

CITY OF MOUNTAIN VIEW
ENVIRONMENTAL PLANNING COMMISSION
RESOLUTION NO.
SERIES 2019

A RESOLUTION RECOMMENDING THAT THE CITY COUNCIL
APPROVE MINOR ZONING TEXT AMENDMENTS TO
CHAPTER 36 (ZONING ORDINANCE) OF THE CITY CODE FOR
IMPROVED CLARITY AND CONSISTENCY WITH LEGISLATIVE UPDATES

WHEREAS, staff proposed minor zoning text amendments to Chapter 36 (Zoning Ordinance) of the City Code to improve clarity and consistency of regulations within the City Code and to reflect recent legislation updates, more particularly identified in Attachment A; and

WHEREAS, the Environmental Planning Commission held a public hearing on October 2, 2019 on said amendments and recommended approval to the City Council, subject to the required findings;

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 minor zoning text amendments pursuant to the following required findings in Section 36.52.70 of the City Code:

a. The proposed amendments are consistent with the land use policies and action plan of the 2030 General Plan requesting improved accessibility to City documents and updating the Zoning Ordinance to address outdated or inconsistent policies with legislative updates by the City, State, or Federal agencies; and

b. The proposed amendments will not be detrimental to the public interest, health, safety, convenience, or welfare of the City because the proposed amendments increase clarity within the City Code and align regulations with State and Federal legislation updates; and

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

d. The proposed project complies with the California Environmental Quality Act pursuant to Section 15061(b)(3) because it includes text amendments related

to recent legislation enacted by the State and City of Mountain View, and clarifications to existing administrative regulations and review procedures. Therefore, it can be seen with certainty that there is no possibility that the activity will have a significant effect on the environment.

TIME FOR JUDICIAL REVIEW

The time within which judicial review of this document must be sought is governed by California Code of Procedure Section 1094.6 as established by Resolution No. 13850 adopted by the City Council on August 9, 1983.

EH/2/CDD
837-10-02-19epcr

Attachment: A. Draft Ordinance

ORDINANCE NO.

AN ORDINANCE AMENDING SECTIONS OF CHAPTER 36
(ZONING ORDINANCE) OF THE CITY CODE FOR
MINOR ZONING TEXT AMENDMENTS FOR IMPROVED CLARITY
AND CONSISTENCY WITH LEGISLATIVE UPDATES

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

Section 1. Chapter 36, Article III, Division 1, Section 36.06.26 of the Mountain View City Code is hereby added to read as follows:

“SEC. 36.06.26. - Short-term rentals.

Short-term rentals shall conform to city code Chapter 44, including all application, registration, licensing, and operational requirements.”

Section 2. Chapter 36, Article III, Division 2, Section 36.06.50 of the Mountain View City Code, related to exemptions from zoning permit requirements, is hereby amended to read as follows:

“SEC. 36.06.50. - Exemptions from zoning permit requirements.

The zoning permit requirements of this chapter do not apply to the following activities, land uses and structures, which are permitted in all zoning districts.

a. **Accessory structures with less than one hundred twenty (120) square feet in floor area.** One-story detached structures used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed one hundred twenty (120) square feet, and the structure is not required to have building or grading permits by Chapter 8 (Buildings) of the city code. However, the floor area shall count toward the allowed floor area for the parcel and the structure(s) shall comply with Sec. 36.12.35.

b. **Decks, paths and driveways.** Decks, platforms, on-site paths and driveways that are not required to have building or grading permits by Chapter 8 (Buildings) of the city code, and are not over eighteen (18) inches above natural grade and not over any basement or story below.

c. **Fences – R1 and R2 zoning districts.** The following types of fences in the R1 and R2 zoning districts are exempt from zoning permit requirements. Allowed fence heights and locations are illustrated in Figure 36.06-1 (Fence and Wall Standards).

1. **Interior lots.** Fences up to three (3) feet in height when located within the required front yard, or up to six (6) feet in height located on rear or side property lines outside the required front yard, and entry features over front yard gates (e.g., open-latticed arbors and trellises) not exceeding eight (8) feet in height, three (3) feet in depth or five (5) feet in width, when located within the required front yard.

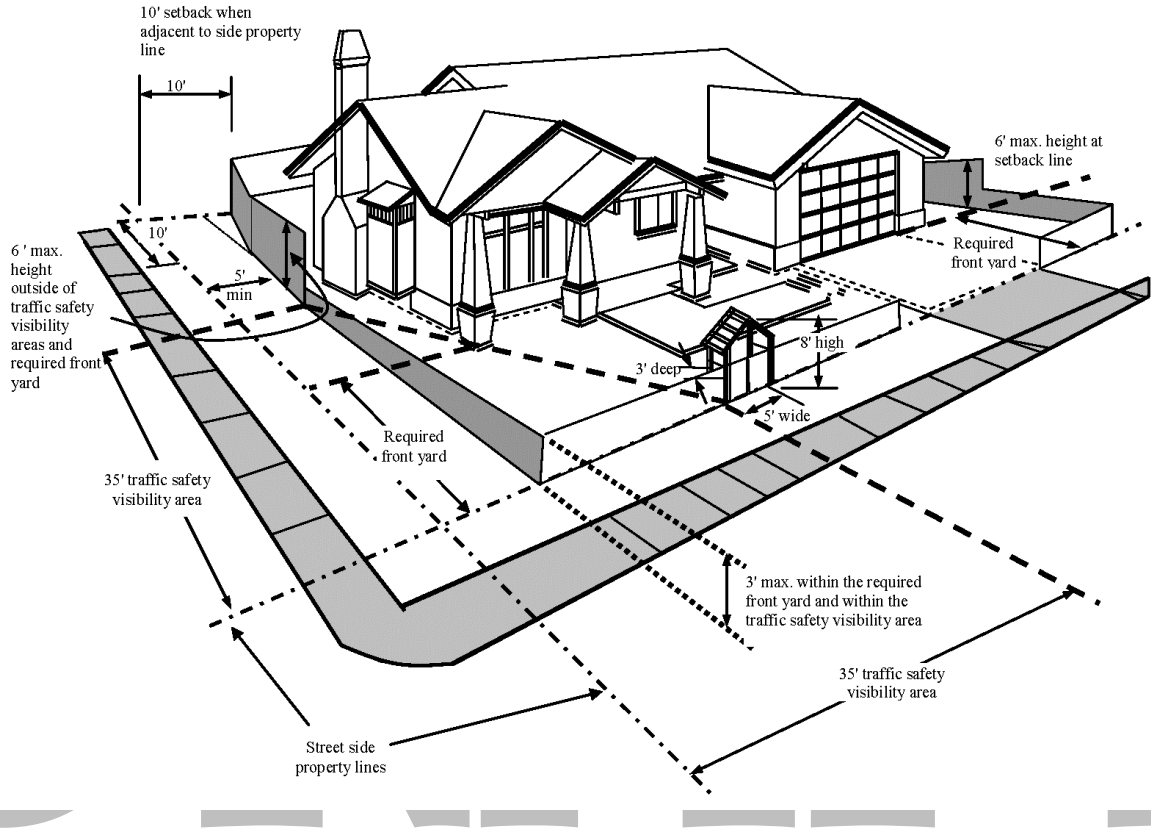
2. **Corner lots.**

(a) Fences up to three (3) feet in height within the required front yard and traffic safety visibility areas—front and side (or rear). The front traffic safety visibility area is formed by measuring thirty five (35) feet from the intersection of the street side property line and the front property line of the corner parcel, along both property lines, and then connecting the two (2) points across the corner of the lot;

(b) Entry features over front yard gates (e.g., open-latticed arbors and trellises), not exceeding eight (8) feet in height, three (3) feet in depth or five (5) feet in width, when located within the required front yard but outside the traffic safety visibility areas; and

(c) Fences up to six (6) feet in height located on rear and side property lines outside the required front yard and traffic safety visibility areas, and at least five (5) feet from the street side property line. Further, fences over three (3) feet in height adjacent to the side street property line shall be set back where the side street fence approaches an adjacent lot's front yard in order to create a side (or rear) triangular traffic safety visibility area for the adjacent lot at the side (or rear) of the corner parcel. This triangle is formed by measuring ten (10) feet from the intersection of the street side property line of the corner parcel and the side property line of the adjacent parcel, along both property lines, and then connecting the two (2) points across the corner parcel. See Figure 36.06-1.

**Figure 36.06-1
FENCE AND WALL STANDARDS
(For Reference Only)**



d. **Governmental activities.** Activities of the city, state or an agency of the state, or the federal government on land owned or leased by a governmental agency.

e. **Irrigation.** The installation of irrigation lines.

f. **Interior remodeling.** Interior alterations that do not result in an increase in the gross floor area within the structure, or a change in the permitted use of the structure.

g. **Repairs and maintenance.** Ordinary repairs and maintenance, if the work does not result in any change in the approved land use of the site or structure, or the addition to, enlargement or expansion of the structure, and if any exterior repairs employ the same materials and design as the original.

h. **Retaining walls.** Retaining walls (retaining earth only) that result in grade changes of eighteen (18) inches or less and are not required by Chapter 8 of the City Code to have a grading permit.

i. **School facilities.** Public school facilities, in compliance with Government Code §53091, et seq., except where a site is proposed to be occupied exclusively by nonclassroom facilities.

j. **Single- and two-family dwellings.** The construction of four (4) or fewer single-family dwellings or two (2) duplexes and the remodeling of single-family or duplexes in the R1 and R2 zoning districts, provided that the proposed development is in compliance with all applicable provisions of this chapter, except as provided in Sec. 36.10.30 (Development Review Required, R1 Zone), 36.10.55 (Development Review Required, R2 Zone) and 36.10.80 (Development Review Required, R3 Zone).

k. **Solar collectors.** The addition of solar collection systems to the roofs of existing structures, provided that the collectors are located on ground level and screened from ground level public view or, if roof-mounted, are mounted at approximately the same angle as the roof. Solar collectors must comply with the height limitations of the zoning district in which they are located.

l. **Spas, hot tubs and fish ponds.** Spas, hot tubs, ponds, etc., that do not exceed one hundred twenty (120) square feet in total surface area, including related equipment, contain more than two thousand (2,000) gallons of water, or exceed three (3) feet in depth.

m. **Utilities.** The erection, construction, alteration or maintenance by a public utility, public agency or private company determined by the city to fulfill a public function of underground or overhead utilities (i.e., water, gas, electric, telecommunication, supply or disposal systems, including wires, mains, drains, sewers, pipes, conduits, cables, fire-alarm boxes, police call boxes, traffic signals, hydrants, etc.), but not including occupiable or storage structures, shall be permitted in any zoning district, provided that the route of any electrical transmission line(s) having the potential of fifty thousand (50,000) volts or more shall be subject to council review and approval prior to acquisition of rights-of-way.

n. **Antenna, communication facilities.** Communication facilities and antenna, as defined in Sec. 36.60.03, are allowed in all zoning districts subject to a development review permit (Sec. 36.44.45), unless prohibited by state and/or federal law, and shall comply with the development standards for the applicable district, except that they are prohibited on any R1 or R2 zoned property used primarily for a single-family residence. This section shall apply to any facility proposed within a city zoning district, **including** **excluding** the city's rights-of-way. All of the aspects enumerated in Government Code §65850.6(b) (which include, but are not limited to, aesthetics, design, height, location, bulk and size) will be considered given the facts and circumstances of each proposed facility and its compatibility with the neighborhood and adjacent uses.

o. **Accessory dwelling units.** Development of an accessory dwelling unit, as defined in Sec. 36.60.05, requires review for compliance with this Sec. 36.12.60 prior to submittal of a building permit for the creation of an accessory dwelling unit. All applications for accessory dwelling units that meet and comply with all applicable provisions of this chapter shall be approved without discretionary review or a hearing within one hundred twenty (120) days after receipt of a substantially complete building permit application. The application shall be denied if the proposed accessory dwelling unit does not comply with all applicable requirements of this Chapter or it may be conditionally approved subject to conditions that will bring the proposed secondary dwelling unit into compliance with this Chapter.

Conversion of an accessory structure/garage or other living space to an accessory dwelling unit shall meet all adopted building codes for residential occupancy. Such conversions shall also require a ministerial review or a hearing within one hundred twenty (120) days after receipt of a substantially complete application.

p. **Electric vehicle charging stations.** Electric vehicle charging stations are permitted in all zoning districts subject to Chapter 8 of the city code."

Section 3. Chapter 36, Article III, Division 5, Section 36.08.30 of the Mountain View City Code, related to height limits, is hereby amended to read as follows:

"SEC. 36.08.30. - Height limits.

Height limitations set forth elsewhere in this chapter shall not apply to:

a. Barns, silos, water towers or tanks, windmills, or other farm buildings or structures on farms, provided these are not less than fifty (50) feet from every lot line; church spires, belfries, cupolas and domes; smokestacks; flag poles; elevator penthouses; cooling towers; grain elevators; parapet walls extending not more than four (4) feet above the limiting height of the building; outdoor theater screens, provided said screens contain no advertising matter other than the name of the theater.

b. Places of public assembly in churches, schools and other permitted public and semi-public buildings, provided that these are not more than one (1) story in height, and provided that for each one (1) foot by which the height of such building exceeds the maximum height otherwise permitted in the district, its side and rear yards shall be increased in width or depth by an additional foot over the side and rear yards required for the highest building otherwise permitted in the district.

c. Other structures where the manufacturing process requires a greater height, provided, however, that all such structures above the heights otherwise permitted in the district shall not occupy more than twenty-five (25) percent of the area of the lot and

shall be distant not less than twenty-five (25) feet in all parts from every lot line not a street lot line.

d. Antennas and communication facilities on utility poles, utility towers and light standards in all zoning districts, ~~including~~ excluding the city's rights-of-way, provided:

1. The applicant submits a development review permit and goes through the review process pursuant to Sec. 36.44.45;

2. The applicant submits a description of the efforts made to consider alternative sites and demonstrates the proposal for the facility, including all associated equipment (whether or not installed by the applicant), is the least intrusive alternative;

3. The proposed height exception is proven, by the applicant, to be the minimum amount of additional height needed to address a significant gap in coverage;

4. The proposed extension and other changes to the pole or equipment are proven, by the applicant, to be structurally sound and safe; and

5. Equipment associated with the facility does not impede pedestrian or vehicular accessibility along any public or private pathways, sidewalks, driveways or roadways, visually impede any safe use of the same, or otherwise present a hazard to pedestrian or vehicular use of the same.

e. Roof screens in all zoning districts, shall be the minimum necessary height to fully screen rooftop equipment, not to exceed an additional ten (10) feet beyond the maximum building height; excludes residential structures in all R1 and R2 zones where roof screens must comply with the maximum building height."

Section 4. Chapter 36, Article IV, Division 9, Section 36.12.55 of the Mountain View City Code, related to other accessory structures and uses, is hereby amended to read as follows:

SEC. 36.12.55. - Other accessory structures and uses.

a. **Antennas.** Antennas are subject to the provisions of Sec. 36.28.25.

b. **Garage/yard sales.** The sale of miscellaneous items by residents from a yard or open garage is permitted up to four (4) times per year per property, for a maximum of three (3) days per sale.

c. **Home occupations.** Home occupations are subject to the requirements of Sec. 36.28.75.

d. **Swimming pools/spas/hot tubs.** Private swimming pools, spas and hot tubs are permitted accessory to approved residential uses on the same site, subject to the following provisions:

1. **Limitation on use.** The pool is to be used solely by occupants of the dwelling(s) on the same site and their guests;

2. **Setbacks.** At least five (5) feet from any property line, for the pool/spa/tub, three (3) feet for related equipment; and

3. **Fencing.** The swimming pool shall be secured by fencing and/or building walls to prevent uncontrolled access by children, in compliance with the building code (Chapter 8).

e. **Tennis and other recreational courts.** Noncommercial outdoor tennis courts and courts for other sports (e.g., racquetball, etc.) accessory to a residential use are subject to the following requirements:

1. **Fencing.** Shall be subject to height limits approved by the zoning administrator; and

2. **Lighting.** Court lighting shall not exceed a maximum height of twenty (20) feet, measured from the court surface. The lighting shall be directed downward, shall only illuminate the court, and shall not illuminate adjacent property.

f. **Vehicle storage.** The storage of vehicles, including incidental restoration and repair, is subject to Sec. 25.4.j, Chapter 19, Article IX (Vehicle Parking and Storage in Residential Areas) and Chapter 39 of the City Code (Vehicles Abandoned, Wrecked, Dismantled or Inoperative).

g. **Animal Keeping.** The keeping of dogs, cats and small animals (for noncommercial purposes) in residential zoning districts is allowable subject to the provisions of Chapter 5 of the City Code.

h. **Mechanical equipment.** Mechanical equipment, including but not limited to air conditioner units and generators, can encroach into the required side yard setback, but must be at least three (3) feet from the property line. No mechanical equipment can be located within the front yard setback or be visible from the public street. Mechanical equipment may be located in a street side yard setback, but must be within a fenced yard consistent with fence setback requirements and traffic safety visibility area(s)."

Section 5. Chapter 36, Article V, Division 3, Section 36.18.30 of the Mountain View City Code, related to general development standards in commercial zones, is hereby amended to read as follows:

“SEC. 36.18.30. - General development standards for commercial zones.

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.

a. **Facility upgrading required.** Any major alteration or expansion (as determined by the zoning administrator) that requires development review shall incorporate measures to upgrade all existing facilities to extent feasible within lot constraints (structures, parking, landscaping, signs, etc.) to the current standards of this chapter.

b. **Appearance of structures.** Where minimum structure setbacks are provided, streetscape interest and relief shall be provided through special attention to facade treatment, planters, awnings and similar features.

c. **Rooftop equipment.** All roof equipment must be screened with an opaque screen to be compatible with the building materials, form and design. See Sec. 36.08.30(e) for exceptions to height limits.

d. **Trash containers.** Trash enclosures shall be provided in all projects and shall be constructed of solid masonry or other suitable building materials, consistent with the building on-site, and shall be a minimum of six (6) feet in height, with solid, view-obstructing gates and a concrete pad in front to accommodate lifting and dropping of the dumpster. Trash enclosures shall be located in inconspicuous locations.

e. **Late-night use and activities.** The following standards apply to businesses abutting (either directly or across the street) residentially zoned properties with ongoing operations or activities between 11:00 p.m. and 6:00 a.m.

1. Businesses abutting residentially zoned properties that are open or have ongoing activities between the hours of 11:00 p.m. and 6:00 a.m. shall be operated in a manner to protect residential properties from excessive noise from any sources during those hours.

2. Upon substantial evidence that businesses' ongoing operations between the hours of 11:00 p.m. and 6:00 a.m. are creating excessive noise, the zoning administrator shall hold a public hearing in accordance with Section 36.48 (Conditional

Use Permit) and may apply conditions of approval necessary to ensure the operation is compatible with the adjoining residentially zoned property. Said use permit shall be limited to operations or activities occurring between 11:00 p.m. and 6:00 a.m.

f. **Facade and site modifications.** Per Section 36.44.45, development review approval is required for exterior modifications to existing structures and site changes (including, but not limited to, new or modified landscaping, fencing, changes to parking lot striping or circulation). Exterior modifications performed and/or constructed without appropriate approvals shall require approval through development review of the alteration(s) or to return the building to its original condition. The zoning administrator may require additional improvements to make the building conform to acceptable standards for the area or zone district. Exterior modifications include, but are not limited to, the covering or blocking of window openings, which shall retain visibility between interior and exterior activities unless a permit for exterior modification has been approved through this process.

g. **Fences.** Fences or walls in required setbacks, other than front and street side setback areas, may not exceed seven (7) feet in height, subject to development review (see Section 36.44.45). On a case-by-case basis, the zoning administrator may consider fences or walls of additional height.”

Section 6. Chapter 36, Article VI, Division 2, Section 36.20.05 of the Mountain View City Code, related to industrial zone land use and 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	

LAND USE	PERMIT REQUIREMENTS BY ZONE		
	ML	MM	SEE SECTION
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

LAND USE	PERMIT REQUIREMENTS BY ZONE		
	ML	MM	SEE SECTION
Auto wrecking yard		CUP	36.60.23
Banks and financial services	<u>P</u>	<u>CUP</u>	
Business support services		CUP	36.60.07
Cannabis business, nonstorefront retail	CUP	CUP	36.30.55, 36.60.03 and Chapter 9
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
Office	<u>P</u>	<u>CUP</u>	
Administrative and executive	P	CUP	
Financial	<u>P</u>	<u>CUP</u>	
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 7. Chapter 36, Article X, Division 3, Section 36.32.50 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, inclusive of accessible and electric vehicle (EV) charging spaces required per Chapter 8 of the City Code.

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 Required	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

Land Use Type	Vehicle Spaces Required	Bicycle Spaces Required
	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		

Land Use Type	Vehicle Spaces Required		Bicycle Spaces Required
Accessory Dwelling Units (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	
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

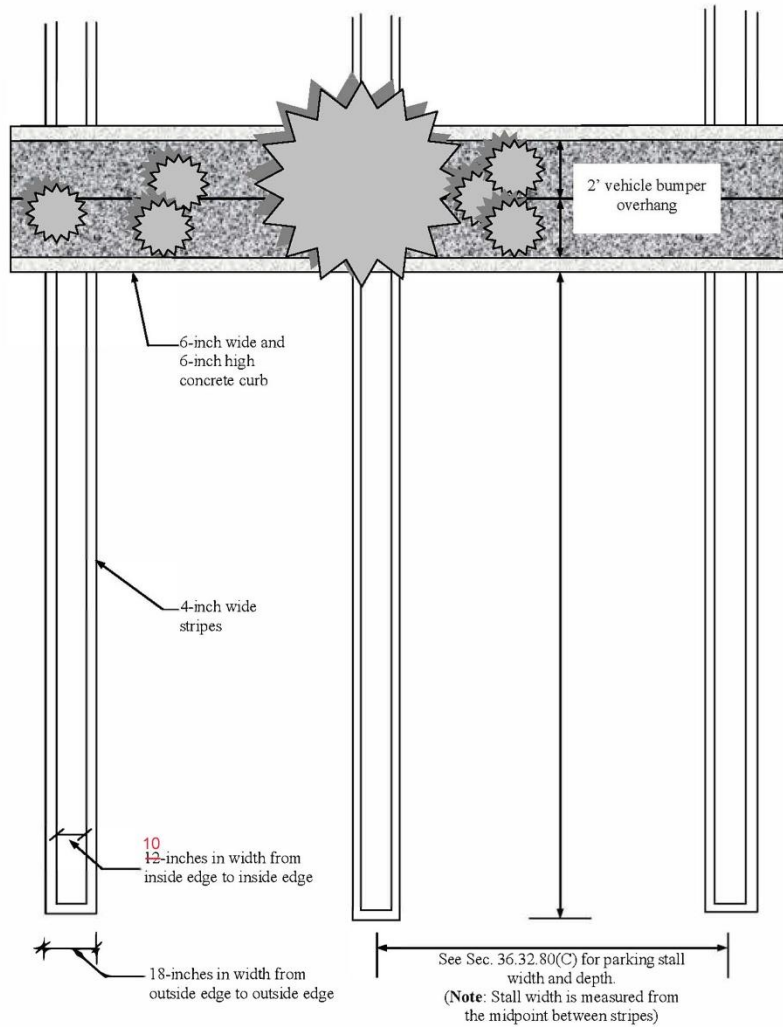
Land Use Type	Vehicle Spaces Required		Bicycle Spaces Required
Single-family housing and each dwelling unit in a duplex (See Sec. 36.10.15 - Single-Family; See Sec. 36.10.50 for unit in duplex)	2 spaces, 1 of which shall be covered		None
Single-room occupancies	1 space per dwelling unit; plus 1 for every 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			

Land Use Type	Vehicle Spaces Required	Bicycle Spaces Required
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

Land Use Type	Vehicle Spaces Required	Bicycle Spaces Required
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 8. Chapter 36, Article X, Division 5, Figure 36.32-2 of the Mountain View City Code, related to parking stall striping, is hereby amended to read as follows:

**“Figure 36.32-2
PARKING STALL STRIPING
(For Reference Only)**



Section 9. Chapter 36, Article XII, Division 6, Section 36.36.55 of the Mountain View City Code, related to signs allowed permit in specific zoning districts, is hereby amended to read as follows:

“SEC. 36.36.55. - Signs allowed by permit in specific zoning districts.

The following signs are permitted in the individual zoning districts, subject to compliance with all provisions of this article, including approval through the design review process as set forth in Sec. 36.44.45. The sign regulations listed below are the maximum permitted standards and may be reduced to ensure architectural compatibility, including the sign’s relationship to the overall appearance of the building and subject property and to the surrounding community. In the event a conflict arises between the text of this article and the following table, the text shall prevail.

In the following tables, abbreviations and symbols are used and shall have the following meanings:

1. “Sq. ft.” shall mean total square footage as measured by one (1) rectangular or circular shape that encloses all sign elements except the support structure.
2. “Ft.” shall mean “foot” or “feet,” a linear measurement.
3. “Ht.” shall mean “height.”
4. “=” shall mean “equal” as in “exactly equivalent to”; for example, “maximum ht. = nine (9) ft.” shall mean “maximum height equals nine (9) feet.”
5. “ROW” shall mean “right-of-way,” the line of easement or dedicated land used as a public street or alley.
6. “N/A” shall mean “not applicable.”
7. “%” shall mean “percent.”

PERMITTED SIGNS BY ZONING DISTRICT

Zoning District	Maximum Permitted Aggregate Sign Area	Permitted Building Signs	Permitted Site (Monument) Signs	Special Signs	Building Real Estate Signs (see Sec. 36.36.15)
A	32 sq. ft.	None	One sign, maximum height = 12 ft., unlighted, no closer than 15 feet to right-of-way.	N/A	N/A
R1	1 sq. ft.; Maximum of 25 sq. ft. for churches, daycare centers and schools.	One sign, area = 1 sq. ft., maximum height = 9 ft., unlighted or indirect or interior illuminated, mounted on building, fence or mailbox.	None	N/A	One sign, maximum of two faces, 4 sq. ft. per face, maximum height = 5 ft. unless placed in window, unlighted.
R2	1 sq. ft. per occupancy up to maximum = 6 sq. ft.; Maximum of 25 sq. ft. for churches, daycare centers and schools.	One sign per occupancy, area = 1 sq. ft., maximum height = 9 ft., unlighted or indirect or interior illuminated, mounted on building, fence or mailbox.	None	PUD with more than 3 units: one additional project identification sign, maximum area = 4 sq. ft., maximum height = 3 ft., unlighted or indirect or interior illuminated, freestanding.	Two signs, maximum two faces, 4 sq. ft. per face, maximum height = 5 ft. unless placed in window, unlighted.

Zoning District	Maximum Permitted Aggregate Sign Area	Permitted Building Signs	Permitted Site (Monument) Signs	Special Signs	Building Real Estate Signs (see Sec. 36.36.15)
R3, R3D, R4	5 sq. ft. per acre, minimum allowed = 25 sq. ft., maximum allowed = 50 sq. ft. Each face of sign shall be counted.	One sign per building, attached to building, located below eave line, unlighted or indirect or interior illuminated.	One sign, attached to building below eave line or freestanding. Freestanding maximum height = 10 ft., no closer than 10 ft. to right-of-way.	Main and real estate signs, for single-family, duplex, or small lot single-family shall follow the sign standards for the R1 or R2 district as appropriate.	One sign, maximum area = 12 sq. ft., attached to building below eave line or 6 sq. ft. if added to freestanding site sign, unlighted.
RMH	5 sq. ft. per acre, minimum allowed = 25 sq. ft., maximum allowed = 50 sq. ft.	Each mobile home park shall provide at or near the entrance to the park an illuminated directory, including a map showing location of all lots and street names.	One sign, attached to building below eave line or freestanding. Freestanding maximum height = 10 ft., no closer than 10 ft. to right-of-way.	Main and real estate signs for single-family duplex, or small lot single-family shall follow the sign standards for the R1 or R2 district as appropriate.	One sign, maximum area = 12 sq. ft., attached flat to principal building below eave line, unlighted.

Zoning District	Maximum Permitted Aggregate Sign Area	Permitted Building Signs	Permitted Site (Monument) Signs	Special Signs	Building Real Estate Signs (see Sec. 36.36.15)
CN	N/A	Two per occupancy. First sign minimum allowed area = 15 sq. ft./maximum = 100 sq. ft., attached to building, maximum height = 15 ft. and below eave, unlighted or indirect or interior illumination. Second sign – see Special Signs.	One sign, freestanding, for center with minimum of 4 acres. Maximum of 2 faces, aggregate area = 200 sq. ft., maximum height = 20 ft., unlighted or indirect or interior illumination.	Pedestrian oriented occupancy sign with maximum of 2 faces, maximum area = 6 sq. ft. per face, attached flat to building or hung from canopy or eave above on-site sidewalk, indirect or interior illumination.	One sign per occupancy, maximum area = 8 sq. ft., attached flat to building wall and below eave, unlighted.
CS	N/A	One sign per occupancy frontage, maximum of 2 faces, maximum area per face = 25 sq. ft., located below eave.	One sign per lot, maximum of 2 faces, maximum area = 150 sq. ft. per face, maximum height = 30 ft., may be freestanding.	N/A	One sign per occupancy, maximum area = 8 sq. ft., attached flat to building wall and below eave, unlighted.

Zoning District	Maximum Permitted Aggregate Sign Area	Permitted Building Signs	Permitted Site (Monument) Signs	Special Signs	Building Real Estate Signs (see Sec. 36.36.15)
CRA	Total of all signs not to exceed 2 percent of gross floor area or 1 sq. ft. per foot of lot frontage, whichever is greater. Minimum of 10 sq. ft. per tenant. Each face of sign shall be counted.	One sign per street frontage, maximum area per sign = 100 sq. ft., building mounted or mounted on canopy not extending into right-of-way. Individually mounted letters, may be illuminated, or painted sign on building, unless other design found more compatible.	One freestanding sign per lot, maximum of 2 faces, maximum area per face = 75 sq. ft., maximum height = 12 ft. for lots under 120 ft. wide/ = 15 ft. for lots wider than 120 ft., must be located within landscaping and must be design compatible with building.	Decorative graphics in addition to building sign area, on building, size clearly secondary to main sign, must complement building and main sign in color and style. Pedestrian-oriented sign, one per occupancy, maximum area = 3 sq. ft. per face, unlighted.	One sign per occupancy, maximum area = 8 sq. ft., attached flat to building wall and below eave, unlighted.
CO	N/A	One sign per principal building, maximum area = 20 sq. ft., mounted flat against building, cannot extend above eave, unlighted or indirect illumination.	One sign, freestanding, maximum area = 50 sq. ft., maximum height = 10 ft., unlighted or indirect illumination.	N/A	One sign per occupancy, maximum area = 8 sq. ft., attached flat to building wall and below eave, unlighted.

Zoning District	Maximum Permitted Aggregate Sign Area	Permitted Building Signs	Permitted Site (Monument) Signs	Special Signs	Building Real Estate Signs (see Sec. 36.36.15)
ML	Total of all signs not to exceed 1/2 sq. ft. per foot of lot frontage. Minimum of 10 sq. ft. per tenant. Each face of sign shall be counted.	One sign per street frontage. If building mounted, located near main entranceway, cannot extend above eave and cannot be mounted above first floor, except signs on office buildings may be located above the first floor on multi-story buildings, but in no case can it extend above the roof or eave. If freestanding, maximum height = 10 ft., must be located in landscaped area.	One sign per street frontage. If building mounted, located near main entranceway, cannot extend above eave and cannot be mounted above first floor, except signs on office buildings may be located above the first floor on multi-story buildings, but in no case can it extend above the roof or eave. If freestanding, maximum height = 10 ft., must be located in landscaped area.	Decorative graphics, counted in total sign area, mounted on building, size clearly secondary to main sign, must complement building and main sign in color and style.	One sign per occupancy, maximum area = 8 sq. ft., attached flat to building wall and below eave, unlighted.

Zoning District	Maximum Permitted Aggregate Sign Area	Permitted Building Signs	Permitted Site (Monument) Signs	Special Signs	Building Real Estate Signs (see Sec. 36.36.15)
MM	Total of all signs not to exceed 3/4 sq. ft. per foot of lot frontage. Minimum of 10 sq. ft. per tenant. Each face of sign shall be counted.	One sign per occupancy. If building mounted, located near main entranceway, cannot extend above eave and cannot be mounted above first floor, except signs on office buildings may be located above the first floor on multi-story buildings, but in no case can it extend above the roof or eave. If freestanding, maximum height = 10 ft., must be located in landscaped area.	One sign per occupancy. If building mounted, located near main entranceway, cannot extend above eave and cannot be mounted above first floor, except signs on office buildings may be located above the first floor on multi-story buildings, but in no case can it extend above the roof or eave. If freestanding, maximum height = 10 ft., must be located in landscaped area.	Decorative graphics, counted in total sign area, mounted on building, size clearly secondary to main sign, must complement building and main sign in color and style.	One sign per occupancy, maximum area = 8 sq. ft., attached flat to building wall and below eave, unlighted.

Zoning District	Maximum Permitted Aggregate Sign Area	Permitted Building Signs	Permitted Site (Monument) Signs	Special Signs	Building Real Estate Signs (see Sec. 36.36.15)
PF	5 sq. ft. per acre, allowed minimum = 25 sq. ft. maximum sign area = 100 sq. ft.	One sign per building, mounted flat on building wall, <u>located near main entranceway and cannot extend above eave and cannot be mounted above first floor.</u> <u>maximum</u> <u>Maximum</u> area = 10 sq. ft.	One sign per lot. If building mounted, located near main entranceway, cannot extend above eave and cannot be mounted above first floor. If freestanding, maximum height = 10 ft., must be located 10 ft. from any property line. Sign unlighted or indirect illumination.	N/A	One sign per lot, maximum area = 12 sq. ft., attached flat to building wall and below eave, unlighted.
F	N/A	N/A	One sign per lot, maximum area = 32 sq. ft., maximum height = 10 ft., not located within 15 ft. of right-of-way, unlighted or indirect illumination.	N/A	N/A
P	See individual precise plans. See 36.36.60 for sign regulations for downtown. Sign provisions of precise plans are enforceable as a regulation of this chapter."				

Section 10. Chapter 36, Article XVI, Division 2, Section 36.44.65 of the Mountain View City Code, related to development review procedures, is hereby amended to read as follows:

“SEC. 36.44.65. - Development review procedures.

Preliminary development review through a preapplication conference (see Sec. 36.44.40) is encouraged prior to the formal submittal of an application. This informal review provides guidance to project proponents prior to preparation of detailed building designs and site plans for formal application submittal.

Formal development review is initiated when the department receives a complete application for development review. Development review can be a separate permit application or part of a larger permit application as described in this section. The zoning administrator shall have the overall authority to conduct development review, subject to appeal to the city council, but may refer applications to other community development department staff for review and issuance of permits. The development review process is administered at three (3) levels of evaluation: administrative, zoning administrator public hearings and council public hearings.

The zoning administrator or community development director may require that any application be reviewed through the more formal development review committee process.

a. **Administrative procedures.** Applications with complete materials for simple requests, in full compliance with this chapter or applicable precise plans, requiring no site visits or review by other departments may be approved administratively without public notice or hearing. The zoning administrator may refer any administrative application to the development review committee for comment and recommendations. Typical projects that may qualify include the following:

1. New signs and change of copy on existing signs, which conform to a previously approved sign program;
2. New or amended sign programs;
3. Change of use in nonresidential zoning districts where the proposed use is principally permitted and the proposed parking is in compliance with this chapter;
4. Temporary use permit for the sale of seasonal items, including Christmas trees and pumpkins, seasonal or temporary recreation uses such as day camps, construction yards in conjunction with an approved construction project, mobile home(s) as part of a temporary work site for employees, homeless shelter for up to

twenty-nine (29) people and not exceeding thirty-five (35) days, food kitchens and relief services, and similar type uses;

5. Minor facade modifications, including: adding or removing door(s), automated teller machines (ATMs) at an existing bank, handicapped-accessible ramps, roof equipment with screens, additions to single-family structures with nonconforming setbacks and minor architectural enhancements to multi-family structures which conform to approved plans;

6. Minor site plan modifications, including adding or changing: trash enclosures, bicycle lockers, utilities with minimal aboveground structures, satellite dish antennas, fences, landscaping and landscaping structures such as arbors or gazebos and parking lots striping;

7. Fences which exceed six (6) feet in height, but do not exceed seven (7) feet in a residential zoning district, and where the applicant can provide letters of agreement from all adjacent property owners;

8. Facade modifications to multi-family, commercial and industrial structures, where less than one thousand (1,000) square feet of additional floor area is proposed;

9. Modification or minor additions to existing site plans and/or structures located in the planned community zoning district, as provided by Sec. 36.50.30.b or where the precise plan allows for minor modifications;

10. Development review associated with consideration of any new use, new construction or modifications within the neighborhood design (ND) and special design (SD) overlay zoning districts;

11. Development on sites with existing nonconforming structures (see Sec. 36.06.60);

12. Modifications to residential structures for reasonable accommodations (see Sec. 36.08.40);

13. Multi-family accessory structure(s); and

14. Permits for a street vendor or a sidewalk café within the downtown precise plan.

b. **Zoning administrator procedures.** In addition to the authority to take final action on variances, conditional use permits and other special property development

permits, the zoning administrator is responsible for making development review recommendations to the city council on planned community permits when specified by a precise plan and transit-oriented development permits when specified by the transit combining (T) zoning, overseeing the development review committee and making final decisions on applications for the following:

1. New construction and/or major remodeling or site plan modifications when in full compliance with the provisions of this chapter;
2. Single-family structures and additions where a floor area ratio exception is requested;
3. Minor adjustment to design/site consideration of an approved permit from a public hearing, which does not result in a reduction from any standard outlined in this chapter or change any special conditions adopted by the council, including, but not limited to:
 - (a) On-site circulation and parking, loading and landscaping;
 - (b) Placement and/or height of walls, fences and structures; and
 - (c) Minor changes to architectural features and/or modification of finished materials and colors that do not alter or compromise the previously approved theme.
4. Development review associated with applications for variances, conditional use permits, temporary use permits and planned unit developments.
5. Changes of use in commercial, office and industrial zoning districts which are in compliance with this chapter, but may impact adjacent properties, including, but not limited to, proposals for outdoor storage adjacent to a residential zoning district; outdoor seating at an existing restaurant; or changes in parking lot lighting which may generate off-site glare;
6. Fences which exceed six (6) feet in height, but do not exceed seven (7) feet, in a residential zoning district where the applicant cannot provide the community development department with letters of agreement from all adjacent property owners.
7. Antenna or communication facilities in all zoning districts, ~~including~~ excluding public right-of-way.
8. Public projects involving permanent new buildings.

c. **City council.** The city council shall make a final development review determination on a planned community permit when the precise plan requires council approval, a planned unit development when it is accompanied by a tentative map and a transit-oriented development permit when the T zone requires council approval. The city council is the final appeal body of zoning administrator determinations."

Section 11. Chapter 36, Article XVII, Division 2, Section 36.60.05 of the Mountain View City Code, related to Definitions - "A," is hereby amended to read as follows:

"SEC. 36.60.05. - Definitions - "A."

"Accessory dwelling unit (ADU). A secondary dwelling unit located on the same parcel of land as a primary dwelling unit which meets the requirements described in Sec. 36.12.70 of this Chapter. An accessory dwelling unit can be constructed entirely within the existing and legally created space of a single-family home or accessory structure in the R1 District. "Accessory Structures" are separately defined in this chapter. An accessory dwelling unit also includes the following:

- a. An efficiency unit, as defined in Section 17958.1 of Health and Safety Code.
- b. A manufactured home, as defined in Section 18007 of the Health and Safety Code.

Accessory retail uses. The retail sales of various products (including food) in a store or similar facility that is located within and an incidental part of a health-care, hotel, office or industrial complex for the purpose of serving employees or customers and is not visible from public streets. These uses include pharmacies, gift shops and food service establishments within hospitals; convenience stores and food service establishments within hotel, office and industrial complexes.

Accessory structure, open. An accessory structure with no building walls or features that effectively enclose space, that may contain a roof, such as trellises or arbors.

Accessory use or structure. A use or structure subordinate to the principal use of a building on the same lot and serving a purpose customarily incidental to the use of the principal building, including disaster storage containers when in conformance with the City of Mountain View Disaster Container Guidelines.

~~— **Administrative and executive offices.** Offices and service facilities performing headquarters, regional or other organizations management and administrative services for firms and institutions.~~

Adult entertainment establishment. “Adult entertainment establishment” means any facility or place of business primarily intended for the conduct, operation or transaction of activities intended for adult entertainment involving sexual matters such as, but not limited to, any adult bookstore, adult motion picture theater, adult cabaret or adult theater or any business at which videos of adult movies or films are sold or rented constitute over twenty (20) percent of the titles offered or over twenty (20) percent of actual display area of the store whichever is greater, regardless of whether any other use is also conducted on the premises. For the purposes of this chapter, the definitions of “Adult entertainment enterprise,” “Adult bookstore,” “Adult motion picture theater,” “Adult cabaret” and “Adult theater” contained in Sec. 26.52 shall govern.

Agent of owner. Any person who can show written authority that he/she is acting for the property owner.

Agriculture. The principal use of the land for farming, pasturage, horticulture, floriculture, viticulture, apiaries and animal husbandry, and the necessary accessory uses for storing produce; provided, however, that the operation of any such accessory use shall be incidental to that of normal agricultural activities and, provided further, that the above uses shall not include the commercial feeding of garbage or offal to swine or other animals.

Alley or lane. A public or private way not more than thirty (30) feet wide affording only secondary means of access to abutting property.

Animal service establishment. Any commercial business providing services and care to animals, including, but not limited to, pet day care, pet hotel, kennel, veterinary clinic, animal hospital, and pet grooming. Does not include retail pet stores (see “Retail stores, general merchandise”) and exempts private animal kennels in accordance with Chapter 5 of the City Code.

Antennas, communications facilities. Public, commercial and private electromagnetic and photoelectrical transmission, broadcast, repeater and receiving stations for radio, television, telegraph, telephone, cellular telephone and data network communications, including commercial earth stations for satellite-based communications. Includes antennas, towers, commercial satellite dish antennas and equipment buildings. Does not include:

a. Home television and radio receiving antennas, including noncommercial satellite dish antennas for home use, which are included under “Residential accessory uses.”

b. Telephone, telegraph and cable television transmission facilities utilizing hard-wired or direct cable connections with no wireless component(s), which are included under "Pipelines and utility lines."

Apartment. A dwelling unit in a multi-family building.

Auto, mobile home, vehicle and parts sales. Retail establishments selling and/or renting new and used automobiles, boats, vans, campers, trucks, mobile homes, recreational and utility trailers, motorized farm equipment, motorcycles, golf carts, snowmobile and jet skis (except bicycles and mopeds, which are included under "Retail stores, general merchandise"). Also includes stores selling new automobile parts, tires and accessories (does not include tire recapping establishments, which are found under "Repair and maintenance – vehicle"), as well as businesses dealing in used automobiles exclusively. May include an open lot for display of vehicles only. Does not include businesses dealing exclusively in used parts, which are included under "Recycling – scrap and dismantling yards." Includes repair shops only when part of a dealership selling new vehicles on the same site. Does not include "Service stations," which are separately defined.

Automatic teller machine (ATM). A machine used by bank and financial service patrons for conducting transactions, including deposits, withdrawals and fund transfers, without contact with financial institution personnel. The machines may be located at or within banks, or in other locations, in compliance with this chapter.

Automobile repair, major. All repair and servicing or maintenance work not provided for under "Automotive repair, minor," including, but not limited to, general repair, rebuilding or reconditioning of: (a) major vehicle components, such as engines, transmissions and differentials; (b) nonpassenger vehicles, motor homes or trailers and trucks exceeding one and one-half (1-1/2) ton capacity; or (c) body frame or fender components, including collision services, upholstery or painting or operations, including an open flame or welding.

Automobile repair, minor. The general servicing and maintenance of passenger cars and trucks not exceeding one and one-half (1-1/2) ton capacity. Such servicing may include, but is not limited to: (a) engine computer diagnosis and the repair or replacement of parts and gaskets external to the basic block, such as intake and exhaust manifolds, carburetors and water pumps; (b) the repair or replacement of worn or defective brake parts, clutch parts, mufflers, exhaust system parts, wheel bearings, shock absorbers, tires, batteries, spark plugs, air conditioning, electrical system and other accessible minor parts; and (c) maintenance work such as the changing or supplementing of vehicle fluids and the adjustment of mechanical components while on the vehicle. "Automotive repair, minor" shall not include any of the activities listed as "Automotive repair, major."

Automobile wrecking. The dismantling or disassembling of motor vehicles or trailers; or the storage, sale or dumping of dismantled, partially dismantled, obsolete or wrecked vehicles, or their parts.”

Section 12. Chapter 36, Article XVII, Division 2, Section 36.60.33 of the Mountain View City Code, related to Definitions - “O,” is hereby amended to read as follows:

“SEC. 36.60.33. - Definitions - “O.”

Occupancy. That portion of a building occupied by one (1) tenant.

Offices. A facility used for business or personal services involving information processing, clerical work, consulting and record-keeping rather than sale or manufacturing of goods. The term “office” shall include, but not be limited to, general business offices and personal service offices such as tax preparation offices and real estate office, but does not include banks and other financial offices, medical, dental or related health-care services, administrative offices or research and development uses (see definition “Research and development”).

Offices, administrative and executive. Offices and service facilities performing headquarters, regional or other organizations management and administrative services for firms and institutions.

Offices, research and development. A specific type of office use devoted to scientific and engineering research and the design, development and testing of new technology and products; usually includes some laboratory space or other small-scale manufacturing operations. This definition includes software and Internet companies and other similar uses.

One and one-half (1-1/2) story residential structure. A residential structure where a top second floor is housed within a gable or hip roof structure, with a maximum vertical distance of twenty (20) feet from sidewalk grade to the highest ridge line of the roof.

Open area. The land area within a developed site that is not covered by buildings, paving dedicated to auto use, or garbage and refuse facilities. Open area is intended for active and passive recreational use and to provide access to the natural environment. Landscaping is the primary and preferred use of open area, but it may also include hard surfaces such as patios, decks, balconies, walkways, game courts, bicycle parking areas, swimming pools and associated structures that are not fully enclosed that are consistent with these purposes.

Open automobile dedicated area. That land reserved for the ingress, egress or parking of motor vehicles on any parcel. This does not include the land considered as aggregate floor area.

Outdoor commercial recreation. Facilities for various outdoor participant sports and types of recreation where a fee is charged for use, including: amusement, theme and kiddie parks; drive-in theaters; golf driving ranges independent from golf courses; miniature golf courses (golf courses are considered a separate land use); skateboard parks and water slides; go-cart and miniature auto race tracks; recreation equipment rental (e.g., nonhighway motor vehicles, roller skates); health and athletic clubs with predominantly outdoor facilities; tennis courts, swim and tennis clubs; and zoos. May also include commercial facilities customarily associated with the above outdoor commercial recreational uses, including, but not limited to, bars and restaurants, fast-food restaurants, video game arcades, etc.

Outdoor retail sales and activities. Permanent outdoor sales and rental establishments, including autos, other vehicles and equipment, and other uses where the business is not conducted entirely within a structure.

Outdoor retail sales, temporary. Temporary outdoor retail operations, including: farmer's markets; seasonal sales of Christmas trees, pumpkins or other seasonal items; semiannual sales of art or handcrafted items in conjunction with community festivals or art shows; sidewalk or parking lot sales; and retail sales of various products from individual vehicles in temporary locations outside the public right-of-way. Vendors operating within the public right-of-way and sidewalk cafés are subject to the provisions of Divisions III and IV and Chapter 15 of the City Code."

Section 13. Chapter 36, Article XVII, Division 2, Section 36.60.41 of the Mountain View City Code, related to Definitions - "S," is hereby amended to read as follows:

"SEC. 36.60.41. - Definitions - "S."

Schools—college and university. Community colleges, public or private universities and professional schools granting associates art degrees, certificates, undergraduate and graduate degrees and requiring admission for admission at least a high school diploma or equivalent general academic training and not otherwise defined as a private educational facility.

Schools—private. Any educational institution, not under public administration, including: privately owned schools and schools owned and operated by religious organizations or other similar activity or pursuit. This definition does not include community or junior colleges, colleges or universities.

Schools—public. A building or group of buildings for educational and/or classroom purposes operated in the Mountain View Whisman Elementary School District, Mountain View-Los Altos Union High School District or other public education institutions, such as charter schools, offering a general course of study at primary, secondary or high school levels which offers instruction in those courses of study required by the California Education Code.

Schools—specialized education and training. Business, secretarial schools and vocational schools offering specialized trade and commercial courses. Includes specialized nondegree-granting schools offering such subjects as: art, drama, language, music, driver education, ballet and other dance and after-school tutoring centers. Also includes seminaries and other facilities exclusively engaged in training for religious ministries, and establishments furnishing educational courses by mail. Facilities, institutions and conference centers are included that offer specialized programs in personal growth and development (including fitness, environmental awareness, arts, communications and management, as examples).

Secondhand stores. Indoor retail establishments that buy and sell used products, including, but not limited to, books, clothing, furniture and household goods. The sale of cars and other used vehicles is included under “Auto, mobile home, vehicle and parts sales.”

Senior care facility. Communities designed for seniors, including, but not limited to, senior independent living communities, assisted living and nursing homes, or similar uses as determined by the zoning administrator.

Service station. A retail business selling gasoline or other motor vehicle fuels, which may also provide vehicle engine maintenance and repair services incidental to fuel sales (if permitted in the applicable zoning district). May also include accessory towing and trailer rental services spaces (if permitted in the applicable zoning district), but not the storage or repair of wrecked or abandoned vehicles, vehicle painting, body or fender work, or the rental of vehicle storage or parking.

Setback. The minimum allowable horizontal distance from a given point or line of reference, such as a street right-of-way, to the nearest vertical wall or other element of a building or structure as defined herein.

Shopping center. A building or buildings in which are situated no less than five (5) separate tenants or occupants whose combined gross floor area totals at least twenty thousand (20,000) square feet where no more than ten (10) percent of such tenants’ or occupants’ combined gross floor area is devoted to restaurant use, where the zoning administrator determines that such tenants or occupants are engaging in compatible uses and which uses are located on the same lot or located on separate but abutting lots

tied together by binding legal agreements providing rights of reciprocal vehicular parking and vehicular access.

Short-term rental. The use or possession of, or the right to use or possess, any room or rooms, or portions thereof, in any residential dwelling unit for residing, sleeping or lodging purposes for thirty (30) or fewer consecutive calendar days. Does not include "Hotels and motels," "Boarding or lodging house," "Supporting housing" or "Transitional housing."

Sign. Any card, cloth, glass, metal, painted, paper, plastic, wooden or other configuration of any character placed in or on the ground or any tree, wall, bush, rock, fence, pavement, building, structure or thing, for the purpose of advertising, announcing, declaring, demonstrating or displaying information about a specific business, occupant use, activity or building, including, but not limited to, clocks, barber poles and similar devices, and excluding official notices issued by a court or public officer.

Sign area. The calculated area of all parts and surfaces of a sign except the supporting structure. The sign area shall be measured by means of a single rectangular or circular shape that encloses all sign elements. For signs with more than one (1) side that is visible to the public, the sign area shall be the total of the calculated area of all sides.

Sign, decorative graphics. Decorative graphics shall be defined to include any graphic symbol, logo, monogram, words treated as a graphic image or other symbolic device which identifies the specific business or products or services offered on the premises or which relates to the contents of the building-mounted sign. This section shall apply only to commercial signs.

Sign, directional. Any sign the sole purpose of which is to regulate the flow of pedestrians and vehicles on private property.

Sign, freestanding. Any sign not entirely supported by a building.

Sign, identification. Any sign the sole purpose of which is to identify the appurtenant premises, the occupant of the premises or the principal business conducted on the said premises or the principal product sold or service performed on the said premises.

Sign, nonappurtenant. Any sign which does not relate to, or which relates only incidentally to, the occupant of the appurtenant premises or the principal business conducted thereon or the principal product sold or service performed thereon.

Sign, real estate. Any sign the purpose of which is to declare the appurtenant real property for rent, lease or sale.

Sign, window. Window signs shall include any graphics material, words or symbols attached to the glass surface of a building or located within four (4) feet of the inside surface of a window that is viewable by the public. Window graphics and displays complying with Sec. 36.36.15.j shall not be considered “window signs.”

Significant tobacco retailers. Any tobacco retailer that either devotes twenty (20) percent or more of floor area or display area to, or derives seventy-five (75) percent or more of gross sales receipts from, the sale or exchange of tobacco products and/or tobacco paraphernalia at the subject location. This definition shall not include cigar stores which qualify for exemption under City Code Sec. 21.61.

Single-family dwellings. A detached building designed for and/or occupied exclusively by one (1) family or household. Also includes factory-built, manufactured or modular housing.

Small-lot, single-family development. Small-lot, single-family development consists of two (2) or more detached single-family dwellings within a planned unit development project on individual lots that typically average between three thousand six hundred (3,600) square feet to four thousand three hundred (4,300) square feet per lot.

Storage, accessory. The indoor storage of various materials on the same site as a principal building or land use which is other than storage which supports the activities or conduct of the principal use. Includes the storage of automobiles (including their incidental restoration and repair), personal recreational vehicles and other personal property, accessory to a residential use.

Storage containers. Cargo, shipping and/or containers which are designed for the storage or transportation of goods by sea, air, rail or truck and can include commercial truck bodies, with or without wheels.

Street. Publicly maintained right-of-way which provides a public means of access to abutting property. The term “street” shall include avenue, drive, circle, road, parkway, boulevard, highway, thoroughfare or any other similar term.

Structure. That which is built or constructed, an edifice or building of any kind, or any piece of work artificially built up or composed of parts joined together in some definite manner.

Supergraphics. Painted or otherwise colored, specific symbols, shapes or devices on the walls of a building wherein the primary intent is decoration and architectural enhancement of a building. Supergraphics shall not be used to convey information about a specific occupant of a building or of a specific type of use within a building, or specifically direct attention to the identification sign or signs of a tenant within a building or of the building itself.

Supportive housing. A facility or use that provides housing with no limit of stay, that is occupied by the target population, as defined in California Health and Safety Code §53260(d), and that is linked to on-site or off-site services that assist the tenant to retain the housing, improve his or her help status, maximize their ability to work in the community. Supportive housing shall be considered a residential use and only subject to those restrictions that apply to other residential uses if the same type in the same zone.

Swimming pool. Any pool, pond, lake or open tank not located within a completely enclosed building and containing or normally capable of containing water to a depth at any point greater than three (3) feet.”

Section 14. The provisions of this ordinance shall be effective thirty (30) days from and after the date of its adoption.

Section 15. 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 16. Pursuant to Section 522 of the Mountain View City Charter, it is ordered that copies of the foregoing 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.

Section 17. The City Council finds that adoption of this ordinance is exempt from the California Environmental Quality Act (“CEQA”) pursuant to Section 15061(b)(3) because it includes text amendments related to recent legislation enacted by the State and City of Mountain View, and clarifications to existing administrative regulations and review procedures. Therefore, it can be seen with certainty that there is no possibility that the activity will have a significant effect on the environment.

DRAFT