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Sent: Tuesday, November 15, 2022 9:13 PM

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Subject: re: 11/16/22 Meeting -Item 5.1 Revised 2023-2031 Draft Housing Element

Dear Environmental Planning Commissioners:

While I don't have a crystal ball, I am optimistic that a productive dialogue with HCD will lead to an approved Housing Element by January 2023.

I wanted to comment on the additional rezoning opportunities (both general and R3) and recommend you add language and commit to "Adopt density increases in Downtown".

1. Downtown provides the best opportunities for residents (transit, culture, city services, retail, parks, schools, tree lined streets).
2. You recently reviewed (and approved) a temporary limitation on large office development in the Downtown precise Plan. One of the rationale is to improve the jobs housing (im)balance. From the 11/2/22 staff report: "Residential returns on development often cannot compete with office, especially since maximum office FARs are relatively high. To support residential development, the City could study residential constraints and densities and identify policies and standards that can encourage the few remaining developable parcels as housing." Given that the City is already contemplating increased housing densities via the DownTown Precise Plan update, it would only seem logical to commit to it in the Housing Element.
3. There are some R3 areas Downtown (or near Downtown). For the same reasons listed above, it would seem logical to prioritize R3 "upzoning" Downtown (or near Downtown).

Sincerely,

Serge Bonte
Mountain View

Re: Item 5.1 Revised 2023-2031 Draft Housing Element

To the Environmental Planning Commission:

MV YIMBY appreciates the work of staff, the Commission, and Council in working to create a compliant Housing Element. However, we are concerned that the revised draft still does not meet the bar of being compliant and, more fundamentally, does not sufficiently address the housing crisis.

We believe there is still time available to make changes, even if it may lead to delays with the EIR. It is better to take time and carefully prepare than to submit a less-than-compliant document requiring future revision.

Site Inventory

The site inventory continues to be insufficient, given that the existing pace of development falls significantly short of our 5th cycle housing allocation (progress: 30% VLI, 43% LI, 3% MI). The new housing allocation is 3.8x larger, with our existing above moderate production just falling short (4658 permits issued, 4880 minimum next cycle). Meanwhile, existing projects are subject to tough economic conditions, with projects like Gamel Way already not moving forward.

In particular, there is not enough evidence provided to demonstrate that the site inventory will be built out to plan, especially sites along El Camino Real in their post-2014 Precise Plan regulatory conditions. Ron's Farmhouse (2026 W ECR), for example, still remains unused since its closing in 2007. The lack of documented interest from property owners should raise concerns, as they can continue to hold underdeveloped parcels or develop a non-residential project.

We also believe that some of the projects listed in the pipeline section cannot be credited to the 6th cycle as they were occupied before June 30, 2022. Luna Vista (950 West El Camino Real), for example, has had occupancy since at least May, as evidenced by the [public grand opening](#).

Meanwhile, there are at least two projects that have indicated development potential, 901 N Rengstorff (the "Ambra property") and 843 W El Camino ("Castro Commons"), that remain missing in the site inventory with a purpose of "maintaining discretion." This is not a positive sign for a process whose purpose is to ensure sufficient housing gets built.

Programs

We reiterate our concern that the actions and metrics provided in the programs are still too vague to indicate impact, with some of them scheduled too far into the future to make much impact within the 6th cycle. Despite some progress, many of our objections to the first draft remain valid.

Various programs are meant to align our local ordinances with state law (1.1, 1.3, 1.10). However, their timelines are not immediate; for example, SB478, a law that went into effect in January 2022, is scheduled in Program 1.3 to be implemented by EOY 2026 (cycle midpoint), although the state can already sue over noncompliance. Meanwhile, the program (1.3) to ensure developments can actually be feasibly built to their specified densities is also scheduled EOY 2026, although the R3 update has been underway since 2020. Given that large projects can easily take more than four years to reach approval (e.g., 555 W Middlefield), these programs, although welcome, will have little material impact within the 6th cycle.

HCD has asked the City to create actions to promote housing mobility to address our Affirmatively Furthering Fair Housing requirements. However, the SB 9 subdivision program that Council requested is scheduled by EOY 2026, though it seems neighboring cities like Sunnyvale already implement similar provisions. On

Program 1.4, the densities listed for religious and community assembly sites (“30 to 40 dwelling units per acre on the residential portions of the sites”) seem rather low, leading to feasibility concerns.

Parking requirements remain a large identified constraint on development. Although Program 1.2 addresses it for 100% affordable housing developments, and the state has preempted City authority in selected areas under AB 2097, that still leaves an unaddressed constraint for all other projects. The promise of parking reductions under Program 1.3d is welcome but noncommittal.

Despite the Park Land Dedication Fee being one of the largest fees charged by the City on development projects, the wording (Program 1.8) remains relatively vague at what the metric of “reducing the financial impact” is. Being a per-unit charge rather than per-area also leads to some adverse effects.

We continue to press the City to explicitly connect the Matrix Development Review to Program 4.1, in order to demonstrate to HCD the actions the City is already undertaking as well as to ensure the City is accountable in seeing it to completion. We believe that a robust Program 4.1 would benefit all parties, because unlike most other programs, it reduces staff workload.

The Neighborhood Engagement program (4.7) does not give evidence of its effectiveness in addressing concerns about unrepresentative community input, as identified in the Constraints Analysis. The R3 Neighborhood meetings, for example, attracted a demographic that was heavily skewed against renters and younger members of the community.

Thank you for the opportunity to comment,

Ilya Gurin

On behalf of the members of MV YIMBY

