

**City Council Questions**  
**May 14, 2019 Council Meeting**

**ITEM 6.2 APPROVAL OF THE MOUNTAIN VIEW 2019 WATER SYSTEM PUBLIC HEALTH GOALS REPORT**

1. How are the 30-40 homes that are tested selected?

Per State requirements, testing is conducted at single family or multi-family homes that contain copper pipes with lead solder installed after 1982, homes that contain lead pipes or homes served by a lead service line. Staff selects homes based on this criterion and solicits participation via a direct letter to homeowners. The City can also test at single family homes with copper pipes and lead solder installed before 1983 if additional sites are needed. When possible, testing is performed at the same sites to monitor long-term changes.

2. What kind of public education do we do around potential lead in the water and how people can address that with testing filters, etc.?

The City's on-line annual water quality report (Consumer Confidence Report) provides information on lead and web links to the State Water Resources Control Board and U.S. EPA Safe Drinking Water Hotline. These provide information regarding where lead is commonly found, water filtering and resources for water quality testing. Public Services water quality staff is also available to address questions at (650) 903-6241.

**ITEM 7.1 NORTH BAYSHORE TRIP CAP REPORT**

1. Isn't the trip cap measured by the sum of the inbound and outbound trips during morning or evening? If so, isn't the 2017 cap higher than the 2014 cap? Or, is staff saying to use the inbound from 2014 and the outbound from 2017? Please provide a table with what is being proposed by staff.

The 2017 trip cap is measured by the sum (2-way, inbound and outbound) of trips during the a.m. and p.m. peak hours. The 2014 trip cap policy only considered inbound trips, and that is what was initially measured. The 2017 two-way inbound capacity for all gateways is slightly higher than the 2014 two-way inbound capacity.

Staff notes that we will continue to monitor and disclose trip count data to the City Council similar to the Gateway Trip Targets section beginning on page 30-31 of the Monitoring report. Council can review the data and then suggest policy revisions to the trip cap based on this data, if desired.

Staff is also recommending that the 2014 inbound and outbound trip cap numbers be used until new residential units are occupied in North Bayshore. These trip cap numbers are noted in the table below under 2014 Precise Plan, which is Table 3 from the staff report:

	Morning Peak Hour			Evening Peak Hour		
	Inbound	Outbound	Total	Inbound	Outbound	Total
<u>2014 Precise Plan</u>						
San Antonio	1,530	170	1,700	400	1,340	1,740
Rengstorff	2,960	330	3,290	350	2,090	2,440
Shoreline	2,490	620	3,110	1,030	2,730	3,760
Total	6,980	1,120	8,100	1,780	6,160	7,940
<u>2017 Precise Plan</u>						
San Antonio	1,460	430	1,890	490	1,340	1,830
Rengstorff	2,620	670	3,290	650	1,790	2,440
Shoreline	2,220	890	3,110	1,170	2,590	3,760
Total	6,300	1,990	8,290	2,310	5,720	8,030

After residential occupancy, Council could adjust these accordingly based on the results of our trip counts and capacity.

- Is the Council being asked explicitly to provide direction on whether to use the 2014 trip cap rather than the 2017 cap?

Yes, as noted in Questions 1, staff is recommending using the 2014 numbers until new residential units are occupied. Council may wish to confirm this staff recommendation, or provide other direction.

- If the Council decided to the 2014 trip cap instead of the 2017 cap, what would happen? Is there a practical difference right now?

There is no practical difference right now. All gateways are in compliance, regardless of which trip cap (directional peak hour based on 2014 NBPP capacity or two-way based on 2017 NBPP capacity) is used. Staff is recommending that it may make sense to use the higher 2014 inbound trip cap numbers now, and then adjust these downwards towards the 2017 inbound trip cap numbers as residential are occupied in North Bayshore and new traffic patterns emerge.

- Does the precise plan require the trip cap report to go to Council, or could it be delegated to EPC or simply a memo?

Section 8.3 of the Precise Plan (Monitoring Programs), Standard #6, states that the Council shall review the annual monitoring report. City staff have done this annually in the spring since 2015, and have also sent Council a memo at the six month monitoring period (fall).

The policy expectation is that Council would review the report at a public meeting, although the Precise Plan is not explicit that it be reviewed at a public meeting, just that Council review the information. The other important point is that the information is disclosed to the public, TMA, developers, etc., which is what we have done via posting on the web site, and we could continue this. The City Council could provide direction on how they would like to review this information. A few options could include 1) continue to receive the Fall information in memo format and then the annual report at a Spring Council meeting; 2) receive all monitoring reports in memo format, and then Council

could decide if/when a meeting should be scheduled to discuss any policy matters; 3) delegate to the EPC for discussion at one or more monitoring periods, and then receive a staff memo with any comments or policy recommendations from the EPC.

5. If the trip cap is triggered for two counts in a row, are residential building permits halted, or just office?

**Any building permit could be halted or delayed. The key difference is that the Precise Plan exempts residential uses from the trip cap, which allows them to submit their planning application and receive entitlements, whereas office developments would not be able to submit a planning application if the trip cap was exceeded.**

**If the trip cap is exceeded, the Precise Plan, however, does allow new developments to propose strategies that would result in trip cap compliance.**

6. What will trigger the reduction of the inbound trip cap to account for residential (occupancy of the first residential, a certain threshold...)?

**Any potential reduction would be done at the time of additional monitoring (i.e. every six months), and would be at the discretion of the City Council. One option would be to consider reducing the inbound trip cap one year after full occupancy of the first residential project, where the project would have time to implement their TDM programs and submit their TDM report to the City.**

7. Could Council choose to reduce the cap to the lower number now if they wanted to?

**The City Council has the authority to reduce the cap to a lower number. However, it would be helpful to understand the specific outcome Council was seeking so staff could present some options to Council.**

**ITEM 7.2 PARKING RESTRICTIONS AT 251 SOUTH SHORELINE BOULEVARD, 599 CASTRO STREET, AND BRYANT AVENUE BETWEEN MERCY STREET AND CALIFORNIA STREET**

1. Is there a track changes version of attachment 1 that can be shared?

**See attached.**

**ITEM 8.1 BELOW-MARKET-RATE HOUSING PROGRAM PHASE 2 MODIFICATIONS**

Income levels, household size, and illustrative maximum rents/purchase prices.

	Household Size			
	1	2	3	4
VLI (50% AMI)	\$51,250 (\$1,280/mo)/\$126,000	\$58,550 (\$1,465/mo)/\$154,000	\$65,850 (\$1,650/mo)/\$181,000	\$73,150 (\$1,830/mo)/\$209,000
LI (65% AMI)	\$61,500 (\$1,550/mo)/\$165,000	\$70,850 (\$1,770/mo)/\$200,000	\$79,700 (\$2,000/mo)/\$234,000	\$88,525 (\$2,215/mo)/\$267,000

LI (80% AMI)	\$72,750 (\$1,820/mo)/\$208,000	\$83,150 (\$2,080/mo)/\$247,000	\$93,550 (\$2,340/mo)/\$286,000	\$103,900 (\$2,600/mo)/\$326,000
Median (100% AMI)	\$92,000 (\$2,300/mo)/\$280,000	\$105,100 (\$2,630/mo)/\$330,000	\$118,250 (\$2,960/mo)/\$381,000	\$131,400 (\$3,285/mo)/\$430,000
MOD (120% AMI)	\$110,400 (\$2,760/mo)/\$350,000	\$126,150 (\$3,150/mo)/\$410,000	\$141,950 (\$3,550/mo)/\$470,000	\$157,700 (\$3,940/mo)/\$530,000

1. Can Sunnyvale and Palo Alto be added to Table 1?

The two cities are updating their BMR rental programs but below is a table that includes both jurisdictions.

Jurisdiction	Minimum Inclusionary Requirement			Total Inclusionary Requirement
	Very Low Income	Low Income	Moderate Income	
<b>Mountain View [1]</b>				
Ownership	-	-	10.0%	10.0%
Rental	-	15.0%	-	15.0%
<b>San Mateo County</b>				
Colma [2]	4.0%	4.0%	12.0%	20.0%
Daly City [3]				
Ownership	-	-	20.0%	20.0%
Rental	-	10.0%	-	10.0%
Foster City	6.7%	6.7%	6.7%	20.0%
Half Moon Bay [4]	6.0%	7.0%	7.0%	20.0%
Menlo Park [5]	5.0%	5.0%	5.0%	15.0%
Pacifica [6]	6.0%	4.5%	4.5%	15.0%
Redwood City				
Ownership	-	-	15.0%	15.0%
Rental	5.0%	5.0%	10.0%	20.0%
San Bruno [7]	-	7.5%	7.5%	15.0%
San Mateo [8]				
Ownership Option 1	-	-	15.0%	15.0%
Ownership Option 2	-	10.0%	-	10.0%
Rental Option 1	-	15.0%	-	15.0%
Rental Option 2	10.0%	-	-	10.0%
South San Francisco [9]	-	10.0%	10.0%	20.0%
<b>Santa Clara County</b>				
Campbell [10]	-	7.5%	7.5%	15.0%
Cupertino [11]				
Ownership	-	-	15.0%	15.0%
Rental	7.5%	7.5%	-	15.0%
Los Altos	In process of updating inclusionary requirement			
Los Altos Hills	-	-	-	-
Los Gatos [12]	-	-	10.0% - 22.5%	10.0% - 22.5%
Milpitas [13]				
Ownership	-	7.5%	7.5%	15.0%
Rental	7.5%	7.5%	-	15.0%
Palo Alto [14]				
Ownership Option 1 (<5 acres)	-	10.0%	5.0%	15.0%
Ownership Option 2 (>5 acres)	-	15.0%	5.0%	20.0%
Rental	In process of updating inclusionary requirement			
San Jose [15]				
Ownership	-	-	15.0%	15.0%
Rental	6.0%	-	9.0%	15.0%
Santa Clara [16]	-	-	15.0%	15.0%
Sunnyvale [17]	-	-	12.5%	12.5%
Low Requirement	4.0%	4.0%	4.5%	0.0%
High Requirement	10.0%	15.0%	22.5%	22.5%
Median Requirement	6.0%	7.5%	10.0%	15.0%

\*Footnotes on next page.

2. If the goal is to have condo mapped market-rate rental units, what BMR policy is recommended? (Page 20)

The objective per Council direction is the provision of BMR units on-site. If having condo-mapped rental projects is the higher priority, the Council could consider excluding in-lieu fees as an alternative mitigation option for such projects (but a different alternative mitigation could be requested); direct staff to encourage developers to build rental projects with condo maps (because staff's assessment is that there is little cost differential between the two); or Council could direct staff to consider applying different requirements or fee levels for condo-mapped rental projects. Applying different (lower) requirements for condo-mapped projects could result in effectively lowering the overall BMR rental program.

It would be helpful to have greater clarity what specific issue(s) the Council is seeking to address with condo-mapped rental projects. If the goal of condo-mapped rental projects is to ultimately have more ownership opportunities in the future, staff could work with applicants on exploring opportunities to develop condo-mapped ownership project during the entitlement process.

3. Could the City or a non-profit purchase for-sale BMR units to rent out to qualifying low-income tenants?

An applicant could propose this idea to meet its BMR requirement, and it would be considered an alternative mitigation. As an alternative mitigation, the applicant would need to demonstrate that it meets the required alternative mitigation parameters, and the applicant would be required to work with the City and/or their non-profit partner during the entitlement process to meet the BMR requirements. The City could not require a developer to rent out or to sell the BMR units to the City or a non-profit to rent them out.

The current BMR program is that the City has the first right to purchase a BMR ownership unit upon resale, and it is recommended that Phase 2 continues this provision. If the Council wishes to modify the BMR program to allow the City to have first right to purchase the BMR ownership units upon initial sale (not just resale) and to rent them out as BMR units, this programmatic element would need to be further analyzed and developed. The City would become a landlord and administration and funding would need to be setup. Alternatively, if the goal is to create more BMR rental units, the BMR rental program is an option a developer could take.

4. The staff report indicates that "assessing the barriers to, and exploring opportunities to facilitate, such condo-mapped rental projects is a work plan item under the Fiscal Year 2017-19 Council Major Goals" (p 19).
- a. What other barriers to condo-mapping exist? Are there fees or other requirements the City imposes that may discourage condo-mapping?

Staff is aware that developers have been concerned the BMR ordinance treats condo mapped rental units as ownership units even if they are rented out initially. This currently triggers the ownership BMR obligations and the 3 percent in-lieu fee, which, in the past, resulted in a higher in-lieu fee amount than if the rental in-lieu fee were applied.

Staff notes that as part of Phase 2 modifications, BMR units on-site is the objective standard and basic requirement. The requirement for condo-mapped rental projects is the provision of BMR rental units on-site. Paying an in-lieu fee would be an alternative mitigation and subject to those requirements. Should a request be made to pay an in-lieu fee and the Council approves the request, it is recommended that the fees be based on the rental in-lieu amount because those units are intended to be rental units initially.

Based on preliminary review, it is staff's assessment that for new rental construction, the City's Code does not appear to have different development standards for condo-mapped and non-condo-

mapped rentals. Additionally, the cost differential between a condo-mapped rental project and a rental project without a condo map is minimal and primarily based on the cost to file a subdivision map and potentially minimal differences in building permit costs. The cost of the subdivision map and building permits is not substantial relative to the overall project cost.

Developers have indicated the statute of limitations for construction defect litigation is one of the significant factors that would play a role in their decision to condo-map a rental project. The City does not have control over this factor.

- b. Will staff be returning to Council later this year with recommendations to incentivize and/or facilitate condo-mapping? If not, can we provide direction to staff to do so?

In staff/Department input on the FY 2019-21 Council major goals workplan, one component of condo mapping rental projects (i.e., the in-lieu fee that such a project would be subject to) is part of the BMR update process. As part of the discussion this evening, the Council will be asked to provide direction on this topic in the context of the BMR ordinance. Other regulatory/policy aspects besides BMR in-lieu fees would need to continue as a separate workplan item if that is Council's direction and would be incorporated into the FY 2019-21 Council major goals process.

The Council goals for FY 19-20 also include incentivizing stacked flats in the City's R3 zones. This will include review of the standards to ensure that FARs, setbacks, densities are adjusted to allow for construction of stacked flats. As part of the goal-setting process, Council may add additional expectations within that goal to direct staff to work specific issues or requirements.

- 5. My understanding is that AB 1505 requires that a feasibility analysis be conducted if an inclusionary requirement above 15% is imposed. Does the analysis that has been done meet the state requirements?

Yes, staff believes that the feasibility analysis conducted follows best practices, that Economic & Planning Systems is a qualified entity that has conducted feasibility analyses for various BMR programs in jurisdictions throughout the region, and that the analysis would meet the State's requirements.

- 6. How does the state define "objective standards"?

SB 35 defines "objective standards" as: "Standards that involve no personal or subjective judgment by a public official and are uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant and the public official prior to submittal."

- 7. Is acceptance of an alternative mitigation completely discretionary? Or, if the developer meets the "objective standards," then will the Council be required to accept an alternative mitigation?

If a developer meets the parameters/requirements for alternative mitigations, jurisdictions have limited discretion to deny a request for alternative mitigations. If project complies with all objective standards, the Council must find a specific adverse effect on public health & safety to support a denial.

- 8. What does "deemed complete" mean? What is a "completeness letter" (p 1 in the Community Meeting Notes, attachment 4)? How would this be different from submission of a "formal application"?

Most Planning applications are subject to the Permit Streamlining Act (PSA) which requires that jurisdictions process applications in a timely matter and set forth timelines for which we would need to say whether we have all the information and submittal requirements we need in order to make a decision on the project. PSA applies to "development projects," which include most discretionary



development permits. It does not apply to ministerial actions such as building permits or legislative actions, such as general plan or zoning changes.

For projects that are subject to the PSA, we provide a checklist of required application materials and information which needs to be provided from an applicant for a development project. Upon receipt of a "formal application" (a permit application where they pay fees) we have 30 days to determine and notify the applicant whether the application is complete for processing. If it is determined to be incomplete, then we would give them a "completeness letter" which states what they would need to provide in order to make their application complete. Once an applicant provides a resubmittal to address the items in the completeness letter, this starts a new 30-day review period and commenting period. This can go back and forth until the application is complete. Once the application is complete, we would schedule the project for a public hearing or approve it, if it is a project that does not require a public hearing. If an agency fails to notify applicant of completion status within 30-day period, the application is automatically deemed complete.

9. My understanding is that AMI has increased significantly over the past couple of years. Low-income households' wages haven't increased at the same rate. Are BMR rent increases tied to AMI increases? Are BMR rents increasing at the same rate as AMI increases?

**BMR rents (and sales prices for ownership units) are based on the income limits from the State Department of Housing and Community Development and for the income levels set for each BMR unit. Therefore BMR rents for Low-Income households are tied to the income limit for Low-Income and not to AMI (i.e., 100% of median income). In a comparison between 2011 and 2019 income limits, the income limit for Low-Income for a household of four increased from \$79,350 to \$103,900 (31% increase). The median income for a household of four during the same period increased from \$103,600 to \$131,400 (27% increase). Therefore, during this period the income limit for Low-Income increased faster than the median income.**

10. The "value of the early payment of an in-lieu fee" (staff report, p 14) is at least somewhat calculable. How would staff calculate the value of an early payment of an in-lieu fee?

**One methodology could be to calculate the time value of money by applying a discount rate to determine the value of a future payment in today's dollars. Staff seeks to further evaluate a reasonable and appropriate methodology that could be included in a set of procedures to implement the BMR program and the alternative mitigations requirements.**

11. Would this alone sufficiently satisfy the requirement that an alternative mitigation be significantly more valuable than providing on-site affordable units?

**This would depend on a case by case basis, looking at the overall project in context. However, in general, staff believes it is unlikely that the time value of an in-lieu fee alone would be significantly more valuable than providing on-site affordable units.**

12. Under the proposed weighted average methodology, how would bedroom mix be determined? I suspect that it would still need to be proportional to the market-rate mix, but how would you distribute them equitably across the spectrum of affordability?

**Section D.6 of the draft Guidelines (attachment 1 of the Council report) recommends that the BMR units "have a distribution of units by number of bedrooms proportionate to the market-rate units, and be of comparable size based on net habitable square footage of the units."**

13. Page 7 of the draft guidelines: “The following items shall be considered standard and may not be reduced or eliminated by the developer: dishwashers, garbage disposals, cooking facilities, and laundry facilities (either on-site or in each individual unit).” Do air conditioners or ceiling fans also count as “standard items?”

**It is the expectation and requirement that BMR units shall be comparable and have the same features as the market rate units except for luxury finishes. Therefore, if market rate units have air conditioners or ceiling fans, the BMR units shall also be comparable. To enhance the clarity of the intent of Section D.6, staff recommends deleting the sentence quoted above.**

14. Regarding the move towards prioritizing delivery of affordable units instead of receiving fees: Has there been an analysis of which method can produce more affordable units?

**That analysis was not explicitly part of the scope of work. It depends on what the fee levels are set at, what kind of 100% affordable projects the City would fund with in-lieu fees, etc. One of the key goals of the BMR program is to provide mixed-income, integrated housing as a way to add diversity to the City’s affordable housing supply, which is composed almost entirely of stand-alone, 100% affordable housing developments. The City’s affordable housing fund has historically generated most of its funds from its housing impact fee (i.e., commercial linkage fee) programs rather than from BMR in-lieu fees.**

15. Wouldn’t higher BMR requirements incentivize developers to build more offices and less housing in areas that allow both uses like Downtown, E Whisman, N Bayshore, etc., thus throwing the jobs/housing balance even more out of balance? What might we do to mitigate that?

**As part of Phase 2 modifications, EPS conducted a survey of jurisdictions in the region and nearly all jurisdictions with a BMR program have a 15% requirement or higher. Additionally, areas such as North Bayshore have a 20% affordable housing goal, and the draft East Whisman Precise Plan includes the same goal along with a jobs-housing linkage strategy.**

16. The staff report appendix says that it’s hard to get inclusionary ownership units to work and also that very low-income rental units are hard to pull off. What can we do to address these problems?

**This question appears to reference Attachment 4 – Community meeting notes as part of the Council report. Without understanding the specifics, it is difficult to verify the specific rationale/issue(s) behind this comment. Regarding BMR ownership units, staff have received frequent input that BMR ownership units can be more challenging at lower income levels such as for Very Low-Income households (50% AMI). Phase 2 modifications includes a recommendation to allow Very Low-Income ownership units only if a set-aside is created to pay for future HOA increase and special assessments such that the overall affordability of the unit is maintained. Otherwise, Phase 2 recommends that a floor of 80% AMI is set for BMR ownership units to enhance the sustainability of homeownership.**

**Regarding Very Low-Income rental units, the City has approximately 125 Very Low- or Extremely Low-Income units achieved either through the BMR program and density bonus projects. The City has not received any feedback that these units have been particularly difficult to manage**

17. Can we put BMR rentals into ownership developments?

**An applicant could propose this idea to meet its BMR requirement, and it would be considered an alternative mitigation. As an alternative mitigation, the applicant would need to demonstrate that it meets the required alternative mitigation parameters, and the applicant shall work with the City and their non-profit partner during the entitlement process to meet the BMR requirements. The City could not require a developer to rent out or to sell the BMR units to the City or a non-profit to rent out.**



18. What's our strategy for producing very-low income housing?

The City has nearly 1,500 subsidized affordable units (i.e., NOFA projects that are 100% affordable developments that include City funding), over 1,100 unit are for either Very Low (50% AMI) or Extremely Low-Income (30% AMI) households. As mentioned above, an additional 125 VLI/ELI units have been produced through the BMR/density bonus programs. Producing housing for Very Low-Income housing could continue to be achieved through a combination of the City's affordable housing development program (NOFA projects) and the BMR program.

19. Where else is the weighted average method used? Does it tend to favor certain income mixes and leave others out?

The weighted average methodology has been recommended to facilitate a greater variety/distribution of affordable housing across income levels, and it also requires at least two income levels. The distribution of affordable units would depend on where the weighted average is set: a higher weighted average would have more affordable units set at higher income levels and a lower weighted average would have more affordable units set at lower income levels.

20. The staff report says that our BMR requirements would not reply to units produced by density bonuses. Would it then be correct to say that once we apply the density bonus the 15% or 25% requirement is actually lower?

Correct. If, say, a 15% BMR requirement is applied to the base project instead of the total number of units in a project including density bonus units, then the number of BMR units as a percentage of the total project would be lower than 15%.

21. How do other cities handle that?

Staff does not have detailed information on other cities about density bonus. However, it is staff's understanding that this is the proper application and other agencies apply the State density bonus law to the "base" project.

22. How many developments in the pipeline are getting density bonuses?

Staff is gathering this information.

23. Regarding the staff report section on rentals with condo mapping (p. 19). It asks whether we want to encourage BMR units or conversion to condos. Is there a way to encourage both?

The objective standard and requirement of the BMR program is the delivery of BMR units on-site. Staff could work with an applicant to incorporate condo-mapping as part of a rental project. Staff's analysis is that the development standards for a condo-mapped rental project and non-condo-mapped project are the same, and there is minimal cost difference for the entitlement process. Another alternative that could potentially facilitate BMR units (though not on-site) and condo-mapped rental projects without lowering the BMR rental requirement is to exclude in-lieu fees as an alternative mitigation for condo-mapped rental projects. Such project could request other alternative mitigations (such as build off-site, land dedication, etc.) which could facilitate.

If the goal of condo-mapped rental projects is to ultimately have more ownership opportunities in the future, staff could work with applicants on exploring opportunities to develop condo-mapped ownership project during the entitlement process.

24. How can we enforce renting, subletting or Airbnb restrictions?

**Staff interprets this question to mean renting or subletting of BMR ownership units. BMR units are required to be the primary place of residence for the qualified household. BMR units may only be sublet when the owner demonstrates hardship and for no more than six months, and for no more than a certain level. Compliance audits for BMR ownership units are conducted annually and the homeowner is subject to penalties if found out of compliance. The BMR administrator also establishes relationships with the Homeowner's associations, which reports complaints or issues to the BMR administrator.**

25. Can we encourage affordable subletting to displaced residents, community college students or some other sub-group of people we want to serve?

**Phase 2 modifications allow subletting of BMR ownership units only under demonstrated hardship, for a certain period of time, and for a certain amount. If BMR rooms or units are sublet by an owner without a hardship, then they would likely be earning a profit on the unit and would be out of compliance with BMR requirements.**

26. Can this be handled by a nonprofit?

**Similar to the response to a previous question, it is possible that an applicant could work with a non-profit and with the City during the entitlement process to submit a proposal that satisfies the BMR alternative mitigation requirements, if the applicant wishes to sell BMR ownership units to a non-profit to rent them out. The ability to comply with the program would depend on particular facts of the application.**

27. How can we use this policy alongside policies that create teacher housing or housing for any other sub-group that we'd like to serve?

**To the extent permitted by law, the BMR program includes a live/work preference. Preferences cannot be based on source of income or result in a disparate impact.**

28. How is this expected to impact nonprofit-delivered housing? Will there be less of it because of fewer impact fees?

**Historically, the City's affordable housing fund is composed primarily of its housing impact fees (i.e., commercial linkage fees). If that continues to be the case, then the impact to non-profit delivered housing is likely to be relatively minimal.**

29. How can this policy interface with any anti-displacement policy we put in place? Can we have higher requirements for projects that displace low-income tenants?

**Any policies or development requirements would need to comply with the Ellis Act. One of the potential goals being considered by the Council for the next two year cycle includes a study session on displacement and these items could be explored in further detail at that time.**

30. Since many inclusionary units will not have tax credit or other funding requirements, can we make two lists of people waiting for affordable housing, one where displaced households are put at the top of the list for inclusionary units, or something like that?

**Yes, it is possible to have a preference prioritizing housing for displaced tenants, depending on the funding sources used for the project.**

31. In the comments from the community meeting in the appendix, a member of the public commented that this policy might work well with land trusts but I don't see how. How might these two programs work together?

**A community land trust could have similar characteristics as a BMR ownership program. It is recommended that Council consider the BMR units be affordable in perpetuity, including for BMR ownership units. Affordable ownership units in perpetuity has been the primary goal of most community land trusts. A CLT and BMR program could have similar policies/requirements, though the two should be considered different programs.**

32. How is the purchase price determined?

**The purchase price is determined by the following factors:**

- **Applicable State income limit**
- **Income category of BMR unit, number of bedrooms, and assumed household size**
- **Maximum of 30% of income towards housing costs, including principal and interest, property tax, HOA dues, insurance, etc.**
- **30 year fixed mortgage**

33. If the person sells in say 10 years, what is the sales price? How is it determined?

**In the Affordable Housing Resale Restriction Agreement and Option to Purchase, which every BMR homebuyer needs to sign as part of the purchase, as well as Section G.5 of the Guidelines stipulate that the re-sale price is limited to the lowest of the following three methodologies:**

- 1) **market value;**
- 2) **the purchase price paid by the seller, plus one-third of the increase (during the period of seller's ownership) in a CPI, All Urban Consumers, San Francisco-Oakland-San Jose, published by the U.S. Department of Labor, Bureau of Labor Statistics; or**
- 3) **an amount equal to the price affordable to household earning the income level specific to the BMR unit.**

34. Who gets the appreciation?

**The Council has stated that preservation of BMR ownership units is the priority of the program. As such, the resale restrictions would limit the price sold to the lowest of the three methodologies above. Additionally, it is recommended that the affordability of the BMR ownership is maintained in perpetuity (instead of 55 years). As such, there is no market appreciation that would go to the homeowner regardless of when they sell.**

35. How does the city prevent the unit from being rented out by the owner?

**There is annual verification that a BMR ownership unit is the primary residence and in compliance with program requirements. Additionally, the BMR administrator establishes working relationships with Homeowner Associations, which can report issues of subletting or non-compliance to the administrator.**

CITY OF MOUNTAIN VIEW  
RESOLUTION NO.  
SERIES 2019

A RESOLUTION AMENDING TABLES 19.97 DESIGNATING TWENTY-FOUR MINUTE PARKING ZONES, 9:00 A.M. TO 6:00 P.M., AND 19.99 DESIGNATING NO PARKING ZONES, PREVIOUSLY ADOPTED BY RESOLUTION NO. 18250 PURSUANT TO MOUNTAIN VIEW CITY CODE SECTIONS 19.97 AND 19.99

WHEREAS, the Mountain View City Code prohibits and restricts parking under various circumstances pursuant to Chapter 19 of the Mountain View City Code and provides that Council is to designate, by resolution, the locations where such parking is prohibited and restricted; and

WHEREAS, the City of Mountain View desires to remove and add streets, or portions thereof, to the table designating “Twenty-Four Minute Parking Zones, 9:00 a.m. to 6:00 p.m.” as previously adopted in Resolution No. 18250; and

WHEREAS, the City of Mountain View desires to add streets, or portions thereof, to the table designating “No Parking Zones” as previously adopted in Resolution No. 18250;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Mountain View that the following locations are designated for prohibited and restricted parking or stopping or standing, consistent with the City Code Sections 19.97 and 19.99:

1. Pursuant to the City Code Section 19.97, it shall be unlawful to park any vehicle for a period of time longer than twenty-four (24) minutes between the hours of 9:00 a.m. and 6:00 p.m. of any day except Sundays and public holidays at the locations set forth in Table 19.97.

**Table 19.97**  
**Twenty-Four Minute Parking Zones, 9:00 a.m. to 6:00 p.m.**

STREET	SIDES OF STREET	PORTION
<u>Bryant Street</u>	<u>East</u>	<u>Mercy Street to California Street.</u>
<u>Castro Street</u>	<u>East</u>	<u>From a point 156 feet north of Church Street to a point 201 feet north of Church Street</u>

STREET	SIDES OF STREET	PORTION
High School Way	North	Castro Street to a point 75 feet westerly therefrom.
Hope Street	West	Northerly line of West Dana Street to a point 75 feet northerly therefrom.
Hope Street	East	Villa Street to a point 200 feet south thereof.
Mercy Street	North	Castro Street to Bryant Street.
Terra Bella Avenue	South	San Leandro Avenue to a point 120 feet west thereof.
Villa Street	South	Franklin Street to a point 147 feet easterly from the easterly curb line of Franklin Street.

2. Pursuant to City Code Section 19.99, it shall be unlawful to park any vehicle at any time upon any of the streets, or parts thereof, as set forth in Table 19.99.

**Table 19.99  
No-Parking Zones**

STREET	SIDES OF STREET	PORTION
Bayshore Parkway	North	Garcia Avenue to San Antonio Road.
Bayshore Parkway	Southwest	Adjacent to the State of California right-of-way for Bayshore Freeway between San Antonio Road and the freeway onramp to the northwest quadrant of the North Rengstorff Avenue interchange.
Bryant Street	West	Villa Street to California Street.
California Street	Both	San Antonio Road to 300 feet east of Showers Drive.
California Street	North	Hope Street to a point 150 feet westerly therefrom.
California Street	South	300 feet east of Showers Drive to 400 feet east of Ortega Avenue.
Castro Street	Both	Central Expressway to a point 300 feet southerly therefrom.
Castro Street	East	Miramonte Avenue to a point 500 feet northerly therefrom.



STREET	SIDES OF STREET	PORTION
Castro Street	West	Fairmont Avenue to El Camino Real West.
Castro Street	West	Miramonte Avenue to a point 250 feet southerly of Sonia Way.
Church Street	North	Castro Street to a point 140 feet easterly therefrom.
Dale Avenue	West	Continental Circle to a point 450 feet southerly therefrom.
Driveway	West	Church Street to south wing of City Hall.
East Dana Street	North	Whisman Road to a point 440 feet easterly thereof.
East Dana Street	South	A point 150 feet east of South Whisman Road to a point 250 feet easterly thereof.
El Camino Real	North	A point 310 feet west of Grant Road to a point 350 feet east of Yuba Drive.
El Camino Real	North	A point 100 feet west of El Monte Avenue to Mariposa Avenue.
El Camino Real	North	A point 735 feet west of Rengstorff Avenue to a point 200 feet east of Rengstorff Avenue.
El Camino Real	North	Mountain View Avenue to a point 245 feet east of Miramonte Avenue.
El Camino Real	North	Hope Street to Castro Street.
El Camino Real	South	A point 265 feet west of Mountain View Avenue to a point 395 feet east of Miramonte Avenue.
El Camino Real	South	Escuela Avenue to a point 545 feet east of El Monte Avenue.
El Camino Real	South	Bay Street to Freeway 85.
El Camino Real	South	El Monte Avenue to a point 490 feet east thereof.
Ellis Street	Both	Along its entirety.
El Monte Avenue	East	El Camino Real to Lloyd Way.
El Monte Avenue	West	Between El Camino Real and the Mountain View-Los Altos city boundary.

STREET	SIDES OF STREET	PORTION
Fairchild Drive	North	Clyde Avenue to Leong Drive.
Fairchild Drive	South	For 120 feet westerly and 50 feet easterly of the main Fairchild driveway located approximately 485 feet easterly of North Whisman Road.
Fairmont Avenue	North	Hope Street to a point 110 feet westerly therefrom.
Grant Road	West	Sleeper Avenue to south city limits.
Grant Road	East	Sleeper Avenue to Waverly Place.
High School Way	South	Castro Street to a point 150 feet west therefrom.
Leong Drive	West	Fairchild Drive to a point 215 feet southerly of Winston Place.
Logue Avenue	Both	Southern Pacific Railroad crossing to the northerly terminus of Logue Avenue.
Mayfield Avenue	East	Central Expressway to a point 245 feet northerly therefrom.
Mayfield Avenue	West	Central Expressway to Whitney Drive.
Mayfield Avenue	Both	A point 650 feet east of the centerline of Moffett Boulevard to a point 510 feet west of the centerline of Easy Street.
Miramonte Avenue	East	The centerline of Harpster Drive to a point approximately 570 feet north of said centerline.
Miramonte Avenue	East	A point 100 feet north of Hans Avenue to Castro Street.
Moffett Boulevard	West	Central Expressway to a point 170 feet south of Jackson Street.
Moorpark Way	Both	Dana Street to Evelyn Avenue.
Nita Avenue	Both	West city limit line to a point 300 feet easterly therefrom.
North Drive	Both	Grant Road to a point 530 feet westerly therefrom.

STREET	SIDES OF STREET	PORTION
North Shoreline Boulevard	Both	Villa Street to the northerly terminus.
<a href="#">South Shoreline Boulevard</a>	<a href="#">East</a>	<a href="#">Dana Street to Villa Street</a>
Phyllis Avenue	North	Grant Road to a point 750 feet westerly.
San Antonio Road	Both	Central Expressway to El Camino Real West.
South Rengstorff Avenue	East	The centerline of Latham Street to a point 340 feet north thereof.
South Rengstorff Avenue	West	A point 200 feet north of the centerline of Latham Street to a point 300 feet north of the centerline of Latham Street.
South Rengstorff Avenue	East	A point 320 feet north of University Avenue to a point 270 feet south of California Street.
South Rengstorff Avenue	West	University Avenue to a point 370 feet south of California Street.
South Rengstorff Avenue	Both	Between El Camino Real and Latham Street.
South Shoreline Boulevard	East	El Camino Real West to a point 60 feet northerly therefrom.
South Whisman Road	Both	Ferry-Morse Way to East Dana Street.
Stierlin Road	North	North Shoreline Boulevard to a point 300 feet easterly therefrom.
West Evelyn Avenue	North	Castro Street to View Street.
West Evelyn Avenue	South	Franklin Street to a point 510 feet westerly therefrom.