

ORDINANCE NO.

AN ORDINANCE AMENDING SECTIONS OF CHAPTER 36 OF THE MOUNTAIN VIEW CITY CODE RELATED TO AN UPDATE OF THE GATEKEEPER PROCESS OF DIVISION 12 AND DIVISION 13 OF ARTICLE XVI AND OTHER MINOR CODE AMENDMENTS

WHEREAS, the City Council of the City of Mountain View has reviewed and considered the recommendation of the Environmental Planning Commission relating to text amendments to Chapter 36 of the Mountain View City Code; and

WHEREAS, the City Council of the City of Mountain View finds and declares that Chapter 36, entitled “Zoning,” of the Mountain View City Code should be updated and revised to reflect new information and clarified to improve the implementation of existing regulations;

NOW, THEREFORE, the City Council of the City of Mountain View does ordain as follows:

Section 1. Section 36.10.25 of Chapter 36 of the Mountain View City Code, related to R1 zone development standards, is hereby amended to read as follows:

“SEC. 36.10.25. R1 zone development standards.

The following table entitled “R1 Zone Development Standards” defines standards for minimum parcel size, density, setbacks and height limits within the R1 zoning district. See Sec. 36.14.75 for exceptions to the site layout standards that may be granted for home improvements and minor additions.

R1 ZONE DEVELOPMENT STANDARDS

Other References	See Zoning Handbook for the Single-Family Homeowner and Zoning Calculations: Methods, Definitions, and Clarifications.
Lot Area	6,000 sq. ft. minimum for interior lots, 7,000 sq. ft. for corner lots; except for larger area required by Sec. 36.10.15 based on map designation or smaller area approved under Sec. 36.10.35 with a PUD permit.

Lot Width	60 ft. minimum for interior lots, 70 ft. for corner lots; except for greater width required by Sec. 36.10.15 or Sec. 36.10.20 based on map designation.				
Density (maximum)	One (1) dwelling per parcel, except where an accessory dwelling unit is allowed in compliance with Sec. 36.12.60.				
Floor Ratio	Area	<p>The maximum base FAR allowed in the R1 zoning district shall be based on lot area and calculated using the following formula:</p> <p style="text-align: center;">FAR = 0.50 - (0.00001 × Lot Area).</p> <p>FAR shall be measured as provided in the Zoning Calculations: Methods, Definitions, and Clarifications. See Sec. 36.14.75 for exceptions.</p> <p>0.45 for lots of 5,000 sq. ft. or less; Use formula above for lots between 5,001 and 9,999 sq. ft.;</p> <p>Examples: 6,000 sq. ft. lot = 0.50 - (0.00001 × 6,000) = 0.44 FAR 7,500 sq. ft. lot = 0.50 - (0.00001 × 7,500) = 0.425 FAR 0.40 for lots of 10,000 sq. ft. or greater.</p>			
		<p>Setbacks (See Figures 36.10-1 and 36.10-2)</p> <table border="1" data-bbox="425 1121 1437 1856"> <tr> <td data-bbox="425 1121 617 1629">Front</td> <td data-bbox="617 1121 1437 1629">20 ft. minimum for the first-floor wall; 5 ft. from the first floor wall for a second floor over an attached garage, where garage projects forward.</td> </tr> <tr> <td data-bbox="425 1629 617 1856" rowspan="2">Sides (1st-story)</td> <td data-bbox="617 1629 1437 1766">For lots less than 6,000 sq. ft. or less than 60 ft. wide: 5 ft. minimum and 10 ft. total for both sides;</td> </tr> <tr> <td data-bbox="617 1766 1437 1856">For lots of 6,000 sq. ft. or more and 60 ft. or greater in width: 5 ft. minimum and 12 ft. total for both sides.</td> </tr> </table>	Front	20 ft. minimum for the first-floor wall; 5 ft. from the first floor wall for a second floor over an attached garage, where garage projects forward.	Sides (1st-story)
Front	20 ft. minimum for the first-floor wall; 5 ft. from the first floor wall for a second floor over an attached garage, where garage projects forward.				
Sides (1st-story)	For lots less than 6,000 sq. ft. or less than 60 ft. wide: 5 ft. minimum and 10 ft. total for both sides;				
	For lots of 6,000 sq. ft. or more and 60 ft. or greater in width: 5 ft. minimum and 12 ft. total for both sides.				

	Sides (2nd-story)	For lots less than 5,000 sq. ft. or less than 40 ft. wide: 5 ft. minimum each side and 12 feet total for both sides.
		For lots 5,000 sq. ft. or more and 40 ft. or greater than width, front half of lot: 7 ft. minimum and 15 ft. total for both sides; Rear half of lot: 12 ft. minimum on each side.
		For lots of 10,000 sq. ft. or more, and greater than 65 ft. wide: 10 ft. minimum and 25 ft. total for both sides.
	Street sides (corner lots)	15 ft. minimum.
	Rear	1 story portions of structure: 20% of the lot depth or 15 ft., whichever is greater, but not more than 40 ft. maximum, required. Encroachment allowed, see 36.14.75.
2-story portions of structure: 25% of lot depth, or 20 ft., whichever is greater, but not more than 40 ft. maximum, required.		
Height Limits	See Sec. 36.08.30 for exceptions to height limits; Sec. 36.12.60 for height limits applicable to companion units and Sec. 36.12.35 for height limits applicable to accessory structures.	
Principal structures	Maximum building height for 1 story structure: 24 ft.; Maximum building height for 2 story structure: 28 ft.;	
	Maximum 1st floor wall height at top of wall plate: 15 ft.; Maximum 2nd floor wall height at top of wall plate: 22 ft.	
Landscaping Required	50% of the required front setback area shall be permanently landscaped. Street trees shall be planted in front of all structures with second-story additions or construction of a new dwelling unit.	

<p>Second-Story Decks</p>	<p>Second-story decks and balconies are allowed only on the front and rear of houses, except that on corner lots they are allowed on the street side. The total square footage of all decks and balconies located at floor level of the second story cannot exceed 150 sq. ft. and are subject to second-story setbacks except that decks and balconies on the rear of a house must be set back 5 ft. in addition to the required rear yard second-story setback. Decks and balconies, or any similar feature, are not permitted on the roof of a two-story structure.</p>	
<p>Parking and Driveways</p>	<p>Required Spaces</p>	<p>2 spaces, 1 of which shall be covered. The uncovered space can be located in the driveway.</p>
	<p>Covered Parking</p>	<p>A garage or carport shall be provided and permanently maintained for parking.</p> <p>The garage or carport must maintain a minimum unobstructed interior dimension of 9 ft. by 20 ft. for 1 car and be increased 9 ft. in width for each additional parking space. The minimum unobstructed ceiling height is 7 ft-6 in.</p>
	<p>Driveway</p>	<p>Minimum dimensions. Minimum width of 9 ft., with direct access to at least a 1 car garage or carport. Minimum length of 20 ft. measured from the property line to the front of the covered parking space.</p>
		<p>Back-up area. Where access to a garage, carport, or open parking space is perpendicular (90 degrees) to the driveway, a minimum 24 ft. deep unobstructed back-out area shall be provided.</p> <p>Street frontage. Lots with no garage or a one-car garage are allowed a maximum cumulative 20 ft. wide area, including driveway, visible from the street for vehicle parking.</p> <p>Lots with a two (2) or three (3) car garage are allowed a maximum cumulative 30 ft. wide area, including driveway, visible from the street for vehicle parking.</p>

	Garage frontage on street	The street-facing facade of a garage structure shall not exceed 25 ft. in width when facing any lot frontage that is less than 75 ft. wide. On parcels with more than 75 ft. of frontage, the garage facade may be up to 35 ft. wide. See Sec. 36.12.35 for limits on widths of accessory structures, including detached garages.
Signs	See Article XII (Signs).“	

Section 2. Section 36.14.85 of Chapter 36 of the Mountain View City Code, related to setback exceptions and projections, is hereby amended to read as follows:

“SEC. 36.14.85. Setback exceptions and projections.

- a. **Projections into front and side setbacks of the principal structure.** Projections of the principal structure, including roof eaves, into front or side setbacks of up to three (3) feet may be permitted where the projections do not exceed a cumulative ten (10) feet in length along a given building side, and where the total cumulative footprint area of the projections does not exceed fifty (50) square feet. Projections may be on the first or second story or both.
- b. **Projections into rear setbacks of the principal structure.** A portion of the principal structure, including roof eaves, may project into the required rear setback, subject to the following requirements:
 - 1. **Height limit.** The projection shall be no more than one (1) story or twenty-four (24) feet in height and no more than fifteen (15) feet at the top of the wall plate;
 - 2. **Rear setback.** The projection shall be located no closer than ten (10) feet to the rear lot line, including any projections or overhang;
 - 3. **Maximum coverage.** The projection(s), including any existing projections, shall not cover more than a cumulative twelve and one-half (12½) percent of the required rear yard area;
 - 4. **Design.** The projection shall conform in general to the principal structure in terms of design, materials and color.

- c. **Findings for approval.** A projection into a setback for home improvements/minor additions shall not be approved unless the proposed exception:
- (a) Is minor, involving a particular area or room of the structure, and does not propose a setback encroachment along the entire length of any one (1) facade;
 - (b) Is only intended to increase the habitability and function of a particular area or room of the structure, or is desirable for the preservation of an existing architectural style or neighborhood character that could not otherwise be accomplished; and
 - (c) The granting of the exception will not be detrimental or injurious to property or improvements in the vicinity and will not be detrimental to the public health, safety or welfare."

Section 4. Section 36.14.95 of Chapter 36 of the Mountain View City Code, related to architectural projections into front, side, and rear setbacks, is hereby added to read as follows:

"SEC. 36.14.95. Architectural projections into front, side, and rear setbacks.

Architectural projections attached to a principal structure or accessory structure into required setbacks may be permitted for the purpose of home improvements, additions, or new construction in compliance with this section.

- a. **Architectural projections eighteen (18) inches or less in height, front, side and rear yards.** Decks, stoops, landings, concrete patios and other architectural features eighteen (18) inches or less in height above natural grade may encroach into any side or rear yard, provided the structure causes no drainage onto adjacent properties.
- b. **Architectural projections greater than eighteen (18) inches in height, front, side and rear yards.** First and second-story architectural features attached to principal or accessory structures that are not part of the habitable interior area (e.g., eaves, canopies, trellises, arbors, open porches, balconies, decks, patio covers, chimneys, outside stairways, basement light wells, all greater than eighteen (18) inches in height, etc.), and first-story bay windows no more than twelve (12) feet long, may project into required setbacks the following maximum distances, except that second-story bay windows, balconies, or decks are not allowed to project into the required side and rear setbacks:
 - 1. Six (6) feet into the front setback;

2. Two (2) feet into the side setback; and
3. Six (6) feet into the rear setback.”

Section 5. Section 36.18.35 of Chapter 36 of the Mountain View City Code, related to CN zone development standards, is hereby amended to read as follows:

“SEC. 36.18.35. CN zone development standards.

New land uses and structures and alterations or modifications to existing uses or structures shall be designed and constructed in compliance with the following requirements:

CN ZONE DEVELOPMENT STANDARDS

Lot Area	No minimum.	
Lot Width	No minimum.	
Floor Area Ratio	0.35 maximum.	
Setbacks	Front	15 ft. minimum; and 10 ft. of landscaping in front of parking.
	Sides	20 ft. minimum abutting other than a commercial zone; 10 ft. minimum on any street side; 10 ft. of landscaping and 7 ft. minimum sound wall next to residential; none otherwise.
	Rear	20 ft. minimum; and 10 ft. of landscaping and 7 ft. minimum sound wall next to residential.
Height Limits	35 ft. and 2 stories, maximum. See Sec. 36.08.30 for exceptions to height limits.	
Landscaping	Total Site	Properties less than 15,000 sq. ft. in size: Minimum 10% of total site area shall be landscaped.
		Properties 15,000 sq. ft. and larger in size: Minimum 15% of total site area shall be landscaped.
	Street Frontages	Minimum 10 ft. wide landscape buffer shall be provided along all street frontages.
	Adjacent Residential to	Minimum 10 ft. wide landscape buffer and a 7 ft. high masonry wall shall be provided adjacent to residentially zoned uses.

	Perimeter Planting and Trees	Minimum 5 ft. wide screen planting shall be established along all interior property lines. Medium-to-large size trees shall be used and in scale with the commercial areas and serve as sidewalk canopies, screening and parking area shade and relief.
	Additional Requirements	See Article XI (Landscaping) for additional regulations, including water efficient landscaping requirements.
		Fences or walls in required setbacks, other than front and street side setback areas, may not exceed 7 ft. in height, subject to development review (See Sec. 36.44.45). On a case-by-case basis, the zoning administrator may consider fences or walls of additional height.
Parking and Loading	See Article X (Parking and Loading)	
Signs	See Article XII (Signs)	
Other Developments Standards and References	See Zoning Calculations: Methods, Definitions and Clarifications handout."	

Section 6. Section 36.18.55 of Chapter 36 of the Mountain View City Code, related to CS zone development structures, is hereby amended to read as follows:

“SEC. 36.18.55. CS zone development standards.

New land uses and structures and alterations or modifications to existing uses or structures shall be designed and constructed in compliance with the following requirements:

CS ZONE DEVELOPMENT STANDARDS

Lot Area	No minimum.	
Lot Width	No minimum.	
Floor Area Ratio	0.40 maximum	
Setbacks	Front	10 ft. of landscaping in front of parking; 5 ft. of landscaping between building and sidewalk where no street setback is required.

	Sides	10 ft. minimum on any street side; 5 ft. of landscaping next to parking; 10 ft. of landscaping and 7 ft. minimum sound wall next to residential.
	Rear	Same as side yard.
Height Limits	No maximum. See Sec. 36.08.30 for exceptions to height limits.	
Landscaping	Street and Sidewalk	Minimum 10 ft. wide landscape screen shall be provided along the street in front of parking. Minimum 5 ft. wide landscape buffer shall be provided between the building and sidewalk where no street setback is required.
	Adjacent to Residential	Minimum 10 ft. wide landscape buffer and a 7 ft. high masonry wall shall be provided adjacent to residentially zoned uses.
	Perimeter Planting	Minimum 5 ft. wide screen planting shall be established along all interior property lines.
	Additional Requirements	See Article XI (Landscaping) for additional regulations, including water-efficient landscaping requirements. Fences or walls in required setbacks, other than front and street side setback areas, may not exceed 7 ft. in height, subject to development review (See Sec. 36.44.45). On a case-by-case basis, the zoning administrator may consider fences or walls of additional height.
Parking and Loading	See Article X (Parking and Loading)	
Signs	See Article XII (Signs)	
Other Development Standards and References	See Zoning Calculations: Methods, Definitions and Clarifications handout."	

Section 7. Section 36.20.05 of Chapter 36 of the Mountain View City Code, related to industrial zone land use permit requirements, is hereby amended to read as follows:

“SEC. 36.20.05. Industrial zone land use permit requirements.

The uses of land allowed by this chapter in each industrial zoning district are identified in the following tables as being:

- a. Permitted subject to compliance with all applicable provisions of this chapter, including development review and parking requirements, and subject to obtaining any building permit or other permit required by the City Code (“P” uses on the tables). Per Sec. 36.44.45, development review approval is required for changes from one (1) permitted use to another, including changes in property or building use that involve exterior modifications or change the development’s required parking.
- b. Allowed subject to approval of a conditional use permit (“CUP”) (Sec. 36.48).
- c. Allowed subject to approval of a temporary use permit (“TUP”) (Sec. 36.46).
- d. Land uses listed, as specifically defined in this chapter, and on the tables in a particular zoning district(s) shall only be allowed in the specific zoning district(s) in which it is listed. Such uses can only be allowed in other zoning district(s) upon approval of a text amendment as provided by Sec. 36.52.35 (Zoning Amendments). These uses cannot be named as similar uses as determined by the zoning administrator through the conditional use permit process or Sec. 36.58.30 (Procedures for Interpretation).
- e. Land uses that are not listed on the tables are not allowed, except where otherwise provided by Sec. 36.06.40 (Determination of Allowable Land Uses) or 36.06.50 (Exemptions from Zoning Permit Requirements).

LAND USES AND PERMIT REQUIREMENTS BY INDUSTRIAL DISTRICT

NOTE 1: Where the last column on the following tables (“See Section”) includes a section number, there are specific regulations in the referenced section that apply to the use and/or a specific definition of the use; however, provisions in other sections may apply as well.

NOTE 2 : Changes from one (1) permitted use to another require development review approval.

LAND USE	PERMIT REQUIREMENTS BY ZONE		
	ML	MM	SEE SECTION
MANUFACTURING AND PROCESSING			
Assembly or packaging of previously prepared materials (i.e., cloth, plastic, paper, leather, precious or semiprecious metals/stones)	P		
Experimental, film or testing laboratories	P		
Food products	P		36.60.15
General manufacturing, including processing and assembly		P	
Industrial controls, motors, and generators		P	
Instruments for measurement, testing, analysis and control		P	
Manufacture of electric and electronic instruments and devices (i.e., television, radio and phonographic equipment)	P	P	
Optical instruments and lenses		P	
Pharmaceuticals	P		
Photographic equipment and supplies		P	
Primary production of wood, metal or chemical products from raw materials or any use listed as a conditional use in the ML district	P		
Printing, publishing and lithography	P		
Processing of products, assembly or creation of machinery, apparatus and supplies for the generation, storage, transmission and use of electrical energy and related industries		P	
Semiconductor fabrication		P	
Telephone apparatus		P	
Wholesaling and distribution	P	P	36.60.49, ML District: 36.20.15.a.2

RECREATION, EDUCATION AND PUBLIC ASSEMBLY			
Educational, public or quasi-public	CUP	CUP	MM District: 36.20.20.a.2
Child-care center	CUP	CUP	36.28.20, 36.20.10.g
Churches	CUP	CUP	36.20.10.e
Membership organization facilities and meeting halls, public halls	CUP	CUP	
Recreational, public or quasi-public	CUP	CUP	MM District: 36.20.20.a.2
RETAIL TRADE			
Drive-in and drive-through services	CUP	CUP	36.28.30, 36.20.10.f
Restaurants without beer and wine	P	CUP	36.20.10.b, ML District: 36.20.15.a.1
Restaurants serving liquor, without live entertainment	P	CUP	36.20.10.b
Restaurants serving liquor, with live entertainment, dancing	CUP	CUP	36.20.10.b
Retail stores, general merchandise	CUP	CUP	36.60.39 and 36.20.10.c
Warehouse retail	CUP	CUP	36.20.10.d and 36.30.40
TRANSPORTATION AND COMMUNICATION			
Public and quasi-public utility and services	CUP	P	
Service station	CUP	CUP	36.30.15
SERVICES			
Animal service establishments		CUP	36.30.35
Auto wrecking yard		CUP	36.60.23
Business support services		CUP	36.60.07
Concrete mixing and asphalt mixing yards		CUP	
Data centers	P	P	ML District: 36.20.15.a.2
Junk yard, auto wrecking yard, tow yard		CUP	36.60.23

Office			36.60.33, MM District: 36.20.20.a.1
Administrative and executive	P	CUP	
Financial	P	CUP	
Research and development	P	CUP	MM District: 36.20.20.a.3
Personal storage facility		P	36.60.35
Repair and maintenance – vehicle, minor repair		CUP	36.30.25, 36.60.39 and Chapter 39
Repair and maintenance – vehicle, major repair		CUP	36.30.25, 36.60.39 and Chapter 39
Storage		P	
Warehousing	P	P	ML District: 36.20.15.a.2
OTHER USES			
Crop, tree farming, livestock	P	P	36.20.10.a
Emergency shelters		P	36.28.60
Railroad yards, freight stations, trucking and motor freight stations		P	
Other uses not named but similar to listed uses as determined by the zoning administrator	CUP	CUP	

KEY TO PERMIT REQUIREMENTS	SYMBOL	SEE SECTION
Permitted use, zoning compliance and Development Review required	P	36.44.45
Conditional use, Conditional Use Permit required	CUP	36.48
Temporary use, Temporary Use Permit required	TUP	36.46
Use not allowed		(Blank)
See Sec. 36.60.03 for definitions of land uses”		

Section 8. Section 36.30.15 of Chapter 36 of the Mountain View City Code, related to service stations – retail sales, is hereby amended to read as follows:

“SEC. 36.30.15. Service stations – Retail sales.

The retail sales of food and beverage products and other general merchandise in conjunction with a gasoline service station is allowed subject to conditional use permit approval in compliance with Sec. 36.48 and the following standards:

- a. **Permitted products.** Retail sales of nonautomotive products shall be limited to items for the convenience of travelers, including film, personal care products, packaged food items and beverages.
- b. **Signs.** No exterior signs are allowed to advertise specific items for sale.
- c. **Parking.** On-site parking shall comply with the requirements of Article X (Parking and Loading) and shall include sufficient spaces for all employees on a single shift.
- d. **Rest rooms.** Rest rooms shall be provided and available to customers.
- e. **Facility upgrading.** Applications involving existing stations shall include proposed measures to upgrade the facility.”

Section 9. Section 36.32.50 of Chapter 36 of the Mountain View City Code, related to required number of parking spaces, is hereby amended to read as follows:

“SEC. 36.32.50. Required number of parking spaces.

Each land use shall provide the minimum number of off-street parking spaces required by this section.

- a. **Uses not listed.** Land uses not specifically listed by the following subsection B below shall provide parking as required by the zoning administrator. In determining appropriate off-street parking requirements, the zoning administrator shall use the requirements of subsection B below as a general guide in determining the minimum number of off-street parking spaces necessary to avoid undue interference with public use of streets and alleys.

- b. **Parking requirements by land use.** The following minimum number of parking spaces shall be provided for each use:

REQUIRED PARKING BY LAND USE

Land Use Type	Vehicle Spaces	Bicycle Spaces Required
Manufacturing and General Industrial		
Manufacturing and industrial, general	1 space for each 250 sq. ft. of gross floor area plus 1 space for each vehicle operated in connection with each on-site use	5 percent of vehicle spaces
Recycling facilities	Space shall be provided for the anticipated peak load of customers to circulate, park and deposit recyclable materials. If the facility is open to the public, an on-site parking area shall be provided for a minimum of 10 customers at any one time	None
	One employee parking space shall be provided on-site for each commercial vehicle operated by the processing center	5 percent of vehicle spaces
Recreation, Education, Public Assembly Uses		
Child day care		
Centers	1 space for each employee, plus 1 space for every 15 children for visitor parking and drop-off areas	2 percent of vehicle spaces
Large family care homes	1 space for each employee	
Churches, mortuaries	1 space for each 170 sq. ft. of gross floor area	5 percent of vehicle spaces for churches; 2 spaces for mortuaries
Indoor recreation and fitness centers		
Arcades	1 space for each 200 sq. ft. of gross floor area	5 percent of vehicle spaces
Bowling alleys	Parking study required	
Dance halls	Parking study required	None
Health/fitness clubs	1 space for each 200 sq. ft. of gross floor area	5 percent of vehicle spaces

Libraries and museums	Parking study required		5 percent of vehicle spaces
Membership organizations	1 space for every 3.5 fixed seats		5 percent of vehicle spaces
Pool and billiard rooms	2.5 spaces for each table		5 percent of vehicle spaces
Schools	Parking study required		Parking study required
Studios for dance, art, etc.	1 space for each 2 students		5 percent of vehicle spaces
Tennis/racquetball courts	Parking study required		5 percent of vehicle spaces
Theaters and meeting halls	1 space for every 3.5 fixed seats		5 percent of vehicle spaces
Residential Uses			
Accessory Dwelling Unit (See Sec. 36.12.60)	1 space per unit except if compliant with Sec. 36.12.75.		None
Multi-family dwellings	Studio unit	1.5 spaces per unit, 1 space shall be covered	1 space per unit (refer to Sec. 36.32.85.a.1)
	1-bedroom unit less than or equal to 650 square feet	1.5 spaces per unit; 1 space shall be covered	
	1-bedroom unit greater than 650 square feet	2 spaces per unit. 1 space shall be covered.	
	2-bedrooms or more	2 spaces per unit, 1 space shall be covered.	

	Guest	15 percent of the parking spaces required for the project shall be conveniently located for guest parking. The zoning administrator may increase the parking requirement to 2.3 spaces per unit if needed to ensure adequate guest spaces	1 space per 10 units
Rooming and boarding houses	Parking study required		Parking study required
Senior congregate care housing	1.15 spaces per unit; half the spaces shall be covered		2 percent of vehicle spaces
Senior care facility	Parking study required		Parking study required
Single-family housing and each dwelling unit in a duplex (See Sec. 36.10.15 - Single-Family; See Sec. 36.10.50 for unit in duplex)	2 spaces, 1 of which shall be covered		None
Single-room occupancies	1 space per dwelling unit; plus 1 for every nonresident employee. Reduction of up to 0.50 space per unit may be granted through the conditional use permit process		1 space per 10 units
Small-lot, single-family developments	2 spaces, one of which shall be covered, and 0.50 guest space per unit		None
Townhouse developments	Per unit	2 spaces, one shall be covered.	1 space per unit
	Guest	Guest parking shall equal in total an additional 0.6 space for each unit, for an aggregate ratio of 2.6 spaces for each unit.	
Rowhouse developments	Studio unit	1.5 spaces per unit, 1 space shall be covered.	1 space per unit
	1-bedroom or more	2 covered spaces.	

	Guest	Guest parking shall equal in total an additional 0.3 space for each unit.	
Retail Trade			
Auto, mobile home, vehicle and parts sale	1 space for each 450 sq. ft. of gross floor area for showroom and office, plus 1 space for each 2,000 sq. ft. of outdoor display area, plus 1 space for each 500 sq. ft. of gross floor area for vehicle repair, plus 1 space for each 300 sq. ft. of gross floor area for the parts department		5 percent of vehicle spaces
Furniture, furnishings and home equipment stores	1 space for each 600 sq. ft. of gross floor area		5 percent of vehicle spaces
Plant nurseries	Parking study required		Parking study required
Restaurants, cafés, bars, other eating/drinking places			
Take-out only	1 space for each 180 sq. ft. of gross floor area		
Fast food (counter service)	1 space for each 100 sq. ft.; minimum 25 spaces		5 percent of vehicle spaces
Table service	1 space for each 2.5 seats or 1 space for each 100 sq. ft. of gross floor area, whichever is greater		
Outdoor seating	1 space for each 2.5 seats		
Retail stores			
General merchandise	1 space for each 180 sq. ft. of gross floor area		5 percent of vehicle spaces
Warehouse retail	Parking study required		Parking study required
Service stations	1 space for each 180 sq. ft. of gross floor area		None
Shopping centers	1 space for each 250 sq. ft. of gross floor area		5 percent of vehicle spaces

Service uses		
Animal service establishment	1 space for each 200 sq. ft. of gross floor area	2 percent of vehicle spaces
Banks and financial services	1 space for each 300 sq. ft. of gross floor area, plus one space per ATM	5 percent of vehicle spaces
Hotels and motels	1 space for each guest room, plus 1 space for each 2 employees, plus as required for ancillary uses	2 percent of vehicle spaces
Medical services		
Clinics, offices, labs, under 20,000 sq. ft.	1 space for each 150 sq. ft. of gross floor area	5 percent of vehicle spaces
Clinics, offices, labs, greater than 20,000 square feet	1 space for each 225 sq. ft. of gross floor area	2 percent of vehicle spaces
Extended care	1 space for each 3 beds, plus 1 space for each employee	
Hospitals	1 space for each patient bed	
Offices, administrative, corporate, research and development	1 space for each 300 sq. ft. of gross floor area	5 percent of vehicle spaces
Personal services	1 space for each 180 sq. ft. of gross floor area	5 percent of vehicle spaces
Vehicle washing	Parking study required	None
Repair and maintenance – vehicle		
Lube-n-tune	2 spaces per service bay	None
Repair garage	5 spaces, plus 1 space for each 200 sq. ft. of gross floor area	None
Storage, personal storage facilities	1 space for each 2,000 sq. ft. of gross floor area plus 2 spaces for any resident manager	None
Warehousing and data centers	1 space for each 500 sq. ft. of gross floor area plus 1 space for each company vehicle	5 percent of vehicle spaces”

Section 11. Section 36.36.50 of Chapter 36 of the Mountain View City Code, related to signs allowed by permit in multiple zoning districts, is hereby amended to read as follows:

“SEC. 36.36.50. Signs allowed by permit in multiple zoning districts.

The following signs are allowed in all zoning districts where the use being advertised is allowed, subject to these regulations and issuance of a sign permit, and shall not be counted as part of the maximum allowed sign area per Sec. 36.36.55, except as noted:

- a. **Construction sign.** No more than one (1) temporary sign per street frontage adjacent to the project, advertising the various construction trades participating in the project, shall be permitted. On a site less than one (1) acre, the sign shall not exceed thirty-two (32) square feet in sign area or six (6) feet in height. On a parcel of land of one (1) acre or more, the sign shall not exceed fifty (50) square feet in sign area or ten (10) feet in height. The sign shall not extend beyond the subject property nor interfere with any traffic safety visibility area of the parcel (in compliance with Sec. 36.34.10.m, Corner Treatment). The sign shall be unlighted. The sign may remain on the property until the last unit is sold, rented or leased or for one (1) year, whichever period is less; provided, however, that the zoning administrator shall have the authority to extend the time period for a maximum of one (1) additional year.
- b. **Temporary subdivision sign.** No more than one (1) on-site, temporary subdivision sign declaring a group of parcels, dwellings or occupancies within a subdivision for sale, rent or lease shall be permitted for each preexisting street frontage of the subdivision site. On a site less than one (1) acre, the sign shall not exceed thirty-two (32) square feet in sign area or six (6) feet in height. On a parcel of land of one (1) acre or more, the sign shall not exceed fifty (50) square feet in sign area or ten (10) feet in height. The sign shall not extend beyond the subject property nor interfere with any traffic safety visibility area of the parcel (in compliance with Sec. 36.34.10.m, Corner Treatment). The sign shall be unlighted. The sign may remain on the property until the last unit is sold, rented or leased or for one (1) year, whichever period is less; provided, however, that the zoning administrator shall have the authority to extend the time period for one (1) additional year.
- c. **Permanent tract or neighborhood signs.** Permanent tract or subdivision signs located at the street entrance or entrances to the appurtenant tract or neighborhood may be permitted through the development review process in accordance with Sec. 36.44.45 (Development Review). Said signs shall contain only the name of the tract or neighborhood, shall consist of landscaped,

decorative masonry walls or structures, and shall be unlighted or provided with indirect illumination. Any such sign shall not encroach into the corner sight visibility triangle or exceed the street setback height limit except as specifically approved by the zoning administrator.

- d. **Barber poles.** Any barber shop shall be entitled to display a single barber pole in addition to any other signs allowed by this article. The size, location and method of mounting to the building shall be as approved through the development review process in accordance with Sec. 36.44.45 (Development Review).
- e. **Readerboards.** Readerboards are portions of signs with message elements or sign copy that may be readily changed through the use of individual letters or characters, separate panels or electrical messages, including price signs. Such sign elements shall be designed as a part of and integrated fully with the architectural design of any other sign permitted on the same parcel of land; except that churches, theaters, places of entertainment or other similar use where programs or performances change on a routine basis may establish a separate readerboard sign in addition to any primary signs allowed in the applicable zone district. All readerboards shall be counted towards and shall comply with the sign area limitations of the zone district in which the sign is located.
- f. **Signs appurtenant to conditional uses.** In conjunction with or subsequent to the granting of a conditional use permit, the zoning administrator may authorize signs pertinent to such conditional uses and, based on the sign regulations for permitted uses within the applicable zoning district, may impose special restrictions on their size, height, lighting, shape, color and location. Unless otherwise allowed within the conditions of the conditional use permit, modifications or changes to such signing for a conditional use shall be subject to a further conditional use permit hearing and potential modification or conditions, except where the change to the sign is to reduce the area and clearly improve the appearance of the sign, in which case the modification may be approved through the design review process.
- g. **Freestanding signs for multiple-tenant retail developments where permitted by the applicable zone district.** Freestanding signs for shopping centers located on sites four (4) acres or more in size may identify only the center name and/or one (1) major tenant. On sites less than four (4) acres, the freestanding sign may identify the name of the center and a maximum of five (5) tenants.
- h. **Height limit, exposed light signs.** No part of a sign provided with neon or other exposed fluorescent or incandescent light sources shall exceed a height ten (10) feet above the surface of the adjacent street.

- i. **Signs adjacent to freeways.** Notwithstanding the prohibition of signs adjacent to freeways in Sections 3.18.2 and 3.18.11, buildings located adjacent to freeways with limited visibility from an adjacent public street shall be allowed a sign oriented towards the freeway for advertisement of on-site tenants. All signage area shall be counted towards and shall comply with the sign area limitations of the zoning district in which the sign is located per Sec. 36.36.55 (Signs allowed by permit in specific zones)."

Section 13. Section 36.52.10 of Chapter 36 of the Mountain View City Code, related to the applicability of general plan amendments, is hereby amended to read as follows:

"SEC. 36.52.10. Applicability.

The general plan covers the incorporated area of Mountain View and unincorporated areas that are within the city's defined "sphere of influence," which is the outer boundaries of future incorporation to the City of Mountain View. Applications to adopt or amend the general plan shall first be submitted to the city council for determination of the appropriate timing of review of such applications."

Section 14. Section 36.52.15 of Chapter 36 of the Mountain View City Code, related to the special application requirements of general plan amendments, is hereby amended to read as follows:

"SEC. 36.52.15. Special Application Requirements.

- a. Amendment of the general plan text or land use map category may be initiated by the director, commission or council.
- b. An application to amend the text of the general plan may be initiated by any interested party residing in, owning property or doing business with the city.
- c. Unless initiated in accordance with Sec. 36.52.15.a, an application to amend the land use map category on a specific property may be made only by the property owners or the authorized agent of the affected property(ies).
- d. For applications for a general plan text or map amendment submitted by a property owner, person doing business in, or resident of, Mountain View, the application shall first be forwarded to the city council to authorize staff review in accordance with this section.

- e. General plan amendments that meet the following requirements shall be exempt from the authorization process:
 - 1. Project sites within more than one zoning district, under two (2) acres in total size, and owned by a single entity; and
 - 2. Projects that require authorization by the Notice of Funding Availability (NOFA) committee.

- f. Applications for authorization by the city council shall submit the following:
 - 1. **Project Letter.** A letter requesting city council authorization to proceed with the review. Said letter shall include:
 - a) Information about any other studies that have affected the subject property or area, or the subject text of the general plan, within the past three (3) years;
 - b) Information about community benefits and other contributions provided by the request which exceed the existing minimum requirements;
 - c) Information about General Plan and City Council goals served by the request;
 - d) Information about the potential fiscal impact of the proposed general plan amendment, including any measures proposed by the applicants to offset any adverse fiscal impacts;
 - e) Consistency with the Amendment Authorization Criteria; and
 - f) Any other information the applicant feels pertains to the council's review of the request.

 - 2. **Plans.** A set of plans which include:
 - a) Site plan;
 - b) Floor plans;
 - c) Elevations; and
 - d) Conceptual renderings.

3. **Application fee.** An application fee as listed on the City's adopted fee schedule."

Section 15. Section 36.52.20 of Chapter 36 of the Mountain View City Code, related to the authorization hearing of general plan amendments, is hereby amended to read as follows:

"SEC. 36.52.20. Authorization Hearing.

Upon receipt of a general plan text or map amendment application, an authorization hearing shall be scheduled based on staff resources as determined by the community development director. The authorization hearing shall be noticed in accordance with Sec. 36.56.20 (Notice of hearing). At the authorization hearing, the city council shall consider the authorization of projects utilizing the Amendment Authorization Criteria.

Once a project is authorized to apply by city council, the following actions shall require the project to return before city council for reauthorization consistent with the application submittal requirements and hearing procedures of this section:

- a. **Change in ownership of project parcel(s).** If a parcel included within the project site of a general plan text or map amendment authorized application changes ownership prior to submittal of a formal application.
- b. **Expiration.** A formal application for the project has not been submitted to the Planning Division within one (1) year of city council authorization. This year shall be in addition to any submittal deferral required by the council.
- c. **Change in project.** Substantial changes to the project as determined by the community development director, including but not limited to: the number of units, land use type, square footage, or community benefits."

Section 16. Section 36.52.25 of Chapter 36 of the Mountain View City Code, related to the hearings and action of general plan amendments, is hereby amended to read as follows:

"SEC. 36.52.25. Hearings and action.

Upon receipt of a complete application to amend the general plan, or upon initiation by the director, commission or council, and following department review, a duly noticed public hearing shall be scheduled before the commission and council in compliance with Sec. 36.56 (Applications, Hearings and Appeals).

At the conclusion of its public hearing, the commission shall make a written recommendation to the council on whether to approve, approve in modified form or disapprove a new or amended general plan based upon the findings required by this article and include its reasons supporting the recommendation, if appropriate. Prior to the item being forwarded to council, the community development director may withdraw a staff-initiated amendment, or an applicant may withdraw their application from further consideration. The commission, by majority vote, may withdraw a commission-initiated amendment.

Recommendations on amendments that do not require Environmental Impact Reports (EIR) shall be forwarded to the council within ninety (90) days of the public hearing, including any date-specific continuations of the public hearing, unless an extension is agreed to by the applicant. For amendments requiring an EIR, the environmental planning commission's recommendation on the draft EIR and on the proposed amendment shall be forwarded to the council within ninety (90) days of the commission's receipt of the responses to comments on the draft EIR, unless an extension is agreed to by the applicant. If no recommendation is made within this time period, it shall be considered a recommendation for disapproval, which shall be forwarded to the council.

Upon receipt of the commission's recommendation at a public hearing, the council shall, within sixty (60) days, approve, approve in modified form or disapprove the proposed amendment, unless an extension is agreed to by the applicant. No action within this time period shall constitute disapproval of the proposed amendment.

If the Council proposes to adopt any substantial modification to the amendment not previously considered by the commission during its hearings, the proposed modification may be first referred back to the commission for its recommendation. Failure of the commission to report within sixty (60) days after the referral (or within any longer time set by the council) shall be deemed a recommendation for approval of the modification."

Section 17. Section 36.52.50 of Chapter 36 of the Mountain View City Code, related to the applicability of zoning amendments, is hereby amended to read as follows:

"SEC. 36.52.50. Applicability.

The zoning ordinance covers all of the incorporated area of Mountain View. The zoning map may also include, through prezoning, unincorporated areas that are within

the city's defined "sphere of influence," which is the outer boundaries of future incorporation to the City of Mountain View. A rezoning designation shall not restrict the use or development of the property until such time as the area is incorporated into the city. Applications to adopt or amend the zoning ordinance text or map shall first be submitted to the city council to authorize staff review of such applications. Applications needed to accommodate a housing proposal where a majority of the units will be affordable to households earning less than the median income by household size for Santa Clara County shall be exempt from this requirement."

Section 18. Section 36.52.55 of Chapter 36 of the Mountain View City Code, related to the special application requirements of zoning amendments, is hereby amended to read as follows:

"SEC. 36.52.55. Special Application Requirements.

- a. Zoning amendments may be initiated by the director, commission or council and may include any amendment to the text of this chapter or to the official zoning map.
- b. An application for a zoning text amendment may be filed by any interested party residing in, owning property or doing business with the city.
- c. Unless initiated in accordance with Sec. 36.52.50.a, an application to amend the official zoning map designation for a particular parcel may be filed only by the owner or authorized agent of the owner of the subject property(ies).
- d. Notwithstanding the above, an application to amend the zoning map to apply the height limitation (-H) overlay zone or the neighborhood design (-ND) overlay zone may be filed by the owners of at least fifty (50) percent of the parcels that would be subject to the overlay zone. In addition, fifty-one (51) percent of the parcels in the -H overlay zone must comply with the height proposed for adoption by the city council, and at least fifty-one (51) percent of the parcels in the -ND overlay zone must have at least one (1) of any of the characteristics proposed to be regulated. If more than one (1) characteristic is proposed to be regulated, at least thirty-five (35) percent of the parcels must have at least two (2) of any of the characteristics proposed to be regulated. Prior to final city council action on the rezoning application, sixty-seven (67) percent of the property owners in the areas subject to the overlay zone, who respond to a mailed ballot, must indicate support for the zone change. However, the city council reserves the right to approve the rezoning without the sixty-seven (67) percent support.

- e. For applications for zoning amendments submitted by a property owner, person doing business in, or resident of, Mountain View, the application shall first be forwarded to the city council to authorize staff review in accordance with this section.
- f. Zoning amendments that meet the following requirements shall be exempt from the authorization process:
 - 1. Project sites within more than one zoning district, under two (2) acres in total size, and owned by a single entity; and
 - 2. Projects that require authorization by the Notice of Funding Availability (NOFA) committee.
- g. Applications for authorization by the city council shall submit the following:
 - 1. **Project Letter.** A letter requesting city council authorization to proceed with the review. Said letter shall include:
 - a) Information about any other studies that have affected the subject property or area, or the subject text of the zoning ordinance, within the past three (3) years;
 - b) Information about community benefits and other contributions provided by the request which exceed the existing minimum requirements;
 - c) Information about General Plan and City Council goals served by the request;
 - d) Information about the potential fiscal impact of the proposed zoning amendment, including any measures proposed by the applicants to offset any adverse fiscal impacts;
 - e) Consistency with the Amendment Authorization Criteria; and
 - f) Any other information the applicant feels pertains to the council's review of the request.
 - 2. **Plans.** A set of plans which include:
 - a) Site plan;

- b) Floor plans;
 - c) Elevations; and
 - d) Conceptual renderings.
3. **Application fee.** An application fee as listed on the City's adopted fee schedule."

Section 19. Section 36.52.60 of Chapter 36 of the Mountain View City Code, related to the authorization hearing of zoning amendments, is hereby amended to read as follows:

"SEC. 36.52.60. Authorization hearing.

Upon receipt of a zoning text or map amendment application, an authorization hearing shall be scheduled as determined by the community development director. The authorization hearing shall be noticed in accordance with Sec. 36.56.20 (Notice of hearing). At the authorization hearing, the city council shall consider the authorization of projects utilizing the Amendment Authorization Criteria. Once a project is authorized to apply by city council, the following actions shall require the project to return before city council for reauthorization consistent with the application submittal requirements and hearing procedures of this section:

- a. **Change in ownership of project parcel(s).** If a parcel included within the project site of a general plan text or map amendment authorized application changes ownership prior to submittal of a formal application.
- b. **Expiration.** A formal application for the project has not been submitted to the Planning Division within one (1) year of city council authorization. This year shall be in addition to any submittal deferral required by the council.
- c. **Change in project.** Substantial changes to the project as determined by the community development director, including, but not limited to: the number of units, land use type, square footage, or community benefits."

Section 20. Section 36.52.65 of Chapter 36 of the Mountain View City Code, related to the hearings and action of zoning amendments, is hereby added to read as follows:

“SEC. 36.52.65. Hearings and action.

Upon receipt of a complete application to amend the zoning ordinance text or map, or upon initiation by the director, commission or council, and following department review, duly noticed public hearings shall be held before the commission and council in compliance with Sec. 36.56 (Applications, Hearings and Appeals).

Upon completion of its public hearing, the commission shall make a written recommendation to the council on whether to approve, approve in modified form or disapprove the amendment based upon the findings in this article and include its reasons for the recommendation, if appropriate. Prior to the item being forwarded to council, the community development director may withdraw a staff-initiated amendment, or an applicant may withdraw their application from further consideration. The commission, by majority vote, may withdraw a commission-initiated amendment.

Recommendations on amendments that do not require Environmental Impact Reports (EIR) shall be forwarded to the council within ninety (90) days of the public hearing, including any date-specific continuations of the public hearings, unless an extension is agreed to by the applicant. For amendments requiring an EIR, the environmental planning commission’s recommendation on the draft EIR and on the proposed amendment shall be forwarded to the council within ninety (90) days of the commission’s receipt of the responses to comments on the draft EIR, unless an extension is agreed to by the applicant. No recommendation within this time period shall be considered a recommendation for disapproval, which shall be forwarded to the council.

Upon receipt of the commission’s recommendation at a public hearing, the council shall, within sixty (60) days, approve, approve in modified form or disapprove the proposed amendment, unless an extension is agreed to by the applicant.

If the council proposes to adopt an amendment with modifications that were not previously considered by the commission during its hearings, the proposed modifications may first be referred to the commission for its report and recommendation. Failure of the commission to report within sixty (60) days of the date of the referral, or any longer period designated by the council, shall be deemed a recommendation for approval of the modification.”

Section 21. The provisions of this ordinance shall be effective thirty (30) days from and after the date of its adoption.

Section 22. 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 23. 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 places where copies of the proposed ordinance are posted.

~~AP/2/ORD~~
~~829-03-27-18o-E~~