation was released. (CEQA Guidelines § 15125.) Here, that would represent the Town's existing residential and commercial development as of 2020. Reliance on a future conditions baseline, at least without any substantial evidence to justify it, is yet another flaw in the EIR. (*Neighbors for Smart Rail v. Exposition Metro Line Construction Auth.* (2013) 57 Cal.4th 439.) Additionally, doing a plan-to-plan comparison is also invalid under CEQA. (*Environmental Planning & Information Council v. County of El Dorado* (1982) 131 Cal.App.3d 350.)

At minimum, the FEIR raises an issue of shifting and inconsistent baselines. For instance, while the FEIR says the baseline is future growth under 2040 conditions, the Draft EIR ("DEIR") suggests it relied on an existing conditions baseline, at least as to vehicle miles traveled and certain other resource categories. (Draft EIR, pp. 2-4, fn. 1, 4.9-14, 4.10-9, 4.15-23.) Among other courts, the Sixth Appellate District has overturned an EIR that relied on conflicting baseline information. (*Save Our Peninsula Committee v. Monterey County Bd. of Supervisors* (2001) 87 Cal.App.4th 99.)

### C. The EIR Fails To Adequately Analyze And Address Significant Transportation Impacts.

The Recirculated Draft EIR ("RDEIR") identifies a new significant unavoidable impact. Specifically, Impact T-1 acknowledges a significant unavoidable impact to transit vehicle operations due to increased delays at intersections. The acknowledgment of this new significant impact requires consideration of feasible mitigation measures and alternatives to avoid or substantially lessen this impact. The RDEIR does neither.

As to Impact T-1, the RDEIR states that "[t]here are no feasible mitigation measures to reduce potentially significant effects related to transit operations and ridership." (RDEIR, p. 4.15- 25.) An EIR cannot simply declare an impact significant and unavoidable without considering and imposing feasible mitigation measures.[1] The RDEIR acknowledges that transit operational improvements, such as signal coordination and transit vehicle preemption, could potentially improve the overall reliability of transit in congested areas. (RDEIR, p. 4.15-25.) Because these measures are "not likely to fully address" the impact, the RDEIR does not impose them as mitigation. (*Id.*) The FEIR states the measures are not included because they are a separate project that would be implemented later. (FEIR, p. 198.) As such, the EIR does not impose enforceable mitigation measures to avoid or substantially lessen a significant impact and defers

[1] (Public Resources Code §§ 21002, 21002.1(a), 21081(a)(3); CEQA Guidelines § 15091(a)(3); *California Native Plant Society v. City of Santa Cruz* (2009) 177 Cal.App.4th 957, 982; *City of Marina v. Board of Trustees of the California State University* (2006) 39 Cal.4th 341, 369.)

mitigation to an unspecified future date. The EIR also fails to consider any alternatives to this newly identified significant impact. In all these aspects, the FEIR fails to comply with CEQA. (Public Resources Code §§ 21002, 21002.1(a), CEQA Guidelines §§ 15126.4, 15126.6; *Laurel Heights Improvement Assn. v. Regents of University of California* (1988) 47 Cal.3d 376, 400-403.)

## II. To Rectify The CEQA Infirmities, The Proposed Plan Must Be Revised.

The Proposed Plan must be revised to, at minimum, include the following revisions. If such changes were to be made, they would go a long ways towards satisfying LGCA's fundamental concern that the Proposed Plan includes excessive density increases that have not been analyzed in the EIR.

### A. Restore Existing Low Density Residential Development Standards.

For lands designated Low Density Residential, the current General Plan allows for single-family development at densities of up to 5 units per acre. The Proposed Plan would more than double the permitted densities, allowing for development of up to 12 units per acre.[2] No change in land use designation or densities should be made to the Low Density Residential land use category.

First, no such changes are needed to meet the Town's RHNA figure. Higher density development is already provided for in other areas, such as Community Place Districts. Further, the densities proposed in Low Density Residential areas (up to 12 units per acre) would not count toward the Town's fair share of affordable housing. (Gov. Code § 65583.2(c)(3)(B) [requiring densities of at least 20 units per acre to be deemed appropriate to accommodate housing for lower income households].)

Second, state law has already added density to low density residential areas. Senate Bill 9, which took effect on January 1, 2022, allows for up to four units per single family residential lot. The Town has enacted an urgency ordinance to implement Senate Bill 9. Adding further density to single-family neighborhoods would not be appropriate as such areas are generally not in close proximity to public transit, employment, or commercial services. Local upzoning on top of state upzoning would also be contrary to policies in the Proposed Plan that emphasize maintaining and enhancing a sense of place in residential neighborhoods and requiring new construction to be compatible with existing neighborhoods. (*See, e.g.*, Proposed Plan, Goals LU-5 and LU-17 and Policies LU-2.1, LU-4.1, and LU-5.8.)

Third, given the relatively high land costs, much higher development densities are required to achieve the unit development economics to incentivize the production of duplexes and triplexes in Low Density Residential areas. As such, the desired development would not likely ever

[2] We understand that the Planning Commission recommended that the maximum density be reduced slightly to 10 units per acre. This is still double the current allowed maximum density.

materialize given the high land cost. The resulting housing would instead likely consist of denser, single-family detached housing that is market rate and not affordable.

**B. Add Low-Medium Density Residential in Appropriate Locations.**

The Proposed Plan contains policies that encourage development of "missing middle" housing. (*Cf.* Proposed Plan, Policies LU-1.2, LU-3.5, and LU-5.1; *see also* Proposed Plan, pp. 3-5 to 3-6.) The Proposed Plan describes missing middle housing as "multiple units on a single parcel (whether attached or detached) that are compatible in scale and form with detached single-family homes." (Proposed Plan, p. 3-3.) The plan goes on to state that common missing middle housing types include, among others, duplexes, triplexes, and townhomes. (*Id.*)

To actually encourage the development of this type of housing, the Town should establish a new Low-Medium Density Residential land use category that allows for the development of duplexes and triplexes at a density range of between 6 and 13 dwelling units per acre. The City of Campbell has a similar land use designation in its General Plan, which it describes as consisting generally of duplexes, small apartment buildings, and small lot, single-family detached homes. This new land use designation would be between Low Density Residential, designed for single-family residential development, and Medium Density Residential, designed for multiple-family residential development. Staff could identify appropriate sites in Community Place Districts for this new land use designation.

**C. Amend Permitted Intensities Allowed in Central Business District.**

As currently written, the Proposed Plan would change the permitted floor area ratio ("FAR") in the Central Business District ("CBD") from 0.6 to 2.0 and allow for residential densities of 20-30 units per acre. This change would increase allowed intensities in Los Gatos's unique and charming Downtown by over 200 percent. Such a change would conflict with policies emphasizing the small-scale retail development envisioned in the CBD district that is consistent with the Town's identity, character, and style. (*Cf.* Proposed Plan, Policies LU-8.2, LU-8.3, LU-9.1, and LU-9.4.) Such high density development could threaten the commercial viability of the Downtown area.

The City of Campbell limits FAR in its Central Commercial ("CC") district to 1.25. Similar to Los Gatos's CBD district, Campbell's CC district is intended to promote retail commercial uses on the ground floor with office or other uses on upper floors. The Town should likewise limit FAR in the CBD to 1.25.

**D. Make Other Changes As Needed to Accommodate The Town's Assigned RHNA.**

In addition to the above changes, the Town should modify land use designations and densities so that build-out under the Proposed Plan would accommodate no more than approximately 2,300

units. This figure reflects the Town's RHNA of 1,993 units, plus a 15 percent buffer. It also reflects the economic demand and the City Council's preferred land use alternative. By proceeding with this reasonable growth figure, the Town could ensure that development is phased and does not outpace necessary infrastructure and service improvements.

The current Proposed Plan allows for the development potential of nearly 75,000 housing units at maximum allowable densities. Even using the Town's deflated figures and assuming a less than worst case scenario, the Proposed Plan may still result in the development of over 14,600 units. The EIR wrongly assumes and studies only 25 percent of this growth. There is no need to maximize densities in each and every residential and commercial land use category to achieve the Town's RHNA and doing so would fundamentally change the nature and character of the Town.

**********

In closing, the EIR fails to analyze the significant environmental impacts of the Proposed Plan. As such, the Town cannot legally rely on the EIR to adopt the Proposed Plan in its current form. At minimum, the changes requested by LGCA in Section II are needed to rectify the significant legal infirmities associated with the EIR.

Thank you for your consideration of LGCA's views on these important matters. Representatives of LGCA, including the undersigned, will be in attendance at your June 20th hearing on this item. In the meantime, please do not hesitate to contact me with any questions concerning this correspondence.

Very truly yours,

RUTAN & TUCKER, LLP

Matthew D. Francois

cc (*via e-mail*):
Laurel Prevetti, Town Manager
Joel Paulson, Community Development Director
Gabrielle Whelan, Town Attorney

**From:** James Lyon [redacted]
**Sent:** Sunday, June 19, 2022 4:51 AM
**To:** Maria Ristow <MRistow@losgatosca.gov>; Matthew Hudes <MHudes@losgatosca.gov>; Mary Badame <MBadame@losgatosca.gov>; Marico Sayoc <MSayoc@losgatosca.gov>; Rob Rennie <RRennie@losgatosca.gov>
**Cc:** Council <Council@losgatosca.gov>
**Subject:** 2040 General Plan - DO NOT ADOPT Planning Commission Recommendation

EXTERNAL SENDER

Dear Distinguished Council Members,

I write you with concerns of the recommendations from the Planning Commission on the Housing Element and the 2040 General Plan.

1. The Housing Element as submitted is an "up zoning" of almost the entire Town – this is not acceptable. The Town is already dealing with the State SB9 mandate – to add more housing on top of this mandate is not realistic.
    a. How do we deal with services – **fire, police, schools, roads, parking, and traffic** with this increased density? These questions have not been adequately addressed – and need to be mitigated PRIOR to adoption of such a General Plan.
    b. We live as the Wildlife-Urban interface – where wildfires will devastate the community. More density exacerbates this issue due to limited access, narrow roads and higher density.
    c. Do we have enough water supply or sewage capacity for the Town? We are already in a drought situation again – it is now perpetual. What is the plan to have enough water to support a 28% increase in Town population by 2040 based on the Plan?
2. The 2040 General Plan as drafted has population growth of 28% - three times higher than historic growth. This is unreasonable to expect the Town to grow this fast (or to absorb this many new residents).
    a. How will safety and quality of life be maintained? Has the fiscal and physical infrastructure impact been analyzed? The answer is "no". It would be irresponsible to adopt a Plan without understanding the impact and mitigations.
3. The Housing Element has nearly DOUBLE the State's mandated Regional Housing Needs Allocation (RHNA) – WHY? There is no rational reasoning – Santa Clara County population has been on the decline in recent years. I implore you to cut the 2040 Housing Element to the RHNA level of 1993 units as mandated by the State – or better yet, appeal the State mandate.
    a. SB9 growth should be within the Town's RHNA target – recalculate the SB9 projections to be included in the RHNA target.
    b. Growth allowed should be phased so that services and infrastructure can keep pace and be put in place ahead of growth. Meaning no more than 500 units every 5 years to 2040.
    c. Reduce densities as follows:

| | Density Range (du/ac) | | Maximum Height | |
|---|---|---|---|---|
| Land Use Designations | Existing General Plan | Draft General Plan | Existing General Plan | Draft General Plan |
| Hillside Residential | 0 to 1 | 0 to 1 | 30 | 25 |
| Low Density Residential | 0 to 5 | 1 to ~~12~~ 8 | 30 | 30 |
| Medium Density Residential | 5 to 12 | 8-16 ~~14 to 24~~ | 30 | 35 |
| High Density Residential | 12 to 20 | 20 ~~30~~ to ~~40~~ 30 | 30 | 35 ~~45~~ |
| Mixed-Use | 20 | 20 ~~30~~ to ~~40~~ 30 | 35 | 45 |
| Neighborhood Commercial | 20 | 10 to 20 | 35 | 35 |
| Community Commercial | NA | 20 to 30 | 35 | 45 |
| Central Business District | 20 | 20 to 30 | 45 | 45 |
| Office Professional | 20 | 30 to 40 | 35 | 35 |
| Service Commercial | NA | 20 to 30 | 35 | 35 |
| Light Industrial | NA | None | 35 | 35 |
| Public | NA | None | NA | 35 |
| Open Space | NA | None | NA | 30 |
| Agriculture | NA | 0 to 1 | NA | 30 |
| Albright Specific Plan | See Specific Plan | No Change | See Specific Plan | No Change |
| North Forty Specific Plan | See Specific Plan | No Change | See Specific Plan | No Change |

4. Affordable Housing – certainly with will be expected with the growth of housing. But as we all know, affordable housing is an oxymoron. There is no affordable housing in the Bay Area – so let's stop the charade.
    a. Any affordable housing needs to preserve the character of the Town – just look to the North 40 development – this was to have affordable housing – but the lowest prices are more than $1.2MM – not affordable. This development Is massive and NOT in keeping with the Town character. This uncontrolled massive development CANNOT happen in the future.
    b. Every affordable housing program in the Town for the last 25 years has failed – BMP units, in-lieu fees, etc – none of these programs has achieved "affordable housing" in Los Gatos – again, stop kidding ourselves.
    c. There needs to be principles and values to select locations and design for affordable housing to fit Town character. Without these, we will end of with another abomination like the North 40.

As a former Planning Commissioner (1996 – 2002), I request that you take action to revamp and correct the errors of the Planning Commission and NOT enact this General Plan as-is. It needs to be returned to the Planning Commission and Staff with specific direction to:

1. Reduce housing to the State mandated levels, inclusive of SB9 and ADU created housing.
2. All services to be analyzed for impact (financial, physical) and mitigation measures defined, with growth only allowed in stages IF services have scaled to meet in the increased demand.

3. Affordable housing guidelines to be developed that preserve the character of the Town. Clearly define affordable housing as well principles and values for site selection and allocation to the community.
4. Align the GP to the State's and County's actions – not promises. The County has never implemented the Vasona Extension of Light Rail – at the time, this was used as a traffic mitigation for the Netflix campus – it never happened. We need to have the infrastructure PRIOR to growth, not a promise by the County or State that it will come. History shows that the Town gets burned.

Thank you for your considerations and I urge you to return the 2040 General Plan to the Planning Commission.

Regards,

Jim Lyon

[redacted]

**From:** [redacted]
**Sent:** Sunday, June 19, 2022 8:46 AM
**To:** Rob Rennie <RRennie@losgatosca.gov>; Maria Ristow <MRistow@losgatosca.gov>; Marico Sayoc <MSayoc@losgatosca.gov>; Matthew Hudes <MHudes@losgatosca.gov>; Mary Badame <MBadame@losgatosca.gov>
**Cc:** Town Manager <Manager@losgatosca.gov>; Arn Andrews <aandrews@losgatosca.gov>; Joel Paulson <jpaulson@losgatosca.gov>; Shelley Neis <sneis@losgatosca.gov>
**Subject:** A Request to limit RHNA to 2292 homes

EXTERNAL SENDER

Tomorrow night you will hear the reasons given by the GPAC, PC and Staff as to why ~14,600 (or 12,065) additional homes is a good idea. We don't think the vast majority of Los Gatans agree as expressed in our survey and confirmed again in the Town's survey. Please listen to your residents.

Attached you will find what we think is a very simple solution to approve of the 2292. We do realize the number of hours put into the study by the GPAC, PC and Staff will be very hard for them to let go. But the number of hours may have been spent missing the forest because of the trees.

As we always try to do, we have found the data in the Town's publications so as to remove our personal bias. You can vote for 2292 now, and up that number later. You can't vote for 12,065 now and go back to anything less in the future.

We look forward to your meeting tomorrow evening.

-

*Los Gatos Community Alliance*

*Facts Matter; Transparency Matters; Honesty Matters*

*www.lgca.town*

## Up zone the Entire Town or Simply Rezone for 877 Units?

When the 2040 General Plan first started, the Town Council (TC) told the General Plan Advisory Committee (GPAC) that they were happy with the 2020 General Plan and that it only needed tweaking. We agreed with that comment and like most of you, we were aghast when the GPAC recommended at least **doubling** all residential land use densities Town wide (aka, up zoning) which increased the maximum potential housing units allowed by more than 14,600 homes. This new zoning standard would double the allowed homes in a town that is largely built out. While the Town is not responsible for what ultimately gets built, the Town absolutely controls what is allowed to be built. And this is the core issue.

The State of California Dept Of Finance (DOF) projected the most likely market demand for housing in Los Gatos between 2020 and 2040 is 1,529 units. The Town's own consultant, ADE Projection, concluded a market demand of 1,954 units. And lastly, the GPAC initially provided guidance that the Town should develop land use alternatives that could provide space for the future development over the next 20 years for 2,000 residential units. This strongly indicates that the Town should make only those targeted land use changes which will allow for the development of 2,292.

The Town is required by the State to properly zone enough residential land which would enable the development of 1,993 units plus a 15% buffer over the next 8 years for a total number of 2,292 units at various income levels. That is all that is required for the 6th cycle.

By our calculations, and backed up by the Town's own documents, after deducting from 2,292 units the projected 200 ADU's and the 202 allowable units currently in the pipeline (see Exhibit B, pg 289), the Town needs to properly zone enough sites that will allow for the development of only 1,890 units. Under existing residential land use density, the Town has estimated there is land capacity to build an additional 1,013 units, with no zoning changes; see Exhibit A. This leaves the Town short a total of only 877 units (1890-1013= 877).

877 units is the total number of additional units that must be planned to meet the 6th cycle allocation. This would require increasing densities for a limited number of targeted sites (less than 35 acres of land in all) to accommodate this incremental growth. However, for some reason, the solution by the GPAC was to **double** the residential land use density Town wide, which impacts over 2,465 acres and will allow, based on new zoning laws, the development of over 14,600 units in the GPAC version or 12,065 as modified by the PC (see Exhibit C as to how we speculated they did their calculations since the Town never explained it).

Of the 877 units, we need 847 that qualify as low and very low housing. It is our feeling, that most of that can and should be planned in the "opportunity" zones that are most likely to be served by some form of mass-transit in the future. We also advocate having

some of the low/very low placed in the North Forty which is the single largest piece of developable property in Los Gatos.

We cannot possibly speculate why the GPAC and the PC feel up zoning to a minimum of 12,065 units is a good idea. It will increase development, traffic, green house gases, water usage, and students in our schools. We and **64% of the population** in two different surveys disagree with the GPAC, the PC and the Town Manager. We respectfully ask the Council to reject up zoning 2645 acres when we may only need 35 to meet our RHNA numbers. ABAG does not set RHNA numbers for 20 years, but it's likely that to speed development, they compressed 20 to 8. Los Gatos Commissions should not be forecasting how many houses we'll need for 20 years. It's been done for us by two independent entities who forecast 20 year growth at less than 1993. The second paragraph above will show you that we do not need more than 2292 homes.

***Los Gatos Community Alliance***
***Facts Matter; Transparency Matters; Honesty Matters***
***www.lgca.town***

DISCUSSION (continued):

| Land Use Designation | Density Range (du/ac) | | Typical Density (du/ac) | | Assumed Redevelop-ment (Redev) | Existing General Plan | | Draft General Plan | |
|---|---|---|---|---|---|---|---|---|---|
| | Existing General Plan | Draft General Plan | Existing General Plan | Draft General Plan | | New Housing (Vacant Land) | New Housing (Redev) | New Housing (Vacant Land) | New Housing (Redev) |
| Hillside Residential | 0 to 1 | 0 to 1 | 1 | 1 | 0% | 116 | - | 166 | - |
| Low Density Residential | 0 to 5 | 1 to 12 | 4 | 12 | 5% | 75 | 13 | 283 | 84 |
| Medium Density Residential | 5 to 12 | 14 to 24 | 10 | 20 | 10% | 107 | 133 | 224 | 343 |
| High Density Residential | 12 to 20 | 30 to 40 | 18 | 36 | 15% | 53 | 111 | 110 | 268 |
| Neighborhood Commercial | 10 to 20 | 10 to 20 | 16 | 18 | 10% | 11 | 39 | 26 | 91 |
| Community Commercial | 0 | 20 to 30 | 0 | 26 | 15% | - | | - | 156 |
| Mixed-Use | 10 to 20 | 30 to 40 | 16 | 36 | 20% | 55 | 242 | 126 | 605 |
| Central Business District | 10 to 20 | 20 to 30 | 16 | 26 | 15% | 12 | 46 | 21 | 113 |
| Office Professional | 0 | 30 to 40 | 0 | 36 | 15% | - | | 4 | 255 |
| Service Commercial | 0 | 20 to 30 | 0 | 26 | 15% | - | | 10 | 44 |
| Subtotal | | | | | | 429 | 584 | 970 | 1,959 |
| Housing Units, New and Redeveloped | | | | | | | 1,013 | | 2,929 |
| Housing Units, ADUs | | | | | | | 500 | | 500 |
| Subtotal | | | | | | | 1,513 | | 3,429 |
| Housing Units, Existing Projects | | | | | | | 475 | | 475 |
| TOTAL | | | | | | | 1,988 | | 3,904 |

**Exhibit B pg 288**

| | | | | | | | | Draft 2040 General Plan Density | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | Address | APN | Parcel Size (Gross Acres) | Draft 2040 General Plan du/ac | Draft 2040 General Plan Land Use Designation | Zoning | Use | Very Low-Income Capacity | Low-Income Capacity | Moderate-Income Capacity | Above Moderate Income Capacity | Total |
| D-9 | Los Gatos Blvd. | 52302005 | 0.53 | 40 | Mixed Use Commercial | C-1 | Nob Hill Shopping Center | 68 | 33 | 33 | | 134 |
| | 16535 Camellia Ter. | 52302006 | 2.81 | 40 | Mixed Use Commercial | C-1 | Nob Hill Shopping Center | | | | | |
| D-16 | 15795 Los Gatos Blvd. | 52915059 | 0.64 | 40 | Mixed Use Commercial | CH | Affordable Treasures | 14 | 6 | 6 | | 26 |
| D-26 | 16203 Los Gatos Blvd. | 52916069 | 0.79 | 40 | Mixed Use Commercial | CH | Multi-Tenant Building | 16 | 8 | 8 | | 32 |
| D-29 | 16492 Los Gatos Blvd. | 53207086 | 0.23 | 20 | Neighborhood Commercial | C-1 | LG Wines & Liquors | | | | 12 | 12 |
| | | 53207085 | 0.38 | 20 | Neighborhood Commercial | C-1 | Vacant | | | | | |
| | **E - North Forty Area** | | | | | | | | | | | |
| E-1 N40 Phase II | 14859 Los Gatos Blvd. | 42407094 | 2.90 | 13 | North Forty Specific Plan Area | North Forty Specific Plan Area | | 50 | 30 | 30 | 90 | 200 |
| | 16392 Los Gatos Blvd. | 42407095 | 0.78 | 13 | North Forty Specific Plan Area | North Forty Specific Plan Area | | | | | | |
| | 16260 Burton Rd. | 42407053 | 0.44 | 13 | North Forty Specific Plan Area | North Forty Specific Plan Area | | | | | | |
| | 16250 Burton Rd. | 42407009 | 0.44 | 13 | North Forty Specific Plan Area | North Forty Specific Plan Area | | | | | | |
| | 14917 Los Gatos Blvd. | 42407081 | 3.74 | 13 | North Forty Specific Plan Area | North Forty Specific Plan Area | | | | | | |
| | 14925 Los Gatos Blvd. | 42407115 | 6.07 | 13 | North Forty Specific Plan Area | North Forty Specific Plan Area | | | | | | |
| | | 42407116 | 1.02 | 13 | North Forty Specific Plan Area | North Forty Specific Plan Area | | | | | | |
| E-2 | | 42406115 | 1.17 | 20 | North Forty Specific Plan Area | North Forty Specific Plan Area | | | | | 26 | 26 |
| | | 42406116 | 0.11 | 20 | North Forty Specific Plan Area | North Forty Specific Plan Area | | | | | | |
| E-3 | | 42407010 | 0.26 | 20 | North Forty Specific Plan Area | North Forty Specific Plan Area | | | | | 5 | 5 |
| E-4 | | 42407052 | 0.43 | 20 | North Forty Specific Plan Area | North Forty Specific Plan Area | | | | | 9 | 9 |
| E-5 | | 42407054 | 0.26 | 20 | North Forty Specific Plan Area | North Forty Specific Plan Area | | | | | 16 | 16 |
| | | 42407063 | 0.56 | 20 | North Forty Specific Plan Area | North Forty Specific Plan Area | | | | | | |
| E-6 | | 42407064 | 0.93 | 20 | North Forty Specific Plan Area | North Forty Specific Plan Area | | | | | 19 | 19 |
| E-7 | | 42407065 | 0.37 | 20 | North Forty Specific Plan Area | North Forty Specific Plan Area | | | | | 7 | 7 |
| | **F - Lark Avenue Area** | | | | | | | | | | | |
| F-1 | | 42408057 | 2.97 | 12 | Low Density Residential | R-1:8 | Vacant | 62 | 37 | 37 | 111 | 247 |
| | | 42408029 | 0.31 | 12 | Low Density Residential | R-1:8 | Vacant | | | | | |
| | | 42408059 | 1.01 | 12 | Low Density Residential | R-1:8 | Vacant | | | | | |
| | | 42408060 | 1.29 | 12 | Low Density Residential | R-1:8 | Vacant | | | | | |
| | | 42408058 | 1.41 | 12 | Low Density Residential | R-1:8 | Single-Family Home | | | | | |
| | | 42408017 | 2.48 | 24 | Medium Density Residential | R-M:5-12 | Single-Family Home | | | | | |
| | | 42408021 | 4.32 | 24 | Medium Density Residential | R-M:5-12 | Vacant | | | | | |
| F-2 | | 42408074 | 6.41 | 12 | Low Density Residential | R-1:8 | Vacant | 19 | 12 | 12 | 34 | 77 |
| F-3 | Cal Trans Parcel | N/A | 4.90 | 24 | Medium Density Residential | Re-zone to R-M:5-12 | Cal Trans ROW | 29 | 18 | 18 | 53 | 118 |



$\Sigma = 257$

EXHIBIT B, pg, 289

| | | | | | | | | Draft 2040 General Plan Density | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | Address | APN | Parcel Size (Gross Acres) | Draft 2040 General Plan du/ac | Draft 2040 General Plan Land Use Designation | Zoning | Use | Very Low-Income Capacity | Low-Income Capacity | Moderate-Income Capacity | Above Moderate Income Capacity | Total |
| | **G- Winchester Boulevard Area** | | | | | | | | | | | |
| G-1 | 110 Knowles Dr. | 42432077 | 7.34 | 40 | High Density Residential | CM:AHOZ | Office | 59 | 59 | 88 | 88 | 294 |
| G-3 (New) | 206 Knowles Dr. | 42432076 | 2.41 | 40 | High Density Residential | CM | Office | 48 | 24 | 24 | | 96 |
| | | | | | | | | | | | | |
| | **I - Union Avenue Area** | | | | | | | | | | | |
| I-1 | 440 Los Gatos Alamden Rd.<br>445 Leigh Ave. | 52749048<br>52749049 | 0.52<br>0.29 | 20<br>20 | Neighborhood Commercial<br>Neighborhood Commercial | C-1<br>C-1 | Chevron<br>Office | | | | 16 | 16 |
| | | | | | | | | | | | | |
| | **J - Harwood Road Area** | | | | | | | | | | | |
| J-1 | 14000 Blossom Hill Rd. | 52732028 | 0.69 | 20 | Neighborhood Commercial | C-1 | Valero | | | | 14 | 14 |
| | | | | | | | | | | | | |
| | **Subtotal** | | | | | | | 669 | 381 | 410 | 586 | 2,046 |
| → | **ADUs** | | | | | | | 20 | 60 | 60 | 60 | 200 |
| → | **Pipeline projects** | | | | | | | | | | 202 | 202 |
| | **TOTAL** | | | | | | | 689 | 441 | 470 | 848 | 2,448 |
| | **RHNA Requirements** | | | | | | | 537 | 310 | 320 | 826 | 1,993 |
| | **Buffer (15 percent)** | | | | | | | 81 | 46 | 48 | 124 | 299 |
| | **RHNA + Buffer Total** | | | | | | | 618 | 356 | 368 | 950 | 2,292 |
| | **Difference** | | | | | | | 71 | 85 | 102 | -102 | 156 |

1,130

| Land Use Designation | | Density Range (du/ac) | Typical Density (du/ac) | **Derived Draft GP Total Units** | **Assumed Redevelp %** | **New Housing (vacant)** | **New Housing (redev)** |
|---|---|---|---|---|---|---|---|
| LDR | Low Density Residential | 1 to 10 | 10 | 1,120 | 5% | 230 | 56 |
| MDR | Medium Density Residential | 14 to 22 | 18 | 3,430 | 10% | 201 | 343 |
| HDR | High Density Residential | 30 to 40 | 36 | 1,787 | 15% | 110 | 268 |
| NC | Neighborhood Commercial | 10 to 20 | 18 | 910 | 10% | 26 | 91 |
| CC | Community Commercial | 20 to 30 | 26 | 1,040 | 15% | 0 | 156 |
| MU | Mixed-Use | 30 to 40 | 36 | 3,025 | 20% | 126 | 605 |
| CBD | Central Business District | 20 to 30 | 26 | 753 | 15% | 21 | 113 |
| | **Subtotal** | | | **12,065** | | **714** | **1,632** |
| | Housing Units, New and Redeveloped | | | | | | 2,346 |
| | Housing Units, ADUs | | | | | | 500 |
| | Subtotal | | | | | | 2,846 |
| | Housing Units, Eixisting Projects | | | | | | 475 |
| | **Total** | | | | | | **3,321** |

**From:** [redacted]
**Sent:** Sunday, June 19, 2022 11:52 AM
**To:** Rob Rennie <RRennie@losgatosca.gov>; Maria Ristow <MRistow@losgatosca.gov>; Mary Badame <MBadame@losgatosca.gov>; Marico Sayoc <MSayoc@losgatosca.gov>; Matthew Hudes <MHudes@losgatosca.gov>; Clerk <Clerk@losgatosca.gov>
**Subject:** Please Vote Against Building Plan on 6/20

EXTERNAL SENDER

June 19, 2022

Dear Town Council members,

I am writing in great concern for the safe livability of our town, especially in regards to fire danger.

In the June 20th Town Council meeting, **please do not**:

- Approve the recommendation for up-zoning our entire town, which would allow for almost double the residential units we have (approximately 14,600 additional homes).
- Approve planning for almost 4,000 units, far in excess of the RHNA numbers required by the State of CA.

**Please do:**

--Reject this proposal and plan to adopt the recommendation/requirements from the state **ONLY**, which requires the town to zone enough residential land to enable the development of 1,993 units plus a 15% buffer over the next 8 years for the 6th RHNA cycle. Los Gatos can then evaluate appropriately for the next RHNA cycle later, a logical course that every other town is taking.

Please remember that what you do on 6/20 will change our town forever, and the repercussions of what you do will affect your own political career and prospects for the future. As you well know, numerous surveys have proven that the township does not agree with your "no-plan" (no plan for fire, no plan for schools, no plan for greenhouse gasses, no plan for financial impact) ambitious building fiasco.

In closing, a final request:

- Please make every letter you have received from town residents on this matter **PUBLIC** as you should have done long ago.

Best,

Sandra Livinghouse, [redacted]., Los Gatos

**From:** Cathleen Bannon [redacted]
**Sent:** Sunday, June 19, 2022 3:48 PM
**To:** GP2040 <GP2040@losgatosca.gov>
**Subject:** General plan 2040

EXTERNAL SENDER

I'm writing to voice my concerns regarding the general plan. After reviewing, while I see the need for growth, I do not support the idea of building beyond the **1,993** required units (NOT the proposed 70-90% above). Our town does not have the infrastructure needed to absorb current traffic needs. The south side of town has limited narrow roads that cannot absorb converting older lots to multi unit lots. The town must limit development to areas that have more space for increased traffic/parking/etc. the town must find a way to preserve the look of the town, the ease of living, the community focus.

**Not every every residential area in Town be "upzoned" into more dense neighborhoods?**

**Services and infrastructure can not keep pace with the safety and quality of life that our residents expect.**

**We must do a better job of preserving the character of our community while guiding the Town into the future.**

**Cathleen & Grant Bannon**

[redacted]

**From:** [redacted]
**Sent:** Sunday, June 19, 2022 5:07 PM
**To:** GP2040 <GP2040@losgatosca.gov>
**Subject:** housing

EXTERNAL SENDER

Sirs,

Before the town increase numbers I want a look at safety. Evacuation routes for fire primarily. We sit at the interface of a massive potential fire as the heat and lack of rain increases danger. I would like to hear from our fire department on the topic.

Parking? Where will each of the 4,000 new homes park their cars...that's 8,000 cars needing parking. Don't fool yourself that public transit will solve that problem. WE are not Europe.

Water? Where will we get the water for that many homes, gardens, etc?

Next. Street safety. Already cars can barely move on weekends...there is no way I could evacuate from Central Avenue. I doubt an ambulance could get in and out.

School: The high school traffic is an accident waiting to happen....increasing cars and walkers only increases the likelihood of accident. Already, I have been told there is no money for a traffic light or a crossing guard!!

Schools: New ones will be needed. Who will pay?

Why does the town want to double the already high number of housing we are expected to accommodate? Who is benefiting? Profiting?

My neighbors are already so close, I can hear the toilet flush's and smell the dryer perfume blowing over my deck and in my windows. I can hear their conversations and there are hard feelings over size of trees, etc. (In fact, they are leaving Los Gatos for more space)

If the town counsel care about the quality of life and the residents at all, they must answer these problems.

Sandy Moeckel

**From:** [redacted]
**Sent:** Sunday, June 19, 2022 8:13 PM
**To:** GP2040 <GP2040@losgatosca.gov>
**Subject:** Pls vote to keep state's required housing allotment and no more

EXTERNAL SENDER

Hi. Thank you for voting to stay at the estimated 1900 new housing units the state is requiring and no more.

We also need the housing to be allotted as the Town grows to accommodate the density, not allow the units to be built Day 1.

Thank you

Babette Ito

--

Yours,

Babette Ito

[redacted]

**From:** [redacted]
**Sent:** Monday, June 20, 2022 8:09 AM
**To:** PublicComment <PublicComment@losgatosca.gov>
**Subject:** Public Comment Item #1

EXTERNAL SENDER

Attached is input the Town Council must consider as it prepares to adopt the Draft 2040 General Plan including Land Use Designations and Development Standards for the Town.

Thank you for distributing my comments/input to the Council ahead of the meeting tomorrow evening.

Rob Stump

[redacted]

June 19, 2022

Town Councilmembers
110 E. Main Street
Los Gatos, California 95030

Dear Councilmembers,

As a long-time Los Gatos resident, I am very concerned about the proposal to increase housing density (Low, Medium, & High Density Residential) in a blanket manner across the Town of Los Gatos. First, I do not believe there is any need to increase housing density across Los Gatos to achieve whatever housing numbers the Town Council or the citizens of Los Gatos approve. I think most community members would agree that applying a blanket and perhaps arbitrary approach to housing density that cannot be reversed in the future is not a prudent action.

Second, a blanket approach to housing density is not prudent from a public safety standpoint. Almost 3,100 homes in Los Gatos are located in the Wildland Urban Interface (WUI) designated as the Very High Fire Hazard Severity Zone (VHFHSZ). This entire area and even neighborhoods outside of the WUI live with the real threat of wildfire. Who can forget the devastation of the Tubbs Fire that decimated Coffey Park in Santa Rosa? Coffey Park was outside of the WUI. Fire blew into this neighborhood, four dead and 1,200 homes destroyed.

So, how should Los Gatos think about or rethink housing density in our WUI? We should not make any changes to housing density for any residential designation in the WUI. Residential designations as documented in the 2020 General Plan should remain in-place in the WUI.

| **Residential Designations** | **Standards, 2020 General Plan** |
|---|---|
| LDR – Low Density Residential | 0-5/acre |
| MDR – Medium Density Residential | 5-12/acre |
| HDR – High Density Residential | 12-20/acre |

The Los Gatos WUI Map with identified parcels is attached for reference.[1]
If increased housing densities are approved in the WUI, there could be catastrophic impacts to residents. Increasing housing density in the WUI flies in the face of public safety which is the top strategic priority for the Town of Los Gatos.

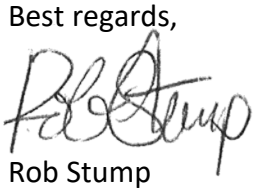
One final point, I think many in Los Gatos believe that wildfire will never happen in this community. Those that have been devastated by wildfire over the past several years know better. One fact that needs to be driven home, the Town of Los Gatos is at risk for catastrophic wildfire in our community. A well-known wildfire study, published by the *The Arizona Republic*, rated Los Gatos a higher risk for wildfire prior to the wildfire that destroyed the Town of Paradise.

[1] - Also attaching the "Wildland Urban Interface Evacuation Assessment" issued by the Town of Los Gatos on October 10, 2019 as an additional reference.

Countless numbers of homes were destroyed in and around Paradise and dozens of lives were lost.

Please ensure the real threat of wildfire in the Town of Los Gatos is carefully considered before making housing density changes that we as a community may later regret. Wildfire is a significant threat to Los Gatos. Let's not move more people into harm's way.

Best regards,

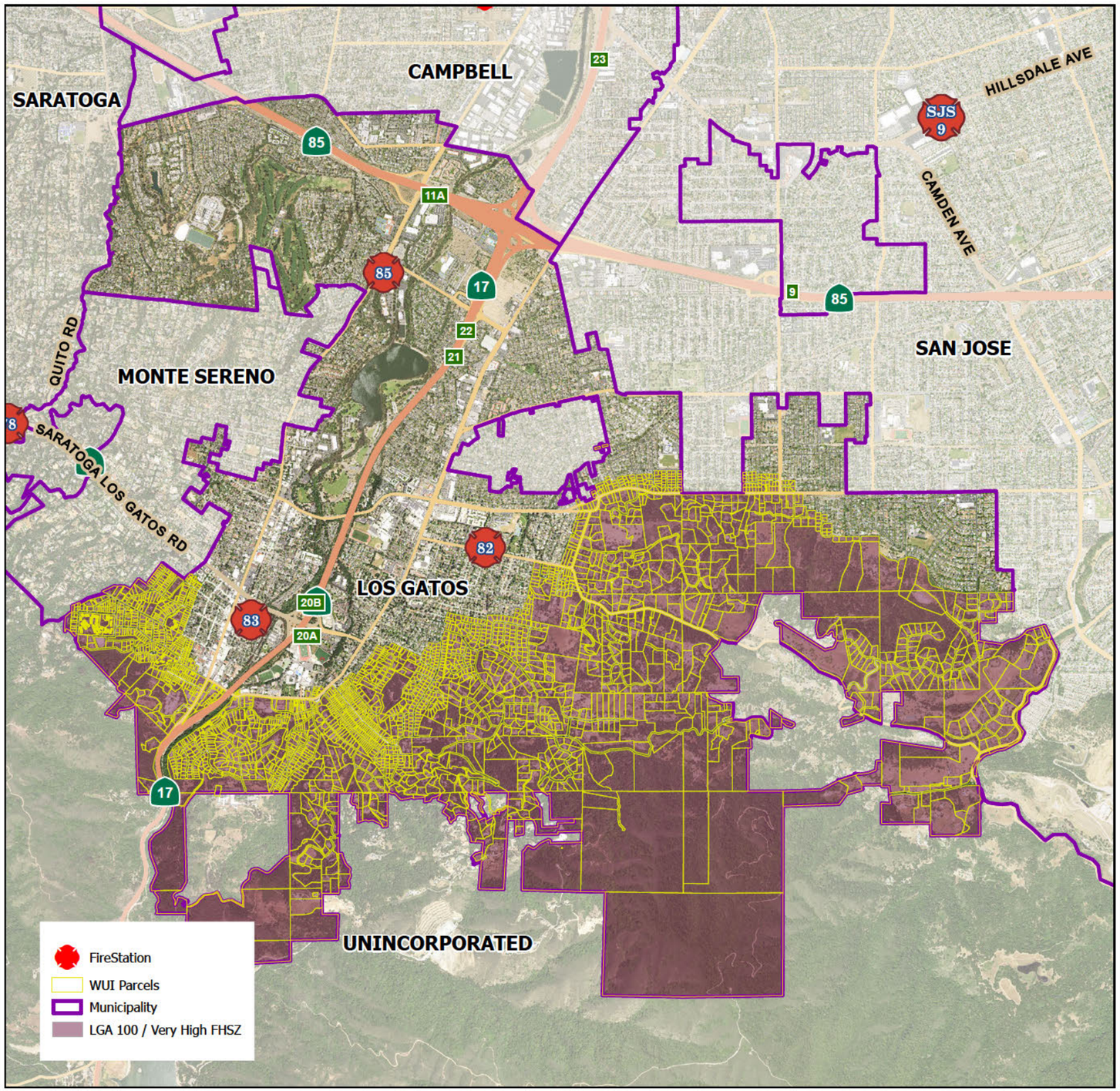


Rob Stump

# Town of Los Gatos Overview Map

June 2022

## Local Responsibility Area Fire Hazard Severity Zones




Santa Clara County Fire Department

## LGA 100 / LRA Very High FHSZ

APN#

| | | | | | | | | |
|---|---|---|---|---|---|---|---|---|
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Attachment 4

# LGA 100 / LRA Very High FHSZ

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DATE: October 9, 2019

TO: Mayor and Town Council

FROM: Laurel Prevetti, Town Manager

SUBJECT: Accept Wildland Urban Interface Evacuation Assessment Report

RECOMMENDATION:

Accept Wildland Urban Interface Evacuation Assessment Report.

BACKGROUND:

Los Gatos is identified as a Community at Risk from wildfires on the Federal and the California Fire Alliance list of Communities at Risk in Santa Clara County. The Los Gatos Wildland Urban Interface (WUI) planning area includes primarily Very High Fire Hazard Severity Zone areas on the southern side of Los Gatos. The WUI area is best described as an area that transitions from a natural condition (wildland) to human settlements. Homes and other development in the WUI are at risk of catastrophic wildfire due to the presence of vegetation that could fuel a wildfire. The WUI encompasses a wide variety of terrain, ranging from flat topography at the edge of the valley floor to densely wooded hillsides. While the sharp contrast between the valley floor and the hillsides is what makes the Town so picturesque, it also creates an extremely difficult operational area in the event of a wildfire.

The intent of the Wildland Urban Interface Evacuation Assessment is to create a common point of reference for Town residents, public safety officials, Town Council and staff, and other regional emergency preparedness partners. The Assessment will help inform future regulatory recommendations, advance the wildfire preparedness education of our hillside residents, inform fuel reduction priorities, facilitate grant opportunities, and provide a baseline for the ultimate development of an evacuation plan.

PREPARED BY: Arn Andrews
Assistant Town Manager

Reviewed by: Town Manager, Director of Parks and Public Works, Chief of Police and Town Attorney

DISCUSSION:

Safe and proper evacuation of people (residents, workers, and visitors), pets, and livestock is often a very critical component of WUI fires. Confusing hillside road networks, narrow roads that could inhibit two-way traffic, and dead-end roads all contribute to the complexities faced by the public and responders during WUI fires. In addition, WUI fires often require immediate "No Notice" evacuations, meaning little or no warning time exists between fire origin and the need for evacuation. The situational awareness associated with the Wildland Urban Interface Evacuation Assessment will help illustrate the critical shared responsibility of successful wildfire mitigation and response. The Assessment reaffirmed the critical importance of enhanced vegetation management along major ingress/egress road networks and Town-owned open spaces, and the maintenance of defensible space around residences and other buildings.

CONCLUSION:

The Assessment will help inform future regulatory recommendations, advance the wildfire preparedness education of our hillside residents, inform fuel reduction priorities, facilitate grant opportunities, and provide a baseline for future Town emergency preparedness and response activities.

COORDINATION:

This report has been coordinated with the County Office of Emergency Management, County Fire, Town Attorney, Director of Parks and Public Works, Chief of Police, and other Town Offices.

FISCAL IMPACT:

There is no fiscal impact with this item.

ENVIRONMENTAL ASSESSMENT:

This is not a project defined under CEQA, and no further action is required.

Attachment:
1. Wildland Urban Interface Evacuation Assessment

# Wildland Urban Interface Evacuation Assessment

**October 10, 2019**

**Town of Los Gatos**
**110 East Main Street**
**Los Gatos, CA 95030**

**Prepared by**
Town Managers Office

**Coordinated with**
Los Gatos-Monte Sereno Police Department
Santa Clara County Fire Department
Santa Clara County Office of Emergency Management

ATTACHMENT 1

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DRAFT

# Introduction

Los Gatos is listed as a Community at Risk from wildfires on the Federal and/or California Fire Alliance list of Communities at Risk in Santa Clara County. Wildfires occur in the vicinity of Los Gatos and present a danger to people and property within the Town. Recognizing that there could be a need to conduct an emergency evacuation of Wildland Urban Interface (WUI) portion of the Town of Los Gatos, the following Wildfire Urban Interface Evacuation Assessment has been assembled to better understand the opportunities and challenges associated with being a Wildland Urban Interface community.

Every potential evacuation response will be different based on the nature of the incident at that time, and this assessment and subsequent actions are intended to provide the greatest good for the greatest number of residents. Nothing in this assessment should be interpreted as an obstacle to any potential experience but rather an opportunity for our community and first responders to have the same shared understanding of the unique environment we live in.

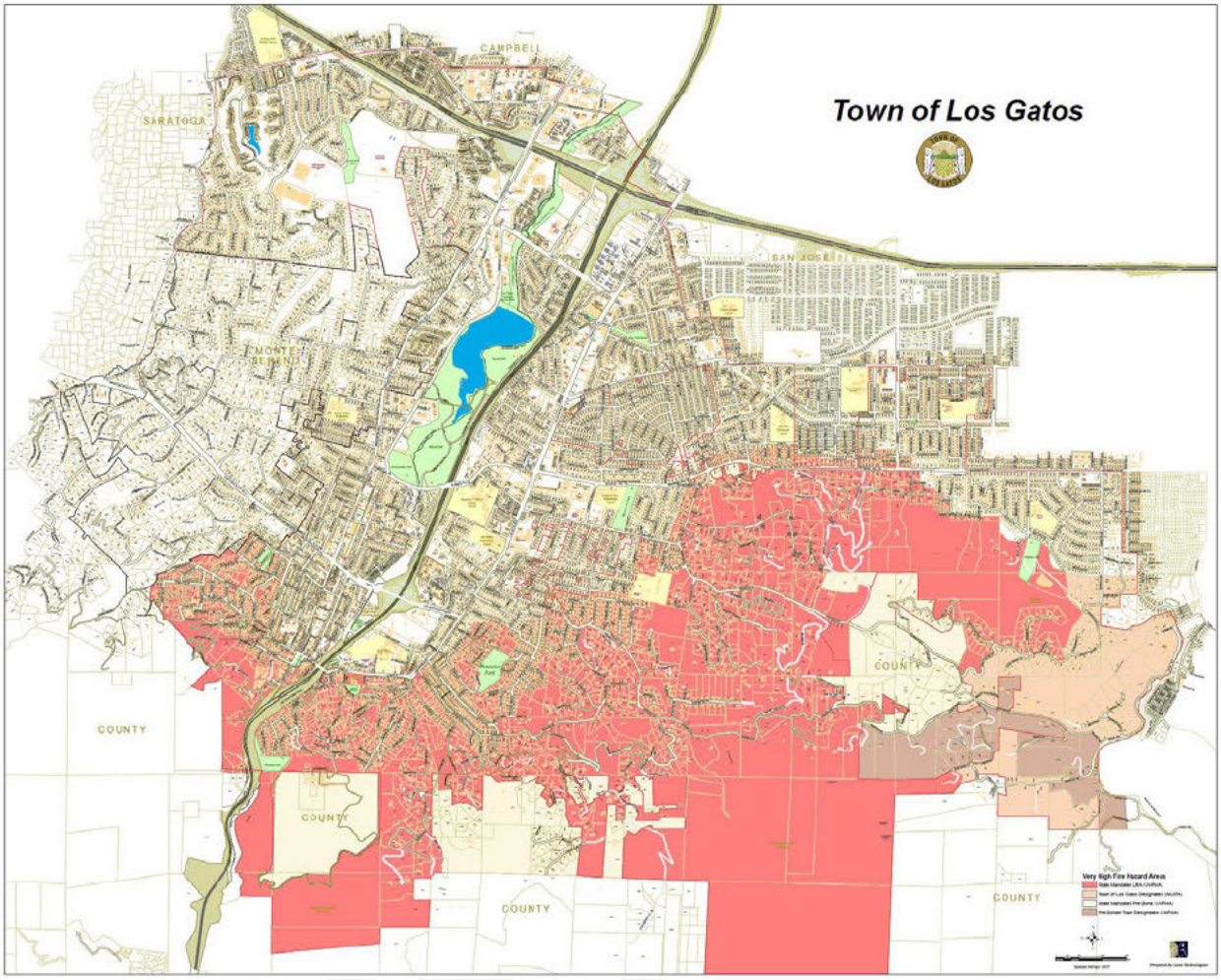
Safe and proper evacuation of people (residents, workers, and visitors), pets, and livestock is often a very critical component of WUI fires. Confusing hillside road networks, narrow roads that could inhibit two-way traffic, and dead-end roads all contribute to the complexities faced by the public and responders during WUI fires.

In addition, WUI fires often require immediate "No Notice" evacuations, meaning little or no warning time exists between fire origin and the need for evacuation. The situational awareness associated with the Wildland Urban Interface Evacuation Assessment will help illustrate the critical shared responsibility of a successful "No Notice" emergency evacuation.

# Los Gatos Wildland Urban Interface (WUI)

The Los Gatos WUI planning area includes primarily Very High Fire Hazard Severity Zone areas on the southern side of Los Gatos (Exhibit 1). The WUI is composed of both interface and intermix communities and is defined as areas where human habitation and development meet at the edge of, or are inserted in the interior of areas dominated by, wildland fuels (U.S. Department of the Interior and U.S. Department of Agriculture 2001:752–753).

The WUI creates an environment in which fire can move readily between structural and vegetative fuels, increasing the potential for wildland fire ignitions and the corresponding potential loss of life and property. Human encroachment upon wildland ecosystems within recent decades is increasing the extent of the WUI in Santa Clara County and therefor increasing the potential risk of wildfire.
Exhibit 1




## Los Gatos WUI Fuel Characteristics

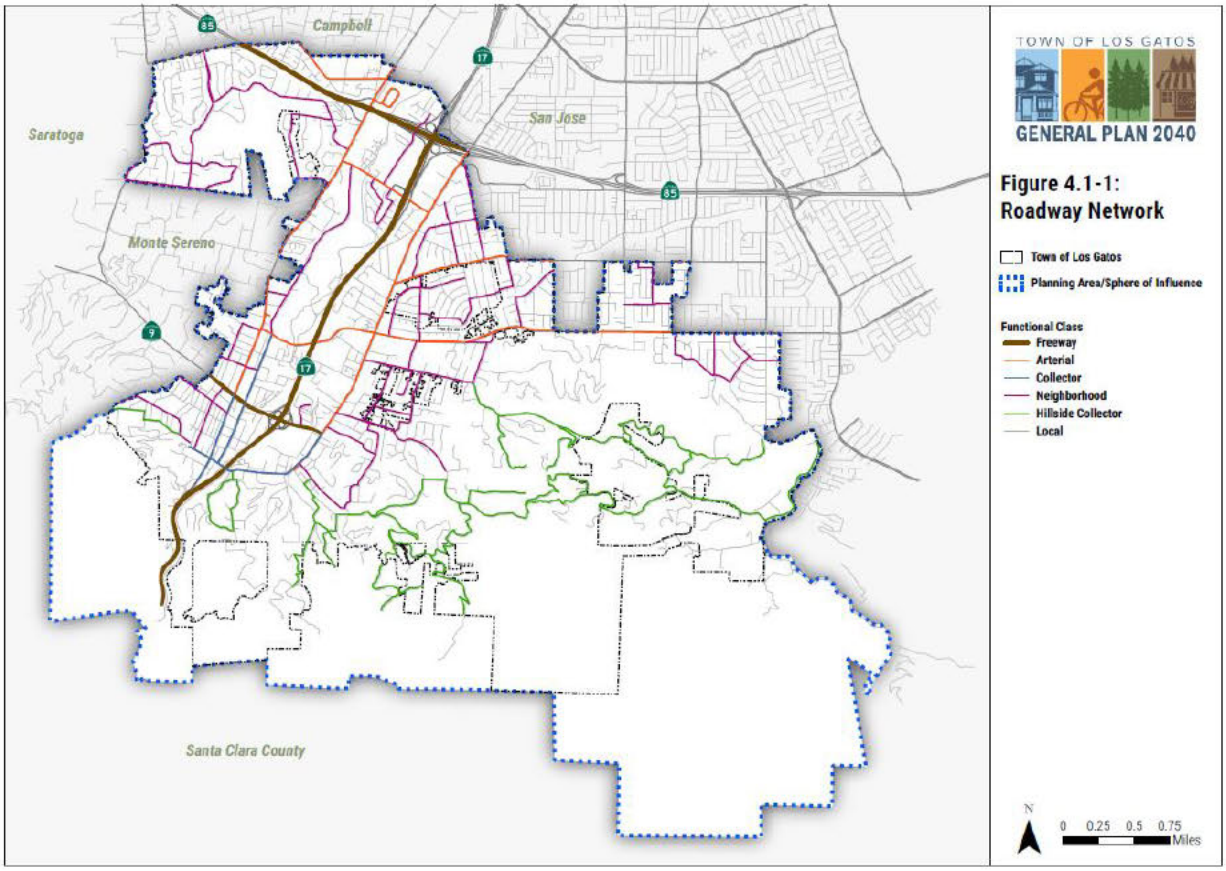
The Los Gatos planning area comprises a range of vegetation communities that differ depending upon elevation, precipitation, and slope. Chaparral vegetation is often found on south facing slopes, where winter precipitation is relatively high, but dry summers are common. The chaparral will have long flame lengths under either moderate or extreme weather scenarios. The nature of these fuels is to burn quickly and intensely. Oak woodlands comprised of a variety of oak species are also interspersed throughout as well as mixed conifer comprising knob cone pine and grey pine. A fire in either the mixed conifer or hardwood would likely be a surface fire with patches of active behavior and fairly low rates of spread. However, active fire behavior is possible in this vegetation type under extreme weather conditions, especially where there is high surface loading. Coastal coniferous forest communities such as redwoods and Douglas fir are located at lower elevations where precipitation is high, fog is common, and temperatures are moderate. Fire spread is generally limited in this fuel type; however, given the right combination of weather conditions, surface fire can be expected to burn uphill. Areas with increased fuel loading from dead and down materials may experience

crowning under the right conditions. The varied vegetation composition result in the Los Gatos WUI comprising a range of wildfire hazard.

## Roadway Network within the WUI

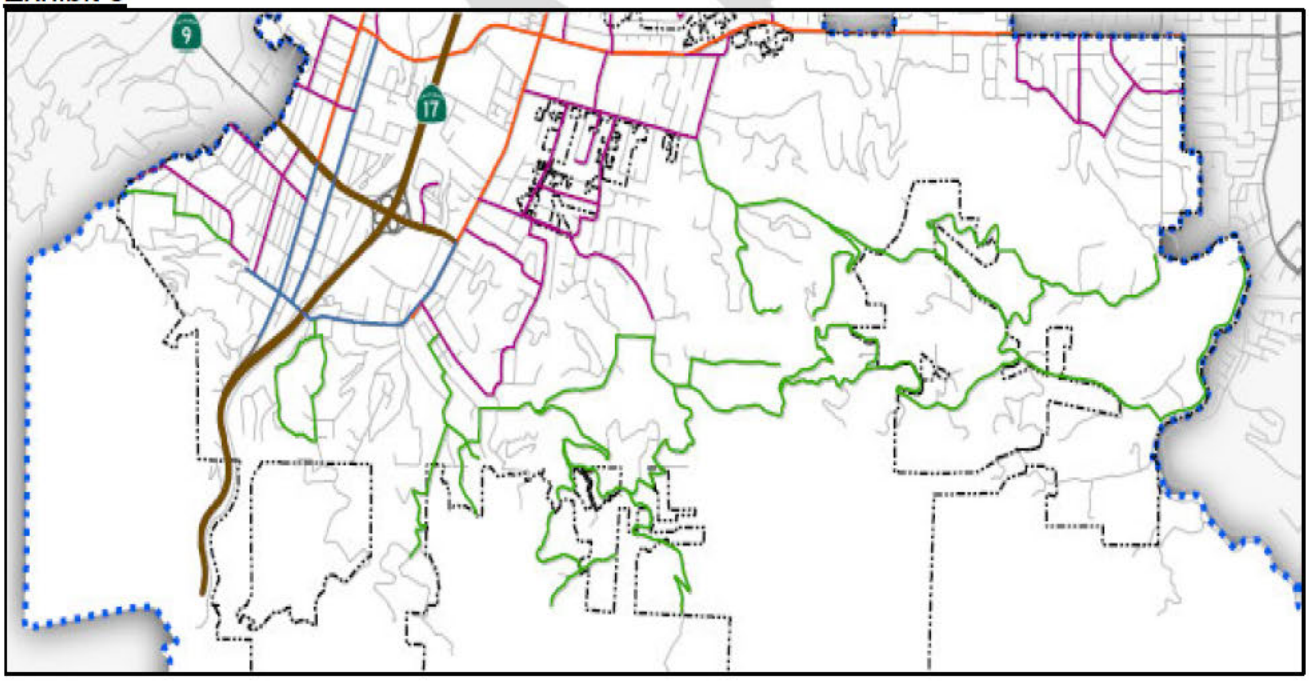
In Los Gatos, the local street system is organized into a hierarchy of six roadway types according to the existing Los Gatos Street Design Standards and the draft 2040 Los Gatos General Plan. The Los Gatos Street Design Standards classify all streets within the Town according to their functional classification. Functional classifications of roadway networks categorize streets by purpose, location, and typical land uses to which they provide access. The functional roadway classifications for Los Gatos include arterial streets, collector streets, neighborhood collector streets, hillside collector streets, local streets, and special design streets. The hierarchy is based on the degree of mobility and amount of local access provided by each roadway.

Exhibit 2



The majority of the Town's WUI neighborhoods are served by Hillside Collector Streets as illustrated by the green roads in Exhibit 3. Hillside collector streets serve properties located in hillside areas, carrying traffic to either arterial streets, collectors, or neighborhood collectors. Many of the hillside collector and local roadways are one-way in and one-way out designs potentially complicating any evacuation. During wildfire events, the routes emergency responders take to the fire are often the same routes being used by residents who may be attempting to flee from the fire. Due to the critical importance of roads for providing ingress for firefighting apparatuses while simultaneously evacuating the public, certain factors such as width, grade, and turning radius need to be considered in an evacuation. Often roads may be too narrow to accommodate two-way traffic of responders and evacuees simultaneously. Roads are generally maintained to primarily serve the transportation needs of the public, however roadsides are frequently the site of ignition for wildfires, and evacuees may need to use the roadways to leave the area even if the vegetation on both sides of the road is on fire. Routes may also be blocked due to consequences associated with an incident including; fallen trees, spot fires, smoke, intense heat, long flame lengths, downed power lines, or vehicle accidents.

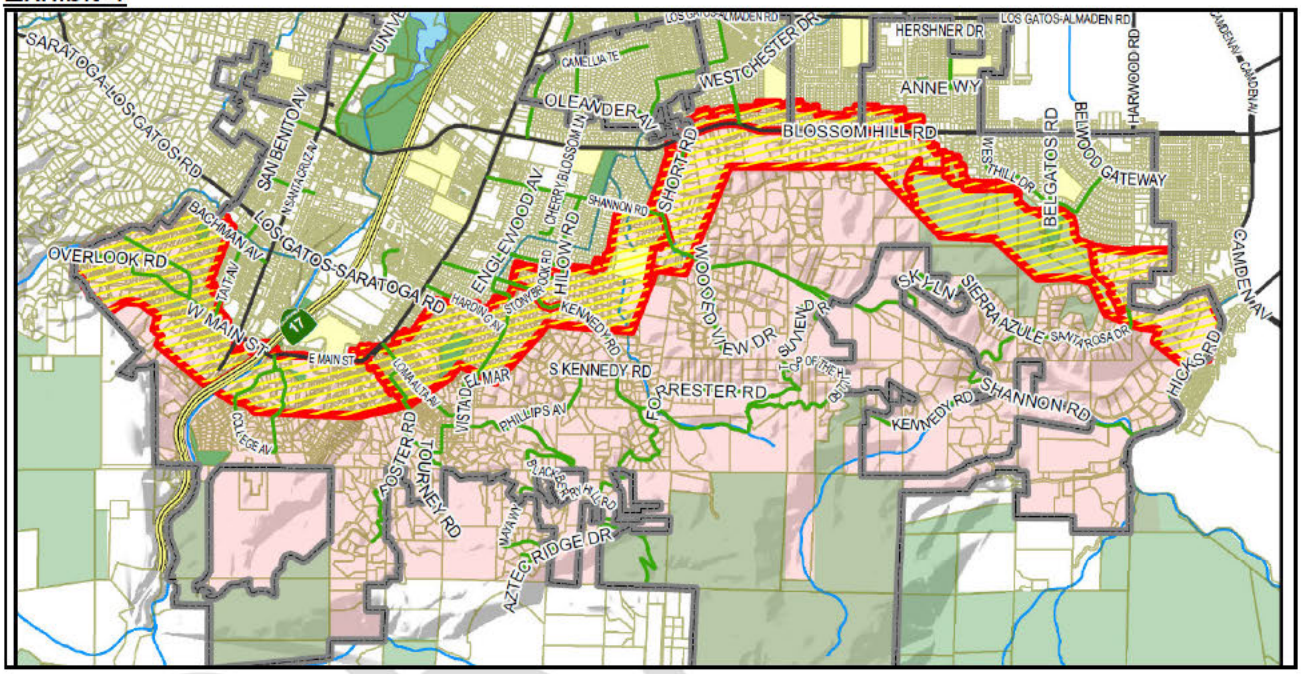
Exhibit 3



# Residence and Population Density within the WUI

Approximately a quarter of the Town's total residences are located within the WUI. Of an estimated 2018 Town total of 13,299 residences the WUI contains approximately 3091. In addition, at an estimated 2.2 residents per household the WUI is home to approximately 6,800 residents out of a Town total of 30,250.

Exhibit 4

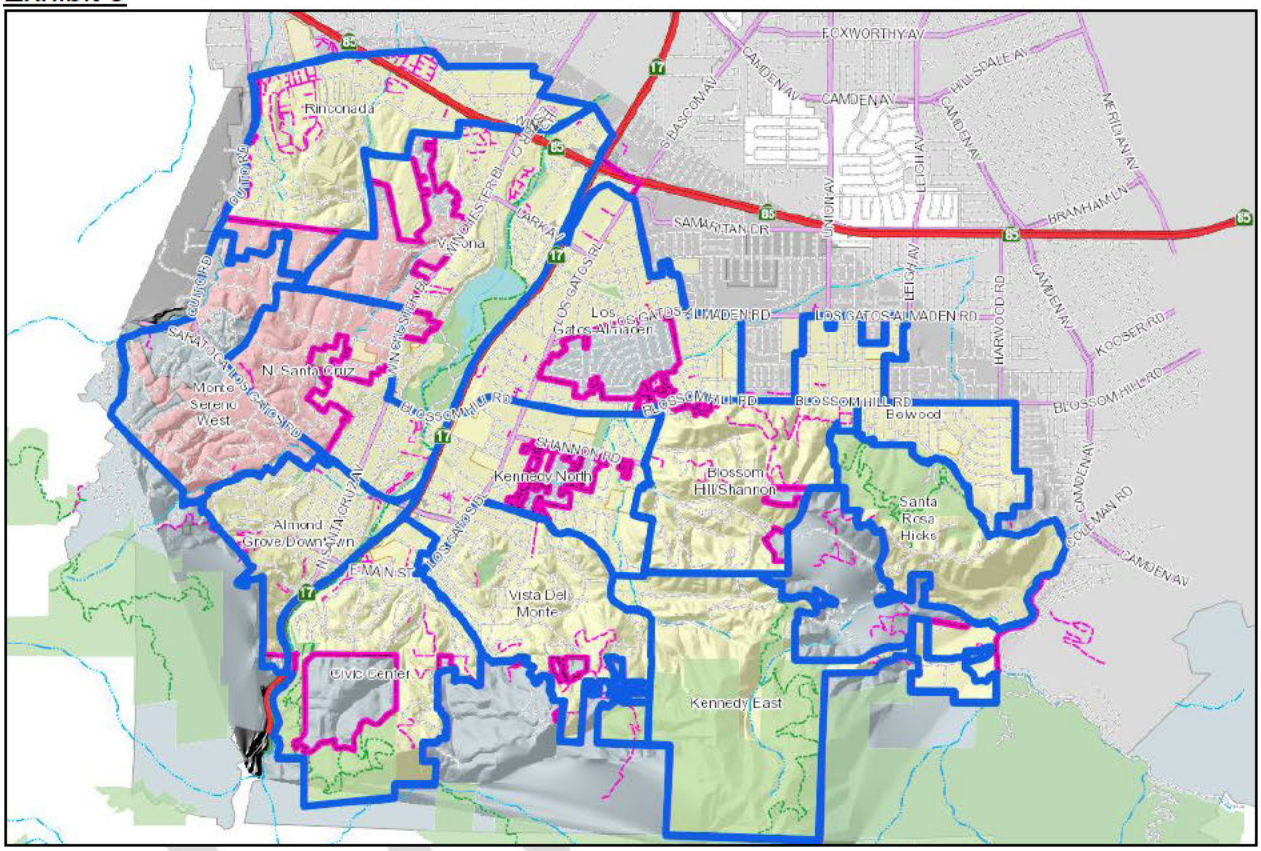



The majority of the northern perimiter of the WUI tends be flatter terrain with higher concentrations of the WUI residences. To illustrate the residential concentration Exhibit 4 represents a quarter mile band along the northern boundry of the WUI. Of the 3091 residences in the WUI, 1784 of them are concentrated within a quarter mile of the northern boundry. In the event of a mass, or systematic, evacuation over half of the WUI residents will be navigating flatter terrain with greater access to egress options.

# Existing Public Safety Geographic Delineations in the WUI

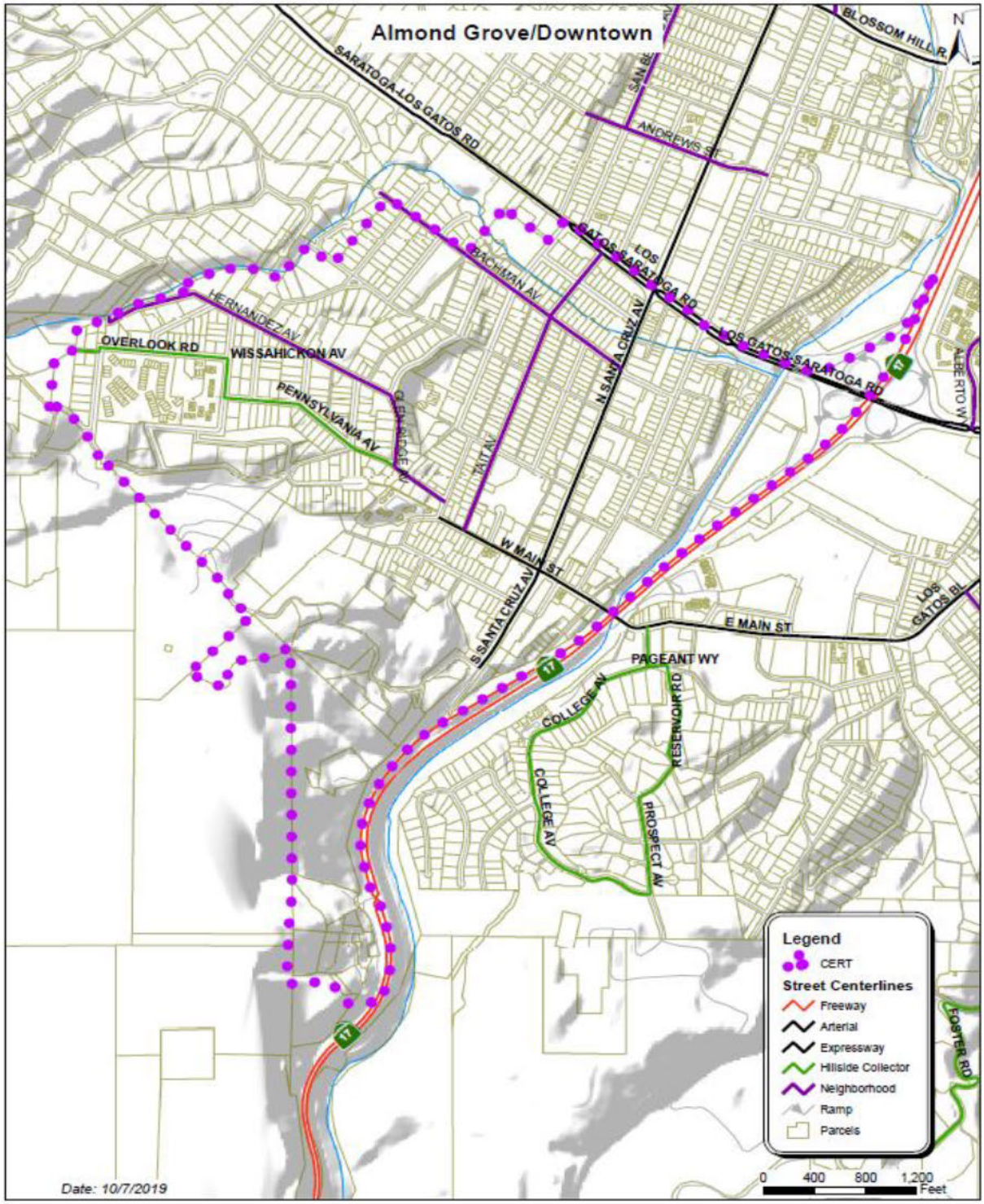
To better understand the unique geographic and infrastructure aspects of the WUI neighborhoods, the Evacuation Assessment parses the WUI into specific boundaries. The Town currently utilizes preestablished areas for the maintenance and execution of its Community Emergency Response Team (CERT) program (Exhibit 5). For purposes of this assessment the CERT zones will be used as the basis of neighborhood review.

Exhibit 5




The following CERT maps are intended to illustrate the main routes of ingress/egress within the zone boundaries and some of the specific characteristics unique to those boundaries. In addition, challenges associated with those areas will be highlighted as well as any identified temporary refuge areas (TRA) and critical sites.

## ALMOND GROVE/DOWNTOWN CERT ZONE MAP



## ALMOND GROVE/DOWNTOWN CERT ZONE CHARACTERISTICS

### Description:

The Almond Grove CERT Zone is a densely populated residential neighborhood abutting the downtown commercial core. The topography consists of a flat valley floor in the eastern portion of the zone with increasing upward slopes as you move west through the zone. Portions of the zone are heavily wooded. The existing roadway network is comprised primarily of a traditional grid road layout with multiple points of ingress/egress with the exception listed in "Special Concerns".

### Special Concerns:

In the event residents in the western reaches of the zone require a western evacuation route, Ridgecrest Avenue is the single none dead-end egress option. Some of the same routes that allow access to the area for responders are the same routes that could be needed for evacuation. In addition, many routes in the area are susceptible to closure due to the potential impact of fire in the area and the encroachment of vegetation into the area.

In the event an evacuation became necessary concurrently with a high-volume summer weekend traffic episode significant additional vehicles could be on the egress routes.

**Critical Sites:** The following critical sites are located in this zone:

- 120 Laurel Avenue – Water Facility
- La Mirado Rd – Water Facility

### Hillside and Neighborhood Collectors:

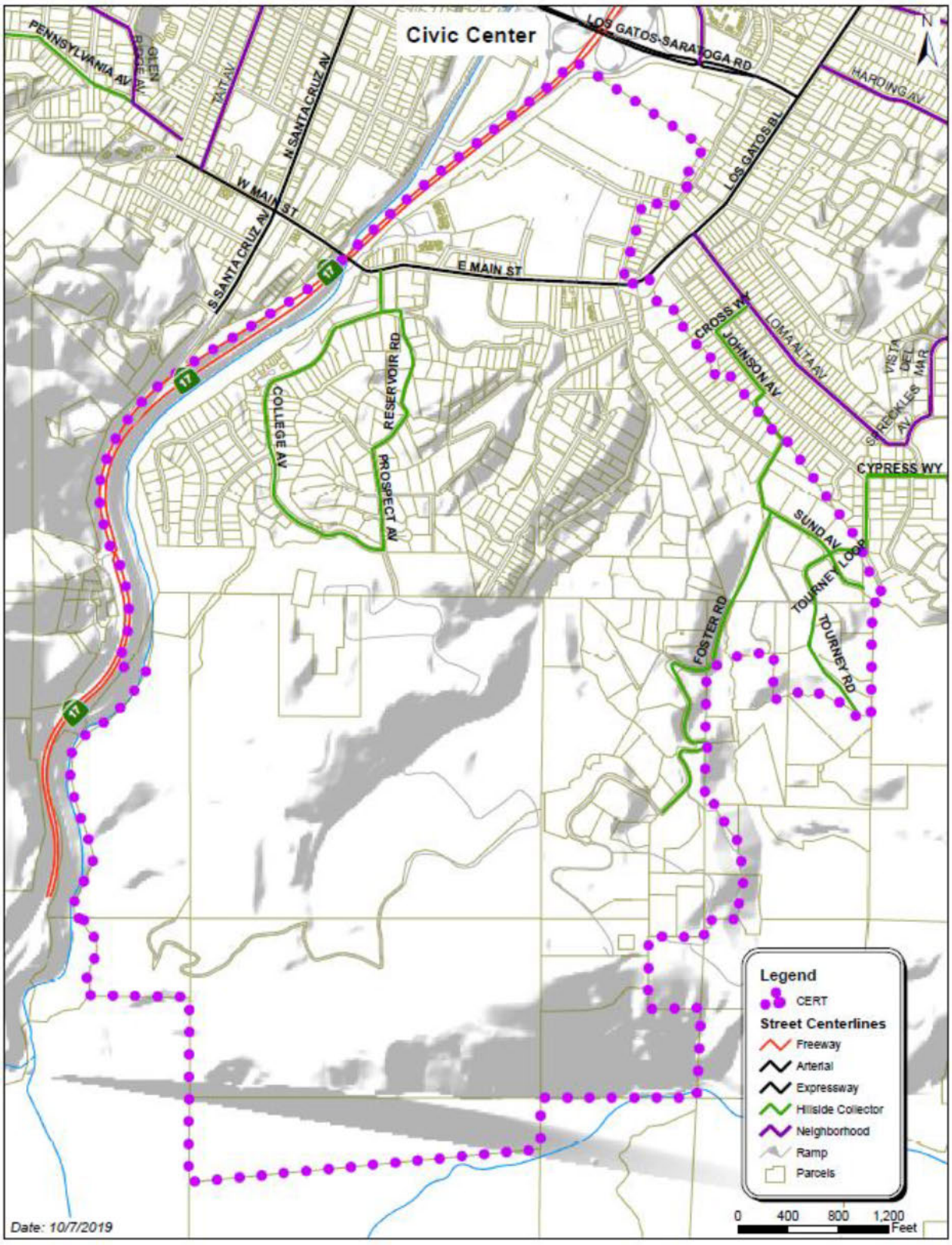
| | |
|---|---|
| • Overlook Road | • Bachman Avenue |
| • Hernandez Avenue | • Glenridge Avenue |
| • Pennsylvania Avenue | • Tait Avenue |

**Temporary Refuge Areas:** The following site location(s) could be considered as evacuation sites under extreme circumstances when sheltering-in-place and total evacuation are not options.

- Non identified at this time

**Residence Density:** 635 residences total, 607 within a ¼ mile of the boundary.

## CIVIC CENTER CERT ZONE MAP



## CIVIC CENTER CERT ZONE CHARACTERISTICS

### Description:

The Civic Center CERT Zone is a densely populated residential neighborhood that is heavily wooded. The topography consists of a flat valley floor along the southern portion of the zone with increasing upward slopes as you move south. The zone is further punctuated by several valleys which segment the zone into distinct sections. The Central Avenue/Oak Hill Way/Jackson Street section is comprised of only local streets.

### Special Concerns:

The existing roadway network throughout the zone is entirely comprised of one-way-in and one-way-out ingress/egress options. Some of the same routes that allow access to the area for responders are the same routes that could be needed for evacuation. In addition, many routes in the area are susceptible to closure due to the potential impact of fire in the area and the encroachment of vegetation into the area.

**Critical Sites:** The following critical sites are located in this zone:

- Sacred Heart Jesuit Center

### Hillside and Neighborhood Collectors:

| | |
|---|---|
| • College Avenue | • Foster Road |
| • Prospect Avenue | • Tourney Road & Loop |
| • Reservoir Road | • Sund Avenue |

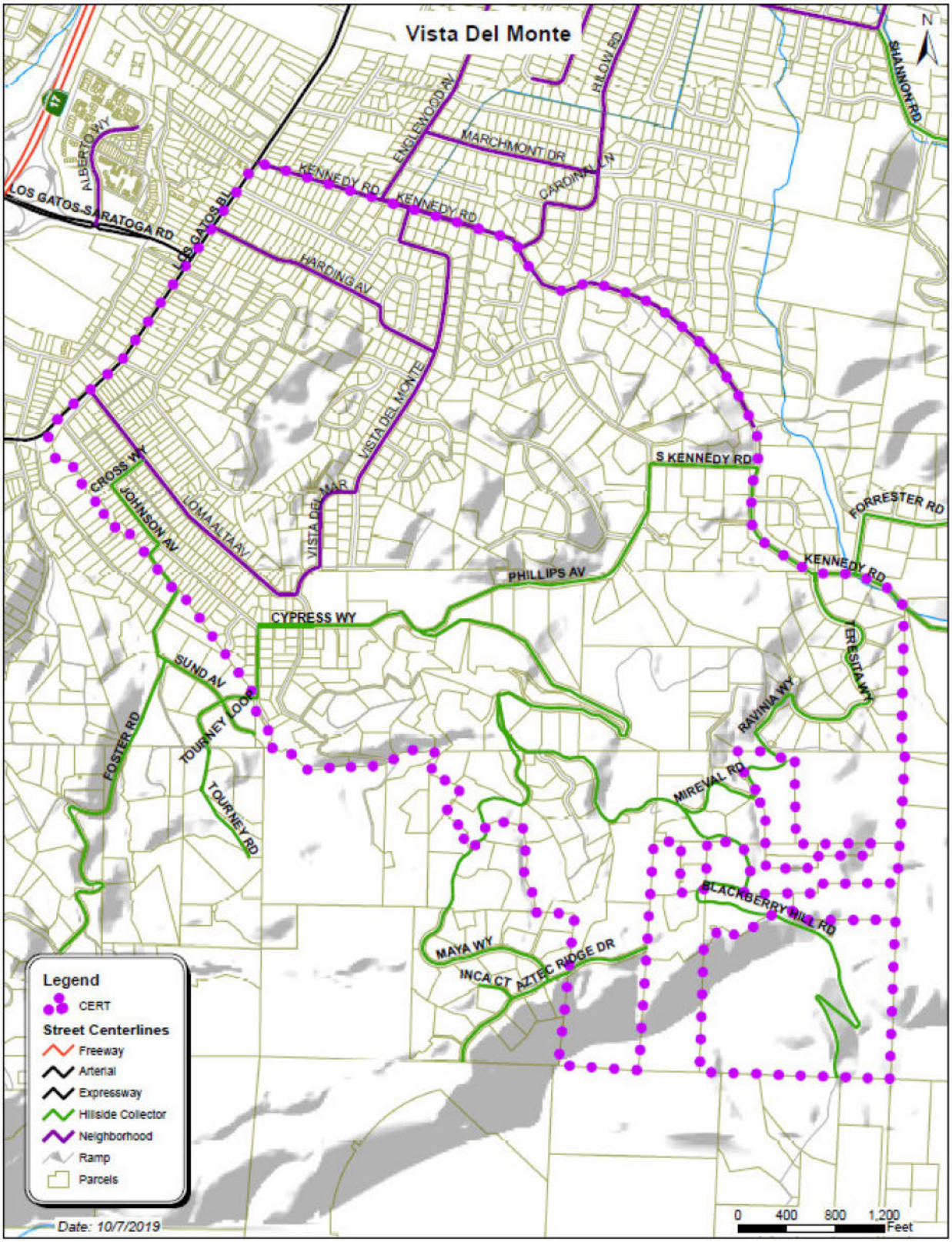
**Temporary Refuge Areas:** The following site locations could be considered as evacuation sites under extreme circumstances when sheltering-in-place and total evacuation are not options.

- None identified at this time

**Residence Density:** 537 residences total, 203 within a ¼ mile of the boundary.

DRAFT

## VISTA DEL MONTE CERT ZONE MAP



## VISTA DEL MONTE CERT ZONE CHARACTERISTICS

### Description:

The Vista Del Monte CERT Zone is a densely populated residential neighborhood along its northwestern boundaries. The southeastern portions of the zone tend to be less densely populated and more wooded. The topography consists of a flat and gently sloping valley floor in the northwestern portions of the zone with increasing upward slopes as you move east and south through the zone. The zone does have instances of one-way in and one-way out roadways but is predominately comprised of multiple looping roadway options which span the zone.

### Special Concerns:

Some of the same routes that allow access to the area for responders are the same routes that could be needed for evacuation. In addition, many routes in the area are susceptible to closure due to the potential impact of fire in the area and the encroachment of vegetation into the area.

**Critical Sites:** The following critical sites are located in this zone:

- 17465 Phillips Avenue – water facility

### Hillside and Neighborhood Collectors:

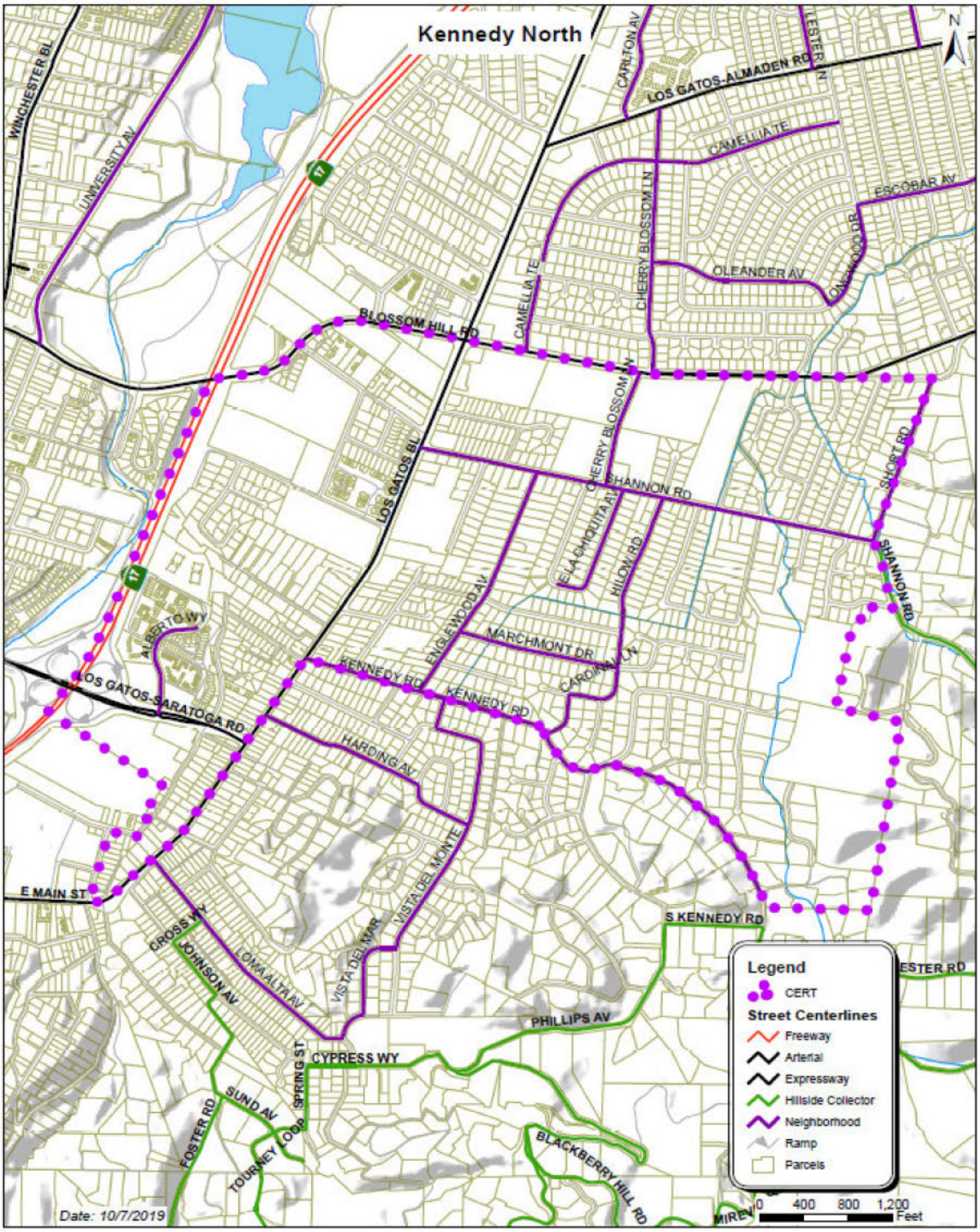
| | |
|---|---|
| • Loma Alma Avenue | • Harding Avenue |
| • Johnson Avenue | • Cypress Way |
| • Vista Del Mar | • Phillips Avenue |
| • Vista Del Monte | • South Kennedy Road |
| • Teresita Way | • Kennedy Road |
| • Ravina Way | • Blackberry Hill |

**Temporary Refuge Areas:** The following site locations could be considered as evacuation sites under extreme circumstances when sheltering-in-place and total evacuation are not options.

- None identified to date

**Residence Density:** 756 total residences, 436 within a ¼ mile of the boundary.

## KENNEDY NORTH CERT ZONE MAP



## KENNEDY NORTH CERT ZONE CHARACTERISTICS

### Description:

The southeastern portion of the Kennedy North CERT Zone is located within the WUI. This WUI portion of the zone is a densely populated residential neighborhood abutting wooded terrain. The topography consists of a flat and sloping valley floor in the northwestern portions of the WUI boundary with increasing upward slopes as you move east and south through the WUI portion. The existing roadway network throughout the WUI portion of the zone is primarily comprised of one-way-in/one-way-out ingress/egress options feeding into Kennedy Road.

### Special Concerns:

High concentration of one-way in and one-way out ingress/egress options. Some of the same routes that allow access to the area for responders are the same routes that could be needed for evacuation. In addition, many routes in the area are susceptible to closure due to the potential impact of fire in the area and the encroachment of vegetation into the area.

**Critical Sites:** The following critical sites are located in this zone:

- Hillbrook School

### Hillside and Neighborhood Collectors:

| | |
|---|---|
| • Kennedy Road | • Cardinal Lane |
| • Hilow Road | • Shannon Road |

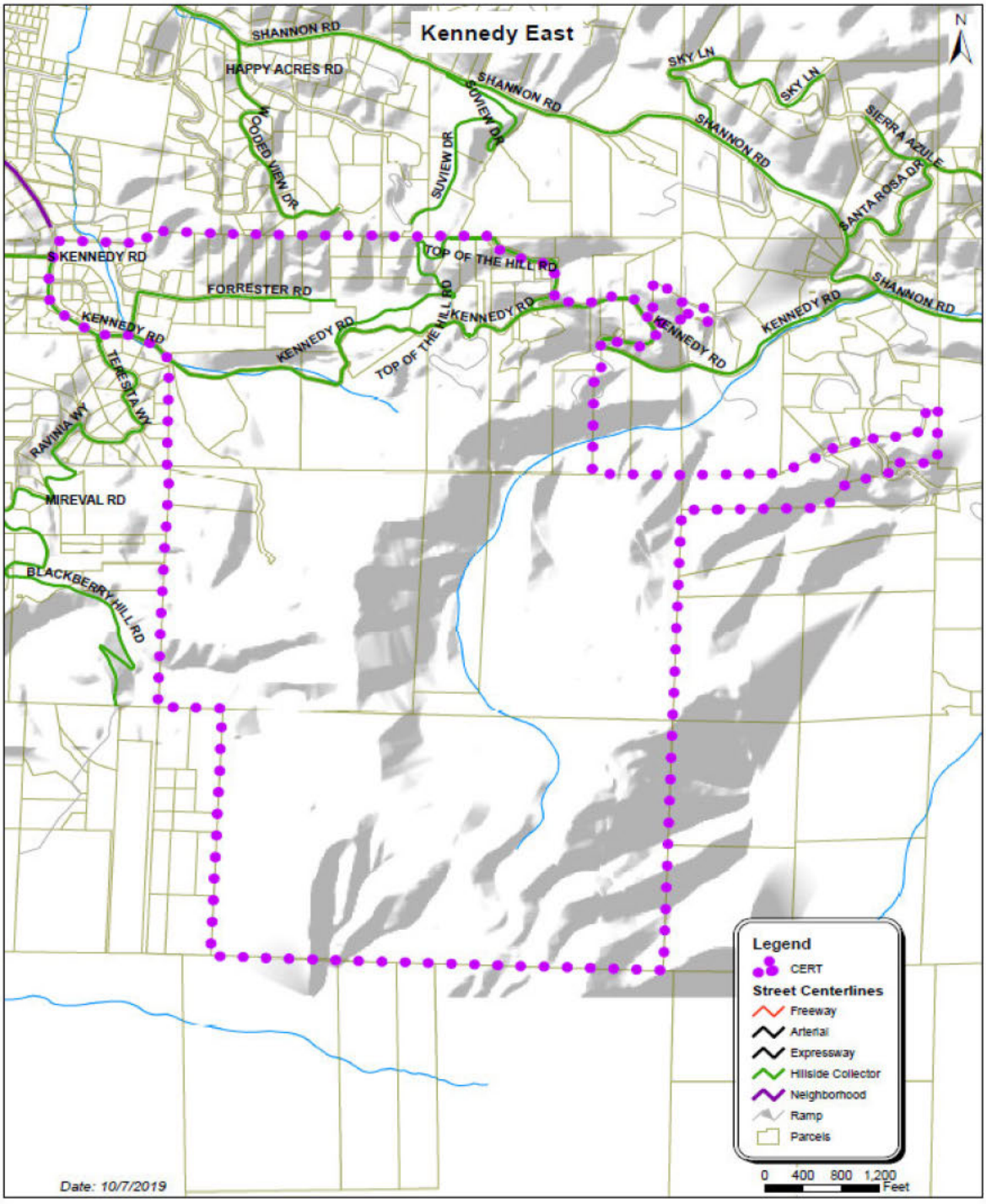
**Temporary Refuge Areas:** The following site locations could be considered as evacuation sites under extreme circumstances when sheltering-in-place and total evacuation are not options.

- None identified at this time

**Residence Density:** 230 total residences, 202 within a ¼ mile of the boundary.

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## KENNEDY EAST CERT ZONE MAP



## KENNEDY EAST CERT ZONE CHARACTERISTICS

### Description:

The Kennedy East CERT Zone is a sparsely populated residential neighborhood that is surrounded by rolling hills, vegetation and heavily wooded areas. The area is accessed through a single road, Kennedy Road. The topography consists of varied wooded and higher elevation terrain.

### Special Concerns:

Kennedy Road is the single ingress/egress option. The same route that allows access to the area for responders is the same route that could be needed for evacuation. In addition, routes in the area are susceptible to closure due to the potential impact of fire in the area and the encroachment of vegetation into the area.

**Critical Sites:** The following critical sites are located in this zone:

- None identified to date

### Hillside and Neighborhood Collectors:

| | |
|---|---|
| • Kennedy Road | • Top Of The Hill Road |
| • Forrester Road | |

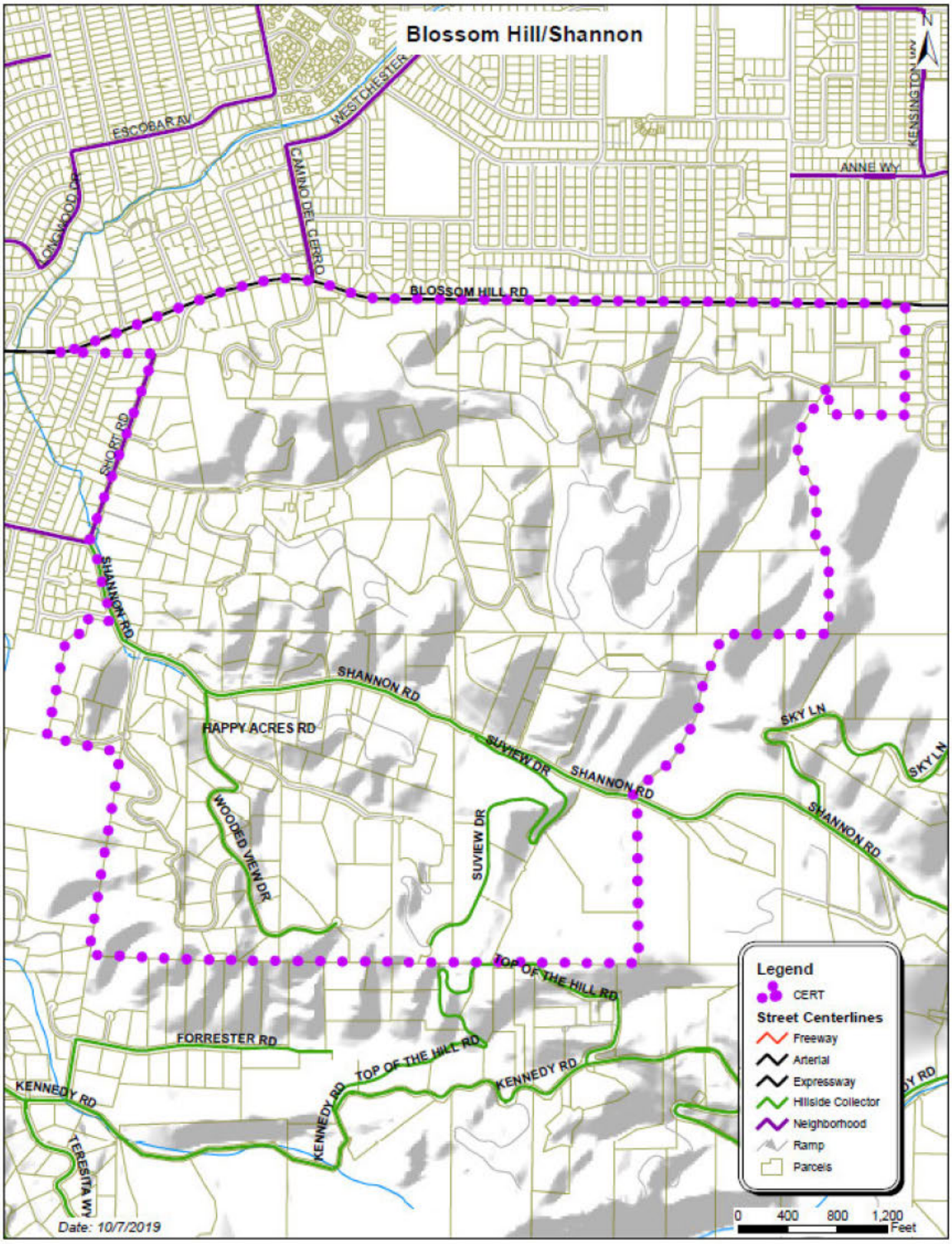
**Temporary Refuge Areas:** The following site locations could be considered as evacuation sites under extreme circumstances when sheltering-in-place and total evacuation are not options.

- None identified to date

**Residence Density:** 94 total residences, 0 within a ¼ mile of the boundary.

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## BLOSSOM HILL/SHANNON CERT ZONE MAP



## BLOSSOM HILL/SHANNON CERT ZONE CHARACTERISTICS

### Description:

The Blossom Hill/Shannon CERT Zone is a moderately populated residential zone comprised of rolling hills, vegetation and wooded areas. The topography consists of flat valley floor area along the northern and western portions of the zone with increasing upward slopes as you move south through the zone. The existing roadway network is comprised primarily of one-way in and one-way out ingress/egress options except for Shannon Road which traverses the southern portion of the zone.

### Special Concerns:

High concentration of one-way in and one-way out egress options. Some of the same routes that allow access to the area for responders are the same routes that could be needed for evacuation. In addition, many routes in the area are susceptible to closure due to the potential impact of fire in the area and the encroachment of vegetation into the area.

**Critical Sites:** The following critical sites are located in this zone:

- None identified to date

### Hillside and Neighborhood Collectors:

| | |
|---|---|
| • Shannon Road | • Suview Drive |
| • Happy Acres Road | • Short Road |
| • Wooded View Drive | • Blossom Hill Road |

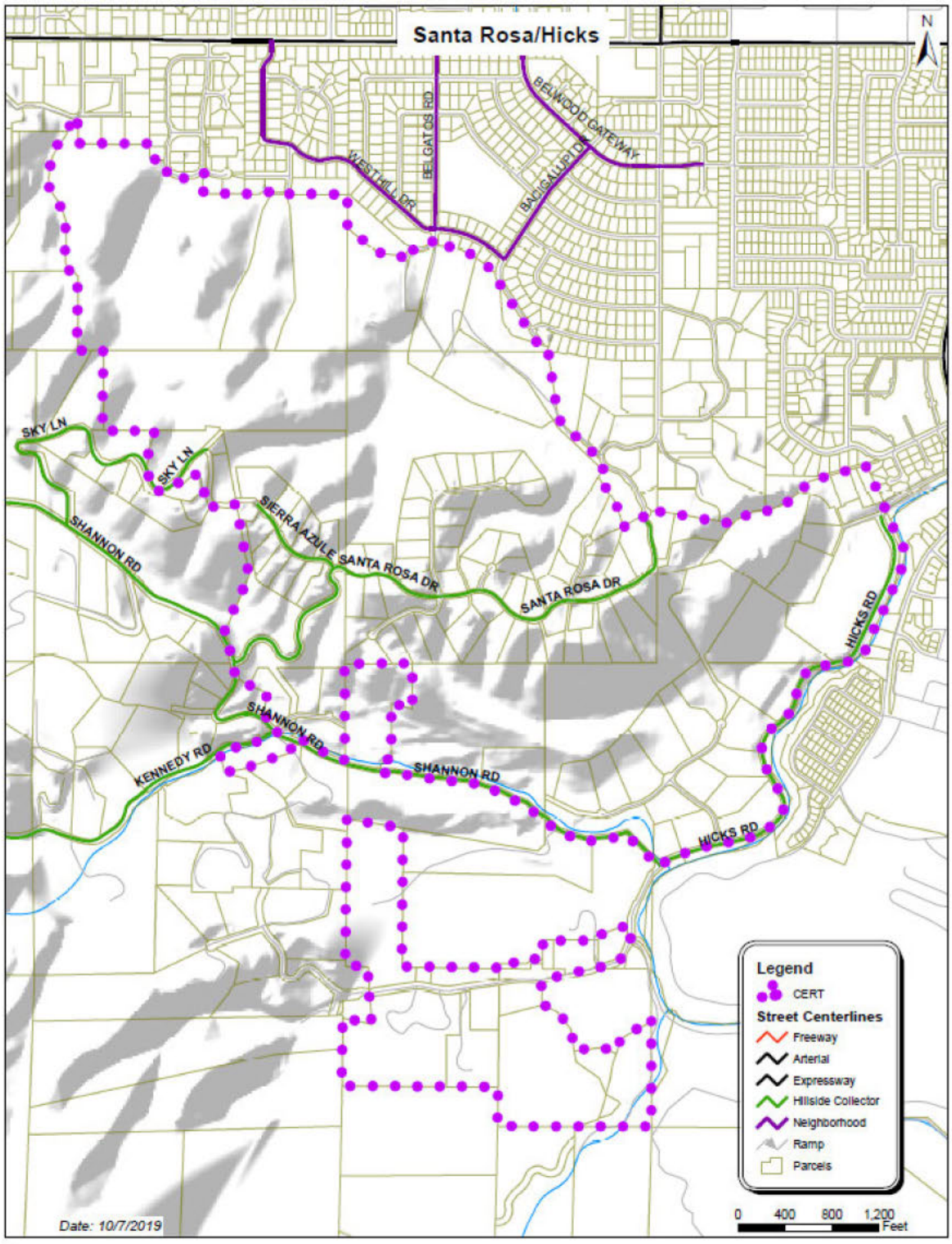
**Temporary Refuge Areas:** The following site locations could be considered as evacuation sites under extreme circumstances when sheltering-in-place and total evacuation are not options.

- None identified to date

**Residence Density:** 309 total residences, 102 within a ¼ mile of the boundary.

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## SANTA ROSA/HICKS CERT ZONE



## SANTA ROSA/HICKS CERT ZONE CHARACTERISTICS

### Description:

The Santa Rosa/Hicks CERT Zone is a sparsely populated residential neighborhood dominated by the Santa Rosa Drive ridgetop community. The topography consists of rolling hills, vegetation and heavily wooded areas. The existing roadway network is comprised primarily of one-way in and one-way out ingress/egress options except for Shannon Road which traverses the southern portion of the zone and Hicks Road which borders the eastern portion.

### Special Concerns:

High concentration of one-way in and one-way out egress options. Some of the same routes that allow access to the area for responders are the same routes that could be needed for evacuation. In addition, many routes in the area are susceptible to closure due to the potential impact of fire in the area and the encroachment of vegetation into the area.

**Critical Sites:** The following critical sites are located in this zone:

- 175 Sierra Azule Drive – water tank
- 118 Harwood Court – water tank
- 16845 Hicks Road – Venture Christian Church
- water tanks Belgatos Park

### Hillside and Neighborhood Collectors:

| | |
|---|---|
| • Sierra Azule Drive | • Hicks Road |
| • Santa Rosa Drive | • Shannon Road |
| • Sky Lane | • |

**Temporary Refuge Areas:** The following site locations could be considered as evacuation sites under extreme circumstances when sheltering-in-place and total evacuation are not options.

- None identified at this time

**Residence Density:** 155 total residences, 33 within a ¼ mile of the boundary.

**From:** [redacted]
**Sent:** Monday, June 20, 2022 10:03 AM
**To:** Rob Rennie <RRennie@losgatosca.gov>; Maria Ristow <MRistow@losgatosca.gov>; Matthew Hudes <MHudes@losgatosca.gov>; Marico Sayoc <MSayoc@losgatosca.gov>; Mary Badame <MBadame@losgatosca.gov>; Shelley Neis <sneis@losgatosca.gov>
**Cc:** [redacted] Rick Van Hoesen [redacted]; Lee Fagot [redacted]; Laurel Prevetti <LPrevetti@losgatosca.gov>; Joel Paulson <jpaulson@losgatosca.gov>; Catherine Somers [redacted]; 'Jim Foley' [redacted]
**Subject:** Agenda Item #1 - Special Town Council Meeting June 20, 2022

EXTERNAL SENDER

Dear Honorable Mayor and Town Council Members,

The Staff report (which is 1,278 pages) for the upcoming Town Council meeting contains a tremendous amount of documentation as the Town Council begins to deliberate the draft 2040 General Plan and FEIR. However, there are two documents that were not included that are critical to understanding how the current draft of the Land Use Element came to be.

I have attached the two documents for the Council's review and to provide complete transparency. The two documents are : 1) minutes from the Town Council Meeting of November 17, 2020, where the Council provided direction on the Draft Land Use and Community Design Elements, and 2) minutes from the GPAC Meeting of November 19, 2020, where the GPAC formally acted on the direction provided by the Town Council.

**Town Council Meeting of November 17, 2020**

At this meeting, agenda item #7 was devoted to the Town Council providing direction to the GPAC as they discussed the Land Use Element and the Community Design Element. This agenda item came about at the request of the GPAC, since they sought additional direction on drafting these two critical elements of the 2040 General Plan. The minutes speak for themselves.

What needs to be emphasized is the Town Council gave clear feedback on the following points:

- If the Town can plan for the number of housing units required by RHNA **without increasing the allowed density in Low Density Residential areas,** that would be preferred.
- If the Town can plan for the number of housing units required by RHNA **without changing the downtown/central business district**, that would be preferred.
- The General Plan should include **policies that support low, very low and extremely low-income housing**, possible through increased minimum densities or smaller units
- The General Plan should encourage production of Missing Middle housing, **especially when it can provide housing for middle- and lower-income households.** (Note: For a family of 4 these income levels range from $84,250 to $168,500. See attached State Income limits)
- Production of Missing Middle housing **should be focused in areas that are within walking distance to commercial uses**, such as the Opportunity Areas/Community Place Districts.

The minutes further reflect these were individual comments and there was no resolution or formal action taken since the agenda item limited the Council to only a discussion and providing feedback.

**GPAC Meeting of November 19, 2020**

After the Town Council meeting of November 17, the GPAC held a working session on November 19 to review and discuss the initial drafts of the Land Use Element and Community Design Element and to discuss the direction provided by the Town Council. It is important to point out that the GPAC meeting had a quorum of 8 members present, with 3 members absent, out of the 11-person committee.

Again, the minutes of the meeting speak for themselves. At the meeting, the Committee Chair called for a formal vote of the GPAC on the following question – **Does the Committee agree with the statement, "if the Town can plan for the number of housing units required by RHNA without increasing the allowed density in Low Density Residential areas, that would be preferred".**

A "yes" vote would result in a Land Use Element that would not increase the allowed density in Low Density Residential Areas and a "no" vote would result in the allowed density in the Low-Density Residential Area being increased from 1 – 5 DU per acre to 1 – 12 DU per acre.

A vote of the 8 members present resulted in 3 "yes" votes, 4 "no" votes and 1 abstention. The 4 "no" votes resulted in an increase in density in Low Density Residential areas and the draft of the Land Use Element was unchanged. To be clear only 4 people out of a committee of 11 voted for this question, which is less than a majority of the Committee. It should also be pointed out that the Vice Mayor Barbara Spector, who attended the November 17 Council meeting voted "yes", supporting the Council's guidance given two days earlier. How this vote was allowed to stand is a complete mystery since a majority of the GPAC did not vote "no". Such an important vote should never have been taken without the full committee being present and furthermore it is questionable whether the committee had the authority to disregard the clear direction of the Council on such a consequential issue and draft the Land Use Element based on the views of 4 committee members, 2 of whom were also current members of the Planning Commission.

**As a result, the GPAC rejected the guidance the Town Council had just provided and went on their own path**. Worse, based on the vote of only 4 people, the current draft of the land use element still reflects a massive up zoning of 1,891 acres of low-density residential land which is not required to meet the 6th cycle RHNA allocation. Only now, over 18 months later, is this issue finally back in front of the Town Council for discussion. The LGCA believes the GPAC overstepped their authority and have drafted and approved a Land Use Element that does not reflect the Council's feedback, nor is it supported by a majority of the residents of the Town and would urge the Council to restore the low-density residential land use to the current 1-5 DU per acre.

**Analysis of Land Use Changes required to meet the 6th Cycle RHNA allocation**

The Staff report has a schedule that **reflects one** "potential housing" build- out scenario out of an infinite number of possible outcomes. Based on one set of assumed redevelopment percentages (there are an infinite number of potential housing build-out percentages for each land use) and the proposed new density standards for the land uses, the analysis indicates that a total of 3,280 units could **potentially** be developed over the next 20 years.

To place too much precision on the accuracy of one potential outcome of 3,280 units would be an error. **The Town cannot control what gets developed, but the Town absolutely does control what is legally allowed to be built and the land uses through zoning laws.** Based on staff data and using the adjusted land use densities proposed by the Planning Commission, the LGCA has computed the increased densities will allow a maximum development of approximately 12,000 units. This amount of development was not evaluated by the EIR and reflects an almost doubling of the number of housing units that currently exist today.

The Staff report also states that the Town must adequately plan for the potential development of 2,292 units over the next 8 years to comply with the 6th cycle RHNA allocation. **This raises the obvious question, assuming no changes in the existing land use densities, how many of the 2,292 units could potentially be developed based on the 2020 General Plan?**

Here is how we have calculated the answer:

| | |
|---|---|
| Units required by 6th cycle RHNA | 2,292 |
| Less: | |
| ADU's developed over next 8 years | 200 |
| Eligible Pipeline Projects from HE Site inventory | 202 |
| Remaining balance RHNA | 1,890 |
| Units available for development under existing GP | 1,013 |
| "Gap units" | 877 |

This analysis shows the Town only needs to identify land sites that can be properly zoned to accommodate 877 additional units. The critical data element in this calculation is the available development capacity based on current zoning and the 2020 General Plan. The 1,013 units was reported in a September 16, 2021, staff report to the Town Council. We have attached the schedule (3904-unit land use) for the reader's review.

Since the Town also has the requirement to plan development of units for very low- and low-income levels, the Town would zone these sites at a density of at least 30 DU per acre (the new default density) to allow the units to count against the 847 very low and low-income units RHNA allocation. **At 30 DU per**

**acre density, the Town would need to increase the density on approximately only 37 acres after taking into consideration most likely achievable building density.**

Instead, the 2040 General Plan up zones all residential land use Town wide, totaling over 2,465 acres, by doubling the allowable density for low, medium, and high-density residential land uses. **Clearly it makes no sense to up zone 2,465 acres of residential land if only approximately 37 acres need to be properly zoned to meet the 6th cycle RHNA allocation.**

**Relationship between the 6th cycle RHNA allocation of 2,292 and the Proposed Potential Development Scenario of 2,305 units**

The Staff report also discusses the relationship of the 6th cycle RHNA allocation of 2,292 (1,993 plus a 15% buffer) to one possible potential build out scenario of 2,305 units. This is done by starting with 2,305 units from the development scenario, and then adding units associated with the production of ADU's over the next 8 years, approved allowable development projects in the pipeline and units potentially developed in Hillside Residential.

Here is the analysis comparing the 6th cycle RHNA allocation to an 8-year development cycle for ADU's and eligible pipeline projects:

| | |
|---|---|
| Housing units potential development | 2,305 |
| Plus: | |
| ADU's built over 8 years | 200 |
| Eligible Pipeline projects | 202 |
| Hillside Residential | 116 |
| Total Units adjusted for ADU and Pipeline | 2,823 |
| Less: | |
| 6th Cycle RHNA and buffer | 2,292 |
| Excess units available | 531 |

The Staff report also states in appendix 8, if the low-density housing designation reverted back to the existing 2020 General Plan level, 279 units would be deducted from the excess units. If this was done, there would be 252 excess units available (or an additional 12% buffer over RHNA) for potential development during the 8-year cycle.

**Since the original direction provided by the Town Council was, "If the Town can plan for the number of housing units required by RHNA without increasing the allowed density in Low Density Residential areas, that would be preferred" we urge the Council to keep the land use density for Low Density Residential**

**land use at the existing 2020 General Plan level. There is simply no reason to up zone 1,891 acres of Low-Density Residential Land Use if it is not required, coupled with the fact that SB 9 provides additional development capacity for Low Density Residential land use that has not been included in any of the above analysis.**

**Relationship of 6th cycle RHNA allocation of 2,292 units to market demand for housing over the next 20 years**

The last point we would like to address concerns the mistaken argument we have heard a number of Planning Commissioners and Members of the Town Council make regarding the need to plan for multiple RHNA Allocation cycles beyond the 6th cycle allocation. This argument has been used to justify up zoning all residential land uses Town wide in an effort to massively increase the maximum allowable development potential under new land use rules. As stated above, based on the latest data provided by Staff, the LGCA computes this maximum development potential to be approximately 12,000 units.

The Town published in the Land Use Alternative report two independent forecasts of the **likely market demand for housing in Los Gatos between 2020 and 2040.** The first forecast prepared by the State's Department of Finance projected 1,529 units and the second forecast prepared by the Town's Consultants (ADE) projected 1,954. The Land Use Alternative Report concluded "we project an increase of 4,446 people and 1,954 housing units between 2020 and 2040".

Based on this, the GPAC provided guidance that the Town should develop land use alternatives that could provide space for future development around 2,000 residential units. Since the State is requiring the Town to have sufficient land zoned to allow for the potential development of 2,292 units, the State requirement trumps the market demand forecasts. **Therefore, the Town must plan for 2,292 units even though this level exceeds all independent market demand forecasts. The important point is that there is no legal requirement or any independent forecast that requires the Town to plan land use beyond the development potential of 2,292 units.**

We have heard a number of Planning Commissioners and Town Council members multiplying the 6th cycle RHNA allocation of 1,993 by 2 and stating that this would indicate that the Town must plan for the development potential of 3,904 units (see attached schedule) since the General Plan is for a 20- year cycle and the RHNA allocations are on an eight- year cycle.

This approach is fundamentally flawed first and foremost because there are no market demand studies that support this excessive level of growth and more importantly the RHNA allocation process was never intended to be a forecasting tool for future market demand. To prove the latter point, the 4th cycle (562 units) and 5th cycle RHNA (619 units) allocations totaled 1,181 units covering which covered a 16- year period. The 6th cycle allocation of 1,993 is almost 70% greater for only an 8 -year period. So why is this?

The answer is that the methodology to develop the 6th cycle RHNA allocation was built based on a state policy decision to accelerate housing production. Stated another way, the State is requiring local jurisdictions to properly zone enough residential land to allow for the development of housing that

normally would be developed over a 20- year period over an accelerated 8- year period. This was intentionally done to address the acute housing shortage that exists today and to address chronic over-crowding and improve vacancy rates to a healthier level.

Doubling the 6th cycle RHNA allocation as an indicator of future housing needs is deeply flawed and has no merit in planning for smart growth in the Town.

**Conclusion**

The Town Council has received another letter for our attorney's at Rutan and Tucker. The letter clearly outlines the LGCA concerns and proposes a number of very sensible solutions. We urge the Council to review the correspondence and embrace our recommendations. Given the limited time available during the public comment period at tonight's Special Council meeting, please accept this email and other correspondence from our attorney and other LGCA members as our public comment on agenda item #1. We will not be speaking during the meeting since our concerns and suggestions have been adequately conveyed in writing to the Town Council.

Thank you.

Phil Koen
Los Gatos Community Alliance.

# Minutes of the Town Council Meeting
# November 17, 2020

The Town Council of the Town of Los Gatos conducted a regular meeting via Teleconference via COVID-19 Shelter in Place Guidelines on November 17, 2020, at 7:00 p.m.

**MEETING CALLED TO ORDER AT 7:02 P.M.**

**ROLL CALL**
Present: Mayor Marcia Jensen, Vice Mayor Barbara Spector, Council Member Rob Rennie, Council Member Marico Sayoc. (All participating remotely).
Absent: None

**BOARD/COMMISSION/COMMITTEE APPOINTMENTS**
The Town Council appointed applicants for the vacant positions on Town Boards, Commissions, and Committees.

- **Arts and Culture Commission**
  - Richard Capatoso was not appointed.
  - Jeffrey Janoff was not appointed.
  - Michael Miller was appointed to a 3-year term.
  - Pamela Murphy was appointed to a 2-year term.
  - Heidi Owens was not appointed.
  - Ellis Weeker was re-appointed for a 3-year term.

- **Building Board of Appeals**
  - Charles Holcomb was appointed to a 4-year term.

- **Community Health and Senior Services Commission**
  - Richard Konrad was appointed to a 3-year term.

- **Complete Streets and Transportation Committee**
  - Doug Brent withdrew his application and did not interview.
  - Bill Ehlers was re-appointed to a 3-year term.
  - Cheryl Ryan did not interview and was not appointed.
  - Gillian Verga was re-appointed to a 3-year term.

Appointments - continued

- **General Plan Committee**
  - Gerard Abraham was not appointed.
  - Joseph Mannina was appointed to a 4-year term.
  - Heidi Owens was not appointed.
  - Steve Piasecki was appointed to a 3-year term.

- **Historic Preservation Committee**
  - Barry Cheskin was appointed to a 4-year term.
  - Timothy Lundell was appointed to a 2-year term.
  - Jeffrey Siegel was not appointed.

- **Library Board**
  - Susan Buxton was appointed to a 2-year term.
  - Richard Capatoso was appointed to a 3-year term.
  - Sabiha Chunawala was re-appointed to a 3-year term.
  - David Read did not interview and was not appointed.
  - Cheryl Ryan did not interview and was not appointed.

- **Parks Commission**
  - Adriana Alves was appointed for a 2-year term.
  - Richard Capatoso was not appointed.
  - Alicia Shah did not interview and was not appointed.

- **Personnel Board**
  - Steven Bakota was appointed to a 5-year term.

- **Planning Commission**
  - Gerard Abraham was not appointed.
  - Kathryn Janoff was re-appointed to a 4-year term.
  - Anil Patel was not appointed.
  - Jeffrey Siegel was not appointed.

## COUNCIL/TOWN MANAGER REPORTS

### Council Matters

- Council Member Rennie stated he attended Valley Transportation Authority (VTA) Governance and Audit Committee and Board meetings, Silicon Valley Clean Energy Authority (SVCEA) Board and Risk Oversight Committee meetings, Emergency Operating Area Council meeting, and the Santa Clara County Cities Association Selection Committee meeting with Council Member Sayoc.

Council Matters - continued

- Vice Mayor Spector stated she attended the West Valley Clean Water Authority (WVCWA) Board meeting, West Valley Solid Waste Authority (WVSW) Board meeting, and two meetings of the Town's Wildfire Ad Hoc Committee.
- Council Member Sayoc stated she attended the Santa Clara County Cities Association Selection Committee with Council Member Rennie and the League of California Cities (LOCC) meeting.
- Mayor Jensen stated she attended the two meetings of the Town's Wildfire Ad Hoc Committee, General Plan Advisory Committee (GPAC) meetings, and a VTA Policy Advisory Committee meeting.

## Manager Matters

- Announced free COVID-19 testing will be held on Monday November 30, 2020 at the Adult Recreation Center. Walk-ins welcome and appointments are strongly encouraged.
- Announced that the tree in Plaza Park will be lit after Thanksgiving and that the Town is installing the Chamber's light exhibits for the holidays. No tree lighting ceremony will be held due to COVID-19.

## CLOSED SESSION REPORT

- Robert Shultz, Town Attorney, stated Council met in closed session as duly noted on the agenda and that there is no reportable action.

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

1. Approve Draft Minutes of the November 3, 2020 Town Council Meeting.
2. Receive the First Quarter Investment Report (July through September 2020) for Fiscal Year 2020/21.)
3. Authorize the Town Manager to execute a First Amendment Agreement for Consultant Services with Walter Levison for Arborist services.
4. Authorize the Town Manager to Execute Agreements for Environmental Consultant Services with EMC Planning Group, Inc. and Raney Planning and Management, Inc.
5. Authorize the Town Manager to Execute an Agreement with Hello Housing for Administration of the Town's Below Market Price Affordable Housing Program.

Item #3 was pulled by David Weissman.

**MOTION:** **Motion** by **Council Member Sayoc** to approve Consent Items 1, 2, 4, and 5. **Seconded** by **Council Member Rennie.**

**VOTE:** **Motion passed unanimously.**

**VERBAL COMMUNICATIONS**

Alex Hult

- Thanked the Town for responding to COVID-19 with the parklet program; commented in support of prioritizing the local business community through the winter months.

Jeff Suzuki

- Commented in support of independent Police oversight, a hiring freeze of sworn officers and a freeze of additional discretionary spending of the Police Department.

Ali Miano

- Commented in support of independent Police oversight, a hiring freeze of sworn officers, a freeze of additional discretionary spending of the Police Department, and additional public transportation to the Town including Bay Area Rapid Transit (BART).

Lynel Gardner

- Read correspondence from Barak Obama, commented in support of a hiring freeze of sworn officers and a freeze of additional discretionary spending of the Police Department.

Russ

- Commented in support of BART and diversity within the Town.

Catherine Somers

- Thanked the Town for responding to COVID-19 with the parklet program and suggested the Town consider the formation of a task force to continue to address COVID-19 concerns.

Matt Hemis

- Inquired what the next steps are for Police reform; commented in support of independent oversight, a hiring freeze of sworn officers, and a freeze of additional discretionary spending of the Police Department; and requested the Town consider utilizing Police Department funding to train Officers in de-escalation techniques.

Alicia Spargo (Cinema Stereo)

- Commented in support of independent oversight, a hiring freeze of sworn officers, and a freeze of additional discretionary spending of the Police Department; and requested the Town consider utilizing Police Department funding to train Officers in de-escalation techniques and that the Town consider additional avenues to assist the business community during the winter months.

Kareem Syed

- Commented in support of additional oversight of Police funds, community engagement Officers, and a task force to continue to address COVID-19 concerns.
-

**OTHER BUSINESS**

3. Authorize the Town Manager to execute a First Amendment Agreement for Consultant Services with Walter Levison for Arborist services.

Joel Paulson, Community Development Director, presented the staff report.

Opened public comment.

David Weissman
- Commented in opposition of the first amendment agreement, unless staff revises the consulting arborists report guidelines with uniform standards.

Closed public comment.

Council discussed the item.

**MOTION:** **Motion** by **Mayor Jensen** to authorize the Town Manager to execute a first amendment agreement for consultant services with Walter Levison for arborist services for arborist services as contained in Attachment 1 of the staff report. **Seconded** by **Council Member Rennie.**

**VOTE:** **Motion passed 3/1. Vice Mayor Spector voting no.**

6. Adopt A Resolution Designating the Use of Vehicle Miles Traveled as the Metric for Conducting Transportation Analyses Pursuant to the California Environmental Quality Act and Establishing the Thresholds of Significance to Comply with California Senate Bill 743. **RESOLUTION 2020-045**

Ying Smith, Transportation and Mobility Manager, presented the staff report with Dan Rubins, Consultant.

Opened public comment.

No one spoke.

Closed public comment.

Council discussed the item.

Other Business Item #6 - continued

**MOTION:** **Motion** by **Council Member Sayoc** to adopt a resolution designating the use of vehicle miles traveled as the metric for conducting transportation analyses pursuant to the California Environmental Quality Act and establishing the thresholds of significance to comply with California Senate Bill 743 as contained in attachment 1, understanding future policies should be directed toward further VMT reductions. **Seconded** by **Vice Mayor Spector.**

**VOTE:** **Motion passed unanimously.**

7. Provide Direction for the Land Use and Community Design Elements of the General Plan.

Jennifer Armer, Senior Planner, presented the staff report.

Opened public comment.

No one spoke.

Closed public comment.

Council discussed the item and provided individual comments not necessarily representing consensus on the following:

- The General Plan should encourage production of Missing Middle housing, especially when it can provide housing for middle and lower income households.
- The production of Missing Middle housing should be focused in areas that are within walking distance to commercial uses, such as the Opportunity Areas/Community Place Districts.
- The massing and design of Missing Middle housing should be compatible with existing neighborhoods.
- The General Plan should include policies that support low, very low, and extremely low income housing, possibly through increased minimum densities or smaller units.
- If the Town can plan for the number of housing units required by the Regional Housing Needs Allocation (RHNA) without increasing the allowed density in Low Density Residential areas, that would be preferred.
- If the Town can plan for the number of housing units required by RHNA without changing the downtown/central business district, that would be preferred.
- The Elements need to do a better job of telling the story of how the 2040 General Plan reflects the Preferred Alternative and the adopted vision. The existing charts and maps are not enough. What exhibits could tell this story so the reader can understand it at a glance?

Other Business Item #7 - continued

The Town Council did express consensus on two items:

- All references to the Los Gatos Boulevard Plan and other obsolete policies should be eliminated.
- The 2040 General Plan should be forward looking as Los Gatos implements policies and actions to reduce Vehicle Miles Travelled (VMT) and facilitates housing production for all income levels in the right places. In other words, the Council is not expecting the 2040 Plan to be the same as the 2020 Plan.

**ADJOURNMENT**
The meeting adjourned at 9:43 p.m.

Submitted by:

_____
/s/ Jenna De Long, Deputy Clerk

**DRAFT**
**MINUTES OF THE GENERAL PLAN UPDATE ADVISORY COMMITTEE**
**NOVEMBER 19, 2020**

The General Plan Update Advisory Committee of the Town of Los Gatos conducted a Regular Meeting on November 19, 2020, at 7:00 p.m., via teleconference.

**This meeting was conducted utilizing teleconferencing and electronic means consistent with State of California Executive Order N-29-20 dated March 17, 2020, regarding the COVID-19 pandemic and was conducted via Zoom. All committee members and staff participated from remote locations and all voting was conducted via roll call vote. In accordance with Executive Order N-29-20, the public could only view the meeting online and not in the Council Chamber.**

## MEETING CALLED TO ORDER AT 7:00 P.M.

## ROLL CALL

Present: Chair Melanie Hanssen, Vice Chair Kathryn Janoff, Vice Mayor Barbara Spector, Committee Member Kendra Burch, Committee Member Steven Piasecki, Committee Member Ryan Rosenberg, Committee Member Lee Quintana, and Committee Member Carol Elias Zolla.

Absent: Mayor Marcia Jensen, Committee Member Susan Moore Brown, Committee Member Todd Jarvis.

Staff present: Jennifer Armer, Joel Paulson, Laurel Prevetti, Sally Zarnowitz, and Lynne Lampros.

## VERBAL COMMUNICATIONS

None.

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

None.

## DISCUSSION ITEMS

1. Working Session to Review and Discuss Additional Information Regarding the Initial Draft of the Land Use Element and the Initial Draft of the Community Design Element.

   Jennifer Armer, Senior Planner, presented the staff report.

Open Public Comment.

Don Capobres
- Commercial developer, currently working on the North 40 project. Commented that phase 2 focuses on commercial, but are now looking at the possibility of using the PD option to do more housing. Viability of financing certain types of buildings, more density does not necessarily make a building more viable. Suggested getting an economic consultant to advise on the viability. Having to build parking makes it difficult to make it work (surface parking is cheaper to build). Rowhouse and townhouse are the appealing product type right now because they don't require separate parking, until you get to a 20-story building.

Brian Toy
- Comment that he has concern about the lack of open space in North 40, it was good when it was orchards. Values open space and downtown.

Catherine Somers
- Commented that Don Capobres is a very knowledgeable developer, so the fact that he doesn't know about Missing Middle housing, means we need to really look into how it can be used in the General Plan. Commented that we don't have good stepdown housing for seniors to live in before they go to assisted living.

Closed Public Comment.

Committee further discussed the matter and provided the following comments and direction:

- The downtown was included in the preferred land use alternative, but based on the Town Council comments, we should confirm that it should still include increases in density and floor area.
- The General Plan should ensure that the character of the downtown is protected.
- Increased density in all areas should be compatible with existing neighborhoods.
- Don't increase the density in low density residential areas.
- Changes in density can be done with current design review guidelines and processes to ensure compatibility.
- Not concerned about changes to downtown, and additional housing downtown could be a good thing.
- Housing should be allowed over office, so we need to add maximum density to the Office Professional designation and calculate how many additional units that might produce.
- Housing over service commercial isn't a good idea.

- Need to be open to duplexes or even fourplexes on a typical 10,000 sq. ft. lot. To allow for 1,500 sq. ft. duplex. ADUs don't have to have parking, where the duplex would be required to have parking.
- Should add policies in support of low, very low, and extremely low income housing through rental housing.
- Consider only increasing low density residential densities within walking distance of commercial.
- Concerned about changing the rules only within ¼ mile of commercial, because it creates issues with the neighbors, and may not actually be walking distance because of street layout.
- Density in Office designation should be same as Mixed Use.
- Prevent residential-only development in Service Commercial.

**Chair Hanssen** asked the Committee to vote on whether they agree with the statement, "If the Town can plan for the number of housing units required by RHNA without increasing the allowed density in Low Density Residential areas, that would be preferred." **The majority voted against the statement, 3-4-1. Chair Hanssen, Vice Chair Janoff, Committee Member Burch, and Committee Member Zolla voting no, and Committee Member Quintana abstaining. As a result, the increased density in Low Density Residential designation will remain in the draft 2040 General Plan.**

**Chair Hanssen** asked the Committee to vote on whether they agree with the statement, "The General Plan should include policies that support low, very low, and extremely low income housing, possibly through increased minimum densities or smaller units." **The majority was in favor, if done through incentives like increased allowed density when affordable units are included, by a vote 6-2-0. Committee Member Quintana and Committee Member Zolla voting no. As a result, the revised initial draft of the Land Use Element will include policies as stated.**

Committee Member Burch left the meeting and was unable to participate in the remaining votes due to connection issues.

**Chair Hanssen** asked the Committee to vote on whether they agree with the statement, "If the Town can plan for the number of housing units required by RHNA without changing the downtown/central business district, that would be preferred." **The majority was against, by a vote 1-5-1. Chair Hanssen, Vice Chair Janoff, Committee Member Piasecki, Committee Member Quintana, and Committee Member Zolla voting no, and Committee Member Rosenburg abstaining. As a result, the increased density and floor area ratio in the Central Business District designation will remain in the draft 2040 General Plan.**

**Chair Hanssen** asked the Committee to vote on whether they agree that residential should be allowed over office uses in the Office Professional designation. **This item**

**passed unanimously. As a result, a maximum density of 30-40 dwelling units per acre, to match the Mixed-Use designation will be added to the development standards for the Office Professional designation.**

**Chair Hanssen** asked the Committee to vote on whether they agree that residential should be allowed over service commercial uses, with controls. **The majority was in favor, 6-0-1 with Committee Member Zolla abstaining. As a result, the Service Commercial designation will allow residential in mixed use development, with certain restrictions to protect service commercial uses.**

The next GPAC meeting will be on Thursday, December 3, 2020.

## ADJOURNMENT

The meeting adjourned at 9:32 p.m.

This is to certify that the foregoing is a true and correct copy of the minutes of the November 19, 2020 meeting as approved by the General Plan Update Advisory Committee.

_____
Joel Paulson, Director of Community Development

DISCUSSION (continued):

| Land Use Designation | Density Range (du/ac) | | Typical Density (du/ac) | | Assumed Redevelop-ment (Redev) | Existing General Plan | | Draft General Plan | |
|---|---|---|---|---|---|---|---|---|---|
| | Existing General Plan | Draft General Plan | Existing General Plan | Draft General Plan | | New Housing (Vacant Land) | New Housing (Redev) | New Housing (Vacant Land) | New Housing (Redev) |
| Hillside Residential | 0 to 1 | 0 to 1 | 1 | 1 | 0% | 116 | - | 166 | - |
| Low Density Residential | 0 to 5 | 1 to 12 | 4 | 12 | 5% | 75 | 13 | 283 | 84 |
| Medium Density Residential | 5 to 12 | 14 to 24 | 10 | 20 | 10% | 107 | 133 | 224 | 343 |
| High Density Residential | 12 to 20 | 30 to 40 | 18 | 36 | 15% | 53 | 111 | 110 | 268 |
| Neighborhood Commercial | 10 to 20 | 10 to 20 | 16 | 18 | 10% | 11 | 39 | 26 | 91 |
| Community Commercial | 0 | 20 to 30 | 0 | 26 | 15% | - | | - | 156 |
| Mixed-Use | 10 to 20 | 30 to 40 | 16 | 36 | 20% | 55 | 242 | 126 | 605 |
| Central Business District | 10 to 20 | 20 to 30 | 16 | 26 | 15% | 12 | 46 | 21 | 113 |
| Office Professional | 0 | 30 to 40 | 0 | 36 | 15% | - | | 4 | 255 |
| Service Commercial | 0 | 20 to 30 | 0 | 26 | 15% | - | | 10 | 44 |
| Subtotal | | | | | | 429 | 584 | 970 | 1,959 |
| Housing Units, New and Redeveloped | | | | | | | 1,013 | | 2,929 |
| Housing Units, ADUs | | | | | | | 500 | | 500 |
| Subtotal | | | | | | | 1,513 | | 3,429 |
| Housing Units, Existing Projects | | | | | | | 475 | | 475 |
| TOTAL | | | | | | | 1,988 | | 3,904 |

DISCUSSION (continued):

On Monday, May 2, 2022, the Planning Commission completed its 14 and a half hours of deliberations on the Draft 2040 General Plan and Final EIR with a unanimous recommendation to the Town Council to adopt the Draft 2040 General Plan with modifications and certify the Final EIR. The bulk of the Planning Commission's discussion was spent working towards a consensus on housing numbers. An informational memorandum (Attachment 20) was prepared, provided to the Town Council, and posted online in May that summarized the Commission's recommendations. Attachment 7 is a full description of the modifications recommended by Planning Commission, without the references to Planning Commission's Exhibit 7 that were part of the original motions, and with suggested wording for the new definitions that Planning Commission recommended be included.

C. Potential Housing Buildout

As a result of the recommended modifications to the residential densities in the Land Use Element, the General Plan Residential Buildout table (Table 3-1 on page 3-4 of the Draft 2040 General Plan, available: www.losgatos2040.com) would be modified as follows:

| Land Use Designation | | Density Range (du/ac) | Typical Density (du/ac) | Assumed Redevelopment | New Housing (Vacant Land) | New Housing (Redevelopment) |
|---|---|---|---|---|---|---|
| LDR | Low Density Residential | 1 to 10 | 10 | 5% | 230 | 56 |
| MDR | Medium Density Residential | 14 to 22 | 18 | 10% | 201 | 302 |
| HDR | High Density Residential | 30 to 40 | 36 | 15% | 110 | 268 |
| NC | Neighborhood Commercial | 10 to 20 | 18 | 10% | 26 | 91 |
| CC | Community Commercial | 20 to 30 | 26 | 15% | 0 | 156 |
| MU | Mixed-Use | 30 to 40 | 36 | 20% | 126 | 605 |
| CBD | Central Business District | 20 to 30 | 26 | 15% | 21 | 113 |
| | Subtotal | | | | 714 | 1,591 |
| | **Housing Units, New and Redeveloped** | | | | | **2,305** |
| | Housing Units, ADUs | | | | | 500 |
| | Housing Units, Existing Projects | | | | | 475 |
| | **TOTAL NEW THROUGH 2040** | | | | | **3,280** |

DISCUSSION (continued):

As noted in the April 13, 2022 Planning Commission staff report, the Town's Regional Housing Needs Allocation (RHNA) is 1,993 dwelling units plus a recommended 15 percent buffer, resulting in 2,292 units for the eight-year Housing Element. If one were interested to understand the contribution of accessory dwelling units (ADUs) and existing projects towards the eight-year RHNA, then at a minimum, 300 ADUs and 400 units of Existing Projects should be removed prior to making a comparison. As a result, the potential residential buildout for the eight-year period based on the Planning Commission recommendation would be 2,580 units, which is 288 housing units above the RHNA plus buffer, instead of the 746 excess units noted in the April 13, 2022 staff report for the Draft 2040 General Plan recommended by the GPAC. This reduces the excess units by more than half.

Please note that the table does not include the potential for growth through new homes on properties in the Hillside Residential designation because the 116 units noted in previous documents is based on acreage of undeveloped lots, with no consideration of land slope or other constraints, and the Draft 2040 General Plan does not include any changes to the current regulations in this designation.

Please note the calculations have not taken into consideration that the Town's zoning regulations do currently allow housing as part of a mixed-use project in the Office zone through a Conditional Use Permit, even though the Office Professional General Plan designation does not specify if housing is allowed or not. It is therefore not yet been determined whether residential could now be prohibited in these zones, due to constraints imposed by Senate Bill 330. If residential has to continue to be allowed in the Office zone, an additional 114 units would be added back based on an existing typical density of 18 dwelling units per acre.

The Town Council has full discretion to modify the Draft 2040 General Plan, including and not limited to its goals, policies, implementation programs, and housing numbers. If the Council wishes to reduce the housing capacity of the Draft 2040 General Plan further, please refer to Attachment 8 page 6 which details additional reduction options.

PUBLIC COMMENT:

Written comments received since the completion of the work by the GPAC are included as attachments to this report, as described here:

- Written comments received between 11:01 a.m., Thursday, May 6, 2021, and 11:00 a.m., Monday, September 20, 2021, were provided with the written staff report materials for the September 20, 2021 Town Council and Planning Commission Joint Study Session, and are provided again here as Attachment 8, Exhibit 9.

**DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT**
**DIVISION OF HOUSING POLICY DEVELOPMENT**
2020 W. El Camino Avenue, Suite 500
Sacramento, CA 95833
(916) 263-2911 / FAX (916) 263-7453
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May 13, 2022

**MEMORANDUM FOR:** Interested parties

**FROM:** Megan Kirkeby, Deputy Director
Division of Housing Policy Development

**SUBJECT:** **State Income Limits for 2022**

Attached are briefing materials and Revised State Income Limits for 2022 that are now in effect, replacing the previous 2021 State Income Limits. Income limits reflect updated median income and household income levels for acutely low -, extremely low-, very low-, low-, and moderate-income households for California's 58 counties. The 2022 State Income Limits are on the Department of Housing and Community Development (HCD) website at http://www.hcd.ca.gov/grants-funding/income-limits/state-and-federal-income-limits.shtml.

State Income Limits apply to designated programs, are used to determine applicant eligibility (based on the level of household income), and may be used to calculate affordable housing costs for applicable housing assistance programs. Use of State Income Limits are subject to a particular program's definition of income, family, family size, effective dates, and other factors. In addition, definitions applicable to income categories, criteria, and geographic areas sometimes differ depending on the funding source and program, resulting in some programs using other income limits.

The attached briefing materials detail California's 2022 Income Limits and were updated based on: (1) changes to income limits the U.S. Department of Housing and Urban Development (HUD) released on April 19, 2022, for its Public Housing, Section 8, Section 202 and Section 811 programs and (2) adjustments HCD made based on State statutory provisions and its 2013 Hold Harmless (HH) Policy. Since 2013, HCD's HH Policy has held State Income Limits harmless from any decreases in household income limits and median income levels that HUD may apply to the Public Housing and Section 8 Income Limits. HUD determined its HH Policy was no longer necessary due to federal law changes in 2008 (Public Law 110-98) prohibiting rent decreases in federal or private activity bond funded projects.

For questions concerning State Income Limits, please see the Questions and Answers on page 5. You can also contact HCD staff at (916) 263-2911.

# 2022 State Income Limits Briefing Materials
# California Code of Regulations, Title 25, Section 6932

## Overview

The Department of Housing and Community Development (HCD), pursuant to Health & Safety Code Section 50093(c), must file updates to its State Income Limits with the Office of Administrative Law. HCD annually updates these income limits based on U.S. Department of Housing and Urban Development (HUD) revisions to the Public Housing and Section 8 Income Limits that HUD most recently released on April 19, 2022.

HUD annually updates its Public Housing and Section 8 Income Limits to reflect changes in median family income levels for different size households and income limits for extremely low-, very low-, and low-income households. HCD, pursuant to statutory provisions, makes the following additional revisions: (1) if necessary, increase a county's area median income to equal California's non-metropolitan median income, (2) adjusts area median income and household income category levels to not result in any decrease for any year after 2009 pursuant to HCD's February 2013 Hold Harmless (HH) Policy (HCD's HH Policy was implemented to replace HUD's HH Policy, discontinued in 2009, to not decrease income limits and area median income levels below a prior year's highest level), and (3) determines income limits for California's acutely low-income and moderate-income category.

Following are brief summaries of technical methodologies used by HUD and HCD in updating income limits for different household income categories. For additional information, please refer to HUD's briefing materials at https://www.huduser.gov/portal/datasets/il//il22/IncomeLimitsMethodology-FY22.pdf

## HUD Methodology

HUD Public Housing and Section 8 Income Limits begin with the production of median family incomes. HUD uses the Section 8 program's Fair Market Rent (FMR) area definitions in developing median incomes, which means developing median incomes for each metropolitan area, parts of some metropolitan areas, and each non-metropolitan county. The 2022 FMR area definitions for California are unchanged from last year. HUD calculates Income Limits for every FMR area with adjustments for family size and for areas with unusually high or low family income or housing-cost-to-income relationships.

### *Extremely Low-Income*

In determining the extremely low-income limit, HUD uses the Federal Poverty Guidelines, published by the Department of Health and Human Services. The poverty guidelines are a simplified version of the federal poverty thresholds used for administrative purposes — for instance, determining financial eligibility for certain federal programs. HUD compares the appropriate poverty guideline with 60% of the very low-income limit and chooses the greater of the two as the extremely low-income limit. The value may not exceed the very low-income level.

### *Very Low-Income*

The very low-income limits are the basis for the extremely low- and low-income limits. The very low-income limit typically reflects 50 percent of median family income (MFI), and HUD's MFI figure generally equals two times HUD's 4-person very low-income limit. However, HUD may adjust the very low-income limit for an area or county to account for conditions that warrant special considerations. As such, the very low-income limit may not always equal 50% MFI.

### *Low-Income*

In general, most low-income limits represent the higher level of: (1) 80 percent of MFI or, (2) 80 percent of state non-metropolitan median family income. However, due to adjustments that HUD sometimes makes to the very low-income limit, strictly calculating low-income limits as 80 percent of MFI could produce unintended anomalies inconsistent with statutory intent (e.g., very low-income limits being

higher than low-income limits). Therefore, HUD's briefing materials specify that, with some exceptions, the low-income limit reflect 160 percent of the very low-income limit. HUD may apply additional adjustments to areas with unusually high or low housing-costs-to-income relationships and for other reasons. This can result in low-income limits exceeding MFI in certain counties.

***Median Family Income/Area Median Income***

HUD references and estimates the MFI in calculating the income limits. California law and State Income Limits reference Area Median Income (AMI) that, pursuant to Health & Safety Code 50093(c), means the MFI of a geographic area, estimated by HUD for its Section 8 Program.

HUD's calculations of Income Limits begin with the production of MFI estimates. This year, MFI estimates use the 2019 American Community Survey. HUD then adjusts the survey data to account for anticipated income growth by applying the Consumer Price Index inflation forecast published by the Bureau of Labor Statistics through the fiscal year 2022. Previously, HUD has relied on inflation forecasts from the Congressional Budget Office (CBO) in updating ACS estimates. However, at the time of FY 2022 median family income calculation, CBO had not issued an updated CPI forecast suitable for use by HUD. The inflation factor, representing the cumulative change in the CPI from 2019 through February 2022, is approximately 1.1116. HUD uses the MFI to calculate very low-income limits, used as the basis to calculate income limits for other income categories. MFIs are calculated at the family level only, not the per person level as is done for income limits. The average family size is over 3, so, by convention, HUD equates the median family income for an area with a four-person family for the purposes of calculating income limits. For additional information, please see HUD's methodology describing 2022 MFI's at https://www.huduser.gov/portal/datasets/il/il22/Medians-Methodology-FY22.pdf.

***Adjustment Calculations***

HUD may apply adjustments to areas with unusually high or low family income, uneven housing-cost-to-income relationship, or other reasons. For example, HUD applies an increase if the four-person very low-income limit would otherwise be less than the amount at which 35 percent of it equals 85 percent of the annualized two-bedroom Section 8 FMR (or 40$^{th}$ percentile rent in 50$^{th}$ percentile FMR areas). The purpose is to increase the income limit for areas where rental-housing costs are unusually high in relation to the median income.

In certain cases, HUD also applies an adjustment to the income limits based on the state non-metropolitan median family income level. In addition, HUD restricts adjustments, so income limits do not increase more than five percent of the previous year's very low-income figure OR twice the increase in the national MFI as measured from the 2018 to the 2019 American Community Survey, whichever is greater. For the 2022 income limits, the maximum increase is 11.89% from the previous year. This adjustment does not apply to the extremely low-income limits.

Please refer to HUD briefing materials for additional information on the adjustment calculations.

***Income Limit Calculations for Household Sizes Other Than 4-Persons***

The income limit statute requires adjustments for family size. The legislative history and conference committee report indicates that Congress intended that income limits should be higher for larger families and lower for smaller families. The same family size adjustments apply to all income limits, except extremely low-income limits, which are set at the poverty income threshold. They are as follows:

| Number of Persons in Household: | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 |
|---|---|---|---|---|---|---|---|---|
| Adjustments: | 70% | 80% | 90% | Base | 108% | 116% | 124% | 132% |

***Income Limit Calculations for Household Sizes Greater Than 8-Persons***

For households of more than eight persons, refer to the formula at the end of the table for 2022 Income Limits. Due to the adjustments HUD can make to income limits in a given county, table data should be the only method used to determine program eligibility. Arithmetic calculations are applicable only when a household has more than eight members. Please refer to HUD's briefing material for additional information on family size adjustments.

## HCD Methodology

State law (see, e.g., Health & Safety Code Section 50093) prescribes the methodology HCD uses to update the State Income Limits. HCD utilizes HUD's Public Housing and Section 8 Income Limits. HCD's methodology involves: (1) if necessary, increasing a county's median income established by HUD to equal California's non-metropolitan county median income determined by HUD, (2) applying HCD's HH Policy, in effect since 2013, to not allow decreases in area median income levels and household income category levels, (3) applying to the median income the same family size adjustments HUD applies to the income limits, and (4) determining income limit levels applicable to California's moderate-income households defined by law as household income not exceeding 120 percent of county area median income.

### *Area Median Income and Income Category Levels*

HCD, pursuant to federal and State law, adjusts median income levels for all counties so they are not less than the non-metropolitan county median income established by HUD ($80,300 for 2022). Next, HCD applies its HH policy to ensure area median income and income limits for all household income categories do not fall below any level achieved in the prior year. Health and Safety Code section 50093 requires HCD to adjust the AMI for family size in accordance with adjustment factors adopted by HUD and illustrated on the previous page. This establishes that the MFI published by HUD equals the four-person AMI for California counties.

### *Acutely low-Income Levels*

Chapter 345, Statues of 2021 (Assembly Bill 1043) established California's acutely low-income levels. See Health & Safety Code, § 50063.5. After calculating the 4-person area median income (AMI) level as previously described, HCD sets the maximum acutely low-income limit to equal 15 percent of the county's AMI, adjusted for family size.

### *Moderate-Income Levels*

HCD is responsible for establishing California's moderate-income limit levels. After calculating the 4-person area median income (AMI) level as previously described, HCD sets the maximum moderate-income limit to equal 120 percent of the county's AMI, adjusted for family size.

### *Applicability of California's Official State Income Limits*

Applicability of the State Income Limits are subject to particular programs as program definitions of factors such as income, family, and household size vary. Some programs, such as Multifamily Tax Subsidy Projects (MTSPs), use different income limits. For MTSPs, separate income limits apply per provisions of the Housing and Economic Recovery Act (HERA) of 2008 (Public Law 110-289). Income limits for MTSPs are used to determine qualification levels as well as set maximum rental rates for projects funded with tax credits authorized under Section 42 of the Internal Revenue Code (Code). In addition, MTSP income limits apply to projects financed with tax-exempt housing bonds issued to provide qualified residential rental development under Section 142 of the Code. These income limits are available at http://www.huduser.org/datasets/mtsp.html.

# 2022 State Income Limits Briefing Materials
# California Code of Regulations, Title 25, Section 6932

## Questions and Answers

**In Los Angeles, as well as several other counties in the state, why does the very low-income limit not equal 50% of the AMI (or the low-income limit not equal 80% of the AMI)?**

There are many exceptions to the arithmetic calculation of income limits. These include adjustments for high housing cost relative to income, the application of state nonmetropolitan income limits in low-income areas, and national maximums in high-income areas. **In Los Angeles County, as well as several others, the magnitude of these adjustments results in the low-income limit exceeding the AMI.** These exceptions are detailed in the FY 2022 Income Limits Methodology Document, https://www.huduser.gov/portal/datasets/il//il22/IncomeLimitsMethodology-FY22.pdf.

For further information on the exact adjustments made to an individual area of the country, please see HUD's FY 2022 Income Limits Documentation System. The documentation system is available at https://www.huduser.gov/portal/datasets/il.html#2022_query. Once the area in question is selected, a summary of the area's median income, Very Low-Income, Extremely Low-Income, and Low-Income Limits are displayed. Detailed calculations are obtained by selecting the relevant links.

**Why don't the income limits for my area reflect recent gains?**

Although HUD uses the most recent data available concerning local area incomes, there is still a lag between when the data are collected and when the data are available for use. For example, FY 2022 Income Limits are calculated using 2015-2019 5-year American Community Survey (ACS) data, and one-year 2019 data where possible. This is a three-year lag, so more current trends in median family income levels are not available.

**How does HUD calculate Median Family Income (MFI)?**

HUD estimates Median Family Income (MFI) annually for each metropolitan area and non-metropolitan county. The basis for HUD's median family incomes is data from the American Community Survey, table B19113 - MEDIAN FAMILY INCOME IN THE PAST 12 MONTHS. A Consumer Price Index (CPI) forecast as published by the Bureau of Labor Statistics is used in the trend factor calculation to bring the 2018 ACS data forward to FY 2022.

For additional details concerning the use of the ACS in HUD's calculations of MFI, please see HUD's FY 2022 Median Family Income methodology document, at https://www.huduser.gov/portal/datasets/il.html#2022_data.

Additionally, full documentation of all calculations for Median Family Incomes are available in the FY 2022 Median Family Income and the FY 2022 Income Limits Documentation System. These systems are available at https://www.huduser.gov/portal/datasets/il.html#2022_query.

**Why didn't the income limits for my county change from last year?**

HCD's Hold Harmless Policy likely prevented the income limits from decreasing from last year's levels and has maintained them despite a decrease in median income and/or income limits published by HUD.

**Why do the income limits or area median income for my county not match what was published by HUD?**

HCD adjusts each county's area median income to at least equal the state non-metropolitan county median income, as published by HUD. Further, HCD's Hold Harmless Policy prevents any decrease in income limits or median family income published by HUD to be applied to State Income Limits.

| Number of Persons in Household: | | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 |
|---|---|---|---|---|---|---|---|---|---|
| Santa Clara County Area Median Income: $168,500 | Acutely Low | 17700 | 20250 | 22750 | 25300 | 27300 | 29350 | 31350 | 33400 |
| | Extremely Low | 35400 | 40450 | 45500 | 50550 | 54600 | 58650 | 62700 | 66750 |
| | Very Low Income | 59000 | 67400 | 75850 | 84250 | 91000 | 97750 | 104500 | 111250 |
| | Low Income | 92250 | 105400 | 118600 | 131750 | 142300 | 152850 | 163400 | 173950 |
| | **Median Income** | 117950 | 134800 | 151650 | **168500** | 182000 | 195450 | 208950 | 222400 |
| | Moderate Income | 141550 | 161750 | 182000 | 202200 | 218400 | 234550 | 250750 | 266900 |
| Santa Cruz County Area Median Income: $119,300 | Acutely Low | 12550 | 14300 | 16100 | 17900 | 19350 | 20750 | 22200 | 23650 |
| | Extremely Low | 32700 | 37350 | 42000 | 46650 | 50400 | 54150 | 57850 | 61600 |
| | Very Low Income | 54450 | 62200 | 70000 | 77750 | 84000 | 90200 | 96450 | 102650 |
| | Low Income | 87350 | 99800 | 112300 | 124750 | 134750 | 144750 | 154700 | 164700 |
| | **Median Income** | 83500 | 95450 | 107350 | **119300** | 128850 | 138400 | 147950 | 157500 |
| | Moderate Income | 100200 | 114500 | 128850 | 143150 | 154600 | 166050 | 177500 | 188950 |
| Shasta County Area Median Income: $89,800 | Acutely Low | 9400 | 10750 | 12100 | 13450 | 14550 | 15600 | 16700 | 17750 |
| | Extremely Low | 16700 | 19050 | 23030 | 27750 | 32470 | 37190 | 41910 | 46630 |
| | Very Low Income | 27800 | 31800 | 35750 | 39700 | 42900 | 46100 | 49250 | 52450 |
| | Low Income | 44450 | 50800 | 57150 | 63500 | 68600 | 73700 | 78750 | 83850 |
| | **Median Income** | 62850 | 71850 | 80800 | **89800** | 97000 | 104150 | 111350 | 118550 |
| | Moderate Income | 75450 | 86200 | 97000 | 107750 | 116350 | 125000 | 133600 | 142250 |
| Sierra County Area Median Income: $90,000 | Acutely Low | 9450 | 10800 | 12150 | 13500 | 14600 | 15650 | 16750 | 17800 |
| | Extremely Low | 18900 | 21600 | 24300 | 27750 | 32470 | 37190 | 41910 | 46630 |
| | Very Low Income | 31500 | 36000 | 40500 | 45000 | 48600 | 52200 | 55800 | 59400 |
| | Low Income | 50400 | 57600 | 64800 | 72000 | 77800 | 83550 | 89300 | 95050 |
| | **Median Income** | 63000 | 72000 | 81000 | **90000** | 97200 | 104400 | 111600 | 118800 |
| | Moderate Income | 75600 | 86400 | 97200 | 108000 | 116650 | 125300 | 133900 | 142550 |
| Siskiyou County Area Median Income: $80,300 | Acutely Low | 8450 | 9650 | 10850 | 12050 | 13000 | 14000 | 14950 | 15900 |
| | Extremely Low | 16350 | 18700 | 23030 | 27750 | 32470 | 37190 | 41910 | 46630 |
| | Very Low Income | 27300 | 31200 | 35100 | 38950 | 42100 | 45200 | 48300 | 51450 |
| | Low Income | 43650 | 49850 | 56100 | 62300 | 67300 | 72300 | 77300 | 82250 |
| | **Median Income** | 56200 | 64250 | 72250 | **80300** | 86700 | 93150 | 99550 | 106000 |
| | Moderate Income | 67450 | 77100 | 86700 | 96350 | 104050 | 111750 | 119450 | 127200 |
| Solano County Area Median Income: $108,700 | Acutely Low | 11400 | 13050 | 14650 | 16300 | 17600 | 18900 | 20200 | 21500 |
| | Extremely Low | 22850 | 26100 | 29350 | 32600 | 35250 | 37850 | 41910 | 46630 |
| | Very Low Income | 38050 | 43450 | 48900 | 54300 | 58650 | 63000 | 67350 | 71700 |
| | Low Income | 60800 | 69450 | 78150 | 86800 | 93750 | 100700 | 107650 | 114600 |
| | **Median Income** | 76100 | 86950 | 97850 | **108700** | 117400 | 126100 | 134800 | 143500 |
| | Moderate Income | 91300 | 104350 | 117400 | 130450 | 140900 | 151300 | 161750 | 172200 |
| Sonoma County Area Median Income: $112,800 | Acutely Low | 11850 | 13500 | 15200 | 16900 | 18250 | 19600 | 20950 | 22300 |
| | Extremely Low | 25000 | 28550 | 32100 | 35650 | 38550 | 41400 | 44250 | 47100 |
| | Very Low Income | 41600 | 47550 | 53500 | 59400 | 64200 | 68950 | 73700 | 78450 |
| | Low Income | 66550 | 76050 | 85550 | 95050 | 102700 | 110300 | 117900 | 125500 |
| | **Median Income** | 78950 | 90250 | 101500 | **112800** | 121800 | 130850 | 139850 | 148900 |
| | Moderate Income | 94750 | 108300 | 121800 | 135350 | 146200 | 157000 | 167850 | 178650 |

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**From:** KENNETH ARENDT [redacted]
**Sent:** Monday, June 20, 2022 10:29 AM
**To:** Ken Arendt [redacted]; Pat Arendt [redacted]; Barry Bakken [redacted]; Candy Bakken [redacted]; Annemone Barnett [redacted] Chris Bearden [redacted]; Jeanette Bearden [redacted]; Amy and Dave Bowser [redacted]; Rachel Brodie [redacted]; Brodie, Paul [redacted]>; Hal Chase [redacted]>; Karen Chase [redacted]>; Gary and Heidie Collins [redacted]>; Heidi Collins [redacted]>; David Demaria [redacted]>; dawn demaria [redacted]>; Bob and Nancy Derham [redacted]>; Jim Finkle [redacted]>; Douglass G Heath [redacted]>; Bill Highstreet [redacted]>; Shirley Highstreet [redacted] Brian Kaefer [redacted]>; Kristen Kaefer [redacted]>; Jenannie and Kayvan Kimyai [redacted]>; Zlata Kovac [redacted]>; Chris and Frank Lawrence [redacted]>; lesliepennington [redacted]>; Patricia Madison [redacted]>; Arnold and Suzanne Moore [redacted]>; Gary Neuner [redacted]; Gary & Rene NEUNER [redacted]>; rene neuner [redacted]; Richard Neuschaefer [redacted] Kathryn Parkman [redacted]; Phil Parkman [redacted]; Brad and Leslie Pennington [redacted] Tom Pulley [redacted]; Tom and Karen Pulley [redacted]; jim tatsukawa [redacted]>; Hsiao-in Wang [redacted]>; Romy Zeid [redacted]>
**Cc:** Matthew Hudes <matthew@matthewhudes.com>; GP2040 <GP2040@losgatosca.gov>
**Subject:** Fwd: Council Will Vote Soon on Housing and General Plan

EXTERNAL SENDER

HI all, please do take a minute or two to read this from Matt Hudes. What the TC will do tonight will have an impact on us all.

FYI, as best I can determine, this high density movement by the town manager, Provetti, exceeds her authority to establish policy for the town. And yet, there is no documentation that the TC has extended that authority to her. Nor has any action been taken, that I can determine, to correct that by the TC. We are in trouble.

Suggest you write to the TC to express your concerns.

Ken

---------- Original Message ----------
From: Matthew Hudes <matthew@matthewhudes.com>
To: Kenneth Arendt [redacted]
Date: 06/18/2022 2:23 PM
Subject: Council Will Vote Soon on Housing and General Plan

HI Kenneth,

On Monday night at 7:00 PM the Los Gatos Town Council will consider the Draft 2040 General Plan which includes as many as 3,904 additional homes in Los Gatos. This is an opportunity, before a vote is taken, for your voice to be heard regarding **Housing**, **Neighborhood Character,** and the **Future of Our Town**.

Town Council
7:00 PM June 20, 2022
https://losgatosca-gov.zoom.us/j/88004227157?pwd=ZG1pc3pscTZwZXdCWjc2SkM3b2Nzdz0

Passcode: 320795.

In April, the Planning Commission reviewed the Draft 2040 General Plan and made some recommendations to the Council. I have had many conversations with folks around Town, and I am summarizing three key areas and some questions that remain:

**1. Should virtually every residential area in Town be "upzoned" into more dense neighborhoods?**

**2. Will services and infrastructure keep pace with the safety and quality of life that our residents expect?**

**3. How can we preserve the character of our community while guiding the Town into the future?**

As always, please feel free to reach out to me at matthew@matthewhudes.com and you can send your comments to the Town at gp2040@losgatosca.gov

Thanks for your engagement,

Matthew Hudes
Councilmember, Town of Los Gatos

_____

Key questions:

**1. Density on top of Density**

Increased density is when additional homes are built in spaces previously zoned for fewer homes. The Draft 2040 General Plan and the Planning Commission Recommendation call for **increased density (also called "upzoning") in virtually every residential area in Los Gatos.** The State's **SB9 mandate also allows for additional density** on top of the upzoning.

- Do we need that additional upzoned density? And can our town handle the associated **impacts of traffic, parking, water-use, and wildfire hazard**?
- Why should any properties be upzoned in **the Very High Fire Hazard Severity Zone**, some of which are on narrow roads with flammable vegetation?
- And what is the goal of this **transformation of Los Gatos neighborhoods**—will increased density result in **affordable housing** or just **many large luxury residences on small lots**?

**2. Overall growth**

As drafted, the 2040 General Plan, would allow Los Gatos to grow by at least 8,971 people or 28%, which is almost three times greater than the Town's growth rate in the last 20 years. Infrastructure and services will need to keep pace with growth in order **for safety and quality of life to be maintained**. Town-wide upzoning could result in even greater stress on our services and infrastructure, yet **the fiscal impact of this growth has not been analyzed** in the Draft 2040 General Plan.

- Why would Los Gatos plan for **nearly double the amount that the State is mandatin**g in its latest Regional Housing Needs Allocation (RHNA)? (California's and Santa Clara County's populations have decreased over the last several years.)

| STATE MANDATE (RHNA) | DRAFT 2040 GENERAL PLAN 3,738+166 Hillside | PLANNING COMMISSION RECOMMENDATION 3,280+116 Hillside |
|---|---|---|
| **1,993** | **3,904** | **3,396** |
| | **95% over RHNA** | **70% over RHNA** |

- Should growth be **spread over a 20-year period such that services and infrastructure can keep pace**, or should **all growth be permitted on day-one of the 20 year plan**? (A 5-year review process has been proposed; however, recent State law (SB330) allows those reviews to **only increase density**, not to decrease density. In other words, should we "Grow as we Go" rather than front-load development?
- Surely SB9 will result in additional housing; however the 2040 General Plan projects zero new units. **Should SB9 housing be counted**?

**3. Character**

There should be growth, and **affordable housing must be included and encouraged** in our 2040 General Plan.

- How can we provide more housing wisely in order to **preserve the character of the community while guiding the Town into the future**?
- What are **our principles and values** that we can use as a guidepost to carefully select areas for increased development?

*At this time, my thoughts are preliminary, and I am open to information provided at upcoming hearings. I will not express a final opinion until the Council votes on these matters. Any expression is by me as an individual, not by the Council.*

Matthew Hudes for Town Council · CA 95030, United States
This email was sent to [redacted] **To stop receiving emails,** click here.