

CITY OF MOUNTAIN VIEW  
ENVIRONMENTAL PLANNING COMMISSION  
RESOLUTION NO.  
SERIES 2020

A RESOLUTION RECOMMENDING THAT THE CITY COUNCIL AMEND  
THE P-39 (NORTH BAYSHORE) AND P-41 (EAST WHISMAN) PRECISE PLANS,  
CONSISTENT WITH THE CITYWIDE SCHOOL STRATEGY

WHEREAS, Chapter 36 in the Mountain View City Code sets forth a procedure whereby the City can amend a Precise Plan; and

WHEREAS, said Chapter 36 of the Mountain View City Code requires that both the City's Environmental Planning Commission and City Council hold a duly noticed public hearing before the Precise Plan is amended; and

WHEREAS, on June 23, 2020, the City Council adopted Council Policy K-26, the Citywide School Strategy, and requested amendments to the North Bayshore and East Whisman Precise Plans consistent with the Strategy; and

WHEREAS, on September 16, 2020, the Environmental Planning Commission held a duly noticed public hearing to consider amending the P-39 (North Bayshore) and P-41 (East Whisman) Precise Plans consistent with the Citywide School Strategy and received and considered all evidence presented at said hearing, including staff reports, public testimony, and environmental review on said Plans;

NOW, THEREFORE, BE IT RESOLVED by the Environmental Planning Commission of the City of Mountain View:

1. That the Environmental Planning Commission hereby recommends the City Council amends the P-39 (North Bayshore) and P-41 (East Whisman) Precise Plans pursuant to the following required findings required for adoption of a Precise Plan, contained in Section 36.50.95 of the Mountain View City Code:

a. The proposed Plan amendments are consistent with the General Plan because the Citywide School Strategy establishes a framework for ongoing collaboration with the local school districts, consistent with General Plan Goal POS-5 (cooperation between the City and local school districts to meet shared open space, recreation, and education needs), and these amendments are consistent with that strategy;

b. The properties covered by the proposed Precise Plans are within the Planned Community (P) District as the amendments are to the text of existing precise plans;

c. The proposed Plan amendments would not be detrimental to the public interest, health, safety, convenience, or welfare of the community because the coordinated Citywide School Strategy replaces the individualized school strategy approach for each development and Precise Plan;

d. The proposed Plan amendments promote development of desirable character, harmonious with existing and proposed development in the surrounding area because the amended standards affect only the provision of individual developments' local school strategies and other school-related language, which have been replaced with a coordinated Citywide School Strategy;

e. The sites have special conditions of size, shape, land ownership, existing development, or development opportunities that can only be addressed by approval of the proposed Precise Plan amendment because the sites are regulated by the standards and policies of the North Bayshore and East Whisman Precise Plans; and

f. The proposed amendment is in compliance with the provisions of the California Environmental Quality Act (CEQA) because Environmental Impact Reports (EIRs) were certified for both the North Bayshore and East Whisman Precise Plans, and the proposed amendments would not result in any new or substantially more severe significant impacts than were identified in those EIRs, pursuant to Section 21166 of the Public Resources Code, as described in the Environmental Planning Commission Staff Report. Additionally, the proposed amendments are exempt under CEQA Guidelines Section 15061(b)(3) since it can be seen with certainty that there is no possibility that the amendments may have a significant effect on the environment.

2. That the North Bayshore Precise Plan amendments and East Whisman Precise Plan amendments, attached hereto and incorporated herein as Attachments A and B, respectively, have been reviewed and are recommended for approval by the City Council.

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EA/6/CDD/899-09-16-20epcr

Attachments:   A.   North Bayshore Precise Plan Amendments  
                  B.   East Whisman Precise Plan Amendments

## Residential Standards

**1. Residential Bonus FAR.** Residential and mixed-use commercial and residential projects shall be regulated by the FAR tiers by character area as follows:

*a.* North Bayshore Density Bonus Program Tier I (up to the FAR listed in Table 5)<sup>9</sup>

- Provide at least 15% affordable residential units onsite, or as otherwise specified by the Plan's density bonus options; and
- ~~Propose a Local School Strategy to support new local schools in or adjacent to the North Bayshore Precise Plan area; and~~
- Implement additional green building and site design measures as set forth in Appendix B.

*b.* North Bayshore Density Bonus Program Tier II (up to the FAR listed in Table 5)

- Provide at least 20% affordable residential units onsite, or as otherwise specified by the Plan's density bonus program options; and
- ~~Propose a Local School Strategy to support new local schools in or adjacent to the North Bayshore Precise Plan area; and~~
- Implement additional green building and site design measures as set forth in Appendix B.

Table 5: Maximum Residential Building FAR by Tier

CHARACTER AREA	BASE FAR	TIER 1 FAR BONUS 15% AFFORDABLE HOUSING UNITS	TIER 2 FAR BONUS 20% AFFORDABLE HOUSING UNITS
Gateway and Core	1.0	3.20 (7-stories)	4.50 (15-stories)
General	1.0	2.50 (5-stories)	3.50 (8-stories)
Edge	1.0	1.85 (4-stories)	n/a

<sup>9</sup> Density Bonus Program Requirements are defined in the Affordable Housing Strategy section on page 80.

## 3.4-1A North Bayshore FAR Bonus Option

### Standards

Projects may pursue the North Bayshore FAR Bonus option if they meet the following requirements:

#### 1. Eligibility.

- a.* The project is located within the North Bayshore Precise Plan Complete Neighborhood Area.
- b.* The project contains five or more dwelling units.
- c.* The project is not seeking and/or receiving a density or development bonus under the City Density Bonus Option (California Government Code Section 65915 et seq. or Mountain View City Code Section 36.14.). The North Bayshore FAR Bonus Option, if chosen by developers, provides density bonuses greater than what is prescribed in State law, as permitted by Government Code Section 65915(n).
- d.* The project submits a North Bayshore Affordable Housing Plan that meets the requirements in the North Bayshore Affordable Housing Administrative Guidelines.

#### 2. FAR Bonus.

- a.* **Tier I FAR Bonus (15% Affordable Housing Units).** Projects may receive a Tier I FAR Bonus, as described in Table 11, if 1) they provide at least 15% of the total residential units on-site, or through donated land, at affordable rent or sales prices; 2) ~~satisfy the required Local School Strategy described in Section 3.4.5; 3)~~ provide a community benefit to the city as described in Section 3.3.4; and 34) meet green building standards outlined in Chapter 4 and Appendix B.
- b.* **Tier II FAR Bonus (20% Affordable Housing Units).** Projects may receive a Tier II FAR Bonus, as described in Table 11, if 1) they provide at least 20% of the total residential units on-site, or through donated land, at affordable rent or sales prices; 2) ~~satisfy the required Local School Strategy described in Section 3.4.5, including a minimum requirement to dedicate land for local school development; 3)~~ provide a community benefit to the City as described in Section 3.3.4; and 34) meet green building standards outlined in Chapter 4 and Appendix B.

#### 3. General Provisions. North Bayshore FAR Bonus projects are subject to the following provisions:

- a.* The applicant may elect to accept a lesser percentage of FAR Bonus.

- b.* Regardless of the number or extent of affordable units provided in any single residential development, no residential development may be entitled to an FAR greater than the maximum residential FAR defined in Table 11.
  - c.* The mix of affordable housing unit sizes and types should generally be proportionate to the mix of market rate housing unit sizes and types.
  - d.* Nothing in this section shall be construed to prohibit the City from granting a proportionately lower density bonus than what is allowed by this section for developments that provide a smaller percentage of affordable housing than is required to qualify for a Tier I or Tier II FAR Bonus.
- 4. Land donation.** An FAR Bonus project may donate land to the City of Mountain View in lieu of providing on-site affordable units if the project meets requirements in the North Bayshore Affordable Housing Administrative Guidelines.

Table 11: Maximum Residential FAR Bonus Tiers by Character Area

CHARACTER AREA	BASE FAR	TIER I FAR BONUS	TIER II FAR BONUS
Gateway/Core	1.0	3.20	4.50
General	1.0	2.50	3.50
Edge	1.0	1.85	n/a

### 3.4.5 Local School Policies

New residential development in North Bayshore will result in the addition of school-age children to the area. The following policies and standards continue the City's on-going commitment to supporting local schools, and also requires new residential development to support local schools through a Local School District Strategy.

- 1. City and School District Collaboration.** Assist local school districts in identifying potential school locations to serve North Bayshore growth.
- 2. Transfer of Development Rights (TDR).** Allow areas adjacent to North Bayshore, such as the Terra Bella or North Rengstorff areas, that identify a location for a new school site to use Transfer of Development Rights (TDR). These school sites can transfer their unused site FAR to any location in the City at the discretion of the City Council. If extra office FAR in North Bayshore becomes available in the future, potential school sites in North Bayshore can transfer any unused FAR using TDR to any location in the City at the discretion of the City Council.
- 3. City and School District Partnerships.** Continue partnerships with local school districts on sharing of open space at school sites.
- 4. Local School District Strategy.** Any proposed residential development in North Bayshore requesting FAR (Floor Area Ratio) above the Plan's 1.0 residential Base FAR shall also submit to the School District and the City, a Local School District Strategy intended to support new local schools in or adjacent to the North Bayshore Precise Plan area. The School District and the Developer shall meet and confer in good faith to develop the School District Strategy to support new local schools. The School District Strategy shall be memorialized as a legally binding agreement. The strategy may include, but is not limited to, land dedication for new school development; additional funding for new school development; TDR strategies to benefit developer(s) that provide new school facilities; benefitting new school facilities; or other innovative strategies supporting schools.
- 5. Funding for Schools.** The Shoreline Community shall work with the Mountain View Whisman School District and the Mountain View Los Altos High School District to allocate revenue related to the growth in assessed value due to new residential development within the Community pursuant to/in accordance with the annual tax allocation for each school district, through mutually agreed to and legally binding agreements.
- 6. Residential Bonus FAR** (Page 90 of revised Draft Plan, under both Tier I and Tier II A and B policies).

# Appendix A:

## *Definitions*

The following definitions shall be used in the interpretation of the Precise Plan:

**Additions.** An addition is defined as new construction square footage added to an existing structure.

**Alternative green building standard.** An alternative green building standard is defined as a private, third-party green building rating system not explicitly referenced in this code that achieves green building goals through a comprehensive checklist of requirements as approved by the City.

**AM peak period.** The three hour morning peak period between 7-10 a.m.

**Applicant or project applicant.** Any entity or any subsequent owner of the site that applies to the city for the applicable permits to undertake any project types regulated by this code.

**Auto-oriented paving area.** Any area necessary for the ingress, egress, or parking of motor vehicles.

**Base FAR.** Base FAR is the permitted FAR that can be achieved by meeting the minimum Precise Plan requirements.

**Bikesharing.** Bikesharing provides short-term bicycle rentals that allow users to access bicycles on an “as-needed” basis.

**Bonus FAR.** Bonus FAR is the additional FAR earned by meeting requirements defined in the Bonus FAR section. The Base FAR plus the Bonus FAR may not exceed the Maximum FAR for a Character Area as defined in Table 3.

**Building alterations or tenant improvements.** Tenant improvements or building alterations are defined as any owner or authorized agent who intends to enlarge, alter or change the occupancy of a building or structure, or to erect, enlarge, alter or convert any electrical, gas, mechanical or plumbing system, the installation of which is regulated by the California Building Code, or to cause any such work to be done.

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**Building coverage.** The total lot area covered by structures.

**Carsharing.** Carsharing programs provide individuals with on-demand access to a shared fleet of vehicles on an as-needed basis.

**California Green Building Code (CALGreen).** The current version of the California Green Building Standards Code.

**Certified farmer's markets.** A certified farmers' market is a location, certified by the Agricultural Commissioner, where a producer sells only their own fruits and vegetables directly to consumers. A Certified Farmers' Market may only be operated by a local government, a certified producer or a non-profit organization.

**Clean Air Vehicle.** A vehicle that meets specified emissions standards as defined by the California Department of Motor Vehicles.

**Community Assembly.** A facility for public or private meetings including clubs and lodges, community centers, religious assembly facilities, civic and private auditoriums, union halls, meeting halls for clubs and other membership organizations. This classification includes functionally related facilities for the use of members and attendees such as kitchens, multi-purpose rooms, and storage. It does not include gymnasiums or other sports facilities, convention centers, residential accommodations available to club and lodge members, or facilities such as day care centers and schools, all of which are separately defined and regulated.

**Community Garden.** Use of land for and limited to the cultivation of herbs, fruits, flowers, or vegetables, including the cultivation and tillage of soil and the production, cultivation, growing, and harvesting of any agricultural, floricultural, or horticultural commodity.

**Congestion pricing.** Congestion pricing involves charging motorists a user fee to drive in specific, congested areas during periods of peak demand to bring utilization in balance with capacity (eliminating congestion related delays, or reducing them to acceptable levels).

**Cycletrack.** A cycle track is an exclusive bike facility that combines the user experience of a separated path with the on-street infrastructure of a conventional bike lane. A cycle track is physically separated from motor traffic and distinct from the sidewalk. Cycle tracks have different forms but all share common elements—they provide space that is intended to be exclusively or primarily used for bicycles, and are separated from motor vehicle travel lanes, parking lanes, and sidewalks. Cycle tracks may be one-way or two-way, and may be at street level, at sidewalk level, or at an intermediate level.

**Flexible FAR.** If a parcel or project site boundary includes more than one Character Area, the project's FAR may be averaged between parcels at the discretion of the City Council if 1) the project substantially complies with the purpose and intent of the Character Areas, and 2) the total project FAR does not exceed the maximum allowable FAR of each subject parcel combined.



**Floor area ratio (FAR).** FAR is the ratio of gross floor area to lot area.

**Habitat enhancements.** A project where the part of the site or part of the plant palette is intentionally altered to improve ecological conditions for defined, indigenous species of birds, bees, and butterflies.

**Habitat Overlay Zone (HOZ).** The Habitat Overlay Zone (HOZ) provides standards and guidelines to regulate site development adjacent to sensitive habitat. The intent is to protect sensitive habitat by guiding building placement adjacent to high-value habitat locations, limiting new impervious surface, minimizing light pollution, and guiding landscape design.

**Habitat Overlay Zone (HOZ) Boundary.** The HOZ boundary is defined as the extent of the overlay zone. The boundary is calculated by measuring a straight-line distance from the edge of habitat for each HOZ type. The distance is defined by the standards for each HOZ type.

**Habitat Overlay Zone (HOZ) Edge of Habitat.** The edge of habitat is defined as the edge of the habitat area in 2014.

**Height of building, nonresidential.** The vertical distance from the elevation of the top of the existing or planned curb along the front property line to the highest point of the coping of a flat roof or to the top of the slope of a mansard roof or the mean height level between the eaves and ridge for gable, hip or gambrel roofs.

**Height of building, residential.** The vertical distance from the elevation of the top of the existing or planned curb along the front property line to the highest point of the coping of a flat roof or to the top of the slope of a mansard roof or the ridge for gable, hip or gambrel roofs, excluding chimneys or vents.

**Height of wall, nonresidential.** The vertical distance from the grade along a given wall to the highest point of the coping of a flat roof or to the top of the slope of a mansard roof or to the mean height level between eaves and ridge for gable, hip or gambrel roof.

**Height of wall (or wall plate), residential.** The vertical distance from the grade along a given wall to the top of the wall plate.

**Herbaceous plant.** An herbaceous plant is a plant with an herb-like, non-woody stem. Herbaceous plants include numerous types of grasses and flowering plants.

**High-occupancy vehicle lane (HOV).** An HOV lane is a restricted traffic lane reserved at peak travel times for the exclusive use of specific vehicles, such as transit buses or carpools.

**Landscaping/open area.** The percentage of landscaping and pedestrian-oriented open space (including parks, plazas, landscaping) is defined as the total area of the lot, minus the area covered by buildings, accessory structures, outdoor enclosures, driveways and parking.

**Leadership in Energy and Environmental Design (LEED).** Refers to a green building rating system developed by U.S. Green Building Council for residential and nonresidential projects. Projects can use any of the adopted LEED checklists that most appropriately apply to the project type proposed.

~~**Local School District Strategy.** A Local School District Strategy is a strategy developed to help support new local schools in or adjacent to the North Bayshore Precise Plan area. The strategy is a legally binding agreement between the school district and a project developer in North Bayshore. The strategy may include, but is not limited to, land dedication for new school development; additional funding for new school development; TDR strategies to benefit developer(s) that provide new school facilities; or other innovative strategies supporting schools.~~

**Major massing breaks.** Major massing breaks typically include a change of building façade plane and a change of façade height, with or without changes in materials or window patterns.

**Maximum FAR.** Maximum FAR is the maximum floor area including FAR bonuses and / or transfer of development rights.

**Minor massing breaks.** Minor massing breaks may include building façade plane and height variations and/or changes in materials or window patterns.

**New construction.** New construction is defined as a newly constructed building and does not include additions, alterations, or repairs.

**Permitted uses.** Permitted uses do not require discretionary review if the project complies with other provisions in this Precise Plan and applicable City codes.

**Provisional uses.** Provisional uses require approval of a provisional use permit as defined by the City's Zoning Code.

**Qualified biologist.** A qualified biologist is a person with experience and training in wildlife biology or a related science, and who is a qualified scientific expert with expertise appropriate for the relevant critical area subject. A qualified biologist must have obtained a B.S. or B.A. or equivalent degree in biology, environmental studies, fisheries, or related field, and two years of related work experience. Qualifications are subject to City approval.

**Receiving sites (receiving parcels).** Parcels located in the Core Character Area may receive additional floor area from sending site in the Edge Character Area through a transfer of development rights.

**Red List materials and compounds.** Red List materials and compounds are materials identified by government agencies such as the U.S. EPA and California as harmful to human health. The list was compiled for the Living Building Challenge. It includes asbestos; cadmium; chlorinated polyethylene; chlorosulfonated polyethylene; chlorofluorocarbons (CFCs); chloroprene (neoprene); formaldehyde; halogenated flame retardants; hydro chlorofluorocarbons (HCFCs); lead; mercury; petrochemical fertilizers and pesticides; phthalates; polyvinyl chloride (PVC); and wood treatments containing creosote, arsenic or pentachlorophenol.

**Sending sites (sending parcels).** Parcels located in the Edge Character Area may transfer floor area to a receiving site in the Core Character Area through a transfer of development rights

**Shared parking.** Shared Parking is when parking spaces are shared by more than one user, which allows parking facilities to be used more efficiently.

**Solar reflectance.** Solar reflectance is a measure of the roof's ability to reject solar heat which includes both reflectance and emittance.

**Solar zone.** The solar zone is a section of the roof designated and reserved for the future installation of a solar electric or solar thermal system.

**Temporary uses.** Temporary uses are uses which require approval of a temporary use permit (TUP) as defined by the City's Zoning Code.

**Transfer of development rights (TDR).** A voluntary program whereby gross floor area may be transferred between Edge and Core Character Area sites to minimize the amount of development near sensitive habitat and residential areas. TDR also supports transit and commercial services/retail on or near Shoreline Boulevard in the Core Character Area.

**Transportation demand management (TDM).** TDM strategies provide incentives for travelers to make the most effective use of our transportation networks, shifting travel by mode and time of day to take advantage of available capacity and reduce congestion.

**Transportation Management Association (TMA).** A TMA is a public-private partnership consisting of property owners, businesses, and public agencies which helps its members and the surrounding community to reduce congestion and improve connectivity.

# Plan Strategies

The East Whisman Precise Plan is structured around a set of interrelated policy strategies. These strategies support the vision and guiding principles, and are implemented by the more detailed standards, guidelines and actions found in following chapters. Each strategy is described in the subsequent pages of this Chapter, with an explanation of the strategy's goals and purpose, and where to find more specific direction in the Plan. Each strategy is illustrated with a plan-wide map, diagram, chart, or table as appropriate.

The Plan's major strategies are:

1. **Character Areas:** The Plan area is divided into three Character Areas, which regulate allowed land uses, block size, building placement, frontage standards, civic space standards, neighborhood transition standards, and building and site design.
2. **Height and Floor Area Ratio:** These standards establish maximum development height and intensity for each parcel, and the associated community benefits required to obtain the highest intensities.
3. **Jobs-Housing Linkage:** The Plan expects office development to facilitate the creation of new residential neighborhoods, supporting balanced growth.
4. **Diverse Housing:** The Plan includes a goal that 20% of new housing units are affordable and a goal for a range of unit sizes, with incentives and requirements to meet them.
5. **Neighborhood Commercial:** To promote additional shops and services for area residents, the Plan includes requirements and incentives for neighborhood commercial uses.
6. **Public Open Space:** Based on the City goal of three acres of parkland per thousand residents, the Plan sets an ambitious goal of 30 acres of publicly accessible open space, implemented through minimum standards, design guidelines, and the Conceptual Open Space Network.
- ~~7. **Schools:** The Plan contains a community benefits strategy that supports the creation and expansion of schools serving East Whisman.~~
- ~~8.7. **Streetscapes and Frontages:** To create high-quality streetscapes and public spaces, the Plan sets forth standards and guidelines for active building frontages, landmark locations ("key corners"), views, wayfinding, and the character of major corridors.~~
- ~~9.8. **Multimodal Circulation Network:** To maximize mobility choice in the Plan area, a layered series of networks will effectively distribute vehicle, transit, bicycle and pedestrian trips.~~
- ~~10.9. **Transportation Demand Management:** The Plan will reduce vehicle trips and congestion through a combination of roadway system improvements, transportation demand management (TDM), transit and shuttle enhancements, and regional transportation solutions.~~

## Schools

Residential growth in the Plan Area brings additional demand on the Mountain View Whisman School District and Mountain View Los Altos High School District. To address this demand, the Plan includes a program by which development can provide support for school facilities. Specifically, Bonus FAR projects will submit a Local School District Agreement Proposal intended to support new local schools serving the East Whisman Precise Plan area. The proposal may include, but is not limited to, land dedication for new school development; additional funding for new school development; TDR strategies to benefit developer(s) that provide new school facilities; or other innovative strategies supporting schools.

While the additional contributions may not cover all school district costs, the City can continue to support school expansion through:

- **City and School District Collaboration.** The City will continue to assist local school districts in identifying potential school locations to serve East Whisman and City growth. In addition, the City may continue to provide parkland dedication in-lieu fee funding support for acquisition of school land, when public open space is also provided at the school.
- **TDR Program.** The City has previously authorized a Transfer of Development Rights (TDR) program that allows the sale of development rights from a school site to property owners/developers for use at another property in the City. The TDR program seeks to allow new school sites in the City to transfer unused development rights to parcels within certain Precise Plan areas, and to allow the receiving sites to use TDR to apply for development projects that would otherwise exceed the maximum FAR. Some East Whisman projects have been allowed to proceed through the development review process, exceeding the maximum allowed FAR with the acquisition of school TDR square footage associated with a new Los Altos School District school and subject to requirements in Chapter 3 of this Precise Plan. Repeating this process may provide additional resources by which a school district can acquire land.

## 3.3. General Standards and Definitions

This section provides general standards for height, floor area ratio, open area and setbacks, which are regulated specifically by Character Area (Sections 3.4-3.6). This section also includes background information and definitions to help interpret the Character Area standards. These standards and definitions apply to all properties in the East Whisman Precise Plan Area.

### 3.3.1. General Height Standards

1. **Height.** Maximum height is established within each height and intensity sub-area in the Character Areas. Figure 4 shows the maximum allowed building height. Building height is defined in the Zoning Ordinance, except as provided below.
2. **Top of Curb.** If a building or group of buildings only fronts on an internal, publicly-accessible service street, they may use that service street's top-of-curb to establish maximum height.
3. **Whisman Road Transition Area.** Structures within the Whisman Road Transition Area shall be limited to the lower maximum heights shown in the Character Area standards. The Whisman Road Transition Area extends 50' from the planned inside edge of the public sidewalk.
4. **Height Exceptions for Architectural Features.** The following exceptions to the height standards may be allowed, subject to design review. The following exceptions shall not be combined for additional height.
  - a. **Rooftop Amenities.** When allowed with a provisional use permit (as shown in Table 5), architectural features for rooftop amenities may be allowed up to 10' of additional height. Elevator overruns may be allowed additional height for rooftop access, subject to design review. All rooftop amenity and access features above the Character Area maximum height shall be set back behind the building's parapet a minimum of 6'. While the intent of this exception is for unenclosed structures, such as shade canopies, a small amount of enclosed floor area may be allowed, such as restrooms, subject to the same limitations and included in FAR. This exception shall not be used in the Village Center or Whisman Road Transition Area.
  - b. **Architectural Features at Key Corners.** Key corners, as identified in Figure 13, shall be allowed up to 10' additional height for architectural features that help define the corner.



*Height exception at key corners*

5. **Height Exceptions for Ground Floor Neighborhood Commercial.** Buildings with ground floor neighborhood commercial uses, defined in Section 3.7.3, may be allowed up to 5' of additional height. This exception does not apply to street wall height standards or residential height transitions in the Village Center character area.
6. **Dedicated Public Facilities.** Projects may receive an additional 10-15' of allowable height for one typical additional story if land is dedicated for public parks, ~~school sites~~, or other public facilities, subject to approval from the decision-making body. This exception may not be used in the Village Center or Whisman Road Transition Area.
7. **Minimum Ground Level Wall Plate Height.** Non-residential ground level plate heights shall be at least 15' above primary frontage sidewalk grade. Residential ground level plate heights shall be at least 12' above primary frontage sidewalk grade.
8. **Maximum Ground Floor Height Above Grade, Primary Frontage.** The floor of ground level non-residential building spaces shall be as close as possible to primary frontage sidewalk grade, especially at building entrances. The floor of ground level residential building spaces shall be no more than 4' above primary frontage sidewalk grade.
9. **Moffett Field Comprehensive Land Use Plan Compliance.** Applicants requesting any height exceptions, including those for architectural features and dedicated public facilities, shall demonstrate compliance with the Moffett Field Comprehensive Land Use Plan (CLUP).



*Height exception at key corners*



This chapter describes the Bonus FAR programs, development review, implementation activities, capital improvement projects, funding programs, and monitoring approach needed to execute the vision of the East Whisman Precise Plan. Implementation of the Precise Plan includes private sector development and capital improvements needed to support existing and future development. Much of this implementation will be the responsibility of the private sector, guided by the City through the procedures identified below. Other implementation actions will be the responsibility of the City.

## 6.1 Bonus FAR Programs

The Precise Plan's voluntary Bonus FAR program ensures that new development provides benefits and limits impacts to the community in exchange for additional project floor area. This program includes a "development reserve," limiting overall employment growth in the Precise Plan area. Individual developments may request Bonus FAR, development above the Base FAR, for which they must provide community benefits to implement key projects and policy goals established by the City Council.

### 6.1.1 Development Reserve

- 1. Development Reserve Established.** This Precise Plan establishes a Development Reserve of 2,000,000 net new square feet of office, R&D and industrial floor area.<sup>1</sup>
- 2. Affordable Housing Reserve Set-Aside.** As a portion of the total Development Reserve, the Precise Plan further establishes a minimum set-aside of 200,000 net new square feet of office, R&D and industrial floor area to promote the development of affordable housing units in East Whisman, in addition to those otherwise created through the City's BMR program or Residential Bonus FAR development. To request square footage from the Reserve Set-Aside, non-residential development applicants must provide exemplary jobs-housing linkage contributions/strategies that explicitly generate affordable housing units in East Whisman - each 1,000 square feet of Set-Aside area should be associated with at least 1.5 affordable housing units.
- 3. Use of the Reserve.** Development Reserve floor area shall be used for all net new office, R&D and industrial floor area, for any project requesting Non-Residential Bonus FAR. The Development Reserve shall not be used for projects requesting up to the Base FAR.<sup>1</sup>
- 4. Council Approval.** All use of the Development Reserve is subject to City Council approval.
- 5. Addition to Development Reserve.** Floor area from demolished office, R&D or industrial buildings may be added to the Development Reserve if the floor area is not transferred through the Floor Area Transfer program or upon City determination that reconstruction of that floor area would not be possible on that site (for example, a site left vacant might reconstruct that floor area, but a site developed with residential would not).

<sup>1</sup> 2,300,000 net new square feet were studied in the East Whisman Precise Plan Environmental Impact Report. However, the City Council approved only 2,000,000 square feet in the Development Reserve. The Precise Plan does not explicitly limit the total amount of Base FAR development.

<sup>2</sup> A project's Development Reserve floor area is its net new floor area. It is not equal to the Bonus floor area, which is the floor area above the Base FAR.



## 6.1.2 General Bonus FAR Standards

### 1. Mixed-Use Bonus Floor Area Calculation.

Non-Residential Bonus Floor Area is equal to the non-residential floor area proposed in excess of Non-Residential Base FAR. Residential and Hotel Bonus Floor Area is equal to the residential or hotel floor area (including above-grade parking) proposed in excess of the Residential and/or Hotel Base FAR. Where residential and hotel uses are proposed in a mixed-use project, a proportion of each shall be Bonus FAR.

**Example:** *The Base FAR is 1.0 Residential and 0.4 Non-Residential. An applicant proposes a project with 2.5 FAR Mixed-Use Residential, including 0.5 FAR Non-Residential and 2.0 FAR Residential. In this case, the amount of Bonus FAR is 1.0 Residential and 0.1 Non-Residential.*

~~2. **School District Strategy.** Bonus FAR projects shall submit a Local School District Strategy to the school districts and the City, intended to support new local schools serving the East Whisman Precise Plan area. The School Districts and the developer shall meet and confer in good faith to develop the School District Strategy to support new local schools. The School District Strategy shall be memorialized as a legally binding agreement. The strategy may include, but is not limited to, land dedication for new school development; additional funding for new school development; TDR strategies to benefit developer(s) that provide new school facilities; or other innovative strategies supporting schools.~~

### ~~3.2.~~ **Community Benefits Contribution.**

All Bonus FAR projects shall contribute to community benefit or district improvement projects. The Bonus FAR amount for a given project shall depend on the contribution to the community benefit or district improvement project, and compliance with other Bonus FAR requirements. No project requirements established by this Plan, the City Code or other law or ordinance may be considered a community benefit.

a. **Community Benefit Value.** Bonus FAR projects shall propose community benefits contributions with minimum value proportional to the project's building square footage in excess of the Base FAR, as determined by the City Council. FAR exemptions, outlined under Section 3.3.2, are exempt from this amount.

b. **Community Benefit Projects.** In lieu of monetary payment of community benefit contributions, projects may propose to provide a community benefit or district improvement project. These on- or off-site improvement projects may include additional affordable housing units, new dedicated public parkland (not shown on the conceptual open space diagram), shared parking facilities, district transportation or utility improvements, retention and/or expansion of existing small business, building area for neighborhood commercial uses (such as a grocery store) or non-profits, ~~dedication of land for schools,~~ or other projects proposed by applicants. Table 31 provides a list of example projects. Specific public benefit or district improvement projects shall be determined during review of the proposed project, and approved by the City Council.

c. **Relationship to ~~the Local School District Strategy and~~ Jobs/Housing Linkage.** Projects may not apply community benefit contributions to satisfy the requirements of ~~the Local School District Strategy or~~ the Jobs/Housing Linkage Program.

**4.3. General Provisions.** East Whisman Bonus FAR projects are subject to the following provisions:

- a. The applicant may elect to accept a lesser amount of Bonus FAR.
- b. Regardless of the extent of community benefits or other contributions, no development may be granted an FAR greater than the maximum FAR.
- c. Land donation for affordable housing must be a minimum of 0.75 acres in size and must accommodate at least as many units as otherwise required. Dedicated land must have the appropriate zoning, permits and approvals, and access to public facilities needed for such housing. Additional community benefits, land or alternative mitigation of affordable housing need may be required if the value of the dedication is less than the value of the required units.
- d. Nothing in this section shall prohibit the City from granting a proportionately lower density bonus than what is allowed by this section for developments that provide a smaller community benefit than is required to qualify for Bonus FAR.
- e. Projects are encouraged to use the local workforce and local business sourcing for development that generates quality construction and service jobs with career pathways, that provides job training opportunities for the local workforce, and that pays area standard wages for construction so that money in wages and materials used in the construction of these developments is invested in the local economy.

Table 31

**Community Benefits/District Improvement Projects list**

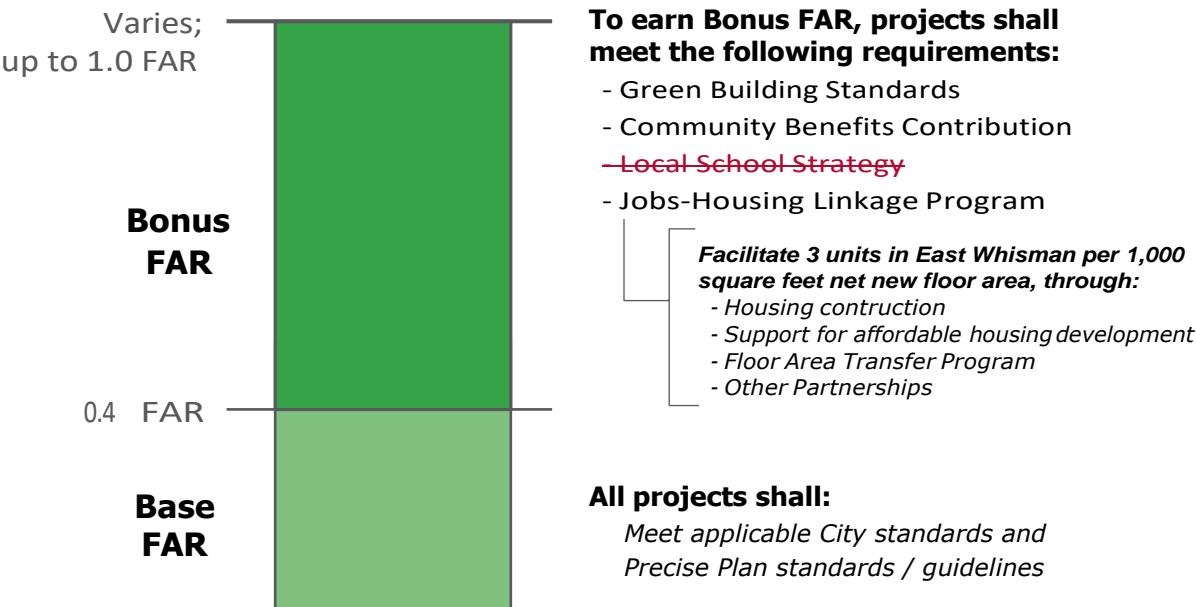
Type	Description
<b>Affordable Housing</b>	Development of affordable housing units on or off-site within East Whisman, in excess of the amount required under existing City and Precise Plan regulations.
<b>District Transportation Improvements</b>	Off-site pedestrian, bicycle, or other roadway in excess of those required by the Public Circulation map, block standards, or other Plan development standards.
<b>District Utility Improvements</b>	Off-site infrastructure and utility improvements in excess of those required to serve the development (including electric, telecommunications, water, sewer, and recycled water systems).
<b>New dedicated public park space or community facility</b>	Dedicated, publicly accessible park, open space or land for community facilities in excess of the Park Land Dedication requirement.  Public art on land dedicated to the City.
<b>Support for small local businesses</b>	Supporting or subsidizing small, local businesses including (but not limited to):  Providing new dedicated flexible space for small businesses located within new buildings;  Dedicating an existing building for small business use in perpetuity at below market rates through an appropriate instrument;  Providing relocation assistance to help small businesses in East Whisman displaced by new development to locate elsewhere in East Whisman or the City.
<b>Shared public parking facilities</b>	Constructing or otherwise providing publicly accessible parking facilities to serve district-wide parking needs.
<b>Floor area for neighborhood commercial uses, non-profits or community facilities</b>	Providing dedicated building area for qualifying neighborhood commercial uses, non-profits or community facilities. Floor area required by the Minimum Neighborhood Commercial Standards does not qualify.  A grocery store is a Precise Plan priority.
<b><del>Dedication of land for schools</del></b>	<del>Dedicating land to one of the local school districts (Mountain View Whisman School District, MVWSD, or Mountain View-Los Altos Union High School District, MV-LAUSD)</del>
<b>Other</b>	Other benefits or district improvement projects proposed by applicants and approved by City Council

### 6.1.3 Non-Residential Bonus FAR Standards

1. **Office/R&D/Industrial Bonus FAR.** To exceed the allowed Base FAR with office, R&D or industrial floor area, projects must acquire square footage through one of the following processes:
  - a. Request and receive square footage from the Development Reserve.
  - b. Acquire square footage from a residential development that is demolishing office, R&D, or industrial square footage through the Floor Area Transfer process.
2. **Eligibility for Bonus FAR.** Non-residential projects may pursue Bonus FAR if they meet all of the following requirements, in addition to the general requirements above.
  - a. **Green Building.** Achieve LEED Platinum or equivalent;
  - b. **Community Benefits Contribution.** Provide community benefit contributions or construct district improvement projects as defined within Section 6.1.2 above;
  - ~~c. **Local School District Strategy.** Support new local schools in the City of Mountain View through a School District Strategy or alternative as defined within Section 6.1.2 above. This does not apply to hotels and neighborhood commercial uses; and~~
  - ~~d.c.~~ **Jobs-Housing Linkage Program.** Office, R&D, and industrial Bonus FAR applicants shall submit a Jobs-Housing Linkage Plan as described in Section 6.1.4 below. This does not apply to hotels and neighborhood commercial uses.

Figure 42

#### Non-Residential Bonus FAR Process



## 6.1.4 Jobs-Housing Linkage Program

1. **Plan Requirement.** Prior to any project approvals, the project applicant shall submit a Jobs-Housing Linkage Plan that proposes how the project applicant intends to facilitate residential development in East Whisman.
2. **Outcomes.** Specific outcomes of the Plan shall include:
  - a. **Value of Jobs-Housing Strategies.** The proposed strategies to facilitate residential development shall be roughly proportional to the net new floor area. Each 1,000 square feet of net new floor area should be associated with at least 3 housing units. The proportion may be less if affordable units are provided in excess of the City's inclusionary requirements (1.5 units per 1,000 square feet, as specified in the development reserve set-aside), or if other housing-related policy goals are met.
  - b. **Timing.** A phasing or housing delivery plan shall be included in the Jobs-Housing Linkage Plan. Proposed strategies, including the construction of residential units, should be implemented before non-residential building occupancy, unless otherwise determined by the City Council. Strict timing requirements may be modified if additional certainty is provided (such as a deed restriction or land dedication to an affordable housing developer).
3. **More Housing Growth.** At the discretion of City Council, the Jobs/Housing Linkage Program requirement may be suspended if housing growth in East Whisman outpaces non-residential growth.
4. **Dedication or Sale of Land.** The site shall be suitable for housing development in terms of its configuration, physical and environmental characteristics, access, location, adjacent uses, and other relevant planning criteria.
5. **Partnerships.** Subject to requirements established by the Jobs-Housing Linkage Program Administrative Guidelines, office projects may partner with residential projects to satisfy the Jobs-Housing Linkage Program requirement.
6. **Floor Area Transfer.** Under the circumstances specified below, and subject to timing requirements established by the Jobs-Housing Linkage Program Administrative Guidelines, residential development may maintain rights to demolished office, R&D or industrial floor area, rather than adding it into the Development Reserve. The purpose of this program is to provide residential developers an additional marketable asset to facilitate housing development. The transferred floor area is not added to or subtracted from the Development Reserve. This floor area is not considered net new floor area, and is exempt from other Jobs-Housing Linkage requirements.
  - a. **Maximum FAR.** No project site shall exceed its Maximum FAR.
  - b. **Affordable Housing.** At least 15% of onsite housing within the "sending" residential development shall be affordable housing that meets the City's Below Market Rate Housing Ordinance and Guidelines.
  - c. **Deductions.** The "receiving" non-residential project may deduct the transferred square footage in their Housing Impact Fee ~~and~~ determination of community benefits contribution ~~and local school district strategy~~.
  - d. **Public Schools, Parks and Similar Uses.** This allowance may also be used to facilitate public schools, parks or other uses that benefit the public within East Whisman.

## 6.1.5 Residential Bonus FAR Standards

1. **Residential Bonus Floor Area.** Residential Bonus Floor Area is equal to the floor area proposed in projects containing residential uses in excess of the Base FAR for all buildings, except floor area deemed Non-Residential Bonus Floor Area.
  2. **Eligibility.** Projects may pursue East Whisman Residential Bonus FAR if they meet all of the following requirements:
    - a. **Location.** The project is within the Mixed-Use or Village Center Character Areas;
    - b. **City Density Bonus.** The project is not seeking and/or receiving a density or development bonus under the City Density Bonus Option (California Government Code Section 65915 et seq. or Mountain View City Code Section 36.14.);
    - c. **Green Building.** Achieve 120 points on the Green Point Rated system or equivalent and submeter, or use other appropriate technology that can track individual energy use, for each residential unit;
    - d. **Community Benefits Contribution.** Provide community benefit contributions or construct district improvement projects as defined within the general requirements above;
    - ~~e. **School District Strategy.** Support new local schools in the City of Mountain View through a School District Strategy or alternative as defined within Section 6.1.2 above; and~~
- ~~f.e. **Affordable Housing.** Provide at least 15% affordable units. All projects shall comply with the City-wide Below-Market-Rate (BMR) Housing Program (Article XIV of the Zoning Code and the BMR Administrative Guidelines), including on-site BMR requirements, qualifying households, determination of rents and sale prices, alternative mitigations, timing and administration, in addition to the following:~~
- i. Projects shall provide any of the following:
    - At least 5% of their Base-FAR-equivalent number of units, rounding up, affordable at 50% areawide median income (AMI) or lower (rental units provided only).
    - At least 10% of their Base-FAR-equivalent number of units, rounding up, affordable at 80% AMI or lower (rental units provided only).
    - At least 10% of their Base-FAR-equivalent number of units, rounding up, affordable at 110% AMI or lower (ownership units provided only).<sup>1</sup>
  - ii. Units provided through alternative mitigation must be in East Whisman.

<sup>1</sup> These provisions allow the East Whisman Precise Plan to meet the requirements of the State Density Bonus Law by providing these minimum percentages of units at these household incomes.

Figure 43

### Residential Bonus FAR Process

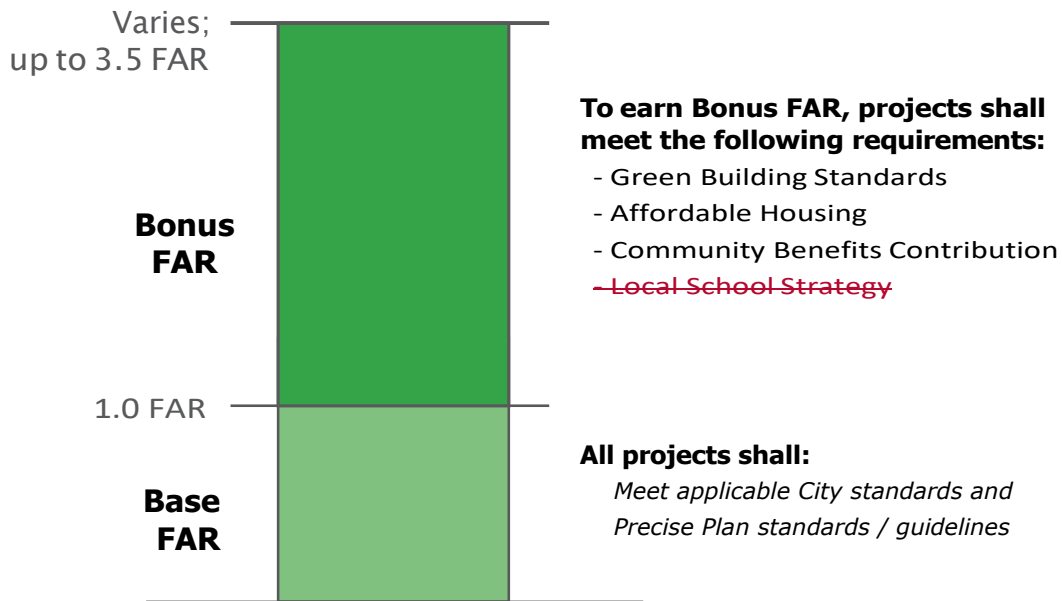
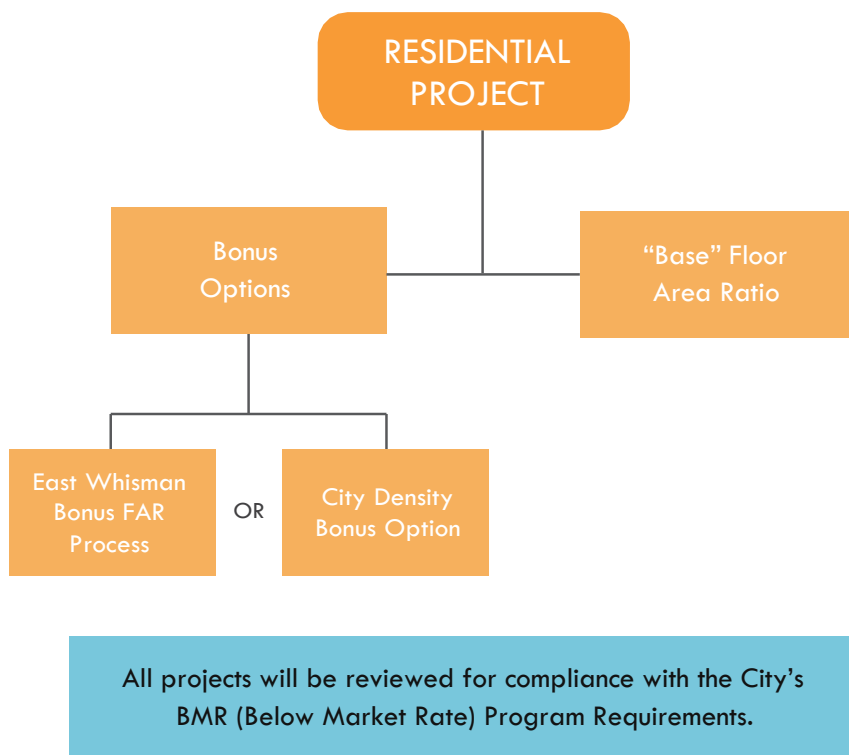


Figure 44

### Residential Bonus Process Diagram



## 6.5 Implementation Actions

The following implementation actions are needed to achieve the vision of the East Whisman Precise Plan. The time frames for these actions are in five phases: immediate (2019-2020), short-term (2021-2025), medium-term (2025-2030), long-term (beyond 2030), and ongoing. These are intended as approximate durations, and actions may overlap or fall into different phases depending on development timing and funding availability.

Table 32

### Implementation Actions

Action/Policy	Description	Responsible Parties
<b>Immediate Actions</b>		
General Plan Vision and Map, Zoning Map	Amend the City's vision and land use map in the 2030 General Plan to reflect this Precise Plan. Revise the City's zoning map to reflect adoption of this Precise Plan.	CDD
Office Trip-Cap Phasing Program and Administrative Guidelines	Prepare an administrative document to set office trip-caps, based on the extent of improvements, residential units and other changes to the Precise Plan area.	CDD, PWD
Jobs-Housing Linkage Program Administrative Guidelines	Prepare a set of guidelines to support administration and review of development subject to the Jobs-Housing Linkage Program	CDD
Impact Fee for Transportation and Utility Improvements	Prepare a nexus study and adopt an impact fee for transportation and utility improvements necessary to address impacts	CDD, PWD, Finance
Community Benefits Fund	Establish an East Whisman Community Benefits fund for payment of Community Benefits requirements	CDD, Finance



Action/Policy	Description	Responsible Parties
<b>Short-Term Actions</b>		
East Whisman Wayfinding, Signage, and Furnishings Program	<p>Develop program that provides guidance and standards for implementing:</p> <ul style="list-style-type: none"> <li>Wayfinding for key public destinations.</li> <li>Signage with direct clear, unified, and attractive identification and directional signage for the area.</li> <li>Design guidance for all streetscape furnishings, including specifying the manufacturer, model, and color of site elements and amenities (e.g.; benches, lighting, bike racks, and trash receptacles) along all public streets.</li> </ul> <p>(Ongoing Review)</p>	CDD, PWD, CSD
Bike Share Program Expansion	Support continued implementation of bike share in the area.	CDD, PWD
CIP Integration	Integrate identified projects within the CIP and implement projects as development occurs.	CDD, PWD, Finance
Green Stormwater Infrastructure Plan	Consider new streets and other plan areas for green infrastructure opportunities and integrate into City's Green Stormwater Infrastructure Plan as feasible. (Ongoing Review)	Fire, CDD
Real-Time Information Systems	Work with private and public transit providers and employers to provide real-time information systems displaying bus arrivals and departures.	City or TMA
Street Tree Master List	Update City Street Tree Master List to identify and include tree species for new streets.	CDD, PWD, CSD
VTA Coordination & Update to Multimodal Improvement Plan	Continue to meet and coordinate with VTA to update the Multimodal Improvement Plan and to determine how to proceed with improvements projects related to VTA crossings, station access, and the multi-use paths adjacent to the light rail line.	CDD, PWD
Public Art	Integrate findings and direction from the City-wide Public Art Strategy	CDD
<b>Medium-Term Actions</b>		
SFPUC Coordination	Coordinate with the SFPUC regarding plans for open space or mobility connections within close proximity of the SFPUC property.	CDD
Flex Zones Policy	Develop guidance for curb-side Flex Zones	PWD, CDD
<b>Long-Term Actions</b>		
Recycled Water System Completion	When cost-effective, expand the recycled water system to service all East Whisman properties.	PWD

Action/Policy	Description	Responsible Parties
<b>Ongoing Actions</b>		
Community Benefits Contribution	<p>Maintain a community benefits fee/value to be adopted by City Council resolution. The City will periodically conduct market analysis to update the value per square foot, if necessary, to address market changes, based on:</p> <ul style="list-style-type: none"> <li>• Maintaining a reasonable developer return for a range of parcel and project sizes.</li> <li>• Considering whether overall development feasibility remains competitive with other nearby communities, taking into account existing fees.</li> <li>• Value adjustments consistent with inflation may not need this analysis.</li> </ul>	CDD
Employer and Residential TDM Plans and Project-Specific Trip Caps	Review and evaluate employer and residential TDM plans, and implement project-specific vehicle trip caps.	PWD, CDD
District-Based Funding Mechanisms	Partner with property owners to explore the possible creation of district-based funding mechanisms for plan-wide improvements (such as district energy or transportation projects).	CDD
Complete Neighborhoods Targets and Jobs/Housing Monitoring	Monitor all net new growth in the Plan area and publicize this information regularly online or in staff reports.	CDD
Parking Standards Monitoring	Periodically review and adjust vehicle and bicycle parking guidance (e.g., recommended minimums where no standard minimums apply) based on TDM and other monitoring.	CDD
Proposed Parks and Open Space Locations	Partner with property owners and developers to identify locations for future parks and open space.	CDD, CSD
<del>School District Coordination</del>	<del>As needed, coordinate with the local school districts to update School District Strategy criteria and guidelines.</del>	<del>CDD</del>
Small Business Outreach, Support, and Attraction	Promote opportunities for new retail or service uses to locate in East Whisman through economic development activities and outreach. The City will also work with local organizations including area corporations to support and retain small businesses in East Whisman.	CDD
TMA	Work with TMA members to provide diverse transportation options such as managing and expanding the publicly accessible shuttle service for area businesses and residents; assisting TMA members in satisfying Transportation Demand Management (TDM) goals agreed to by its members in their separate agreements with the City of Mountain View; developing area wide transportation system and demand management strategies including but not limited to, bike share programs and shared parking solutions; and securing funding from MVTMA members to support these TDM strategies.	CDD, PWD