

CITY COUNCIL POLICY

SUBJECT: GATEKEEPER APPLICATION POLICY AND PROCEDURES

NO.: G-9

A. PURPOSE

The Mountain View Gatekeeper process is a vital framework established by the City of Mountain View to provide structure and oversight for legislative amendments associated with private development proposals. By implementing this process, the City seeks to balance thoughtful urban planning with efficiency and clarity for developers and stakeholders.

The Gatekeeper process facilitates initial evaluations by City Council when necessary to determine whether a development proposal aligns with the City's broader goals and priorities. The purpose of this Policy is to ensure a systematic and transparent approach for evaluating projects that seek changes to foundational city regulations, such as amendments to the General Plan, Precise Plans, and Zoning. This Policy also establishes procedures for screening certain proposals before allowing them to proceed into the formal permit application phase, ensuring that projects proposing legislative amendments are carefully considered before consuming City resources.

The Policy is intended to provide guidance that complements existing legislative frameworks found in Chapter 36 (Zoning), Article XVI (Zoning Ordinance Administration), and specific divisions addressing General Plan Amendments, Precise Plan Amendments, and Zoning Amendments.

B. DEFINITIONS

For purposes of this Policy, the terms and phrases set forth below shall have the following meaning:

1. **“Council Authorization Hearing”**—A duly noticed public hearing where the Mountain View City Council evaluates Gatekeeper Project applications to determine if the proposed development advances or supports a City Council goal, objective or priority, or other community need sufficient to justify an allocation of staff resources to process a formal planning permit application that includes the proposed legislative amendment.
2. **“Gatekeeper Project”**—A proposed development project requiring a legislative amendment, such as a General Plan, Precise Plan, or Zoning amendment.
3. **“Streamlined Gatekeeper Project”**—A proposed development project requiring a legislative amendment, such as a General Plan, Precise Plan, or Zoning amendment, that also meets the criteria outlined in Section D, Streamlined Gatekeeper Projects, of this Policy.

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C. GATEKEEPER PROJECT APPLICATIONS

1. **Submission of Application.** A Gatekeeper Project application may be submitted at any time to the Planning Division of the Community Development Department through the City's online permit system (ePermitsMV) found here: www.mountainview.gov/epermitsmv.
2. **Timing of Submission.** A Gatekeeper Project application must be submitted and deemed complete at least 90 days before a Council Authorization Hearing to be eligible for consideration at that hearing. Gatekeeper Project applications submitted and deemed complete less than 90 days before a Council Authorization Hearing will be heard at a subsequently scheduled Council Authorization Hearing.
3. **Required Application Materials.** To be deemed complete, a Gatekeeper Project application must include proof of payment of the application fee and all documents and information required by Chapter 36 of the Mountain View City Code.
 - a. **Application Fee.** The application fee for a Gatekeeper Project application to receive a Council Authorization Hearing is set annually by Council resolution and listed in the City's Master Fee Schedule found here: <https://www.mountainview.gov/our-city/departments/finance-and-administrative-services/forms-and-documents>. A Streamlined Gatekeeper Project application shall not be subject to the application fee for a Council Authorization Hearing and shall be subject only to fees required for submission of a formal planning permit application in the City's Master Fee Schedule.
 - b. **Required Documents and Information.**
 - For Precise Plan Amendments, see Mountain View City Code [Section 36.50.80](#).
 - For General Plan Amendments, see Mountain View City Code [Section 36.52.15.f](#).
 - For Zoning Amendments, see Mountain View City Code [Section 36.52.55.g](#).
4. **Additional Application Materials and Information.**

In the absence of state or federal law requiring otherwise, the Mountain View City Council retains full discretion in deciding whether to authorize a Gatekeeper Project to file a formal planning permit application. In deciding whether to exercise this discretion, City Council will evaluate whether a proposed Gatekeeper Project aligns with, advances or supports established City Council goals, objectives or priorities, or other community

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needs. It is the sole responsibility of the applicant to demonstrate a proposed Gatekeeper Project aligns with, advances or supports a goal, objective and/or priority, or other community need. To guide applicants, a non-exhaustive list of these goals, priorities, objectives and community needs is provided below, which can positively influence the evaluation of their application. While applicants are encouraged to demonstrate how their project advances or supports one or more of these goals, priorities, objectives or community needs, it is not a requirement. The presence or absence of one or more of these criteria will not affect whether a Gatekeeper Project application proceeds to a Council Authorization Hearing; all Gatekeeper Project applications that have been deemed complete will proceed to a Council Authorization Hearing.

- a. **Affordable Housing.** Increasing the supply of affordable housing within the City of Mountain View is a significant community need and a key component of the Council's Intentional Development and Housing Options Strategic Priority. Demonstrating that the proposed Gatekeeper Project will exceed the City's minimum affordable housing requirements set forth in the Mountain View City Code (Chapter 36, Article XIV) or otherwise advance the Council's goal of increasing the City's affordable housing supply will positively influence the evaluation of the application.
- b. **Business Retention and Expansion.** Business retention and expansion is a key component of the City's Economic Vitality Strategy and a key component of the Council's Economic Vitality Strategic Priority. Demonstrating that efforts have been made to minimize the proposed Gatekeeper Project's adverse impact on existing businesses on the project site will positively influence the evaluation of the application. Examples of such efforts include: (i) providing space within the project site where an existing business can relocate; (ii) offering subsidized lease terms for businesses operating within the project site; or (iii) providing monetary or non-monetary relocation assistance to existing businesses that will be displaced as a result of the project.
- c. **Parks and Open Space.** Increasing and enhancing the City's parks and open space is a key component of the Council's Livability and Quality of Life Strategic Priority. Demonstrating that the proposed Gatekeeper Project will exceed the City's park land dedication requirements set forth in the Mountain City Code (Chapter 41) through the dedication of land, payment of a fee, or a combination of both will positively influence the evaluation of the application. Demonstrating that the proposed Gatekeeper Project will provide park land or a fee in lieu thereof when the project is not subject to the City's park land dedication requirements will also positively influence the evaluation of the application.

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- d. **Community Facilities.** Community facilities contribute to the quality of life and well-being of a community by providing resources and opportunities for learning, recreation, and social interaction. Increasing the number of community facilities available for use within the City of Mountain View is an important community need and a key component of the Council's Livability and Quality of Life Strategic Priority. Demonstrating that the proposed Gatekeeper Project includes the provision of one or more community facilities for use at no cost or at a reduced cost by the general public will positively influence the evaluation of the application.
- e. **Transportation.** Improving air quality, reducing congestion and improving the overall livability of the City through transportation demand management is a key component of the Council's Mobility and Connectivity Strategic Priority. Demonstrating that the proposed Gatekeeper Project will exceed the City's Transportation Demand Management (TDM) ordinance requirements or will otherwise advance or support transportation demand management goals by providing transportation infrastructure improvements, incentivizing carpooling or use of public transportation, creating on-site through connections for the public, enhancing connections to public facilities such as parks and schools, and/or promoting active transportation such as by constructing wide sidewalks and bicycle lanes, will positively influence the evaluation of the application.
- f. **Trees and Biodiversity.** The preservation of mature, healthy trees within the City of Mountain View is a high priority and a key component of two Council Strategic Priorities: Sustainability and Climate Resiliency, and Livability and Quality of Life. To this end, City Council is developing a Biodiversity and Urban Forest Plan to maximize environmental sustainability, climate resiliency, and community health benefits. Demonstrating that the proposed Gatekeeper Project prioritizes preservation of mature, healthy trees on-site, will result in no net loss of tree canopy coverage on the project site, supports tree planting off-site within Mountain View, and/or will incorporate the City's adopted biodiversity measures will positively influence the evaluation of the application.
- g. **Historic Preservation.** Historic resources are vital to Mountain View as they provide a tangible link to the City's past, contributing to its unique character and cultural identity. Preserving historic resources is a key component of the Council's Livability and Quality of Life Strategic Priority. Demonstrating that the proposed Gatekeeper Project preserves any on-site historic resources, repurposes any on-site historic resources and makes them available for public enjoyment, or includes funding for the long-term preservation off-site historic resources will positively influence the evaluation of the application.

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- h. **Sustainability.** Climate change mitigation and adaptation through reductions in carbon emissions and avoiding other negative environmental impacts is critical to Mountain View's future and are key components of the Council's Sustainability and Climate Resiliency Strategic Priority. Demonstrating that the proposed Gatekeeper Project will exceed the City's Green Building Code requirements set forth in the Mountain View City Code (Chapter 8) or will achieve a net-zero carbon emissions through building or site design will positively influence the evaluation of the application.

D. STREAMLINED GATEKEEPER PROJECTS

1. **Council Authorization Hearing Exemption.** All Streamlined Gatekeeper Projects shall be exempt from the Council Authorization Hearing process and may proceed directly to the formal planning permit application stage. Applicants that qualify for this exemption may submit a formal planning permit application that includes the proposed legislative amendment needed for the project to proceed. The project application must clearly demonstrate qualification for treatment as a Streamlined Gatekeeper Project. Failure to demonstrate qualification for treatment as a Streamlined Gatekeeper Project shall result in the project being subject to the Council Authorization Hearing process. City Staff shall have sole discretion to determine if a project qualifies as a Streamlined Gatekeeper Project.
2. **Qualifications.** A Gatekeeper Project that meets all mandatory criteria in one of the following two categories shall qualify as a Streamlined Gatekeeper Project.

Category 1—100% Affordable Housing Project

A Gatekeeper Project application for a 100% affordable housing development project shall qualify as a Streamlined Gatekeeper Project. For purposes of this category, a 100% affordable housing development project is a residential project in which all dwelling units, excluding the manager's unit(s), are reserved for households meeting designated affordability criteria.

Category 2—Limited Size/Substantial Community Benefits

To qualify as a Gatekeeper Project under Category 2, the proposed development project shall meet all mandatory eligibility and performance criteria set forth below.

- a. **Eligibility Criteria.** All of the following eligibility criteria must be met for the project to qualify as a Category 2 Streamlined Gatekeeper Project.

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- (1) Size. The project site shall not exceed three (3) acres in total area.
 - (2) Density. The proposed project must be a residential-only development with a minimum density of 30 dwelling units per acre and the project site must border (share a property line with) at least one other property that permits a residential density exceeding 12 dwelling units per acre.
- b. **Mandatory Performance Criteria.** *All* of the following performance criteria must be met for the project to qualify as a Category 2 Streamlined Gatekeeper Project.
- (1) Trees and Biodiversity. The project proposal includes a minimum of 75% native trees and landscaping utilizing the North Bayshore Precise Plan Plant Palette, available online at: www.mountainview.gov/northbayshore.
 - (2) Historic Preservation. The project proposal does not include demolition of a historic resource and includes funding for the long-term preservation of an off-site historic resource. The proposed funding shall have a value equal to or greater than 0.5% of the appraised value of the land area of the project site based on the most recent per-acre land value applicable to the proposed project as included in the City Master Fee Schedule (e.g., the proposed dedication shall have a value of at least \$100,000 on a 2-acre project site with a per-acre land value of \$10,000,000).
 - (3) Sustainability. The project will use all-electric building systems for space conditioning (heating and cooling), water heating, cooking, clothes drying, and all other energy needs, and shall not utilize natural gas for any purpose to service the project building(s) or site.
- c. **Selective Performance Criteria.** *At least one* of the following performance criteria must be met for the project to qualify as a Category 2 Streamlined Gatekeeper Project.
- (1) Affordable Housing. The project must comply with the City's BMR Ordinance and Guidelines, including, but not limited to, rent/sales price calculations, proportional distribution of BMR unit sizes relative to the market-rate units based on bedroom count, locational distribution of the BMR units, and maximum annual allowable rent increases for BMR rental units. In addition, the project shall comply with the following criteria:
 - *Rental Projects*—15% of units based on the standard below-market-rate (BMR) requirements, with a range greater than 50% area median income (AMI) up to 120% AMI and a weighted average of 65% AMI or less, and one of

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the following:

- An additional 5% of units with a range greater than 50% AMI up to 120% AMI with a weighted average of 65% AMI or less; or
 - An additional 25% of units with a range greater than 50% AMI up to 120% AMI with a weighted average of 90% AMI or less.
 - *Ownership Projects*—As follows, depending on ownership project type:
 - For all ownership projects excluding rowhome/townhome projects, 15% of units based on the standard BMR requirements, with a range greater than 80% AMI up to 120% AMI and a weighted average of 100% AMI, and an additional 15% of units at the same levels.
 - For rowhome/townhome projects, 25% of units based on the standard BMR requirements, with 15% of units at a range greater than 80% AMI up to 120% AMI and a weighted average of 100% AMI, and 10% of units with a range greater than 120% AMI up to 150% AMI with a weighted average of 135% AMI, and an additional 5% of units with a range greater than 120% AMI up to 150% AMI with a weighted average of 135% AMI.
- (2) Park Land/Open Space. The proposed project includes dedication of a public park, plaza, or trail to the City in a size proportionate to the proposed project, but not less than 24% of project site area (e.g., 0.24-acre minimum dedication for a 1.0-acre project site).
- (3) Community Facility. The project proposal includes dedication of a community facility with a value equal to or greater than 5% of the appraised value of the land area of the project site based on the most recent per-acre land value applicable to the proposed project as included in the City Master Fee Schedule (e.g., the proposed dedication shall have a value of at least \$200,000 on a 2-acre project site with a per-acre land value of \$10,000,000).
3. **Project Approval Not Guaranteed**. A determination that a project qualifies as a Streamlined Gatekeeper Project shall not be construed as a guarantee that the requested legislative amendment(s) or development project will be approved by City Council. Streamlined Gatekeeper Projects are subject to the same review and approvals as all Gatekeeper and non-Gatekeeper development projects.

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E. COUNCIL AUTHORIZATION HEARING

1. **Frequency.** There shall be at least one Council Authorization Hearing per calendar year. The City Manager or their designee shall recommend additional Council Authorization Hearings, if necessary, based on the volume and complexity of Gatekeeper Project applications received during the year.
2. **Notice of Authorization Hearings.** In addition to complying with the hearing notice requirements in Chapter 36 of the Mountain View City Code, staff shall:
 - a. Develop and maintain a dedicated webpage on the City's official website to provide information about the Gatekeeper process, including application criteria, procedural requirements, and dates for scheduled or upcoming Council Authorization Hearings.
 - b. Maintain a subscription-based email list of interested parties who wish receive notification of upcoming Council Authorization Hearing dates and other updates or announcements related to the Gatekeeper process.
3. **Council Report.** For each Council Authorization Hearing, staff shall prepare a Council report that includes, at a minimum, the following information:
 - a. **Project Overview.** A summary of the proposed project, specifying its type (e.g., residential, commercial, industrial, mixed use), size, and location.
 - b. **Existing Land Use.** A description of the current General Plan land use designation, Zoning classification, and existing use of the project site, along with an analysis of surrounding land uses and designations.
 - c. **Legislative Amendments.** An outline of the legislative amendments required for the project to advance, including their scope and implications.
 - d. **Alignment with City Objectives.** An assessment of the project's consistency with established City Council goals, priorities, and objectives, as well as its potential to address broader community needs.
 - e. **Staff Recommendations.** A compilation of proposed amendments or adjustments to the Gatekeeper Project aimed at enhancing compatibility with the surrounding neighborhood and advancing other City objectives.

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- f. **Resource Assessment.** An evaluation of staff capacity and resources to process the application, including an analysis of current workloads. If resources are determined to be insufficient, the report shall propose options for reprioritizing or deferring discretionary City initiatives, such as Council Work Plan projects, long-range planning efforts, or procedural and technological improvements, to ensure the effective processing of the Gatekeeper Project.
4. **Applicant Presentation.** Gatekeeper Project applicants shall have the opportunity to deliver a presentation on their proposed project during the Council Authorization Hearing, subject to time limits or other procedural guidelines established by the Mayor or applicable Council policies.
5. **Council Review and Determination.**
 - a. **Gatekeeper Project Agenda Placement.** Gatekeeper project applications shall not be placed on the City Council agenda as consent items, nor shall they be approved or acted upon through the consent calendar. Such applications must be agendized and considered under New Business (or Unfinished Business, when applicable) to ensure full deliberation and public transparency.
 - b. **Review.** The City Council shall evaluate each Gatekeeper Project application and may require modifications to the project application as a condition of authorizing the project to submit a formal planning permit application. Unless otherwise specified by Council motion, revisions imposed by a majority vote during the Council Authorization Hearing shall become prerequisites for both the filing of a formal planning permit application and its continued processing by the City.
 - b. **Determination.** At the conclusion of the Council Authorization Hearing, the Council may take one of the following actions on each Gatekeeper Project application:
 - Authorize immediate submission of a formal planning permit application.
 - Authorize submission of a formal planning permit application but defer submission or processing until a specified date.
 - Decline to authorize submission of a formal planning permit application. In such cases, the applicant must wait a minimum of two years from the date of submission of the subject Gatekeeper Project application before resubmitting a substantially similar application unless the Council, by majority vote, authorizes resubmission at an earlier time.

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- c. **Project Approval Not Guaranteed.** A decision to authorize submission of a formal planning permit application shall not be construed as a guarantee of final project approval. Gatekeeper Projects are subject to the same review and approvals as all non-Gatekeeper development projects.

F. REAUTHORIZATION

All Gatekeeper Projects remain subject to any reauthorization requirements set forth in Mountain View City Code Sections 36.50.90, 36.52.20, and 36.52.60.

G. DEVELOPMENT AGREEMENTS

In recognition of the unique benefits conferred by City Council approval of a legislative amendment, all Gatekeeper and Streamlined Gatekeeper Project applicants shall be required to execute a development agreement with the City of Mountain View prior to or concurrent with final enactment of the requested legislative amendment(s). A development agreement is necessary to ensure that the project features and community benefits, which influenced the City Council's decision to approve the legislative amendment, are enforceable.

H. STUDY SESSIONS

All Gatekeeper Projects advancing to the formal planning permit application stage, including Streamlined Gatekeeper Projects, must undergo at least one Study Session with each of the Environmental Planning Commission and City Council early in the development review process. Furthermore, the City may convene additional Study Sessions with either or both decision-making bodies if necessary to obtain further policy or project guidance.

I. UPDATES TO POLICY

This Policy may be amended only by a Resolution adopted by the City Council. Substantive amendments to this Policy shall not be placed on the Consent Calendar and must be considered as a New Business (or Unfinished Business, when applicable) agenda item to allow for full Council discussion and public input. Non-substantive amendments, or those previously discussed and directed by Council following discussion and public input, may be placed on the Consent Calendar for adoption. A Gatekeeper Project or Streamlined

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Gatekeeper Project application shall be evaluated in accordance with the Policy in effect on the date the application was deemed complete.

Effective Date: June 24, 2025, Resolution No. 19013

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