

1 North San Antonio Road
Los Altos, California 94022-3087

MEMORANDUM

DATE: 1/9/23

TO: Councilmembers

FROM: City Manager

SUBJECT: COUNCIL Q&A FOR JANUARY 1, 2023, CITY COUNCIL REGULAR MEETING

Study Session

Question: For the purpose of aiding public transparency, please provide a list of the 12 commissions, the number of commissioners, and tell us which are on a March or September cycle.

Answer: Please see the chart below.

Commission Name	Current Number	Current Vacancy	Total	Los Altos Hills?	March or September?	Frequency of Meetings (per month)	Number of Cancelled Meetings (2022)
Complete Streets	7	0	7	No	March	Once	2
Design Review	5	2 (LA)	7	No	September	Twice	7
Environmental	7	0	7	No	March	Once	5
Financial	7	0	7	No	September	Once	1
Historical	5	2	7	No	September	Once	8
Joint Community Volunteer Service Awards Committee	9	0	9	Yes (4 members)	March	As Needed	
Library	6	1 (LAH)	7	Yes (1 member)	September	Once	
Parks and Recreation	6	1 (LA)	7	No	March	Once	2
Planning	7	0	7	No	September	Twice	11
Public Arts	5	2 (LA)	7	No	September	Once	
Senior	7	0	7	Yes (1 member)	March	Once	4
Youth	11	0	11	No	March	Once	1
Total	82	8	90	6			

Question: Does staff propose to include the Youth commission?

Answer: City staff does not propose any changes to the Youth Commission as they have already been separated into a special process in the current Commissioner Handbook. It states that "Youth Commission applicants are interviewed by the City Council Youth Commission Interview Committee which then makes appointment recommendations to the full City Council at a regular Council meeting." City Council may provide direction during this study session if they identify proposed improvements to their process.

Question: Should we have a joint Council meeting to have a discussion with Los Altos Hills regarding joint commissions?

Answer: The Town of Los Altos Hills can appoint individuals to their identified commission spots through whichever process they would prefer.

Question: On the last page in "No Interview Process", it says "Council members may conduct applicants prior to the meeting.", what does this mean, is this a typo and/or is it missing part of the sentence?

Answer: City staff apologizes for the typing error. The sentence should read, "Council members may contact applicants prior to the meeting."

Item 1 Minutes

- In Public Comments on Items Not on the Agenda, one of the speaker's names should be corrected to "Jon Baer".

Answer: Noted.

- Regarding Public Correspondence about the Consent Calendar, public speaker Roberta Phillips requested items 3 & 4 be pulled from Consent both at the meeting and in written public comment ahead of the meeting. The public correspondence included in the meeting packet show two members of the public, including Ms. Phillips, asked to pull item number 4 from Consent, and although public correspondence also includes Ms. Phillips' request to pull item #3 that is not included until pages 807-808 of the packet. Public Correspondence regarding all Consent items should be included early in the packet as with Consent Item 4 not at the end of the packet.

Answer: Agenda Items 3 and 4 from the 12/13/22 meetings were copied over to the 1/10/23 meetings published. The January 10, 2023, agenda assigned them different numbers. Staff keeps public correspondence with the item it was regarding, regardless of the number it is assigned. The written public correspondence was found towards the end of the 1/10/23 packet because they are being considered towards the end of the meeting.

Item 2 Sixth Cycle Housing Element 2023-2031:

Question: Why does the Housing Element specify a minimum zoning of 20 dwelling units per acre for the overlay on United Methodist and Bridges Community Church, the two church properties across from Rancho Shopping Center?

Answer: This is set by the Default Density allowed pursuant Government Code Section 65583.2 (C)(3)(B). The City of Los Altos is categorized as IV-Metropolitan jurisdiction,

requiring at least 30 dwelling units per acre. A minimum density range of 20 to 30 dwelling units satisfies this requirement. For more information regarding Default Density: [Default Density Standard Option – 2020 Census Update \(ca.gov\)](#)

Question: Why are we still including Foothill Crossing, the Trader Joe's shopping center, in the site inventory? My understanding is the owner wrote to the city to convey the intent not to build housing.

Answer: The City has received additional interest in redevelopment of the site since receipt of the letter being referenced.

Question: Why is the City promising, in Program 1.H, to “offer a minimum of 20 years of a zero-cost land lease to a housing development providing a minimum of 20 percent of all dwelling units to lower income households”?

This seems too generous for a for-profit project that only has 20% low-income housing, which is already our inclusionary zoning requirement.

Answer: This has been included in the Draft Housing Element as a starting point and sets a minimum requirement. The draft language does not establish this as exactly what the land transaction will be, rather offers a guaranteed minimum. The Council can increase this requirement as they wish, however it is important to note that this is a binding agreement with the State of California. A Fair Market Analysis must be conducted in order to determine exactly what the offset could potentially be.

Question: Can program 1.C be amended so that the entire OA district is rezoned as opposed to spot rezoning? If doing so would invoke a new CEQA analysis, please explain and refer to the applicable CEQA statutes/regulations.

Answer: At this time, we would not modify Program 1.C to account for additional sites as that has not been included within the CEQA analysis, unless the Council does not want to adopt the housing element by the January 31, 2023, statutory deadline. Additional sites can be added in the future when additional CEQA has been completed.

Question: What criteria was used to determine which parcels in the OA district would be spot rezoned and which would not?

Answer: Based on expressed interest in redevelopment, vacancy rate of existing development, age of buildings, land to improvement values.

Question: Assuming the OA district is only partially rezoned: How does staff envision resolving a situation where a resident owns a spot rezoned parcel next to a parcel not spot rezoned, and her intent is to combine the parcels and build multifamily housing?

Answer: With recommendation of the Planning Commission and Acceptance by the City Council this could easily be accomplished, a subsequent CEQA Analysis would be required which in this scenario would be applicant driven.

Question: If the HEU is not amended to include spot rezoning the entire OA district, is Council prohibited from rezoning the entire district?

Answer: No. A subsequent rezoning of additional sites could be completed.

Question: Please explain if/how state law will affect the HEU's planned rezoning along San Antonio Road.

Answer: It does not affect any of the Planned rezones, if anything it only helps to support the rezone of those sites.

Question: If Woods Lane is removed from the site inventory, will Los Altos still have a sufficient buffer?

Answer: Staff does not recommend removing any sites from the inventory.

Question: How does the HEU address combating homelessness? What changes were made to the draft after staff met with Dignity Moves and Life Moves?

Answer: Initial discussions with Dignity Moves and Life Moves were to understand what the cost, time, and need for doing temporary and supportive housing would require. No specific changes were made after meeting with these two groups as many revisions were already underway that addressed some of what was discussed.

Question: With respect to AFFH: The staff report says that the City will "further collect and analyze data in the coming years in order to ensure that the City is effectively Affirmatively Furthering Fair Housing within the jurisdiction." What does this mean? What data is being collected and analyzed? Who is collecting the data? Who is analyzing it? What theory is being tested with the data? What program in the HEU encompasses the data collection and analysis? How, specifically, will the data be used to "ensure that the City is effectively AFFH in" Los Altos?

Answer: As many jurisdictions the City of Los Altos does not have extensive data regarding AFFH as this is a new requirement of State law. Data cannot be created that does not exist, so the initial discovery and collection of data is vital to meeting the requirements and intent of AFFH. Multiple programs in the housing element speak to the City hiring a housing manager. This person will be tasked with meeting with individuals in the community who live and work in Los Altos to understand their needs in housing, and how it has been affected over the years such as access to it, where it is located, the cost of the housing, etc. The data that is collected will actually inform the City fully on what the needs of the community are, and how to best serve this segment of the population.

Question: With respect to program 3.A, the staff report says that "[a]n easy to navigate Parking Matrix will be the result of this program in addition to a Parking Management Plan for the Downtown Los Altos Area." Please explain what is a "Parking Matrix." Please provide examples of a Parking Matrix and Parking Management Plan that have been created/used by other cities. Why are we limiting the matrix and management plan to only the downtown area?

Answer: a Parking Matrix is simply a table format of all parking requirements within the City, and is consolidated into one table which states the prescribed use, and the parking ratio required:

Land Use Type	Vehicle Spaces Required	Bicycle Spaces Required
Manufacturing and General Industrial		
Manufacturing and industrial, general	1 space for each 250 sq. ft. of gross floor area plus 1 space for each vehicle operated in connection with each on-site use	5 percent of vehicle spaces
Recycling facilities	Space shall be provided for the anticipated peak load of customers to circulate, park and deposit recyclable materials. If the facility is open to the public, an on-site parking area shall be provided for a minimum of 10 customers at any one time	None
	1 employee parking space shall be provided on-site for each commercial vehicle operated by the processing center	5 percent of vehicle spaces
Recreation, Education, Public Assembly Uses		
Child day-care centers	1 space for each employee, plus 1 space for every 15 children for visitor parking and drop-off areas	2 percent of vehicle spaces
Churches, mortuaries	1 space for each 170 sq. ft. of gross floor area	5 percent of vehicle spaces for churches; 2 spaces for mortuaries
Indoor recreation and fitness centers		

The table format provided above shows the required vehicle and bicycle parking in one consolidated area.

The City of Los Altos began its work on a Downtown Parking Management Plan in 2012, work completed can be found here: [Downtown Parking Management Plan | City of Los Altos California](#)

Question: Did any of the tribes' receiving letters under SB 18 / AB 52 give a response? If so, please provide a copy of the response(s).

Answer: Tribal Consultation was conducted by Interim Laura Simpson prior to May 2022, and no Letters were provided to the City.

Question: Please provide copies of the City's responses to the DTSC's and Valley Water's respective letters in response to the MND.

Answer: The City acknowledged receipt of the Standard Form Letters received by both agencies and considered any revisions necessary. No revisions were necessary, and no formal response was provided as allowed by law.

Question: The PC's Resolution included in the packet is the commission's draft resolution. Please provide a copy of the final resolution including their recommended change

Answer: Forthcoming

Question: Please provide a proposed resolution for the Council to adopt.

Answer: Staff and the City Attorney are currently working on the final copy of the draft resolution to be included in the Agenda Packet. Formal adoption of the resolution will not occur until 1/24/2023.

Question: Program 1.B: In the last sentence of the objective, does "targeting" mean "requiring?" If not, what does "targeting" mean?

Answer: for the purposes of this sentence targeting would be the same as anticipating.

Question: Program 1.D: In the first sentence of the objective, what does “facilitate” mean? Does the city have a realistic expectation that a religious facility in the City will apply for a permit to build at least 10 units of housing?

Answer: Yes. This is a realistic and conservative assumption.

Question: Program 1.I: Why are we limiting lot consolidation incentives to Downtown? Why not incentivize consolidation in Loyola Corners, Sherwood, and other parts of the City?

Answer: This could be expanded in the future per council direction.

Question: HCD’s letter (page 7) requires program 2.C to “include outreach to developers to promote incentives.” Please identify where the revisions to program 2.C meet this requirement from HCD.

Answer: Staff can incorporate an additional bullet that conducts an annual roundtable with the development community to focus outreach understanding the needs of the community.

Question: Program 2.D: Why is the timeline to amend the ADU ordinance dependent on the date of HCD’s formal comment letter?

Answer: Because the City has only been verbally warned that its ordinance is inconsistent by a State Agency. Staff and the City Attorney do not feel it is appropriate to blindly amend the ordinance without understanding the issues noted by the State.

Question: Program 3.A: What is the “sliding scale?” (Fifth bullet point). A sliding scale of what? Please give an example of the sliding scale staff envisions.

Answer: there would not be a per unit parking requirement and for multi-family there would be a stall requirement based on how many bedrooms are in each unit.

Question: Program 3.B: HCD’s letter says that this program should address “height constraints for the entire City.” Do the proposed revisions meet HCD’s requirement?

Answer: Staff believes we are addressing the concern of HCD.

Question: Program 3.H: The Planning Commission recommended that the appellate window should be extended from ten days to fourteen. What is the staff’s opinion of that recommendation?

Answer: Staff believes that this increase of 4 calendar days is an appropriate amount of time, however staff will acknowledge that anything greater than this is not the intent of the HEU Program, and not an industry standard.

Question: Please describe the appellate process (time to file an appeal, prepare a record, how and when the actual appeal is conducted, when the appeal is ruled upon, etc.).

Answer: EXAMPLE:

1. Planning Commission renders decision
2. Appeal period begins
3. Appeal is filed with the City before the 10 days expires

4. Staff then prepares a staff report on the validity of the appeal and presents its findings to the City Council at the next regularly scheduled meeting
 - 4.1. This means that when the appeal is filed with the City, it will be placed on the next agenda where it would comply with any noticing requirements, generally 3 weeks is required to be published in the paper, so it would be heard as timely as legally possible.

Question: Program 5.B: Does Alta Housing qualify as our “full time Housing Manager?” If so, how will Alta Housing perform its role to promote Housing Choice under program 6.D?

Answer: Alta does not qualify as a Housing Manager. “The City’s new Housing Manager will lead the promotion of Housing Choice rental assistance program within Los Altos, providing education and assistance to tenants, property managers/owners.” This will be a new position within the City and will conduct the outreach in house.

Question: Please explain the relationship between Program 1.H and 6.C.

Answer: Program 6.C is outreach to property owners about available incentives, the City of Los Altos is the property owner of parking plazas noted in Program 1.H, City staff is well-educated on all incentives and requirements of housing law and will inform the City Council and selected developer of incentives available in the future as development occurs.

Question: Under program 1.A - Developers tend to add a surplus of moderate units. Should we revisit our inclusionary zoning to have a higher amount of moderate and extremely low affordable housing units?

Answer: the City already has a consultant under contract that will begin the financial analysis to update our inclusionary ordinance once the Housing Element is Adopted.

Program 1.H

Question: Can we include language that would clarify that the lease of land would include - fee for the replacement of lost public parking.

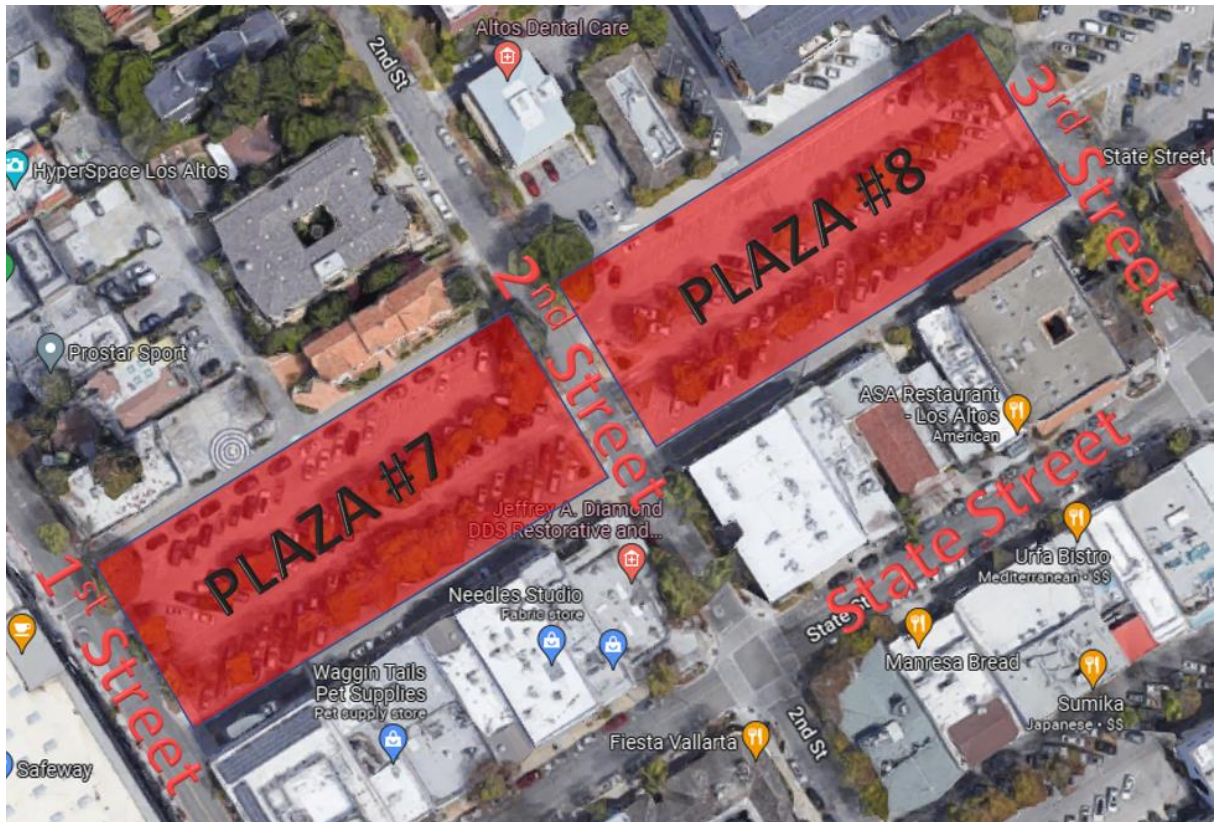
Answer: This would be viewed as an impediment to the creation of housing by HCD.

Question: Please provide a map of the downtown, with streets labeled, and parking plazas numbered (for all plazas), and the acreage and number of parking spaces plazas 7 and 8.

Answer: Acreage Plaza #7 = 1.04, Approximately 126 parking stalls.

Acreage Plaza #8 = 1.18, Approximately 128 parking stalls.

It is important to note that the majority of parking stalls located in plazas # 7 & 8 are substandard, and do not meet the size/dimension requirements.



Question: How many parking spaces will be displaced, and what will be the cost to replace them elsewhere?

Answer: See question above.

Question: If the parking will be demolished and the land leased for free, how much is the true giveaway?

Answer: This will be determined during the financial analysis that has been established in the Housing Element.

Question: Please provide the same information for the Parking Plaza on hold for the potential Theatre.

Answer: Parking Plaza 7 and 8 have been identified for use of housing, other city owned property for use of a theater is not included in this scope of work or discussion included in this agenda.

Program 1.L - Please add at the end of the paragraph - “while maintaining our Cities character.”

Question: How many of the ADUS applications that we currently have, would be able to account to this RHNA cycle?

Answer: We already are accounting for our housing production inclusive of ADUs.

Comment: Please provide a map showing where these ADUs are located within the

city.

Answer: This is not possible given limited time to prepare.

Question: Program 3.N - can we add language to the end of the paragraph. ... but must meet geological, structural, and safety standards.

Answer: This is something that is already included in the California Building Codes and does not apply to the Housing Element.

Other questions:

Question:

When a site is designated as a lower income site. Does a developer have the right to choose what income level they build for?

Answer: Yes.

Question: The HCD letter states: To assist in meeting this requirement, the element should provide local data not captured in regional, state, or federal data analysis to help describes what contributes to the higher concentration of nonwhite residents in the southern part of the City. Shouldn't we have a better balance of income levels throughout the city to provide more diverse community opportunities?

Answer: The sites that were identified for rezoning and included in the draft housing element, have followed the guidance provided by HCD, the City has assigned projected income levels on the sites accordingly.

Item 3. Second Amendment to the Noll & Tam Architects and Planners' EOC Conceptual Design Agreement for the Design, Construction Documents, and Construction Administration for the New Emergency Operations Center (EOC):

Question: Has anything changed in the staff report and/or draft resolution from the documents provided to Council in the packet for the December 13, 2022, meeting?

Answer: No. The staff report and resolution remain the same. The only updates are to dates and titles for signatures.

Question: Please provide a copy of proposed Amendment #2.

Answer: Amendment No. 2 is included as an attachment to this document.

Item 4. Emergency Declaration Resolution:

Question: Can we continue to utilize AB 361 until January 1, 2024, regardless of the expiration of California's state of emergency at the end of Feb 2023?

Answer: No, the provisions of AB 2449 would apply.

Item 6. Tentative Council Calendar

Question: Why do the May meetings show the possibility of a resolution calling for an election, what election would that be?

Answer: This will be removed as it was carried over from the 2022 calendar in error.

