



**TOWN OF LOS GATOS**  
**PLANNING COMMISSION STAFF REPORT**  
**Meeting Date: December 2, 2015**

**ITEM NO: 3**  
**DESK ITEM**

PREPARED BY: Joel S. Paulson, Planning Manager  
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SUMMARY: Public hearing to consider adoption of amendments to Chapter II (Constraints Analysis and Site Selection) and Chapter V (Architectural Design) of the Hillside Development Standards and Guidelines.

EXHIBITS: Previously received with the September 23, 2015 Staff Report:

1. Required Findings
2. Proposed Amendments – Chapter II. Constraints Analysis and Site Selection (six pages)
3. Proposed Amendments – Chapter V. Architectural Design (12 pages)
4. Comments from Dave Weissman (10 pages)

Previously received with the December 2, 2015 Staff Report:

5. Verbatim Minutes from the October 21, 2015 Study Session (90 pages)
6. Proposed Methodology previously submitted by Dave Weissman and Lee Quintana (four pages)
7. Letter from Lee Quintana submitted at the October 21, 2015 Study Session (four pages)
8. Letter from Dave Weissman (five pages)

Received with this Desk Item:

9. Comments from Commissioner Kane

REMARKS:

The attached comments from Commissioner Kane (Exhibit 9) were received after the report on this matter was finalized.

Prepared by:  
Joel S. Paulson, AICP  
Planning Manager

Approved by:  
Laurel R. Prevetti  
Town Manager/Community Development Director

LRP:JSP:cg

Joel -

I have re-read the minutes of the 10/21 study session. Whatever I would say is in there and I hope those thoughts are reflected in the recommendation we send to the town council...

Essentially:

Substantially reduce the ability of the 25% (or 20%!) visibility requirement to be meant by tree or bush coverage. There is the letter of the law, but there is also the spirit of the law. As Lee Quintana points out in the minutes, "Discretion" ought to be used to preserve the hillsides -- as it was intended by the authors of the document. That is the spirit of the law -- not that people find ways to get around the "letter," but that we also require compliance with the "spirit." Use of trees as helping meet the visibility requirement is a good example. Trees and bushes can die or otherwise "go away" and there is no requirement that they be replaced in kind or "in place." That is simply not what was intended... That an act of God (or man) could result in, possibly, a full view of a large house from the valley floor. As I think about it, take out any provision of vegetation screening. That ends the argument, that ends the "game," and insures compliance with the letter *and* the spirit of the HDS&G. Also, I think due consideration should be given to the learned, impressive, considerate and appropriately passionate recommendations of Ms. Quintana and Dr. Weissman. Finally, as mentioned above, consider reducing the 25% requirement to 20% -- to include a "cap" on the size of the exposed portion of the structure. We should take another look at the provisions regarding garages and cellars and language could be more specific about houses "stepping down" the hillside... but those items are not before us at this time.

Again, my sincere apologies for not being able to attend this important meeting.

Yours,  
Michael