

McGill, Pam

From: James Kuszmaul [REDACTED]
Sent: Tuesday, December 5, 2023 8:19 AM
To: City Council
Cc: [REDACTED]
Subject: Public Comment on Item 6.1 – Amendments to Chapter 8, 25, 28, 32, 35, and 36 of the City Code

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Dear Mayor Hicks & City Councilmembers,

Mountain View YIMBY is happy to see the proposed zoning code amendments that implement the latest state housing laws, begin implementation of the Housing Element, and generally clean up the city zoning code. Additionally, we appreciate the responsiveness of EPC and staff in addressing the comments that we provided at the time. The comments in this letter supplement the comments we provided when these city code updates were brought to EPC. Updated notes on each of our comment areas are provided below.

AB2097 Applicability

Mountain View YIMBY continues to believe that the city should remove parking minimums throughout as much of the city as possible. Regarding the specific question of how to interpret the “intersection” of the VTA 22 and 522 bus routes, we have not yet received specific guidance from HCD regarding how to interpret this part of state law but would like the city to err on the side of the more pro-housing interpretation.

Low Barrier Navigation Center Zoning

We are glad to hear that updates to the various precise plans will be coming forward in 2024.

Separate Sale of ADUs

While it does not strictly need to be in this zoning code update, we continue to urge Mountain View to make use of the recently passed [AB1033](#), which allows cities to authorize ADUs to be sold separately without condition. Given that the city is already updating the code to comply with AB345, we urge the city to further expand opportunities for entry-level homeownership in the city and incentivize additional ADU construction by utilizing AB1033.

Second-Story ADU Balconies

The updated amendments to allow second-story ADU balconies are an improvement. Mountain View YIMBY still sees no compelling reason to have separate standards for ADUs and ordinary single-family homes, but allowing balconies at all is an improvement on the original proposed zoning amendments.

Permit Application Cap

We continue to oppose the proposed cap on the number of zoning permit applications for a single parcel. The existing process already requires that a developer pay cost-recovery fees with each application, and if developers are finding that it makes sense to file multiple applications (and thus do the extra paperwork and

pay the corresponding fees), then the city should work to understand and resolve the issues that those developers are encountering rather than forbidding the developers from having multiple applications.

Conclusion

Mountain View YIMBY continues to appreciate the ways in which the current proposal already exceeds the minimum requirements of state law. We look forward to seeing these code amendments move forward and appreciate the effort that has been put toward updating the city zoning code.

James Kuszmaul,
On behalf of Mountain View YIMBY

