



COUNCIL REPORT

DATE: May 26, 2026

CATEGORY: Public Hearing

DEPT.: Community Development

TITLE: **City Code Amendments to Allow Streamlined Administrative Approval for Housing Development Projects Utilizing Assembly Bill 130 and Other Minor Updates**

RECOMMENDATION

1. Introduce an Ordinance of the City of Mountain View Amending Chapter 36 (Zoning) of the Mountain View City Code to Authorize Streamlined Administrative Approval of Housing Development Projects that are Statutorily Exempt from the California Environmental Quality Act Pursuant to Public Resources Code Section 21080.66; and to Make Other Minor Modifications to Chapter 36 to Align Land Uses in the Residential and Commercial Zones with State Laws; and Finding that the Amendments are Exempt from Review Under the California Environmental Quality Act, as Recommended by the Environmental Planning Commission, to be read in title only, further reading waived, and set a second reading for June 9, 2026 (Attachment 1 to the Council report).
2. Introduce an Ordinance of the City of Mountain View Amending Chapter 28 (Subdivisions) and Chapter 41 (Park Land Dedication or Fees In Lieu Thereof) of the Mountain View City Code to Authorize Streamlined Administrative Approval of Housing Development Projects that are Statutorily Exempt from the California Environmental Quality Act Pursuant to Public Resources Code Section 21080.66; and to Make Other Minor Modifications to Chapter 28 and Chapter 41 to Achieve Greater Consistency with State Laws, for Internal Consistency within the City Code, and to Align the City Code with Current Permitting Procedures and Practices; and Finding that the Amendments are Exempt from Review Under the California Environmental Quality Act, to be read in title only, further reading waived, and set a second reading for June 9, 2026 (Attachment 2 to the Council report).

BACKGROUND

On June 30, 2025, the Governor signed [Assembly Bill \(AB\) 130](#) into law. AB 130 took effect immediately and significantly overhauled state housing and environmental review laws for infill housing development projects meeting certain criteria. The law's major provisions include streamlined review under the California Environmental Quality Act (CEQA), Public Resources Code Section 21000, *et seq.*, defined time periods for review and approval of certain housing development projects, more options to mitigate vehicle miles traveled (VMT) impacts, and a

moratorium on new residential building code standards through 2031. This report focuses on the new statutory CEQA exemption established by AB 130 (codified at [Public Resources Code Section 21080.66](#)) as well as the new timelines for taking final action on projects that are exempt from CEQA under AB 130 and Senate Bill (SB) 158 (codified at [Government Code Section 65950\(a\)\(7\)](#)). More information about the statute is provided below under Analysis.

Previous Meetings

City Council

On [January 27, 2026](#), the City Council received a staff report (Attachment 3) regarding the implementation of recently adopted state housing legislation, including AB 130. At that meeting, Council directed staff to create a ministerial approval process for housing development projects that qualify for the AB 130 streamlined CEQA review. Creation of a ministerial approval process would require amendments to Chapters 36 (Zoning), 28 (Subdivisions), and 41 (Park Land Dedication or Fees In Lieu Thereof) of the City Code, which include references to approval authority by the City Council, the Subdivision Committee, and other public hearing bodies.

In addition, on [February 24, 2026](#), during review of small business streamlining and other minor Zoning Code updates, the City Council identified several additional minor clean-up amendments to Chapter 36 of the City Code to allow:

- Child-care centers co-located with multi-family residential uses;
- Family child-care homes within the residence of the provider in commercial zones where General Plan Mixed-Use Village Centers are allowed; and
- Low-barrier navigation centers in the Commercial Office (CO) Zoning District.

The proposed amendments further support the [Fiscal Years 2025-27](#) Council Work Plan City Code Cleanup project and help to implement Programs 1.1 and 4.1(b) of the 2023-2031 Housing Element by ensuring the Zoning Code remains consistent with state law and streamlining housing development review processes.

Environmental Planning Commission Public Hearing

On [April 15, 2026](#), the Environmental Planning Commission (EPC) held a public hearing to review the proposed amendments to Chapter 36 (Zoning) (Attachment 4—Environmental Planning Commission Report dated April 15, 2026), which establish an administrative approval process for projects that qualify for a statutory CEQA exemption under AB 130. There were no public speakers, but the EPC received one written correspondence supporting the amendments and

encouraging the City to set a clear timeline for the adoption of a completely ministerial process (Attachment 5—Public Comment).

The EPC recommended approval of the amendments along with a minor cleanup to remove a duplicative mention of the “small animal keeping” land use from the agricultural land use category in Section 36.10.05 of the draft ordinance amending Chapter 36. Overall, the EPC was supportive of the proposed amendments to ensure compliance with state regulations.

Changes to Attachment 1 After the Environmental Planning Commission Hearing

Since the EPC meeting, staff has made additional refinements to the ordinance to preserve due process interests that are consistent with various statutory requirements.

The proposed amendments to the City Code require the City to provide notice and an opportunity for a hearing. Instead of providing notice of a standing hearing (like the administrative zoning hearing), the City will provide notice of a potential hearing, but will only conduct the hearing if a timely request is received by the City. Decisions can be appealed to the City Council. **The administrative approval process and associated hearing and appeal provisions are intended to be an interim measure until staff has an opportunity to develop a fully ministerial process.** Additional minor changes have been made to align with the concurrent amendments to Chapter 28 (Subdivisions). A summary of these changes is listed in Table 1 below.

Table 1: Post-EPC Changes

AFFECTED SECTION	DESCRIPTION OF CHANGE POST-EPC
Section 36.44.10. - Review authority.	Changes to Table 36.44-1 to reflect the opportunity for appeal of administrative housing approvals.
Section 36.44.25. - Subdivision committee.	Updates to the duties and powers of the Subdivision Committee for consistency with the proposed amendments to Chapter 28 (Subdivisions).
Section 36.44.35. - City council	Clarification that the City Council has the final authority on appeals of administrative approvals.
Section 36.44.75. - Administrative approval for qualifying housing developments subject to Public Resources Code Section 21080.66.	<ul style="list-style-type: none"> • A hearing for administrative approvals will be conducted if a timely request by the applicant or other person(s) is received by the Community Development Director within 14 days of the notice. • Allows appeals to the City Council.

AFFECTED SECTION	DESCRIPTION OF CHANGE POST-EPC
	<ul style="list-style-type: none"> Removes references to the “city engineer” as an approval authority to align with the final approach recommended for the draft ordinance amending Chapter 28 (Subdivisions).

ANALYSIS

AB 130 Overview

AB 130 establishes a new statutory CEQA exemption for qualifying infill residential projects. Statutory exemptions are unqualified exemptions from CEQA, meaning they are not subject to the exceptions to the application of categorical exemptions provided in CEQA Guidelines Section 15300.2. Qualifying residential projects can include single-family, multi-family, mixed-use, and transitional/supportive housing uses. Projects must satisfy statutory criteria to qualify for the new statutory exemption under Public Resources Code Section 21080.66, including maximum acreage, consistency with applicable Zoning and General Plan standards (density bonuses, waivers, incentives/concessions, and reduced parking per State Density Bonus Law do not create an inconsistency), and minimum density of at least 15 units per acre. Table 2 summarizes the statutory exemption criteria.

Table 2: AB 130 Statutory Exemption Criteria

CRITERION	DETAILED STANDARD
Project Size	<ul style="list-style-type: none"> ≤20 acres (standard); or ≤4 acres (Builder’s Remedy).
Location	<ul style="list-style-type: none"> Located within the boundaries of an incorporated municipality or U.S. Census urban area.
Urban Infill Context	<ul style="list-style-type: none"> Previously developed with an urban use; At least 75% of the perimeter of the site adjoins parcels that are developed with urban uses; At least 75% of the area within a one-quarter mile radius of the site is developed with urban uses; or For sites with four sides, at least three out of four sides are developed with urban uses, and at least two-thirds of the perimeter of the site adjoins parcels that are developed with urban uses.

CRITERION	DETAILED STANDARD
Plan/Zoning Consistency	<ul style="list-style-type: none"> • Must be consistent with local General Plan and Zoning Ordinance/Precise Plans as well as any applicable local coastal program; • If the Zoning and General Plan are not consistent with one another, a project shall be deemed consistent with both if the project is consistent with one; and • The approval of a density bonus, concessions, waivers, and reduced parking ratios pursuant to State Density Bonus Law shall not be grounds for determining that the project is inconsistent with the applicable General Plan, Zoning Ordinance, or local coastal program.
Minimum Density	<ul style="list-style-type: none"> • ≥50% of default Housing Element density (15+ units per acre in Mountain View).
Use Restrictions	<ul style="list-style-type: none"> • No portion of the project is designated for use as a hotel, motel, bed and breakfast inn, or other transient lodging except a residential hotel per California Health and Safety Code Section 50519 and short-term lodging; and • The project does not require demolition of historic structures listed on a national, state, or local historic register before the submittal date of the project’s preliminary application.
Environmental Conditions	<ul style="list-style-type: none"> • Not located on a hazardous waste site pursuant to Section 65962.5 of the Government Code or a hazardous waste site designated by the Department of Toxic Substances Control pursuant to Section 25356 of the Health and Safety Code (subject to limited exceptions).
Other Criteria	<ul style="list-style-type: none"> • Not located in a coastal zone; • Not located on areas of prime farmland or farmland of statewide importance; • Not located on wetlands; • Not located within a very high fire hazard severity zone; • Not located within a delineated earthquake fault zone; • Not located within a special flood hazard area subject to inundation by the 1% annual chance flood (100-year flood) or a regulatory floodway; and • Not located on lands identified for conservation in an adopted natural community conservation plan, habitat conservation plan, or other adopted natural resource protection plan, protected habitat, or lands under conservation easement.

Projects qualifying for a statutory exemption under AB 130 remain subject to the local development review process with new requirements for both developers and local jurisdictions.¹ Developers are subject to new labor standards (prevailing wages and a skilled work force) for 100% affordable housing projects and buildings over 85' tall. Developers must comply with specific air quality standards for project sites near freeways and specific requirements when recognized environmental conditions are found on the site (e.g., complete a preliminary endangerment assessment, remove or mitigate hazardous substance releases, and/or mitigate the potential for exposure to significant hazards from surrounding properties or activities) before projects may be occupied. Local jurisdictions must also engage in a consultation process with Native American tribes.²

AB 130 and SB 158 also amended the Permit Streamlining Act (PSA), Government Code Section 65920, *et seq.*, to add mandatory timelines for the City to approve or disapprove qualifying "infill" development projects within 30 days from the conclusion of the objective standards consistency analysis or the conclusion of the tribal consultation process, whichever is later (Gov. Code, § 65950(a)(7)). This time limit may be extended once by mutual written agreement of the project applicant and the City for a period not to exceed 90 days from the date of the extension. (Gov. Code, § 65957.) A project is deemed approved if a final action is not taken within these time frames (Gov. Code, §§ 65956(b); 65957).

The most pressing reason to adopt these amendments at this time is to avoid the risk of projects being deemed approved by ensuring that the City can act on, and place appropriate conditions of approval on, development projects whose statutory approval deadlines are incompatible with existing City procedures, particularly the multi-hearing approval process currently required for many projects.

Administrative Versus Ministerial Approval

The January 27, 2026 staff report used the term "ministerial" to describe the recommended approval process without a public hearing for projects subject to the statutory exemption provided in AB 130. A ministerial approval process is one that requires no discretion and relies solely on evaluating a project against adopted objective standards. Ministerial approvals do not require a hearing and are not subject to CEQA. At this time, staff is not proposing a ministerial approval process. Rather, staff is recommending an "administrative" approval process because of several challenges associated with adopting ministerial approval procedures within the time constraints of the current ordinance amendment process. Notably, more time is needed to

¹ Applicants for projects deemed complete before July 1, 2026 were obligated to notify the City that the project is eligible for the AB 130 CEQA exemption. For projects deemed complete after that date, the City is required to determine eligibility and follow the procedures of AB 130 independent of any applicant request.

² Developers may be included in such consultation with the approval of the tribes and must comply with the confidentiality requirements of state law and tribal standards.

address various exception processes that currently rely on discretionary determinations in Precise Plans, Below-Market-Rate (BMR) housing standards, and privately owned, publicly accessible (POPA) open space standards, among others. In these cases, discretion must still be exercised, which requires there to be an administrative approval process instead of a ministerial approval process. **Staff will continue working on a ministerial approval process for projects subject to the statutory exemption provided in AB 130.**

Staff’s assessment is that the recommended administrative approval process will accomplish the spirit and intent of Council’s direction on January 27, 2026, until such time as staff can perform the further work needed to prepare additional ordinance amendments to achieve a ministerial approval process. Table 3 compares ministerial and administrative actions.

Table 3: Ministerial and Administrative Approvals

	ADMINISTRATIVE	MINISTERIAL
Approval Process	Staff-level, hearing conducted only if City receives a timely request for hearing.	Staff-level, no hearing.
Discretion	Staff must make required findings for approval, and is empowered to reduce development standards or implement exceptions where allowed by the City Code/Precise Plans and in furtherance of established City goals and policies.	Approval is a “check-the-box” exercise to determine compliance.
CEQA	CEQA applies. The administrative approval process only applies to housing development projects that qualify for the statutory residential infill exemption under AB 130 (codified at Public Resources Code Section 21080.66).	CEQA does not apply to ministerial actions.

After evaluating both options, staff recommends the administrative approval process at this time for the following reasons:

- A fully ministerial approval framework would require the City to eliminate all sources of discretion within the development review process for housing development projects subject to the AB 130 statutory exemption and rely exclusively on objective development standards. While relying solely on objective development and design standards for housing project review is a goal for the City, staff has determined that transitioning to a ministerial process would require additional analysis and code amendments to identify discretionary provisions and develop enforceable objective standards that achieve the same regulatory outcomes.

For example, the East Whisman Precise Plan allows flexibility in the application of frontage types (such as storefronts, arcades, and dooryards) and new connections, provided the project meets the intent of the standards and is approved through the review process. Other examples include the Heritage tree removal findings and the POPA open space requirements.

Converting these provisions to a fully ministerial framework would require removing such discretionary elements and replacing them with clearly defined, objective criteria. These types of modifications would require area- and topic-specific analyses that are not feasible to complete within the current amendment timeline.

- The administrative approval process allows staff the opportunity to approve case-by-case exceptions to development standards where allowed by the City Code or applicable Precise Plan and in furtherance of established City goals and policies. For example, many Precise Plans include provisions that allow exceptions to development standards if the exception meets the purpose and intent of the Precise Plan. This provides additional flexibility for development projects that do not strictly meet objective standards.

If Council adopts the proposed ordinance to establish an administrative approval process for housing development projects subject to the AB 130 statutory CEQA exemption, the following two projects are likely to be among the first to utilize the new process:

- 1919-1933 Gamel Way, 574 Escuela Avenue & 1970 Latham Street (1920 Gamel Way).

Six-story, 216 condominium unit residential development with underground parking and vacation of a public street (Gamel Way), replacing 29 rental units, on a 2.3-acre project site. The project includes the removal of 12 Heritage trees. This project is located on the southwest corner of Gamel Way and Escuela Avenue in the R3-1 (Multiple-Family Residential) Zoning District.

In addition to administrative approval of a Planned Unit Development Permit, Development Review Permit, Heritage Tree Removal Permit, and Vesting Tentative Map, the project will require Council to approve a street and easement vacation of a portion of Gamel Way in compliance with statutory procedural requirements. The project is being processed under the Builder's Remedy provisions of the Housing Accountability Act.

- 355-415 East Middlefield Road.

Two new residential buildings, replacing approximately 85,000 square feet of existing office and research buildings: a six-story residential building with 116 BMR apartment units and an above-grade parking level, and a seven-story residential building with 576 apartment units and three levels of structured parking (including one basement and two above-grade levels). The project includes the removal of 19 Heritage trees. This project is located on the south side of East Middlefield Road, between Ellis Street and North Whisman Road, in the P(41) East Whisman Precise Plan Zoning District

In addition to administrative approval of a Planned Community Permit, Development Review Permit, Heritage Tree Removal Permit, and Vesting Tentative Parcel Map, the project will require approval of an Alternative Mitigation Proposal to satisfy BMR requirements.

Project Review Process and Noticing

On January 27, 2026, the City Council requested staff include a courtesy public notice as part of the ministerial review process for housing development projects eligible for the AB 130 statutory exemption. Until the Council adopts a ministerial approval process, staff proposes that the Council adopt an administrative approval process that provides public notice and an opportunity for a hearing. Incorporating a public notice will ensure property owners and residents surrounding a project site are made aware of the forthcoming development. It will also afford notice recipients the opportunity to provide written comments and request a hearing.

To enable this opportunity, the proposed Section 36.44.75(c) includes noticing requirements for qualifying AB 130 development projects approved under the proposed project review process, as follows:

1. Application Submittal: The applicant submits a development application.
2. Completeness Review: Staff reviews the application for completeness within the time frame required by state law. Staff notifies the applicant if additional materials are required. Once all required materials are submitted, the application is deemed complete.

3. Tribal Notifications: Within 14 days of the application for the project being deemed complete, staff provides notification to applicable tribal representatives in accordance with state law. Tribes must respond within 60 days, and the City must initiate consultation within 14 days of receiving a tribe's election to consult. The consultation must conclude within 45 days and may be extended by 15 days by tribal request.
4. Noticing: Concurrent with the tribal notifications, staff prepares and distributes notices to property owners and occupants within the noticing radius identified in Section 36.56.20 (Notice of hearing) of the City Code as well as to other interested parties. Such notices would include a deadline to request a hearing. Staff review for consistency with applicable objective standards also begins concurrently with tribal notifications.
5. Public Comment Period (Notice and Opportunity for Hearing): Recipients of the notice are provided a 14-day period to submit written comments and/or request a hearing.
6. Notice of Hearing (if requested): If the Community Development Director receives a timely request for a hearing, staff distributes notices to property owners and occupants within the noticing radius identified in Section 36.56.20 (Notice of hearing) of the City Code as well as to other interested parties, indicating the time and location of the hearing not less than 14 days prior to the hearing.
7. Hearing (if requested): If the Community Development Director receives a timely request for a hearing, a hearing will be conducted at the time and location provided on the notice. If no timely requests for a hearing are received, no hearing will be held.
8. Project Decision: A decision to approve or disapprove the project must be made within 30 days of the later time frame of the conclusion of tribal consultation (Step 3, above) or the objective standards consistency analysis (Step 4, above). This time limit may be extended once by mutual agreement of the applicant and the City for a period not to exceed 90 days from the date of the extension.
9. Appeal: Any decision of the Community Development Director may be appealed to the Council and must be submitted within ten (10) days following the date of emailing or mailing of the findings, in accordance with the City Code.

In addition to the notice provided to the community, staff will also provide quarterly updates to the City Council on those AB 130 project applications received and those acted upon (approved, approved with conditions, or disapproved) since the last quarterly update.

Summary of Proposed Amendments

1. **AB 130 Amendments**

As summarized in Table 4, the amendments establish administrative procedures for streamlined approval of qualifying housing project applications. For consistency within the City Code and to align with the proposed amendments to Chapter 36 (Zoning) (Attachment 1), Attachment 2 includes amendments to Chapter 28 (Subdivisions) and Chapter 41 (Park Land Dedication or Fees In Lieu Thereof). The amendments to Chapter 28 establish a corresponding administrative review and approval process for preliminary parcel maps and tentative maps associated with qualifying housing developments. In addition, the amendments to Chapter 41 establish an administrative review and approval process for POPA credit applicable to such projects, thereby ensuring a streamlined and coordinated review framework across related entitlement procedures.

CITY CODE CHAPTER 28 (SUBDIVISIONS)	AMENDMENT DESCRIPTION
Article I - General Subdivision Provisions, Section 28.1.35. - Definitions	Add a definition of “community development director,” who shall constitute the advisory agency authorized to approve, conditionally approve, or disapprove preliminary parcel maps and tentative parcel maps related to AB 130 housing developments.
Article III - Preliminary Parcel Maps, Urban Lot Splits and Tentative Maps, Division 1 - Preliminary Parcel Maps, Section 28.3.25. - Procedures for review and decision of preliminary parcel maps	Update language to clarify administrative review and approval procedures for preliminary parcel maps related to AB 130 housing developments.
Article III - Preliminary Parcel Maps, Urban Lot Splits and Tentative Maps, Division 3 - Tentative Maps, Section 28.3.20. - Procedures for review and decision of tentative maps	Update language to clarify administrative review and approval procedures for tentative parcel maps related to AB 130 housing developments.
Article XV - Administrative Review of Preliminary Parcel Maps and Tentative Maps	Add a new administrative review process for subdivision maps associated with qualifying housing developments.

Table 4: Summary of Proposed Amendments Related to AB 130

CITY CODE CHAPTER 36 (ZONING)	AMENDMENT DESCRIPTION
Article XIV - Affordable Housing Program, Division 3 - Commercial and Industrial Development: Housing Impact Fee Program	Update language to allow administrative approval of alternatives to, as well as adjustments, reductions, or waivers of, housing impact fees for nonresidential projects subject to AB 130.
Article XVI - Zoning Ordinance Administration, DIVISION 1 - Authority for Land Use and Zoning Decisions	Update review authority for AB 130 housing developments and related approvals.
Article XVI - Zoning Ordinance Administration, Division 2 - Development Review Process	<ul style="list-style-type: none"> • Add AB 130 housing development approvals under “administrative procedures.” • Add administrative review and approval procedures for housing projects that are statutorily exempt from CEQA pursuant to Public Resources Code Section 21080.66 (i.e., AB 130), including applicability, findings, noticing, and others. No permits from Chapter 36, other than a development review permit, shall be required.
CITY CODE CHAPTER 41 (PARK LAND DEDICATION OR FEES IN LIEU THEREOF)	AMENDMENT DESCRIPTION
Section. 41.11. - Credit, Subsection f. - Housing developments subject to administrative approval	Update the POPA open space and historic resource credits approval process to allow administrative approval for AB 130 housing developments.

2. Other Minor Amendments to Chapter 36 (Zoning) of the City Code

Staff is incorporating additional amendments in response to Council input and questions associated with the February 24, 2026, Council hearing, when Council considered the small business streamlining and other minor Zoning Code updates. The additional proposed amendments implement various state legislation, including:

- [AB 752 \(2024-2025\) \(Child daycare facilities\)](#), codified at [Health and Safety Code Section 1597.22](#): Requires a child-care center, when co-located with multi-family housing, to be considered a residential use of the property and a by-right use, subject to the same development standards that apply to the residential use.
- [SB 234 \(2019-2020\) \(Family daycare homes\)](#), codified at [Health and Safety Code Section 1597.42](#): Requires large- and small-family child-care homes, operated under the standards of state law, in a residentially zoned area to be considered a residential use of the property and a by-right use within the residence of the provider, subject to the same development standards that apply to the residential use.
- [AB 2162 \(2017-2018\) \(Supportive Housing By-Right Act\)](#), codified at [Government Code Section 65583](#): Requires supportive housing that meets the requirements of Government Code Section 65650 to be permitted by right in zones where multi-family and mixed uses are allowed, including nonresidential zones permitting multi-family uses, subject only to objective standards consistent with state law.
- [AB 101 \(2019-2020\) \(Low-barrier navigation centers\)](#), codified at [Government Code Section 65660, et seq.](#): Requires these facilities to be a use by right in areas zoned for mixed-use and nonresidential zones permitting multi-family residential development.

To comply with the intent of this legislation, a new heading was added to the residential and commercial land use tables: “Residential Accessory Uses.” This heading distinguishes uses that are allowed by right within or accessory to dwelling units on the site (such as accessory dwelling units, family child-care homes, and accessory dwelling units) from uses that are allowed whether or not there are dwelling units on the site (such as churches, child-care centers, or commercial uses within commercial zones). In addition, the redundant language within the General Plan Mixed-Use Village Center Development standards has been removed.

Additionally, clarifying language has been added to the commercial land use table to specify that supportive housing meeting the requirements of Government Code Section 65650 is permitted by right in zones where multi-family or mixed uses are allowed, consistent with state law. Definitions for supportive housing and transitional housing were also updated to

specify that these uses are as defined in state law and are subject to the same standards as residential uses, consistent with Government Code Section 65583(c)(3). Table 5 contains a summary of these amendments.

Table 5: Other Amendments to Chapter 36

CITY CODE SECTION	AMENDMENT DESCRIPTION
Article IV - Residential Zones, Division 2 - Land Uses	<ul style="list-style-type: none"> • Add new land use heading “Residential Accessory Uses” to identify uses that are only allowed within or accessory to dwelling units. • Add “Child-care center co-located with multiple family development” as a permitted use where multiple-family development is allowed, pursuant to AB 752.
Article V - Commercial Zones, Division 2 - Land Uses	<ul style="list-style-type: none"> • Add new land use heading “Residential Accessory Uses” to identify uses that are only allowed within or accessory to dwelling units. • Add “Child-care center co-located with multiple family development” as a permitted use where multiple-family development is allowed, pursuant to AB 752. • Permit large- and small-family child-care uses within dwelling units where residential is allowed, pursuant to SB 234. • Permit low-barrier navigation centers by right in the CO Zoning District. • Add clarification that supportive housing that meets the requirements of Government Code Section 65650 shall be a use by right in zones where multi-family and mixed uses are permitted, in accordance with state law. Supportive housing that does not meet the requirements of Government Code Section 65650 shall apply the permit requirements in the Code.

CITY CODE SECTION	AMENDMENT DESCRIPTION
Article IX - Standards for Specific Land Uses, Division 5 - Child Day-Care Facilities	<ul style="list-style-type: none"> • Allow small- and large-family child-care facilities within any dwelling unit and subject to the development standards applicable to residential uses, pursuant to SB 234. • Allow child-care centers to be co-located on multi-family residential development and subject to development standards applicable to residential uses, pursuant to AB 752. • Modify language to be consistent with the language and definitions elsewhere in the ordinance. For example, changing “child day-care facilities” to “child-care facilities.”
Article IX - Standards for Specific Land Uses, Division 23 - General Plan Mixed-Use Village Center Developments	Update the allowed residential use standards to eliminate redundancy and potential inconsistencies regarding the residential accessory uses that may be allowed in General Plan Mixed-Use Village Center developments.
ARTICLE XVII - Definitions, Division 2 - Definitions	Update the definition of “supportive housing” and “transitional housing” to clarify that the use is as defined in state law and subject to the same standards as residential, consistent with Government Code Section 65583(c)(3).

3. Other Minor Code Amendments to Chapter 28 (Subdivisions) and Chapter 41 (Park Land Dedication or Fees In Lieu Thereof)

Additional amendments to Chapter 28 and Chapter 41 achieve greater consistency with state laws and within the City Code, improve usability, and align the City Code with current procedures and practices. Table 6 below summarizes these amendments, which are included in Attachment 2.

Table 6: Other Amendments to Chapter 28 and Chapter 41

CITY CODE CHAPTER 28 (SUBDIVISIONS)	AMENDMENT DESCRIPTION
<p>Article I - General Subdivision Provisions</p> <ul style="list-style-type: none"> • Section 28.1.15. - Transactions voidable • Section 28.1.20. - Issuance of permits <p>Article II - Environmental and Planning Finding</p> <ul style="list-style-type: none"> • Section 28.2. - Mandatory findings • Section 28.2.05. - Permissive findings • Section 28.2.10. - Environmental findings • Section 28.2.15. - Compliance with tentative map 	<p>Update decision-making authority references (e.g., replacing or clarifying “city council” versus “approval body or official”) and clarify consistency, denial, and compliance findings for subdivision maps to align with current procedures and state law.</p>
<p>Article I - General Subdivision Provisions</p> <ul style="list-style-type: none"> • Section 28.1.35. - Definitions 	<ul style="list-style-type: none"> • Update and expand definitions, including clarification of roles (e.g., community development director), advisory body responsibilities, and subdivision-related terms. • Remove duplication and align terminology with the Subdivision Map Act and City Code structure.
<p>Article III - Preliminary Parcel Maps, Urban Lot Splits and Tentative Maps, Division 1 - Preliminary Parcel Maps</p> <ul style="list-style-type: none"> • Section 28.3.05. - Filing 	<p>Update filing requirements to allow electronic submittal of subdivision applications and maps to align with the Subdivision Map Act.</p>
<p>Article III - Preliminary Parcel Maps, Urban Lot Splits and Tentative Maps, Division 1 - Preliminary Parcel Maps</p> <ul style="list-style-type: none"> • Section 28.3.20. - Content <p>Division 2 - Urban Lot Splits</p> <ul style="list-style-type: none"> • Section 28.4.15. - Content <p>Division 3 - Tentative Maps</p> <ul style="list-style-type: none"> • Section 28.5.15. - Content 	<p>Update to align and standardize required map content across preliminary parcel maps, urban lot splits, and tentative maps, including Heritage tree information requirements.</p>

CITY CODE CHAPTER 28 (SUBDIVISIONS)	AMENDMENT DESCRIPTION
<p>Article III - Preliminary Parcel Maps, Urban Lot Splits and Tentative Maps, Division 1 - Preliminary Parcel Maps</p> <ul style="list-style-type: none"> • Section 28.3.25. - Procedures for review and decision of preliminary parcel maps • Section 28.5.20. - Procedures for review and decision of tentative maps 	<p>Update to align review procedures and hearing/referral processes, including City Council or Environmental Planning Commission actions and maps subject to development agreement.</p>
<p>Article IV - Parcel Maps and Final Maps, Division 2 - Final Maps</p> <ul style="list-style-type: none"> • Section 28.7.25. - Approval and recording of the final map 	<p>Update final map review procedures to align with the Subdivision Map Act.</p>
<p>Article V - Design Standards, Division 1 - General</p> <ul style="list-style-type: none"> • Section 28.8. - Applicability • Section 28.8.20. - Street widths <p>Division 2 - Utilities</p> <ul style="list-style-type: none"> • Section 28.9. - Utilities 	<p>Update decision-making authority references.</p>
<p>Article VII - Residential Condominium Conversions</p> <ul style="list-style-type: none"> • Section 28.12.10. - Permit • Section 28.12.20. - Process • Section 28.12.30. - Design and safety standards for conversions 	<p>Update code references.</p>
<p>Article VII - Commercial and Industrial Condominium Conversions</p> <ul style="list-style-type: none"> • Section 28.13.10. - Permit • Section 28.13.20. - Process • Section 28.13.30. - Design and safety standards for conversions 	<p>Update code references.</p>

CITY CODE CHAPTER 41 (PARK LAND DEDICATION OR FEES IN LIEU THEREOF)	AMENDMENT DESCRIPTION
Section 41.11. - Credit <ul style="list-style-type: none"> • Subsection a.2.(a).ii and iii • Subsection a.2.(a).(vi), Table 41.11 - Open Space Credit Elements • Subsection a.2.(b) - Alternate proposals 	Update plan references (e.g., updating the name for the Parks and Recreation Strategic Plan) and clarification of POPA access requirements.

ENVIRONMENTAL REVIEW

The proposed text amendments to the City Code are not a project under CEQA and the CEQA Guidelines, pursuant to Public Resources Codes Section 21065 and CEQA Guidelines Section 15378, because they do not approve a project or result in a direct physical impact on the environment or contemplate a known future project, and, as such, there are no known environmental impacts at this time. As a separate and independent basis, adoption of the amendments is exempt from the requirements of CEQA pursuant to CEQA Guidelines Section 15061(b)(3) as the amendments are related to: (1) state legislation; (2) permit procedural changes or clarifications with no substantive changes to allowable land uses within existing Zoning Districts; and (3) are otherwise covered by the common-sense exemption whereby it can be seen with certainty that there is no possibility that the activity in question will have a significant effect on the environment.

Future development projects would be evaluated for CEQA compliance, including potential eligibility for the statutory exemption established by AB 130.

FISCAL IMPACT

Adoption of the proposed ordinances would result in a minor positive fiscal impact to the City. Certain administrative costs associated with the public hearing process that are not recovered from project applicants, including City Clerk’s Office staff time related to agenda publication, would be eliminated. In addition, more efficient processing and approval of development projects could facilitate earlier project completion and occupancy, potentially accelerating the receipt of property tax and other development-related revenues to the City.

LEVINE ACT

California Government Code Section 84308 (also known as the Levine Act) prohibits city officials from participating in any proceeding involving a “license, permit, or other entitlement for use” if the official has received a campaign contribution exceeding \$500 from a party, participant, or

agent of a party or participant within the last 12 months. The Levine Act is intended to prevent financial influence on decisions that affect specific, identifiable persons or participants. For more information see the Fair Political Practices Commission website: www.fppc.ca.gov/learn/pay-to-play-limits-and-prohibitions.html.

Please see below for information about whether the recommended action for this agenda item is subject to or exempt from the Levine Act.

EXEMPT FROM THE LEVINE ACT

General policy and legislative actions

CONCLUSION

The proposed City Code amendments implement City Council direction and are intended to support compliance with state law and Housing Element Programs 1.1 and 4.1. These amendments establish a review process for qualifying projects aligned with the timelines mandated by state law while maintaining compliance with the City's development standards. They also clean up and clarify sections of the City Code, improving internal consistency and compliance with state law.

ALTERNATIVES

1. Adopt the proposed text amendments to the City Code with modifications.
2. Disapprove the proposed text amendments and retain the existing Code language. This alternative could increase the potential that projects may be deemed approved if the City cannot take final action within the timelines prescribed in the Permit Streamlining Act.

PUBLIC NOTICING

The City Council meeting is advertised on Channel 26, and the agenda and this report appear on the City's website. A newspaper notice has been published for this meeting. Electronic notices were sent to other interested stakeholders, including those who signed up on the Housing Element.

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- Attachments:
1. Draft Ordinance Amending Chapter 36
 2. Draft Ordinance Amending Chapter 28 and Chapter 41
 3. [City Council Report dated January 27, 2026](#)
 4. [Environmental Planning Commission Report dated April 15, 2026](#)
 5. Public Comment