

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

A RESOLUTION RECOMMENDING THE CITY COUNCIL
APPROVE ZONING TEXT AMENDMENTS TO CHAPTER 36
(ZONING ORDINANCE) OF THE CITY CODE TO UPDATE
ACCESSORY DWELLING UNIT REGULATIONS
TO ALIGN WITH NEW STATE REGULATIONS

WHEREAS, staff proposed Zoning Text Amendments to Chapter 36 (Zoning Ordinance) of the City Code to comply with recent State legislation updates related to accessory dwelling units, more particularly identified in Attachment 1; and

WHEREAS, the Environmental Planning Commission held a public hearing on September 16, 2020 on said Zoning Text Amendments pursuant to Section 36.52.65 of the City Code;

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 approve a Zoning Text Amendment pursuant to the following required findings in Section 36.52.70 of the City Code:

a. The proposed Zoning Text Amendments are consistent with the General Plan because they support policies of the 2015-2023 Housing Element by removing constraints to the development of accessory dwelling units, as provided in Program 4.3, and with the land-use policies and action plan of the 2030 General Plan because they update the Zoning Ordinance to address outdated or inconsistent policies with legislative updates by City, State, or Federal agencies; and

b. The proposed Zoning Text Amendments will not be detrimental to the public interest, health, safety, convenience, or welfare of the City because they are required to be consistent with State law and will allow the City's provisions regarding accessory dwelling units to remain enforceable; and

c. The proposed Zoning Text Amendments are internally consistent with Chapter 36 (Zoning Ordinance) of the Mountain View City Code; and

d. The action to modify Chapter 36 for updates to the zoning text is statutorily exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 21080.17 of the Public Resources Code, which provides that CEQA does not apply to the adoption of an accessory dwelling unit ordinance to implement the provisions of Section 65852.2 of the Government Code. In addition, the action being considered does not constitute a “project” within the meaning of CEQA pursuant to CEQA Guidelines Section 15061(b)(3) as these changes have no potential for resulting in either a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment.

2. That the Zoning Text Amendments are recommended for approval and incorporated herein by reference in Attachment A.

BW/2/CDD
840-09-16-20epcr

Attachment: A. Draft Zoning Text Amendments