



**DATE:** April 12, 2022

**CATEGORY:** Consent

**DEPT.:** Community Development

**TITLE:** **Text Amendments to Chapter 28 (Subdivisions) and Chapter 36 (Zoning) of the City Code to Implement California Senate Bill 9 and Other Minor Text Amendments (Second Reading)**

### **RECOMMENDATION**

1. Adopt an Ordinance of the City Council of the City of Mountain View Amending Chapter 36 (Zoning) of the City Code to Establish Procedures and Standards Related to Dual Urban Opportunity (DUO) Developments and Urban Lot Splits in Compliance with Senate Bill 9 and to Make Other Minor Amendments Related to Inactive Permit Applications, to be read in title only, further reading waived (Attachment 1 to the Council report). (First reading: 7-0)
2. Adopt an Ordinance of the City of Mountain View Repealing Mountain View City Code Chapter 28, Subdivisions, in Its Entirety and Replacing It with a New Chapter 28 of the Mountain View City Code to Reorganize and Renumber the Chapter and to Include Procedures and Standards Related to Urban Lot Splits in Compliance with Senate Bill 9, to be read in title only, further reading waived (Attachment 2 to the Council report). (First reading: 7-0)

### **SUMMARY**

On March 22, 2022, the City Council introduced two related ordinances amending Chapters 36 (Zoning) and 28 (Subdivisions) of the City Code to establish procedures and standards related to dual urban opportunity (DUO) developments and urban lot splits in compliance with Senate Bill 9 (SB 9) and to establish standards related to the closure of inactive Planning permit applications.

The Council approved the first reading of the ordinances by a 7-0 vote, with a modification to reduce the minimum street frontage requirement for an urban lot split from 16' to 12' in an effort to potentially allow more properties to do an urban lot split without modification or removal of an existing home. As part of their motion, the Council directed staff to return with the Zoning Code amendments to effectuate that modification. At the hearing, the specific Code sections to be amended were not identified, and it was contemplated that staff would review all required Code changes and bring them back for a first reading. However, upon review, staff determined that no additional changes to the Zoning Code were required other than the change to Section 36.13.70 (Urban Lot Split Standards) of the proposed Ordinance amending Chapter 36 that the

Council had considered on March 22. Given that this limited change was specifically identified, discussed, and approved by the Council at the March 22 meeting, staff, together with the City Attorney, determined it was appropriate to include this revision in the ordinance on second reading, rather than a separate ordinance for a first reading. In order to reduce the minimum frontage requirement from 16' to 12', Section 36.13.70, Urban Lot Split Standards, has been revised as shown in Attachment 1 to the report.

This is the second reading of the Ordinances for the text amendments to the City Code. If approved, the Ordinances will become effective on May 12, 2022.

**FISCAL IMPACT**—None.

**PUBLIC NOTICING**

The Ordinance was published at least two days prior to adoption in accordance with City Charter Section 522.

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- Attachments:   1.   Ordinance Amending Chapter 36 (Zoning)  
                  2.   Ordinance Amending Chapter 28 (Subdivisions)