

## CITY OF MOUNTAIN VIEW

ENVIRONMENTAL PLANNING COMMISSION  
STAFF REPORT  
FEBRUARY 21, 2024

### 5. PUBLIC HEARINGS

#### 5.1 2023 Annual Housing Element Annual Progress Report and Emergency Shelters Amendment

#### RECOMMENDATION

That the Environmental Planning Commission:

1. Review and recommend the City Council consider the 2023 Annual Progress Report: 2023-31 Housing Element (Exhibit 1 to the EPC Staff Report).
2. Recommend the City Council adopt an Ordinance of the City of Mountain View Amending Chapter 36 (Zoning) of the City Code Amending the Development Standards and Permitting Process for Emergency Shelters and Finding the Amendment to be Categorically Exempt under Section 15061(b)(3) of the California Environmental Quality Act Guidelines, to be read in title only, further reading waived (Exhibit 2 to the EPC Staff Report).
3. Recommend the City Council adopt a Resolution of the City Council of the City of Mountain View Amending the El Camino Real (P(38)) Precise Plan to Add Emergency Shelters as a Permitted Use and to Include Permitting Process for Shelters, Consistent with the Housing Element Program 1.1.f, and Finding the Amendment to be Categorically Exempt under the California Environmental Quality Act (CEQA), Pursuant to CEQA Guidelines Section 15061(b)(3), to be read in title only, further reading waived (Exhibit 3 to the EPC Staff Report).

#### PUBLIC NOTIFICATION

The Environmental Planning Commission's (EPC) agenda is advertised on Channel 26, and the agenda and this report appear on the City's website. A newspaper notice has been circulated for this meeting, notification of this meeting has been sent to all property owners and residents within a 750' radius of the El Camino Real Precise Plan and zoning districts permitting Emergency Shelters, neighborhood associations were notified of this meeting, and notification of this meeting has been posted on the City's Emergency Shelter webpage.

## BACKGROUND

### Housing Element and Annual Progress Report

The Housing Element is one of the seven mandated General Plan elements. It is the only General Plan element subject to mandatory review by a State agency, the California Department of Housing and Community Development (HCD). The Housing Element's purpose is to examine the housing needs of residents; create, update, and guide housing policies; and identify locations to accommodate the City's Regional Housing Need Allocation (RHNA).

On April 11, 2023, the City Council adopted the Sixth-Cycle Housing Element which covers the eight-year planning period of 2023 to 2031. This adoption was the culmination of almost two years of work devoted to preparing the update. It further marks the beginning of a new reporting period.

Government Code Section 65400 requires cities to prepare an annual progress report (APR) on Housing Element implementation, using forms and definitions adopted by HCD. These reports are submitted to HCD and the Governor's Office of Planning and Research. They provide data on annual building permit activity, overall progress in meeting the City's RHNA, and status of Housing Element program implementation. It is important to note that there are some key changes to the APR forms. These include reporting if a project was ministerial (no discretion in project approval, such as Senate Bill (SB) 35 projects) or discretionary (some discretion) per [Assembly Bill 1783](#). Another key change is the reporting of units counted as part of the City's RHNA. In the previous Housing Element cycle, the City reported net new units (proposed units minus demolished units) for RHNA, but per HCD direction, all new units will be reported for RHNA.

### RHNA

State law requires local jurisdictions to provide for their fair share of regional housing needs. Per Government Code Section 65584, HCD is mandated to determine the Statewide housing needs and provides this data to the Association of Bay Area Governments (ABAG).

ABAG is the Bay Area's metropolitan planning organization and is responsible for assigning the Bay Area's RHNA to each city and county in the nine-county Bay Area. Housing Element law acknowledges that, in order for the private market to adequately address the housing needs of California, local governments must adopt plans and regulatory systems that provide opportunities for (and do not unduly constrain) housing development. The local jurisdictions are, therefore, required to zone adequate developable land to build these units and to implement other Housing Element requirements to facilitate housing production across incomes.

The RHNA allocation methodology assigns units by income category—specifically, units serving very-low-, low-, moderate-, and above-moderate-income households. Households are categorized in these income groups based on household size and percentages of the Area Median Income (AMI). These income limits are established annually by HCD. The 2023 AMI for Santa Clara County for a household of four was \$181,300 (see Exhibit 4). The City’s current RHNA allocation for 2023-2031 is 11,135 units, which is a substantial increase in the number of units from the Fifth Cycle of 2,926 (refer to Table 1, City of Mountain View Sixth-Cycle RHNA). This reflects the trend and focus on increasing housing units Statewide.

**Table 1: City of Mountain View Sixth-Cycle RHNA**

Income Group	Area Median Income %	Units
Very Low	0-50%	2,773
Low	51-80%	1,597
Moderate	81-120%	1,885
Above Moderate	120%+	4,880
<b>TOTAL</b>		<b>11,135</b>

### **Assembly Bill 2339 and Housing Element Programs for Emergency Shelters**

[Assembly Bill 2339](#) is intended to facilitate development of emergency shelters throughout the State by requiring three key components:

1. Identify one or more zoning districts allowing residential uses where emergency shelters are allowed without a discretionary permit.
2. Identify sites in these zoning districts and provide an analysis demonstrating that the identified sites would meet the City’s projected demand of unhoused in the City.
3. Subject emergency shelters to only specified objective standards as discussed later in this report.

Program 1.1.f is intended to meet the requirements of AB 2339 while supporting policies related to increased housing opportunities for the City’s unhoused populations. Consistent with AB 2339, the program includes the following:

1. Identifies the El Camino Real Precise Plan as a zoning district to permit emergency shelters by right;
2. Directs the City to adopt updates to the Zoning Ordinance and Precise Plan as necessary to ensure State law compliance; and

3. Directs the City to prepare analysis for vacant and nonvacant sites in the Precise Plan that would meet the City's projected demand for these types of housing.

Further analysis on alternative sites have been identified along with a summary of proposed code and Precise Plan amendments in the analysis below.

## **ANALYSIS**

### **Annual Progress Report**

As noted above, the annual progress report provides the State with information on the City's yearly building permit activity between January 1, 2023 and December 31, 2023 for new housing units (see Table 2 below and Exhibit 1, Table A2). The progress report also includes Housing Element policy and program implementation status (see Exhibit 1, Table D).

Several Housing Element implementation items are summarized below. Given this is the first year of the Sixth-Cycle Housing Element, many programs are still in progress or have not yet begun.

1. Residential Building Permit Activity and RHNA Allocation

In 2023, the City issued building permits for 314 new residential units,<sup>1</sup> 132 of which are very-low-income units; 49 are low-income units; 29 are moderate-income units; and 104 are above-moderate-income units (see Table 3 and Exhibit 1, Tables A2 and B). As six of the building permits issued in 2023 were issued before January 31, 2023, which is before the first year of the Sixth Cycle, then they are not reflected in Exhibit 1.

The Fifth-Cycle planning period ended on January 31, 2023. The units permitted before that date apply to the previous RHNA, which is now closed. See Table 2 for the final Fifth-Cycle RHNA.

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<sup>1</sup> Units are reported based on total project new units, while demolished units are listed separately. This direction was provided this year and in the 2022 Annual Progress Report Instructions. For the previous year, the last Annual Progress Report (APR) for the Fifth-Cycle RHNA, we continued to report on net new units to maintain consistency with the previous APRs and reporting instructions. In HCD's example, a 100-unit project with 10 demolished units would report 90 net new units; however, the new instructions indicate reporting 100 units and 10 demolished units separately. As this is a new cycle and staff has received direction from HCD, staff will begin reporting on all new units.

**Table 2: Final Fifth-Cycle Units**

<b>Affordability by Household Income</b>	<b>Fifth-Cycle RHNA</b>	<b>2023 Units</b>	<b>Total Units</b>	<b>Percent of RHNA Allocation</b>
Very Low 0%-50% AMI	814	0	228	28%
Low 51%-80% AMI	492	0	242	49%
Moderate 81%-120% AMI	527	0	136	26%
Above Moderate 121%+ AMI	1,093	6	4,866	100%
<b>TOTAL</b>	<b>2,926</b>	<b>6</b>	<b>5,452</b>	58% <sup>2</sup>

The units permitted on or after January 31, 2023 apply to the Sixth-Cycle RHNA. However, pursuant to State law, projects receiving certificates of occupancy after June 30, 2022 also contribute to the Sixth-Cycle RHNA.<sup>3</sup> The City's progress on the Sixth-Cycle RHNA is shown in Table 3 below, as well as Exhibit 1, Table B.<sup>4</sup>

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<sup>2</sup> Cities can take credit for no more than 100% of the above-moderate RHNA requirement in the total RHNA percentage (58.1%).

<sup>3</sup> RHNA and housing production between cycles is not intended to be additive. Units will be double-counted between cycles. This is because the methodology used by the State to determine regional housing demand is based on the number of units occupied at the beginning of the projection period.

<sup>4</sup>Table B of Exhibit 1 does not include all building permits issued between June 30, 2022 and January 30, 2023. City staff is working with HCD to modify the APR form.

**Table 3: Sixth-Cycle (2023-2031) RHNA Progress**

<b>Affordability by Household Income</b>	<b>Sixth-Cycle RHNA</b>	<b>Building Permits Issued During Projection Period June 30, 2022 to January 30, 2023</b>	<b>Permits on or after January 31, 2023</b>	<b>Total Units to Date</b>	<b>Percent of RHNA Allocation</b>
Very Low 0%-50% AMI	2,773	10	132	142	5.1%
Low 51%-80% AMI	1,597	46	49	95	5.9%
Moderate 81%-120% AMI	1,885	118	29	147	0.8%
Above Moderate 121%+ AMI	4,880	560	104	664	13.6%
<b>TOTAL</b>	<b>11,135</b>	<b>734</b>	<b>314</b>	<b>1,048</b>	<b>9.4%</b>

The City of Mountain View continues to experience a high level of residential development activity. Currently, there are 1,357 new residential units (949 net new residential units) under construction; approximately 1,455 new residential units (1,404 net new residential units) recently approved but not yet under construction; and 4,378 new residential units (4,325 net new units) under entitlement review, including 299 new residential units (299 net new units) with applications deemed complete.<sup>5</sup>

## 2. No Net Loss

Senate Bill (SB) 166, also known as the No Net Loss Law, was codified on January 1, 2018 and, among other provisions, requires local jurisdictions to maintain an inventory of sites zoned to accommodate their share of the region's housing needs at all income levels. In other words, if a site is developed with fewer units at the specified income level than identified in the Housing Element, the jurisdiction must identify (and rezone, if necessary) additional sites to make up for the shortfall.

<sup>5</sup>Table A of the APR Report does not report on all residential projects currently under entitlement review. "Application submitted" per the Department of Housing and Community Development's guidance means an application submittal that has been determined complete by the jurisdiction. The remaining units have submitted applications but had not yet been deemed complete as of January 1, 2024.

Program 1.11 of the Housing Element includes instructions for monitoring no net loss, including the preparation of a “provisional inventory” that will give the City advance notice of impending approvals that would reduce the inventory below the RHNA at any income level.<sup>6</sup> In addition, the program requires the City to account separately for lower-income capacity in the highest-opportunity areas of the City—south of El Camino Real and the area around downtown (bounded by El Camino Real, Mariposa Avenue, Central Expressway, and State Routes 85 and 237).

As of January 1, 2024, there was one formal application submitted on a Housing Element inventory site—1500 North Shoreline Boulevard. In addition, there have been several applications on sites outside the inventory and several minor modifications to previous applications. The Official and Provisional Inventories are shown in Table 4. No individual income level is below 5% in either the official or provisional inventories, therefore, it is not currently necessary to identify additional opportunity sites or rezonings to meet the City’s RHNA requirements. The current inventory, updated as of January 1, 2024, can be found on the City’s Housing Element webpage.<sup>7</sup>

**Table 4: No Net Loss, Official and Provisional Inventories**

<b>Affordability by Household Income</b>	<b>RHNA</b>	<b>2023 Inventory* (Official/ Provisional)</b>	<b>2023 Project Updates (Official/ Provisional)</b>	<b>Inventory on January 1, 2024 (Official/ Provisional)</b>	<b>Percent Buffer (Official/ Provisional)</b>
Lower (0% to 80% AMI)	4,370	4,921 4,921	6 371	4,927 5,292	12.7% 21.1%
Lower, South of El Camino Real & Downtown Area	830	1,039 1,039	10 27	1,049 1,066	26.4% 28.4%
Moderate	1,885	2,121 2,121	7 -93	2,128 2,028	12.9% 7.6%
Above Moderate	4,880	8,823 8,823	4 882	8,827 9,705	80.9% 98.9%

\*Inventory counts do not include Accessory Dwelling Units.

<sup>6</sup>The program stipulates that lower-income sites in the inventory can be converted to moderate-income sites. Therefore, the identification of new sites addresses no net loss is only begun when the lower-income inventory is below 5% after reallocating sites to the moderate-income category.

<sup>7</sup><https://www.mountainview.gov/our-city/departments/community-development/planning/regulations/housing-element>

### 3. Housing Policies and Programs

The Housing Element includes policies and programs that are intended to remove constraints to housing production, produce housing for all income levels, provide housing assistance, address displacement and homelessness, and create solutions for housing through partnerships and other means. Table D in Attachment 1 summarizes current measures that have been completed to support the Housing Element's goals with recent efforts summarized below.

*Goal 1: An increase in the quantity and diversity of housing options, focusing on active nodes, and walkable neighborhoods with amenities and services.*

- a. Updated Zoning Regulations: In December 2023, the City updated the Zoning Code to include provisions that support different housing types and to remove barriers to housing. These amendments addressed compliance with State legislation to complete Housing Element Programs 1.1.a through 1.1.e, and removed parking requirements for affordable housing projects to complete Program 1.2.a.
- b. Gatekeeper Process: The Gatekeeper process is an authorization process to permit legislative updates (Zoning or General Plan amendments) that could potentially result in private development projects that support the City's housing priorities. The City Council discussed the Gatekeeper framework and process on December 5, 2023 and January 23, 2024. Per Council direction at the January 23, 2024 meeting, staff will accept applications from March 1, 2024 to June 28, 2024 and hold a Council authorization hearing in fall 2024, utilizing the existing Gatekeeper process. This ensures compliance with Housing Element Program 1.3, which targets acceptance of Gatekeeper applications before June 30, 2024.

*Goal 2: An inclusive and equitable community with available and accessible housing assistance.*

- c. Reasonable Accommodation: The December 2023 zoning amendments implemented Program 2.3 by removing requirements and findings associated with reasonable accommodation applications and updates the informational materials on the program.
- d. Outreach for Mediation and Fair Housing: Staff continues to implement Program 2.5 by hosting ongoing outreach/education events of housing programs to tenants, local property owners, and managers on a biweekly basis. These events utilize multilingual services.



*Goal 3: A comprehensive suite of housing opportunities and services to prevent, respond to, and address displacement and homelessness.*

- e. Funding and Partnerships for Homelessness Prevention: Program 3.1 supports strategies and partnerships that focus on homelessness prevention and providing services for the unhoused. In alignment with this program, the City has extended operations of safe parking lots and executed various agreements to provide annual and one-time funding for homeless service programs. The City has entered into agreements with the Community Services Agency of Mountain View, Los Altos, and Los Altos Hills to conduct outreach to those living in vehicles. Additionally, in June 2023, the City entered into a shared funding agreement with the County of Santa Clara for a two-year operational funding commitment for the LiveMoves Mountain View Interim Housing Community.
- f. Tenant Displacement Response Strategy: In October 2023, Council supported developing local replacement requirements for demolished rent-stabilized units as part of a redevelopment project in alignment with Program 3.2 for Displacement Prevention and Mitigation. These requirements are modeled off of State Senate Bill 330 and would go into effect when SB 330 sunsets (currently scheduled for 2030).

*Goal 4: A city that is an effective steward of housing solutions through funding, advocacy, partnerships, and community outreach and engagement.*

- g. Funding for Subsidized Housing: The City's funding leveraged other funding sources used by affordable housing developers, which primarily include tax credits and bond financing and State funding which the affordable housing developers apply for. The City secured \$5.3 million in funding across two State grants that further the affordable housing development pipeline and home-buying assistance. It is likely that these funding sources will continue to be used to produce subsidized rental units to help meet RHNA requirements, consistent with Program 4.3.

## **Emergency Shelter Amendments**

### *AB 2339 and Impacts to Historic and Cultural Resources*

Housing Element Program 1.1.f requires the City to: "Amend the ordinance and/or applicable precise plan(s) to allow emergency shelters by right consistent with AB 2339. At minimum, this will include the El Camino Real Precise Plan (consistent with the analysis provided in the sites inventory, Appendix E). In addition, identify at least one additional

site consistent with the AB 2339 methodology and the nonvacant sites analysis in Appendix E, and amend the subject Zoning District or Precise Plan as necessary.”

State Law prohibits all discretionary permits in zoning districts in which emergency shelters are permitted by right. As a result, a historic preservation permit used to preserve historic resources cannot be required as it is deemed a discretionary permit. Emergency shelters would also not be subject to CEQA, which is another way to preserve historic resources. There are a handful of historic resources in the El Camino Real Precise Plan and MM Zoning District (another zoning district where emergency shelters are permitted by right), which could be demolished to build an emergency shelter without any City discretion. Therefore, amending the El Camino Real Precise Plan to allow emergency shelters by right in its entirety would endanger the historic resources in this Precise Plan area.

In order to balance the community’s desire to preserve historic resources, but also meet the intent of the Housing Element and AB 2339, staff is proposing permitting emergency shelters by-right in the Castro/Miramonte Sub-Area 1 of the El Camino Real Precise Plan only. This sub-area of the Precise Plan does not include any sites containing historic resources. Additionally, staff proposes allowing emergency shelters in all other sub-areas of the Precise Plan with a provisional (also known as a conditional) use permit. The use permit would protect historic resources through the CEQA process.



Figure 1: Map of Castro/Miramonte Sub-Area

*Proposed Amendments Required by State Law (AB 2339):*

1. **Precise Plan Amendments.** As discussed above, the Housing Element identifies the El Camino Real Precise Plan as the zoning district to permit emergency shelters in compliance with AB 2339. Currently, the El Camino Real Precise Plan does not permit emergency shelters and, therefore, Table 1: Allowed Land Uses of Page 1 on Attachment 3 is modified to add emergency shelters as a permitted land use. Additionally, since the Precise Plan includes referential verbiage regarding permit exceptions, no additional verbiage is needed to exempt emergency shelters from obtaining a discretionary permit as required per State law.
2. **Updates to Emergency Shelter Standards.** AB 2339 limits jurisdictions’ ability to require additional objective standards for emergency shelters. Per this legislation,

jurisdictions may only review emergency shelters subject to the standards listed below:

- a. Maximum number of beds;
- b. Off-street parking if the emergency shelter parking is not higher than what is required by other uses permitted in the same zoning district;
- c. Size and location of waiting and client intake areas;
- d. Provision of on-site management;
- e. Proximity to other emergency shelters, provided that emergency shelters are not required to be more than 300' apart;
- f. Length of stay;
- g. Lighting; and
- h. Security.

As a result of these requirements, Section 36.28.70 is being modified to remove requirements that are not objective criteria permitted by State Law. The following are changes made to the emergency shelter development standards:

- **Removal of Property Development Standards and Common Facilities.** Per AB 2339, City can no longer require standards related to ensuring conformance with the underlying zoning district development standards or provisions permitting certain common facilities. An emergency shelter cannot be denied if it meets the other emergency shelter requirements but provides common facilities that are not listed in this section. Therefore, Sections 36.28.70.a.1 and 36.28.70.a.9 are proposed to be struck.
- **Parking Requirements.** State Law only permits parking requirements for staff parking if it does not exceed requirements of other uses in the same zoning district. Therefore, the requirement for parking per bed is being removed from Section 36.28.70.a.7 to align with State requirements.
- **Maximum Number of Beds:** As underlying zoning development standards do not apply to emergency shelters, Section 36.28.70.a.5 is intended to limit the size of the building by limiting occupants on-site. The proposed 5 beds to 1,000 square

foot of lot area will allow the identified site inventory to support the City's unhoused populations, but also limits buildings to a one- to two-story structure.

- **Other Miscellaneous Updates:** The other amendments are intended to make the existing standards more objective, including providing clear requirements for security, lighting, and size of the waiting and intake areas that are more quantifiable.

### *Site Analysis*

Program 1.1.f in the Housing Element requires the City to make certain code updates consistent with AB 2339 and to identify vacant or nonvacant sites that can satisfy the City's projected need for emergency shelters to accommodate its unhoused population. The site analysis must be within zoning designation(s) where emergency shelters are allowed by right. For vacant sites in mixed-use districts, the analysis must identify the transit options, amenities, and services near the site. Nonvacant sites analysis must provide information that the use is likely to be discontinued during the planning period, using current uses, market conditions, and incentives for shelter development. The projected land area need as identified by the Housing Element is 32 beds or 6,400 square feet of land area (assuming 200 square feet per person).

Previously, the Housing Element identified one site in the El Camino Real Precise Plan (860 Bay Street), which was adequate to accommodate the land area need. However, shortly before adoption of the Housing Element, a housing development application was submitted on this site. As a result, the Housing Element requires the City to identify more sites and allow emergency shelters by right in additional zoning designations if necessary.

Prior to analyzing the potential impacts emergency shelters may have on historic resources, staff previously identified four sites in the entirety of the El Camino Real Precise Plan that could be suitable for an emergency shelter. Letters were sent to these property owners on January 25, 2024 notifying them of the proposed amendments and State legislation. Staff received questions from the owner's representative of 860 Bay Street on January 31, 2024. The representative indicated their goals of redeveloping the site with a residential project and voiced interest in emergency shelters, but was not aware of funding sources to support this type of development. However, this site would no longer qualify as part of the City's required site analysis as the site analysis must only be for zoning designations that allow emergency shelters by right, and this site is located outside the Castro/Miramonte Sub-Area 1.

The sites identified below are appropriate for emergency shelters and have existing uses that are likely to be discontinued in the planning period. The list includes two vacant and

nonvacant properties, totaling 19,700 square feet of land area, exceeding the 6,400 square feet required. See Table 3 below for site data and analysis.

**Table 3: Emergency Shelter Site Analysis**

Address	Type of Property	Lot Size	Analysis
<p><b>1098 West El Camino Real, APN: 158-07-028</b></p>	<p>Nonvacant sites that are suitable for use as a shelter or that can be redeveloped for a shelter in the current Housing Element period.</p>	<p>12,100 sf</p>	<p>Site is suitable for redevelopment as it is an underutilized site due to the following site characteristics:</p> <ul style="list-style-type: none"> <li>- Existing use is a single-family residence, which is a nonconforming use. Therefore, there are limitations on the improvements that are feasible, making it viable for redevelopment to a permitted use.</li> <li>- Structure was built in 1924. The age of structure makes it viable for redevelopment.</li> </ul>
<p><b>836 West El Camino Real, APN: 158-07-016</b></p>	<p>Nonvacant sites that are suitable for use as a shelter or that can be redeveloped for a shelter in the current Housing Element period</p>	<p>7,600 sf</p>	<p>Site is suitable for redevelopment as it meets many requirements identified in the Housing Element analysis of non-vacant opportunity sites:</p> <ul style="list-style-type: none"> <li>- Existing use is commercial.</li> <li>- The structure was built in 1930. The age of structure makes it viable for redevelopment.</li> <li>- Low FAR. Site has less than 0.35 FAR (existing FAR is 0.18 FAR) which is considered low and likely to redevelop per market trends.</li> <li>- Demonstrates some level of tenant vacancy per several site visits and research.</li> </ul>

## **ENVIRONMENTAL REVIEW**

### **Annual Progress Report**

The Annual Progress Report is an informational report on the Housing Element implementation which is not a project under the California Environmental Quality Act (CEQA) and does not require environmental review.

### **Emergency Shelters**

The proposed text amendments to Chapter 36 (Zoning) of the City Code to update the emergency shelter standards and amendments to the P(38) (El Camino Real) Precise Plan to permit emergency shelters are determined to be exempt under the California Environmental Quality Act pursuant to CEQA Guidelines Section 15061, subsections (b)(1) through (b)(3), as the amendments are to align with State legislation and to implement adopted Housing Element programs, and are otherwise covered by the common-sense exemption because it includes the following minor amendments:

- Allowance for emergency shelters in a zone that already allows residential uses, the El Camino Real Precise Plan.
- Requirement for a conditional use permit in zoning districts that include historic resources to allow further analysis of any proposed emergency shelters on these sites; and
- Minor changes to development standards that will not affect how an emergency shelter will impact the environment.

Therefore, it can be seen with certainty that there is no possibility that the activity will have a significant effect on the environment.

## **NEXT STEPS**

### **Upcoming Meetings**

The zoning and Precise Plan amendments are tentatively scheduled for the February 28, 2024 meeting with the Santa Clara Airport Land Use Commission (ALUC). ALUC reviews code amendments for consistency with the Moffett Airfield Comprehensive Land Use Plan (CLUP) regulations, such as height, safety, and open space provisions. The amendments require review with ALUC as the amendments propose a new residential land use and modifications to emergency shelter standards that are within the AIA.

After the recommendation from the EPC at this public hearing, the City Council will review the following items:

- Proposed Chapter 36 zoning amendments and the El Camino Real Precise Plan amendments for consideration of adoption; and
- The 2023 Annual Housing Element Progress Report (APR) for consideration.

Following the Council meeting, the APR will be forwarded to the Department of Housing Community and Development (HCD) and Office of Planning and Research (OPR).

## **2024 Actions**

Ongoing programs that are anticipated to be in process in the upcoming year include the following programs:

- *Program 1.1—Ensure Zoning and General Plan for all sites is consistent with the Housing Element Site inventory and pipeline projects:* A handful of sites/project areas identified in the Housing Element Site inventory require rezonings to allow higher densities. The deadline for these rezonings is the end of 2025. The Moffett Boulevard Precise Plan, the most significant area identified in this program, has begun work. Other areas will start work later in 2024 or early 2025.
- *Program 1—Eliminate Minimum Parking Standards for Residential in Transit-Oriented Areas, Affordable Housing Developments, and Other Cases:* This program reduces constraints on residential housing developments in transit-oriented zones, while also allowing parking exemptions for residential projects with an enhanced transportation demand management (TDM) program. Notable milestones anticipated for 2024 include zoning amendments to remove minimum parking requirements in the El Camino Real, San Antonio, Downtown, and East Whisman Precise Plans, and Moffett Boulevard General Plan Change Area, tentatively scheduled for EPC and Council in Q3/Q4 2024. The TDM Ordinance is anticipated to be completed in 2024.
- *Programs 1.4 and 2.6—Religious and Church Assembly Sites for Housing/Affirmatively Further Fair Housing:* Both these programs aim to increase the number of affordable housing units in areas south of El Camino Real, which are considered the City's highest-opportunity neighborhoods. Outreach to church sites and affordable housing developers are currently being conducted to understand the densities that can be built on these sites.
- *Program 3.1—Homelessness Prevention and Services for the Unhoused:* The program intends to develop strategies and create partnerships that prevent households from

becoming homeless and to move unhoused populations to permanent housing. A Displacement Response Strategy is in progress and anticipated to be adopted in 2024. The strategy will address programs to prevent and respond to homelessness.

- *Program 4.1—Development Streamlining and Processing Revisions:* This program is intended to improve procedures and technology to help with make staff project review for residential development more efficient. A few of the objectives listed in this program that will be implemented in 2024 include the recommendations from the 2021 Matrix study’s Development Review Assessment. Such recommendations include creating an online permitting system for Planning and Public Works. Other tools and software are being reviewed to help track performance indicators.

## CONCLUSION

Staff recommends the EPC recommend the City Council adopt the Chapter 36 (Zoning) and El Camino Real (P(38)) Precise Plan amendments to ensure consistency with State legislation related to emergency shelters.

Additionally, staff has provided information regarding the Annual Progress Reports, which includes a RHNA summary for the Fifth Cycle and for the first year of the Sixth Cycle and updates on notable programs such as no net loss provisions and completed programs. Staff recommends that the EPC forward the APR for Council consideration.

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- Exhibits:
1. 2023 Annual Progress Report
  2. Draft Ordinance to Chapter 36 (Zoning)
  3. Draft Resolution to P(38) (El Camino)
  4. 2023 AMI for Santa Clara County