

CITY OF MOUNTAIN VIEW
RESOLUTION NO.
SERIES 2019

A RESOLUTION AMENDING
THE P-39 (NORTH BAYSHORE) PRECISE PLAN
RELATED TO SAFE PARKING

WHEREAS, Chapter 36 in the Mountain View City Code sets forth a procedure whereby the City can adopt Precise Plan Amendments; and

WHEREAS, 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 Precise Plan Amendments are adopted; and

WHEREAS, on September 4, 2019, the Environmental Planning Commission held a duly noticed public hearing and thereafter forwarded its recommendation to the City council to adopt the Precise Plan Amendments; and

WHEREAS, on September 24, 2019, having given notice as required by Chapter 36 of the Mountain View City Code, the City Council held a public hearing to consider the Precise Plan Amendments;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Mountain View that:

1. The findings required for adoption of Precise Plan Amendments contained in Section 36.50.95 of the Mountain View City Code have been made as follows:

a. The Precise Plan Amendments are consistent with the General Plan because they align with the Land Use Mix, Distribution, and Intensity (LUD 3.2.1) goal of a flexible mix of land uses where appropriate; and

b. The Precise Plan Amendments will not be detrimental to the public interest, health, safety, convenience, or welfare of the City because the proposed safe parking use establishes requirements to ensure health and safety criteria are met and compatibility with surrounding uses; and proposed safe parking uses are subject to review, with exception, through a nondiscretionary Conditional Use Permit and potential for a public hearing upon request to preserve the health, safety, and welfare of the community; and

c. The Precise Plan Amendments promote the development of desirable character, harmonious with existing and proposed development in the surrounding area, because safe parking uses have been analyzed for compatibility with the respective Precise Plans and will be further reviewed, when required, through nondiscretionary Conditional Use Permit applications; and

d. The Precise Plan Amendments comply with the California Environmental Quality Act because adoption of the ordinance is exempt from the California Environmental Quality Act pursuant to Section 15301 of the CEQA Guidelines, which applies to the minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features involving negligible or no expansion of use. Adopting the ordinance to allow the use of existing parking lots for temporary overnight safe parking would not constitute any significant expansion of use. CEQA Guidelines Section 15061(b)(3) also applies to the adoption of the ordinance because it can be seen with certainty that there is no possibility that the activity (parking overnight in existing parking lots) may have a significant effect on the environment. The City considered whether the potential exceptions to the categorical exemption contained in Guidelines Section 15300.2 would apply to this approval and concluded they are not applicable. Use of existing parking lots in the operation of temporary safe parking does not impose a significant cumulative impact over time as the use as a parking lot is generally unchanged; it is not an unusual circumstance for a city to modify the hours of existing facilities and, moreover, there is nothing unusual about the size or location of the existing parking lots at which temporary overnight safe parking could be allowed; the use of existing parking lots for overnight parking does not adversely impact scenic or historical resources; and the overnight parking ordinance does not entail hazardous sites as it relates to existing parking lots and little to no ground disturbance would result from the implementation of the ordinance.

2. The Precise Plan Amendments, attached hereto and incorporated herein by reference in Exhibit A, have been reviewed and approved by the City Council and are hereby adopted. The effective date of this resolution shall be the same as the effective date of the City's ordinance related to safe parking.

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.

PdC/2/RESO
015-09-24-19r-1

Exhibit: A. Precise Plan Amendments

Table 3: Allowed Land Use Table

USE AND REQUIRED PERMIT	GATEWAY	CORE	GENERAL	EDGE
INDUSTRIAL				
Food products (Food and Beverage)	-	PUP	PUP	PUP
Printing and publishing	-	PUP	PUP	PUP
Wholesaling and distribution (commercial products only)	-	PUP	PUP	PUP
Manufacture, assembly or packaging of products from previously prepared	-	-	PUP	PUP
Manufacture of electric and electronic instruments and devices	-	-	PUP	PUP
Data centers	-	PUP	PUP	PUP
RECREATION, EDUCATION, PUBLIC ASSEMBLY				
Child day-care facilities	PUP	PUP	PUP	PUP
Community assembly	PUP	PUP	PUP	PUP
Community center	PUP	PUP	PUP	PUP
Indoor recreation and fitness centers	P	P	PUP	PUP
Libraries and museums	PUP	PUP	PUP	PUP
Outdoor commercial recreation	-	PUP	PUP	PUP
Parks and open spaces	P	P	P	PUP
Private schools	PUP	PUP	PUP	PUP
Schools	PUP	PUP	PUP	PUP
Schools—specialized education and training	PUP	PUP	PUP	PUP
Studios for dance, art, music, photography, martial arts, etc.	PUP	PUP	PUP	PUP
Theaters	PUP	PUP	PUP	PUP
RETAIL TRADE				
Accessory retail uses	P	P	PUP	PUP
Bars and drinking places	PUP	PUP	PUP	-
Certified farmer’s markets	P	P	PUP	-
Grocery stores	PUP	PUP	PUP	-
Liquor stores	PUP	PUP	-	-
Outdoor merchandise and activities	PUP	PUP	-	-
Restaurants serving liquor, with entertainment	PUP	PUP	PUP	-
Restaurants serving liquor, without entertainment	PUP	PUP	PUP	-
Restaurants with or without beer and wine	P	P	PUP	-
Restaurants, take-out	P	P	PUP	-
Retail stores, general merchandise	P	P	PUP	-
Shopping centers	P	PUP	PUP	-
TRANSPORTATION AND COMMUNICATIONS				
Pipelines and utility lines	P	P	P	P
Transit stations and terminals	PUP	PUP	PUP	PUP

USE AND REQUIRED PERMIT	GATEWAY	CORE	GENERAL	EDGE
Renewable energy or other energy facility	PUP	P	P	P
RESIDENTIAL				
Live/work residential	PUP	PUP	PUP	PUP
Multiple-family residential	P	P	P	P
Rooftop amenities	PUP	PUP	PUP	PUP
Residential accessory uses and structures	P	P	P	P
Safe parking	PUP	PUP	PUP	PUP
Senior care residential facility	PUP	PUP	PUP	PUP
Supportive and transitional residential	P	P	P	P
SERVICES				
Automatic teller machines (ATMs)	P	P	P	P
Banks and financial services	P	P	P	PUP
Business support services	P	P	P	PUP
Dry cleaning services	P	P	P	PUP
Cannabis business, nonstorefront retail	-	PUP	PUP	PUP
Commercial parking lots	PUP	PUP	PUP	PUP
Bicycle or pedestrian accessible services	P	P	P	PUP
Hotels	P	P	-	-
Medical services—< 3,000 square feet	P	P	P	P
Medical services—3,000 to 20,000 SF	PUP	PUP	PUP	PUP
Offices	P	P	P	P
Offices Administrative and executive	P	P	P	P
Personal services	P	P	P	P
Public safety and utility facilities	PUP	P	P	P
Repair and maintenance—consumer products	P	P	P	P
Research and development/light testing and assembly	P	P	P	P
Storage, accessory	P	P	P	P
Warehousing	-	PUP	PUP	PUP
OTHER USES				

Key to Land Use Permit Requirements	Symbol
Permitted uses, zoning compliance, and Development Review required	P
Provisional use, Provisional Use Permit Required	PUP
Use not allowed	-

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