

CITY OF MOUNTAIN VIEW
RESOLUTION NO.
SERIES 2024

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MOUNTAIN VIEW
AMENDING THE EL CAMINO REAL PRECISE PLAN TO ADD EMERGENCY SHELTERS AS A
PERMITTED/PROVISIONALLY PERMITTED USE AND TO INCLUDE PERMITTING PROCESS FOR
SHELTERS, CONSISTENT WITH THE HOUSING ELEMENT PROGRAM 1.1.F, AND FINDING THE
AMENDMENT TO BE
CATEGORICALLY EXEMPT UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT,
PURSUANT TO CEQA GUIDELINES SECTION 15061(B)(3)

WHEREAS, the City of Mountain View adopted the 2023-2031 Housing Element, which includes Policy Program 1.1.f to update the El Camino Real Precise Plan to permit emergency shelters by-right and to update the Zoning Ordinance, as necessary, to ensure consistency with State law related to emergency shelters (Assembly Bill (AB) 2339); and

WHEREAS, Chapter 36 (Zoning) of the City Code includes development standards and permitting procedures for emergency shelters that are inconsistent with AB 2339 and requires updates to these existing requirements to ensure consistency with State law; and

WHEREAS, procedures set forth in Chapter 36 Article XVI, Division 11 of the Mountain View City Code, whereby the City can amend a Precise Plan, have been executed; and

WHEREAS, Chapter 36 of the City Code requires the City's Environmental Planning Commission and City Council each hold a duly noticed public hearing before a Precise Plan is amended; and

WHEREAS, the Environmental Planning Commission held a duly noticed public hearing on February 21, 2024 and recommended the City Council approve the Precise Plan Amendment; and

WHEREAS, the City Council held a public hearing on March 26, 2024 and received and considered all evidence presented at said hearing regarding the El Camino Real Precise Plan Amendment, including the recommendation from the Environmental Planning Commission, City Council report, project materials, testimony, and written materials submitted; now, therefore, be it

RESOLVED: that the City Council of the City of Mountain View hereby makes the following findings for amendment of a Precise Plan, pursuant to Section 36.50.95 of the City Code:

a. The proposed Precise Plan is consistent with the General Plan because the project implements Policy Programs identified in the Sixth Cycle 2023-2031 Housing Element, including

Zoning Ordinance and Precise Plan updates, for consistency with State legislation related to emergency shelters;

b. The property covered by the proposed Precise Plan Amendment is within the Planned Community (P) Zoning District;

c. The proposed Precise Plan would not be detrimental to the public interest, health, safety, convenience, or welfare of the community because the amendments are intended to ensure consistency with State law by permitting a new residential land use;

d. The proposed Precise Plan promotes the development of desirable character, harmonious with existing and proposed development in the surrounding area, because allowing emergency shelters by-right supports housing goals of creating an inclusive and equitable community by permitting housing intended for the unhoused populations of the community;

e. The site has special conditions of size, shape, land ownership, existing development, or development opportunities that can only be addressed by approval of the proposed Precise Plan Amendment because AB 2339 requires cities to identify a site analysis. There are multiple nonvacant and vacant sites that are suitable sizes and locations for redevelopment of an emergency shelter, and these sites are within walking distance to transit, grocery stores, and other services. This makes it a desirable location for different housing types; and

f. The approval of the proposed Precise Plan Amendment is in compliance with the provisions of the California Environmental Quality Act (CEQA) because it is categorically exempt from CEQA pursuant to CEQA Guidelines Section 15061, subsections (b)(1) through (b)(3). The amendments include zoning text amendments intended to comply with State legislation related to emergency shelters, which are otherwise covered by the common-sense exemption, and will not have a significant effect on the environment; and be it

FURTHER RESOLVED: that the Precise Plan Amendment, as more specifically shown in Exhibit A, attached hereto and incorporated herein by reference, is hereby approved.

KP/6/RESO
828-02-21-24r

Exhibit: A. Precise Plan Amendment

El Camino Real Precise Plan



EL CAMINO REAL PRECISE PLAN (P38)

ADOPTED BY THE MOUNTAIN VIEW CITY COUNCIL

NOVEMBER 17, 2014

RESOLUTION NO. 17913

<u>AMENDED</u>	<u>RESOLUTION NO.</u>	<u>SUMMARY</u>
OCTOBER 2, 2018	18248	DESIGNATE CANNABIS BUSINESSES AS A LAND USE
JUNE 11, 2019	18347	AMEND CANNABIS BUSINESS LAND USES
JANUARY 24, 2023	18757	AMEND ALLOWED FAR AND HEIGHT FOR RESIDENTIAL/MIXED-USE DEVELOPMENT FOR TIER 1
<u>MARCH 26, 2024</u>	<u>XXXXX</u>	<u>AMEND EMERGENCY SHELTER LAND USES</u>

Development Standards and Guidelines

This chapter includes standards and guidelines for new development in the Plan area. The Chapter is divided into the following sections:

- ◆ The Land Use section includes a list of permitted and provisional uses.
- ◆ The Ground Floor Commercial section defines requirements for ground floor commercial uses in particular areas where the plan prioritizes pedestrian activity and community-serving retail and services.
- ◆ Starting with Height and Intensity Zones, the next several sections of the chapter include standards for height, intensity, and setbacks by area.
- ◆ The next two sections contain standards and guidelines that apply to all areas of the corridor. This includes guidance for neighborhood transitions, access, building form, frontage character, landscaping, and other design elements. See page 7 for the difference between standards and guidelines.
- ◆ Fence and sign regulations are included on page 39.



Standards and guidelines in this chapter encourage buildings that engage the sidewalk, improve public spaces, and focus intensity to vibrant activity centers.

Land Uses

The following land uses, as defined in the Zoning Ordinance, are allowed in the Precise Plan area.

The permit requirements under “Required Ground Floor Commercial Areas” apply to required ground floor commercial spaces in locations identified on Pages 14 and 15—the Village Centers, Neighborhood Corners and Castro/Miramonte Area. For non-residential uses, the permit requirements under “Corridor Areas and All Upper Floors” apply everywhere else, including spaces complying with the “Ground Floor Commercial” setbacks in the standards tables. For residential uses, the permit requirements under “Corridor Areas and All Upper Floors” apply only to spaces consistent with all Residential Standards on Page 31, and with “Other Ground Floor Uses and all Upper Floors” setbacks in the standards tables. Specific projects may further limit the range of uses allowed on a site.

For the areas labeled “Residential Land Use Only” in Figures 4-6, use Page 26 instead of this table.

P	Permitted Uses
PUP	Provisional Use Permit Required
-blank-	Use Not Allowed

Table 1: Allowed Land Uses

LAND USE	CORRIDOR AREAS AND ALL UPPER FLOORS	REQUIRED GROUND FLOOR COMMERCIAL AREAS (see page 14)
RESIDENTIAL <i>Uses in this section are not allowed in the area bounded by Highway 237, El Camino Real and Highway 85. <u>This restriction shall not apply to emergency shelters.</u> Permit requirements under “Corridor Areas and All Upper Floors” apply only to spaces consistent with all Residential Standards on Page 31, and with “Other Ground Floor Uses and all Upper Floors” setbacks in the standards tables.</i>		
Efficiency studios	PUP	
<u>Emergency Shelter*</u>	<u>PUP / P</u>	<u>PUP / P</u>
Live/Work	P	PUP
Multiple-Family Housing, both renter and owner	P	
Residential accessory uses & structures*	P	PUP
Rooftop amenities (Above 3rd Floor)	PUP	
Rowhouses and Townhouses	PUP	
Senior Care Facility	PUP	
Supportive & transitional housing	P	
RECREATION, EDUCATION, PUBLIC ASSEMBLY		
Child day-care centers and preschools	PUP	PUP
Community assembly, libraries and museums	PUP	PUP
Indoor recreation, fitness centers and studios for dance, art, music, photography, martial arts, etc.	P	P
Outdoor commercial recreation	PUP	
Pool and billiard rooms	PUP	PUP
Schools—including public, private, specialized education and training, and tutoring centers	PUP	PUP

LAND USE	CORRIDOR AREAS AND ALL UPPER FLOORS	REQUIRED GROUND FLOOR COMMERCIAL AREAS (see page 14)
RETAIL TRADE		
Accessory retail uses	P	P
Auto, mobile home, trailer and boat sales	PUP	
Bars and drinking places	PUP	PUP
Building material stores	PUP	
Certified farmer's markets	PUP	PUP
Drive-in and drive-through sales	PUP	
Liquor stores	PUP	PUP
Outdoor merchandise and activities	PUP	PUP
Restaurants with entertainment	PUP	PUP
Restaurants, with or without beer, wine or liquor, without entertainment	P	P
Retail stores—including general merchandise, grocery, furniture, furnishings and home equipment	P	P
Second hand stores	PUP	PUP
Shopping centers	PUP	PUP
Significant tobacco retailer	PUP	PUP
SERVICES		
Animal service establishments	PUP	PUP
Banks and financial offices, and ATMs	P	P
Business support services	P	PUP
Cemeteries, columbariums and mortuaries	P	
Cannabis business, nonstorefront retail	PUP	
Commercial or off-site parking lots	PUP	
Drive-in and drive-through services	PUP	

LAND USE	CORRIDOR AREAS AND ALL UPPER FLOORS	REQUIRED GROUND FLOOR COMMERCIAL AREAS (see page 14)
Hotels and motels	PUP	
Hotel accessory uses and structures*	P	PUP
Medical services < 3,000 square feet	P	P
Medical services 3,000 to 20,000 square feet	P	PUP
Medical services > 20,000 square feet, hospitals and extended care	PUP	
Office—General	P	PUP
Office—including administrative and executive, and research and development*	P	
Personal services	P	P
Plant nursery	PUP	
Public safety and utility facilities	PUP	PUP
Repair and maintenance—consumer products	P	P
Repair and maintenance—vehicle, minor work*	PUP	
Service stations*	PUP	
Storage, accessory	P	
OTHER USES		
Pipelines and utility lines	P	
Transit stations and terminals	PUP	PUP
Recycling—reverse vending machines & small facilities	PUP	
Other uses not named, but similar to listed uses and consistent with the purpose and intent of the Precise Plan	PUP	PUP

* See Page 12 for additional requirements.

Other Land Use Requirements

1. **General development standards for commercial zones.** Other standards and operational requirements apply if generally applicable to commercial zones in the Zoning Ordinance, such as limits on late-night use and activities, requirements for trash enclosures and roof-top equipment screening.
2. **Non-conforming uses in required ground floor commercial areas.** Uses in required ground floor commercial areas made non-conforming by this chapter, such as gas stations, drive-through services and hotel rooms, shall be allowed to continue for the structural life of the building or structure.
3. **Automobile-focused uses (primary).** Uses that are primarily automobile-focused, such as service stations, minor car repair and car washes, are exempt from standards and guidelines conflicting with their automobile focus, such as maximum parking frontage and maximum setbacks. Structures associated with these uses may be rebuilt or expanded on the same site with a Provisional Use Permit, even if they are in a required ground floor commercial area (such as a Village Center). However, if located in a required ground floor commercial area, they shall not be rebuilt as part of a larger development. Improvements at these sites shall be subject to other requirements, such as improved pedestrian access from the street to retail spaces, improved landscape screening and reductions in the number of driveways. Drive-through sales and services, when secondary to another use such as restaurants, shall not use this section.
4. **Hotel accessory structures and uses.** Hotel uses in required ground floor commercial areas may include lobbies, lounges, fitness rooms or other uses compatible with the purpose and intent of these areas. The quantity and type of accessory structures and uses may be limited through the development review process.
5. **Residential accessory structures and uses.** Residential uses in required ground floor commercial areas may include leasing office, lounges, fitness rooms or other uses compatible with the purpose and intent of these areas. The quantity and type of accessory structures and uses may be limited through the development review process.
6. **Locations with residential not allowed.** Residential land uses, are not allowed in the area bounded by Highway 237, El Camino Real and Highway 85. This restriction shall not apply to emergency shelters.
7. **Other residential uses.** Other uses within legal dwelling units may be permitted or provisional, depending on the type of unit and the characteristics of the use. These uses may include small and large family child day care, home occupations, residential care homes and rooming and boarding. Permit requirements in the R3 zone shall apply to these uses.
8. **Research and development.** Research and development uses are limited to small-scale, office-type businesses. They shall be office-like (such as software/Internet companies); compatible with the commercial, office and residential uses commonly found in the area; shall not involve manufacturing or the use of hazardous materials (except those normally associated with office buildings such as cleaning materials); and shall be located in buildings developed (or redeveloped) for office uses and not in individual tenant spaces in multi-center retail centers.
9. **Emergency Shelters.** Emergency shelters are a permitted use in the Castro/Miramonte Sub-Area I and require a Provisional Use Permit in other subareas regulated by Table I.

Other requirements may apply to specific land uses and are included in the Zoning Ordinance.

Residential-Only Areas

Areas shown in Figure 13 allow residential uses. These areas are either existing residential properties in close proximity to neighborhoods, or they have a residential General Plan land use designation.

Additional Standards

1. **Low Intensity, Residential-Only.** For the Low Intensity areas shown in Figure 13, the standards, uses, and densities of the R3-2 zone shall apply. See the City's Zoning Ordinance for more information.
2. **Medium Intensity, Residential-Only.** For the Medium Intensity areas shown in Figure 13, the standards, uses, and densities of the R3-1 zone apply. See the City's Zoning Ordinance for more information.
3. **Continental Circle.** The Americana Apartments, located at 707 Continental Circle, were constructed under the Americana Center Precise Plan, which had a different maximum height and minimum open area than the R3 zone. To maintain its existing zoning, this area shall use the standards, uses and densities of the R3-1 zone, with the following exceptions:
 - Maximum Height: 48 ft
 - Minimum Open Area: 45%See the City's Zoning Ordinance for more information.
4. **Emergency Shelters.** [Emergency shelters are allowed with a Provisional Use Permit in these areas, subject to the development standards in the Zoning Ordinance.](#)

Figure 13: Residential-Only Areas

