

ORDINANCE NO.

AN ORDINANCE AMENDING THE ZONING MAP FOR THE AREAS LOCATED IN THE NORTH BAYSHORE PRECISE PLAN AREA FROM ML (LIMITED INDUSTRIAL); MM-40 (GENERAL INDUSTRIAL); P(1) SHORELINE WEST PRECISE PLAN; P(2) CHARLESTON SOUTH INDUSTRIAL PRECISE PLAN; P(3) NORTH SHORELINE BOULEVARD PRECISE PLAN; P(33) L'AVENIDA SOUTH PRECISE PLAN; P(34) NORTH BAYSHORE PRECISE PLAN; AND THE STATE OF CALIFORNIA REMNANT PARCEL ADJACENT TO THE HIGHWAY 101 NORTHBOUND ON-RAMP/SHORELINE BOULEVARD, TO A NEW P(39) NORTH BAYSHORE PRECISE PLAN

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

Section 1. Chapter 36 in the Mountain View City Code sets forth a procedure whereby the City can amend the City's Zoning Map.

Said Chapter 36 of the Mountain View City Code requires that both the City's Environmental Planning Commission and City Council hold a duly noticed public hearing before the City's Zoning Map is amended.

On November 19, 2014, the Environmental Planning Commission held a duly noticed public hearing and thereafter forwarded its recommendation to the City Council that the City's Zoning Map be amended to change the designation of the North Bayshore Precise Plan area from ML (Limited Industrial); MM-40 (General Industrial); P(1) Shoreline West Precise Plan; P(2) Charleston South Precise Plan; P(3) North Shoreline Boulevard Precise Plan; P(33) L'Avenida South Precise Plan; P(34) North Bayshore Precise Plan; and the State of California remnant parcel adjacent to the Highway 101 northbound on-ramp/Shoreline Boulevard, to a new P(39) North Bayshore Precise Plan.

On November 25, 2014, having given notice as required by Chapter 36 of the Mountain View City Code, the City Council held a public hearing to consider said amendment of the City's Zoning Map.

The required findings for an amendment to the City's Zoning Map, contained in Section 36.52.60 of the Mountain View City Code, have been made as follows:

1. The proposed amendment is consistent with the General Plan, because:

a. The Planned Community (P) District supports special standards, guidelines, and actions to implement the General Plan's goals and policy for the North Bayshore Change Area in addition to other General Plan goals and policies; and

b. The P District supports a diversity of allowed commercial uses, consistent with the North Bayshore Mixed-Use Corridor, Mixed Use Center, and High-Intensity Office General Plan Land Use Designations.

2. The proposed amendment would not be detrimental to the public interest, health, safety, convenience, or welfare of the City, because:

a. The P District addresses public interest issues related to development in the North Bayshore Area, including protecting and enhancing sensitive habitat areas; improving transit, vehicle, bicycle, and pedestrian infrastructure; and other community goals and objectives regarding highly sustainable development, architectural standards, and guidelines that shape and define public space, minimizing the potential consequences of sea level rise, and other objectives listed in the North Bayshore Precise Plan; and

b. The P District supports the development of a North Bayshore Nexus Study, which will provide a range of potential improvement fees, allowing new development to contribute to a variety of public improvements in the public interest.

3. The proposed amendment is in compliance with the provisions of the California Environmental Quality Act (CEQA), because an Environmental Impact Report (EIR) has been prepared in accordance with CEQA regulations and has been circulated for public comment for the required 45 days, which ended September 19, 2014. Staff received 46 comment letters on the Draft EIR and Precise Plan and has provided responses to these comments in the Final EIR document.

4. 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 developments because:

a. The proposed amendment applies to parcels within a developed area served by existing and planned public infrastructure and services;

b. The proposed amendment area and surrounding parcels include a range of sizes and conditions in distinct “character areas,” and future development will implement development standards to address each distinct character area condition; and

c. The affected parcels are associated with the North Bayshore Precise Plan, which provides standards and guidelines for high-intensity office land uses and includes standards and guidelines to aid in making new development compatible with surrounding habitat areas, open space, and land uses.

Section 2. Zone Change. The zoning designation for the properties located in the North Bayshore Precise Plan area, as shown in Exhibit A attached hereto, is hereby amended from ML (Limited Industrial); MM-40 (General Industrial); P(1) Shoreline West Precise Plan; P(2) Charleston South Precise Plan; P(3) North Shoreline Boulevard Precise Plan; P(33) L’Avenida South Precise Plan; P(34) North Bayshore Precise Plan; and the State of California remnant parcel adjacent to the Highway 101 northbound on-ramp/Shoreline Boulevard, to a new P(39) North Bayshore Precise Plan.

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.

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