



## Friends of Los Altos, Inc. (FOLA)

A non-profit, non-partisan, volunteer-run organization

### Who Gets the Short Straw?

Remember the game that we all played in our youth? A group of straws were put out, with only one end showing. Everyone got to pick one, and the person who got the short straw lost. While not entirely fair, at the age of 8 or 10 (or 12) when we played the game, it seemed to be the best way to pick the winner—though most often the short straw was the loser. Of course, in our heightened awareness of environmental impacts, the dearth of disposable plastic straws likely makes that another relic of a bygone era, much akin to dial telephones and portable radios. But we date ourselves.

Well, in Los Altos, the short straw is definitely the loser. What game are we playing? The game is called: “how and where do we put nearly 2,000 units of new housing by 2030 to meet state mandates?” To accomplish that goal, the question is: who gets upzoned with increased density and/or height to meet the new RHNA numbers? For those of you who don’t recall what RHNA means it’s an abbreviation for *Regional Housing Needs Assessment*, but please do read the article we sent out a couple of weeks ago. By the way, even if you already did read it, we suggest you check out a slightly updated version on our website (the direct link is: <https://friendsoflosaltos.org/alphabet-soup/>). The State-mandated-allocation specifically assumes that a city will be able to find land suitable for development. Yes, we agree that such an assumption doesn’t make a lot of sense in small built-out towns like Los Altos. But when did lawmakers in Sacramento factor reality into the laws they pass? We wonder.

So now the City Council is faced with the issue of how to enable nearly 2,000 units of housing required by the year 2030. To do so (assuming the RHNA numbers aren’t challenged) requires finding places for more housing. Yes, a few accessory dwelling units (ADU’s) here and there will help, but those alone are unlikely to meet the target. So something has to change.

In recent years, the City has targeted the El Camino corridor and First Street to convert low density commercial to higher density housing. Along El Camino, the real losers have been those residents whose rear property lines abut lots along El Camino, because almost all of the large scale multifamily and mixed-use developments have taken place there, and those tall buildings affect light and privacy for the surrounding neighbors. Back when the Planning Commission changed the height limit in 2010 from 35 feet to 45 feet it was to enable larger scale mixed use and multifamily development along that corridor. The rationale was that increasing the height limit by 10 feet would allow 4 floors of development and the effect on the neighboring residential properties would be minimal, since by using setback and step-downs, light and privacy issues would be minimized.

Of course, that was before the State changed its regulations. Those new State-mandated regulations require development incentives for adding affordable housing, which has resulted in 5-story buildings that are over 50 feet tall and, sadly, are now the new norm. Housing advocates claim, we believe erroneously, that the adjoining residential properties should have expected development and more housing; and more affordable housing (and in the minds of housing

advocates) trumps any rights or protests. We disagree. While an additional 10 feet of allowed height is one thing, adding two additional stories and an additional 15 plus feet of height has a very different effect on surrounding single family residences. And that does not include the parking and traffic impacts that significant dense development typically creates.

While El Camino and First Street have been and are likely to be targeted areas for even more height and density, there are other places in town which could meet a similar fate. There is the potential to add housing at the Homestead Road site of Trader Joe's and that might actually be a location where the impact of taller buildings is minimized, although the traffic and circulation issues would need to be addressed. Other areas of downtown Los Altos besides First Street have also been discussed, but the cost of underground parking, traffic and circulation and the potential impact on adjoining residential neighborhoods have remained issues. In order to meet those numbers, the math requires that there needs to be double digit units built in double digit locations (again, please see our previous article on the subject for a complete discussion). Which means someone, or maybe a lot of someones, are going to get the short straw.

At present there is at least one option being considered which would allow multifamily development in single family residential neighborhoods-sharing the pain as it were. When your next-door neighbor sells, that 3000 foot single family home it may be replaced by TWO, 3000 square foot homes or two duplexes (yes 4 housing units were there was once only one). The 10-15 feet from their home to your side property line may go down to 4 feet and if your neighbor behind you does the same, the 25 foot setback in the backyard also goes down to 4 feet. Sound far-fetched? That is what the folks in Sacramento are proposing with SB9. That bill allow a single family lot to be split and a house with an unknown maximum size to be put on each lot. To date the only restrictions are the houses need to be four feet from the side and rear setbacks. Additionally, each split lot could have an ADU of 800 square feet and a junior ADU (i.e., an ADU attached to the house). While some are in favor of this bill (incredulously, three members of the Los Altos City Council—Mayor Fligor, Councilmembers Meadows and Weinberg, much to our disappointment and dismay), it dramatically reduces green space and separation between homes on adjoining lots. SB 10 would allow City Council to approve 10 units of housing on a single family lot. The bill would further allow a majority vote of the City Council to ignore any citizen initiative that otherwise block a 10 unit per single family lot project. Both SB 9 and 10 also allow a waiver of parking requirements if the parcel is within .5 miles of transit. So every parcel of land in Los Altos which is within .5 miles of El Camino would be exempt from any parking more than what was there originally.

Take a stroll on Tyndall Street, where 3-unit development is currently required for any new construction. The results are not very appealing: substantial and crowded on-street parking, limited distance between neighbors, and a lack of open space really create a neighborhood which is the antithesis of what most of us want. Just imagine if every street in Los Altos was a cross between Tyndall Avenue and El Camino in terms of housing.

But back to our short straw example. The City, by law, needs to identify by lot, how it can get to the required 2,000 units of new housing by 2030. But neither SB9 nor SB 10 provides any of the required affordable units that the City must entitle. By allowing increase height and density in a number of areas of town where multifamily housing can be placed, the City might be able to meet its housing target requirements. But the challenge remains on how to meet the affordable housing targets, but that is an entirely different problem that most Sacramento policy makers are ignoring.

From a resident's point of view, having more and denser housing results in loss of privacy, light and open space. And while we appreciate that this approach might address the housing supply target, it still does nothing to make that housing affordable, unless we either subsidize it or require developers to provide 50% BMR units in a building. While we could require such a high percentage, the reality is that no fiscally sane builder would build with economics that didn't work. And when they don't work, nothing gets built and then Los Altos loses local control over future project approvals (once again, this is all described in detail in our previous article).

Get the impression this is a game we cannot win? Bingo. For those of you who are old enough to remember the movie Catch-22 nod your heads. For those of you who have never seen the movie, watch it when you have some spare time.

What tradeoffs are you willing to accept, which ones aren't you interested in? We would love to hear from you about this topic as the City faces some real challenges and issues. And most importantly the City Council needs to hear what you are willing to accept before Los Altos turns into a very different place to live.

## **Friends of Los Altos**

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