

**From:** [Hala Alshahwany](#)  
**To:** [City Council](#)  
**Subject:** Opposed to Gatekeeper Process Amendments  
**Date:** Monday, September 11, 2023 6:32:30 PM

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Hello Council Members,

On the Agenda for tomorrow's council meeting, item 6.1 Gatekeeper Process Updates, city staff memo covers a wide range of modifications to the current gatekeeper process.

It is not clear to me how many of the discussed changes are a result of state requirements, and how many are voluntary changes that our city staff is putting forward. Clarification on that would be appreciated.

The other point that I am greatly concerned about is the allowance of 25% increase in density in certain types of developments, without the council's review or approval. The impact of such provision can be enormous on our community and environment, especially when considering that the developer can utilize the current state bonus allowances in addition to the suggested increase. It is one thing when these provisions are mandated by the state, or reviewed and approved by our local government, and another when there are absolutely no council oversight on these increases.

Please oppose to giving 25% increase in density to developers without the due process that we currently have to ensure adequate oversight and balanced growth in our city.

Thank you.  
Hala Alshahwany  
OMV Resident

**From:** [Peter Katz](#)  
**To:** [City Clerk](#)  
**Subject:** Letter to City Council re: Item 6.1 on 9-12-23 Agenda  
**Date:** Monday, September 11, 2023 9:55:01 PM  
**Attachments:** [Item 6.1 for City Council Meeting 9-12-23.docx](#)

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Please forward to City Council the attached letter, in advance of the City Council Meeting on 9-12-23.

Thank you very much

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**Shop Safe, Support Local at *the MV Marketplace!***

**Peter Katz • President & CEO**  
**Mountain View Chamber of Commerce & Foundation**

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Sept. 11, 2023

**RE: City Council Meeting 12 Sept 2023  
Item 6.1 – Study Session: Gatekeeper Process Updates**

Dear Mayor Hicks and esteemed members of the City Council:

The Mountain View Chamber of Commerce is pleased that the City Council has scheduled a Study Session to consider changes to the Gatekeeper process. Unfortunately, the September 12 Staff Report proposes only modest reforms. Over the past several years, the Chamber has voiced its members' deep concerns over the negative impact this process is having on important goals and opportunities in the City. It is particularly concerning that there have been no Gatekeeper hearings for four years (since 2019), and the next hearing is not proposed until Fall 2024 - yet another year away.

We believe that the Gatekeeper process, which originally played an important role for the City, has strayed too far from its original intent and is now creating harm. The time has come to eliminate Gatekeeper altogether and replace it with a more pragmatic, business friendly model that serves our city better; one that allows project proponents to bring innovative proposals to the Council for early consideration – in a timely fashion - to determine whether their projects merit processing by staff. All cities have processes for accommodating requests for Zoning and General Plan Amendments. We recommend that Council direct staff to: a) look at how other cities process such land use changes; b) provide alternative models for Council consideration, and (c) develop a clear, consistent, cost-effective process for project applicants going forward. This process should welcome all projects to enable the Council to timely evaluate the full range of opportunities..

**“Gatekeeper Projects” play an important role in the City**

Mountain View originally established the Gatekeeper process to give the Council the opportunity to nimbly adapt to market, economic and social changes that may not have been foreseeable at the time of General Plan and Precise Plan adoption. Gatekeeper projects also provide the City with a vital source of community benefits that the City might otherwise miss out on. The process is intended to provide applicants an opportunity for early consideration by the Council for projects that would require major land use changes (e.g., General Plan, Zoning, Precise Plan Amendments), so that the Council can determine whether such projects warrant authorization of staff given the extensive amount of time and resources required by both the City and applicants.

However, over time the process has moved away from the original intent. **The current Gatekeeper process is negatively impacting important goals and opportunities in our community and needs reform.** Specifically, the current process:

- **Thwarts project creativity and timely action** - The process should welcome and encourage creative ways of addressing Mountain View's needs and priorities through innovative land use and development. The City is not well served by a process that frustrates project proponents, unduly constrains the criteria for eligible projects, and through continual delays, effectively inhibits the Council's ability to adeptly see, hear and act upon opportunities in a timely fashion. The current process has become a deterrent – one that leads many to resort to zoning compliant projects that do not yield the same benefits to the City. Still others bow out completely.



- **Hampers Housing Element goals and discourages development** - Mountain View’s Housing Element, which the Chamber fully endorsed, has aggressive goals that call for creative solutions that reduce impediments to the creation of more housing opportunities at all income levels. The current Gatekeeper process runs counter to these goals.
- **Disadvantages smaller developers, and widens the opportunity gap** – Over the years, the Gatekeeper process has become highly competitive . Mountain View values our small businesses and is committed to ensuring they get equal opportunities and consideration. However, the current process is not a level playing field. The inherent costs and delays are overly burdensome, particularly for smaller projects, and they struggle to compete favorably with larger projects that can offer greater community benefits. Thus, our local businesses are often shut out of development opportunities entirely.
- **Damages our reputation through uncertainty and excessive delays** - The City needs to support new investment, not curtail it - and the unpredictable and costly nature of the Gatekeeper process sends the wrong message. Mountain View is already known as a difficult city for doing business. The Gatekeeper process worsens that reputation and erodes the hard work that the City and Chamber have done to reverse this perception and show we are open for business. This stigma will continue if we do not make significant reforms to the process.

## RECOMMENDATIONS

### 1. **Replace the Gatekeeper process and “rebrand” it to allow for early consideration and authorization of requests for significant land use changes**

We recommend that the City eliminate the use of the term “Gatekeeper” – a decidedly unfriendly-to-business term - and establish a new process that, as originally intended, allows for early consideration and authorization by the Council before a formal development application is filed to preserve staff and applicant resources.

### 2. **Allow applicants to apply at any time and to be heard by Council in a timely manner**

In its’ September 12, 2023 Study Session Memo, Staff is proposing to hold a Council authorization hearing annually for all Gatekeeper applications. While this is an improvement over the infrequent and unpredictable history of Gatekeeper hearings in the past, a year is a long time in a market or investment cycle – long enough that development opportunities may be lost. Realistically, this period may be considerably longer if an applicant is unable to meet the City’s deadline for submittal in a given year. Additionally, such timing is at cross purposes with our housing production goals. Therefore, we urge the Council to allow applicants to file an application at any time and establish a timeframe that allows for timely consideration by Council. We recognize that this will require significant changes to the process itself and we provide additional recommendations below.

### 3. **Keep it simple – modify the application process**

Currently the requirements for filing a Gatekeeper application are almost as involved as a formal Development Application, which makes it extremely costly and time-consuming for applicants. Council



should review and simplify the requirements for GP/Precise Plan/Zoning Amendment applications so they can make an informed decision and thus relieve the burden on both applicants and staff.

#### **4. Explore other models for accommodating GP/Precise Plan/Zoning change requests**

Gatekeeper processes do not appear to be the norm in most Bay Area cities, and in those few cases when they are used, they are often employed on a one-time basis to address special circumstances in the City. We recommend the Council direct Staff to explore alternative models in other cities for managing GP and Zoning Amendment requests to address the many issues identified in this letter.

#### **5. Constrained resources cannot continue to drive the timeline**

We appreciate the importance of managing staff resources, but staff resources alone cannot continue to drive and constrain Mountain View's response to housing and economic development opportunities. The City has been fortunate over the years to receive considerable interest from the development community and large landowners. Now, in a post-Covid economic environment, the City may find itself working harder to attract investment. We believe Mountain View as a whole is better served by the Council reserving for itself – as elected leaders - the ability to timely hear, review and act upon project opportunities at their discretion.

If the City Council ultimately decides to maintain the current Gatekeeper process, we request that the City set the earliest possible date for the next Gatekeeper Hearing in 2024. The Chamber looks forward to working closely with the City on ways that we can realize the original intent of Gatekeepers, while streamlining and simplifying the process. Working in partnership, we can enable the City to attract and more quickly respond to innovative approaches to development in alignment with the growth strategy and future vision of the city – a move that serves all of Mountain View best.

Thank you for considering these comments.

Respectfully,

A handwritten signature in black ink, appearing to read "Peter Katz", written over a light blue circular stamp.

Peter Katz  
President & CEO  
Mountain View Chamber of Commerce