



December 4, 2023

Re: December 5, 2023, Agenda Item 3.1 – Gatekeeper Process Updates

Dear Mayor Hicks and Members of the City Council:

The League of Women Voters (LWW) supports policies that encourage the development of housing, particularly affordable housing.

The League thanks staff for its research on comparable processes in neighboring jurisdictions. In general, we encourage the continued opportunity to advance innovative projects that further community goals.

The League supports the staff recommendation of holding at least two Gatekeeper meetings per year, as required in the Housing Element and to catch-up on the projects that have been waiting for the process to reopen.

Please send any questions about this letter to Kevin Ma, Co-Chair of the Housing Committee, at [REDACTED]:

Sincerely,

A handwritten signature in blue ink that reads "Katie Zoglin". The signature is written in a cursive style.

Katie Zoglin  
President  
Los Altos-Mountain View Area LWW

C: Lindsay Hagan  
Aarti Shrivastava  
Kimbra McCarthy

**From:** Cox, Robert [REDACTED]  
**Sent:** Monday, December 4, 2023 11:27 AM  
**To:** City Council  
**Subject:** Livable Mountain View comments on Item 3.1: Gatekeeper Process Updates

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Mayor Hicks, Vice Mayor Showalter, and Members of the Mountain View City Council,

Thank you for the opportunity to comment in item 3.1 “Gatekeeper Process Updates.”

Here are our concerns and recommended responses to the questions staff has posed to the council for this study session:

**Question 1: Which of the three Gatekeeper Review Process options does Council prefer?**

**We support staff recommended Option A** “Accept Applications that Meet Qualifying Criteria with Council Authorization”. The council members are our elected representatives and they should be required to provide their informed judgment on what projects will be reviewed by staff, after staff screens out those that do not meet the minimum requirements. Anything less would be an abrogation of their duty to the voters.

**Question 2: Which of the three Project Type(s) does Council prefer as Streamlined Gatekeepers?**

- a. **We support project type A** (100% affordable housing projects on less than two acres), in alignment with the straw poll of council members in the last session and staff recommendation.
- b. **We do NOT support project type B** (certain split zoned projects) without further qualification. Recent state legislation has significantly increased the densities that can be built within our existing zoning via density bonuses. The impact of this legislation on our city is best considered in the context of the standard gatekeeper methodology, involving council’s expertise and judgment.
- c. **We do NOT support project type C** (projects proposing zoning text amendments only), in accordance with staff recommendation. The gatekeeper process is fundamentally about allowing specific projects, *not* blanket upzoning.

**Question 3: Does Council have any feedback or additional direction on the Qualifying Criteria?**

For projects greater than two acres, we support the mandatory requirement “project does not create spot-zoning or an isolated land use”. As to the additional qualifying criteria, at least one of which must be met before a project could be considered by the council:

- a. **We support “affordable housing”** as indicated in the staff recommendation (at least 20% low income or at least 40% moderate).
- b. **We generally support “public open space”, but do NOT support “public recreational areas” that are POPAs (privately owned public accessible areas).** These should be true public, city owned areas. Decisions by private owners about how and when these areas could be used could render them ineffective as public spaces despite the thought that the city could negotiate conditions.

- c. **We do NOT support “community facilities” as written.** We believe the idea of “community facilities” needs more specificity and refinement. What is a community facility? Who is responsible for staffing and insuring it? Who determines where it should be and access? Who will maintain them? The staff report of a branch library is one example of the need for detail (parking, location, access) but would a room that accommodates folding tables for and chairs be sufficient? Who will decide what are the “identified city needs” and the significance of the contribution? Many times developers have offered the occasional use by local non-profits of one of their conference rooms for meetings. We do not believe that that rises to the level of a significant community benefit, and we do not know of a single case where such non-profits have taken the developer up on such an offer.
- d. **We believe sustainability criteria should be MANDATORY and therefore its inclusion as an option for a community benefit does not set the standard high enough.** Many approved projects have already come close to meeting this “net-zero building/site design” standard as developers have found it is in their financial interest to do so and we believe they will continue to do so.

For projects less than two acres, we believe it is important for Council members to have the opinion of counsel or other experts as to whether asking for a dollar contribution toward a community benefit for a housing project is consistent with existing state legislation prohibiting a city from adding to the cost of building a housing project. We are also concerned that, given the current market downturn in the office and housing market, the dollar value of a one-time contribution might be very low compared to what could be asked in pre-COVID times.

**Question No. 4: Does Council have feedback or additional direction on the Community Design Principles?**

**We conceptually support the community design principles** of Trees and Biodiversity, Historic Preservation, Active Transportation, and Existing Businesses. But particularly in the case of Existing businesses, we ask that **SPECIFIC STANDARDS** be set for what constitutes tree preservation and how an existing business can be brought back to the site or relocated to a different location in Mountain View. The restoration of existing businesses was done successfully for the Rose Market and the other small businesses at the site of Greystar's Elan project. Half-hearted efforts and promises are no substitute. We have lost too many key businesses in our city.

Thank you for listening to our views.

Robert Cox, Louise Katz, Maureen Blando, Leslie Friedman, Hala Alshahwany, Muriel Sivyer-Lee, and Jerry Steach  
For the Steering Committee of Livable Mountain View