

ORDINANCE NO.

AN ORDINANCE OF THE CITY OF MOUNTAIN VIEW
APPROVING A ZONING MAP AMENDMENT FROM THE CN (NEIGHBORHOOD COMMERCIAL)
ZONING DISTRICT TO THE R4 (HIGH-DENSITY RESIDENTIAL) ZONING DISTRICT
FOR THE PROPERTY LOCATED AT 1265 MONTECITO AVENUE

WHEREAS, an application (Application No. PL-2021-152) was received from Charities Housing for a Zoning Map Amendment from the CN (Neighborhood Commercial) Zoning District to the R4 (High-Density Residential) Zoning District for a property located at 1265 Montecito Avenue, as shown in Exhibit A, attached hereto and incorporated herein; and

WHEREAS, the procedures set forth in Chapter 36, Article XVI, Division 13 of the Mountain View City Code, whereby the City can amend the Zoning Map designation, have been executed; and

WHEREAS, the Environmental Planning Commission held a duly noticed public hearing on November 2, 2022 on said application and recommended the City Council adopt the Negative Declaration prepared for the project and conditionally approve the Development Review Permit, including requests under State Density Bonus Law, and Heritage Tree Removal Permit; and

WHEREAS, the City Council held a public hearing on December 6, 2022 on the application and received and considered all information, documents, and comments presented at said hearing, including the recommendation from the Environmental Planning Commission, the Council report, and project materials;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MOUNTAIN VIEW DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. The City Council hereby makes the findings for a Zoning Map Amendment pursuant to Section 36.52.70 of the City Code:

1. The proposed amendment is consistent with the General Plan because the project implements the goals and policies of the High-Density Residential Land Use Designation, including promoting an apartment complex close to transit and shopping; and

2. The proposed Zoning Map Amendment will not be detrimental to the public interest, health, safety, convenience, or welfare of the City because the resulting R4 (High-Density Residential) Zone and the proposed project promote development that is of desirable character, and the project will be consistent with the goals and policies included in the General Plan,

including, but not limited to, identifying locations for a range of housing supported by public transportation options; the design of the proposed buildings and residential use is compatible with the developments in the area and consistent with *LUD 6.3: Street presence*, and encourage building facades and frontages that create a presence at the street and along interior pedestrian paseos or pathways; and

3. The site is physically suitable (including, but not limited to, access, provision of utilities, compatibility with adjoining land uses, and absence of physical constraints) for the requested zoning designation and anticipated land use development as it includes a new residential building and on-site amenities, and the design of the proposed residential building and use is compatible with the developments in the area, including a detached sidewalk on Montecito Avenue and incorporating 10 new street trees, supporting General Plan Policy *LUD 10.7: Promote landscaping options that conserve water, support the natural environment and provide shade and food*; and

4. The proposed project complies with the California Environmental Quality Act because it was evaluated in an Initial Study/Negative Declaration (IS-ND) prepared in accordance with CEQA, which IS-ND the City Council considered and adopted by separate resolution prior to approval of this project.

Section 2. The Zoning Map Amendment as described in Exhibit A is hereby approved.

Section 3. The provisions of this ordinance shall be effective thirty (30) days from and after the date of its adoption.

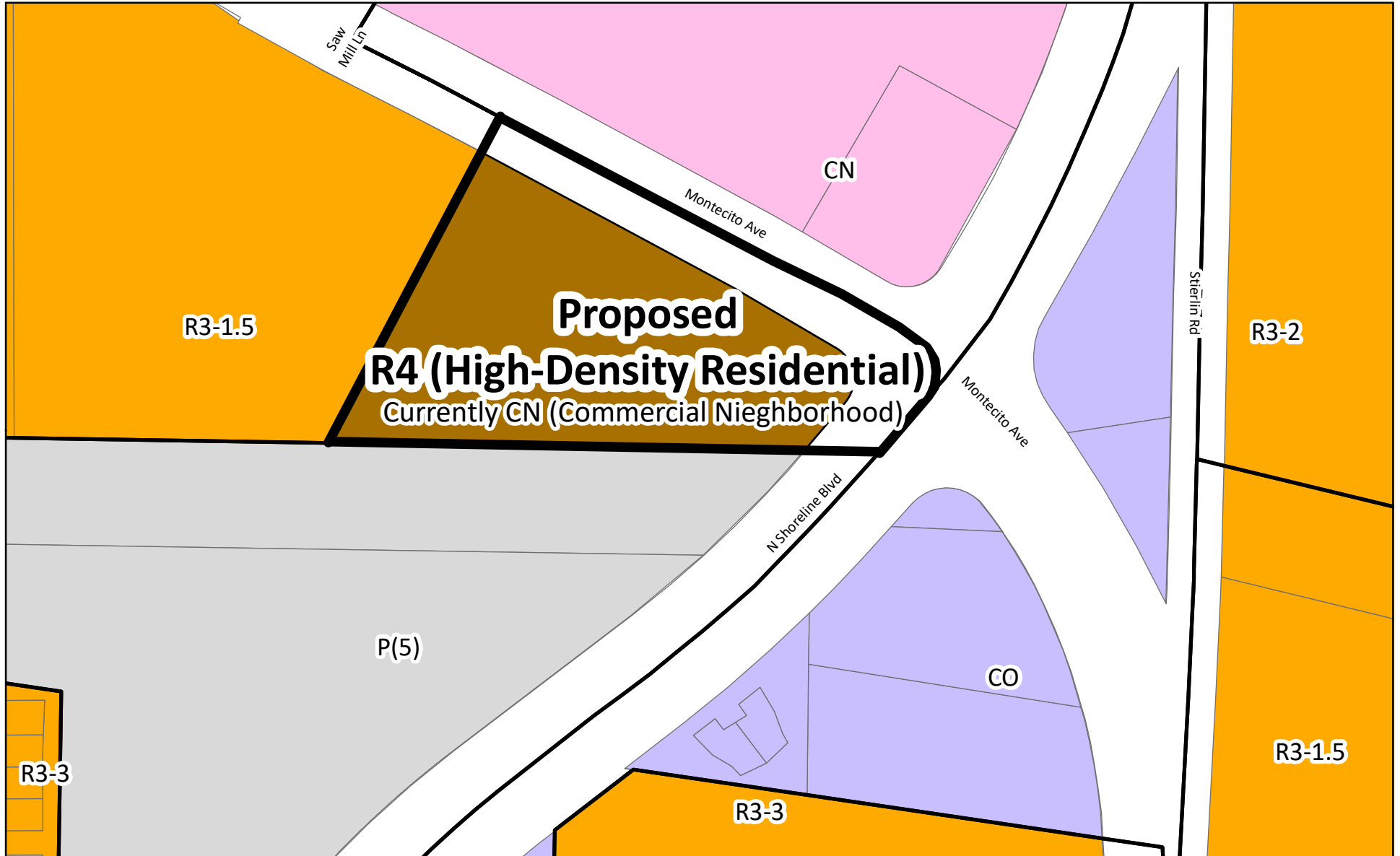
Section 4. If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be unconstitutional, such decision shall not affect the validity of the other remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared unconstitutional.

Section 5. Pursuant to Section 522 of the Mountain View City Charter, it is ordered that copies of the foregoing proposed ordinance be posted at least two (2) days prior to its adoption in three (3) prominent places in the City and that a single publication be made to the official

newspaper of the City of a notice setting forth the title of the ordinance, the date of its introduction, and a list of the places where copies of the proposed ordinance are posted.

EM/4/ORD
808-11-02-22o

Exhibit: A. Zoning Map Amendment



Proposed Rezoning:
1265 Montecito Avenue

