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Subject: Item 5.1 Housing Element Update - Draft 2023-2031 Housing Element

To the Environmental Planning Commission:

Mountain View YIMBY has eagerly awaited the release of the draft Sixth Cycle Housing Element and we appreciate the chance to comment on it before the Environmental Planning Commission. Reading and effectively commenting on a 286 page document is always difficult (although nothing compared to the complexity of putting it together), and we appreciate the depth of information and research available in the draft Housing Element to help understand the challenges that Mountain View faces in the decade ahead. Our comments are made with the objectives of (a) producing a legally compliant Housing Element; (b) achieving the city's stated goal of receiving a pro-housing designation from HCD; and (c) ensuring that the Housing Element is designed to best alleviate our housing crisis over the next decade.

Given these objectives, our main concerns with the Housing Element as currently drafted are:

1. **A lack of clear timelines and measurable objectives in the programs laid out in Chapter 3, Table 1**, including, but not limited to:
 - a. A lack of either metrics or timelines for AFFH obligations.
 - b. A lack of metrics to assess the success of our homelessness prevention services.
 - c. A lack of metrics to measure the success of development streamlining.
 - d. Lack of clear goals around levels of funding for subsidized housing.
2. **A lack of any clear planned action on addressing Housing Constraints, beyond program 1.1(d) to "Complete a review of development standards... to address feasibility constraints."** The costs covered in Appendix D and summarized in Appendix H Exhibit 2 make clear the substantial costs imposed by various governmental constraints, but the only programs identified to curb these costs at all are to *investigate* (a) changes to the park fee structure and (b) reduction of parking minimums on a project-by-project basis. In particular:
 - a. We believe that the draft understates the impact of project delays and long permitting timelines on project feasibility. Staff capacity was cited as a constraint in stakeholder meetings with nonprofit and for-profit developers.
 - b. We appreciate that the city is considering reducing parking minimums for subsidized, affordable housing projects. **The city should also remove parking mandates for unsubsidized housing because the city's own analysis in Appendix H justifies it.** The parking cost impact cited in Appendix H is for a 0.4 space / unit adjustment. Most of the city is subject to a 2 space / unit parking mandate, which would imply that the existing parking requirements represent 9-14% of per unit development costs, on par with existing BMR in-lieu fees.
 - c. The city should commit to reducing park land fees until housing is economically feasible to build. Currently, infill housing is, on average, not feasible to build, per Seifel's 2019 study of the East Whisman Master Plan office bonus FAR.
3. A failure to designate any programs to reduce spatial segregation within Mountain View as part of Affirmatively Furthering Fair Housing. The draft asserts

that “Mountain View generally has low levels of segregation within City limits,” and while it is true that Mountain View may not have high levels of segregation per census designations, that does not mean there is not meaningful segregation nor that we should do nothing about it. **A city in which Mariano Castro Elementary school has an 88% Hispanic/Latino population and Amy Imai Elementary has a 7.3% Hispanic/Latino population is not one that can simply ignore segregation** (Figure 67). We would urge that the city adopt specific goals around improving racial and economic integration in our city and plan to adopt specific zoning and housing policy changes to encourage said integration.

4. **Our concerns about the site inventory remain largely the same as in our past letters, as the site inventory itself remains largely the same** - only a few percentage points of the sites have changed. Little of our feedback from February (see attached) has been addressed in the current draft. The city still fails to provide any analysis to suggest that the 100+ businesses and offices included in the inventory will be discontinued by 2031 in favor of housing. The city still includes 384 San Antonio (Bank of America) and 2633 California (China Wok) in the site inventory despite lack of interest from land owners. And the city is still taking credit for land dedications from Middlefield and North Bayshore for affordable housing without having any plan to build that affordable housing by 2031. All of these issues were identified in our February letter and remain unresolved.



Thank you for considering our input.

Best regards,

James Kuszmaul

On behalf of the members of MV YIMBY

Dear Mayor Ramirez and City Council Members,

The city's housing targets have almost quadrupled, and before you is a site inventory methodology designed to maintain the status quo. If we do not create a realistic plan to build far more housing across the income spectrum, we are doing a disservice to the working people who came to housing element meetings to ask for a real plan to address the housing crisis.

The draft site inventory is too small. The city cannot accommodate a 3.8x increase in our housing target while excluding R1, R2, and R3 lots. **No data or evidence is provided to show that this methodology leaves us with enough zoning capacity to realistically hit our housing targets.**

To predict what will happen, we should look at what is happening now. Mountain View is on track to develop around 21% of its 5th RHNA cycle site inventory. So, Mountain View YIMBY believes **we should apply great scrutiny to a housing element that claims the median site has much more than a 21% chance of development by 2031.**¹ Of course, many sites are quite likely to develop - as in North Bayshore and East Whisman - but even these projects face risk² and include land donations for affordable housing that lack development timelines. Other sites have near zero chance of development, as is the case with 555 Showers (Target), 384 San Antonio (Bank of America), and 2633 California (China Wok) – all of whom have landowners uninterested in housing. On whole, **the site inventory contains over a hundred businesses and offices, and the city presents no case for thinking these businesses will be demolished by 2031.** Such a case would be hard to make.

The story is even worse for Low & Very Low Income housing. The sites in the inventory are projected for lots of BMR, whereas actual projects being built have much less.³ And so, to reach the BMR target, the city should list many more sites, donate land for all-affordable projects, or both. To make all housing more likely, we recommend eliminating parking minima and removing the requirement for council approval from higher tier densities in precise plans.

Furthermore, the lack of sites south of El Camino is glaring, especially considering the racial diversity difference between the areas. Census tracts south of El Camino have no more than 11% Hispanics. However, that percentage rises to as high as 40% in census tracts north of El Camino. Furthermore, all census tracts south of El Camino are rated Highest Resource by the state Tax Credit Allocation Committee, whereas most northern tracts are Moderate Resource.

¹ See Table A.1. <https://escholarship.org/uc/item/6786z5j9>

² One project in East Whisman - 415 E. Middlefield - already failed due to financial feasibility. For North Bayshore, the city's plan on how to streamline North Bayshore is still in flux and may not guarantee Shorebird South (1794 homes) by 2031. Last, MVWSD's proposed Mello-Roos style tax, if approved, will render new housing infeasible.

³ According to Table 2 on page 7 of the staff report, opportunity sites are projected to be 5,462 / 6,830 = 80% BMR units, whereas actually proposed projects in the pipeline are on track to be 1,842 / 8,236 = 22% BMR units.

To remedy this, we recommend including the Cuesta Park Annex and Blossom Valley Shopping Center, which should be proactively rezoned since the General Plan already contemplates housing there. Furthermore, the city should search for and find other opportunity sites south of El Camino.

We would also like to add the following policies and programs in the housing element:

- **Develop a local no-net-loss policy for rent controlled units** by requiring a 1-for-1 replacement with right of return at current rent and temporary relocation assistance during construction for existing tenants similar to the provisions in SB330. This should be tied to a policy to greatly increase density upon redevelopment of older buildings near transit and high opportunity areas, so redevelopment is feasible. (Goals 1 & 2).
- **Expand and solidify the Eviction Prevention Program** currently managed by the rent stabilization staff. Built to mitigate COVID's economic impacts, the city should expand the Eviction Prevention Program and fund it to assist tenants not covered by CSFRA. Since most clients of the Eviction Prevention Program were non-native English speakers, the city should provide more resources to the Multicultural Engagement Program (MEP). (Goal 2)
- **Invest in diverse opportunities for community owned housing** including Community Land Trusts and Community Development Corporations and adopt policies to enable community development and acquisition of housing properties like COPA/TOPA. (Goal 4)
- **Create a citywide housing portal** for all affordable housing in the city to make it easier for residents to find and apply for below-market-rate (BMR) units. It should also be clear that people can apply regardless of immigration status. (Goal 2)
- **Expand safe parking and other rapid re-housing** support for unhoused residents. (Goal 3)

Many of these policy and program recommendations have segments in the city workplan and are among the list of example policies of AFFH under HCD guidance. We hope to see these policies added to the housing element.

Kind regards,

Salim Damerджи and Kevin Ma

On behalf of Mountain View

YIMBY

