

## CITY OF MOUNTAIN VIEW

ENVIRONMENTAL PLANNING COMMISSION  
STAFF REPORT  
AUGUST 16, 2023

### 5. PUBLIC HEARINGS

#### 5.1 Consideration of Text Amendments to Chapter 36 (Zoning) of the City Code to Prohibit Firearms and Ammunition Retailing as a Home Occupation

##### RECOMMENDATION

That the Environmental Planning Commission (EPC) recommend the City Council adopt an Ordinance of the City of Mountain View Amending Chapter 36 (Zoning) of the Mountain View City Code to Add Firearms and Ammunition Retailing as a Prohibited Home Occupation Use (Exhibit 1 to the EPC Staff Report).

##### PUBLIC NOTIFICATION

The Commission's agenda is advertised on Channel 26, the agenda and this report are posted on the City's internet website and were posted in accordance with the Brown Act, and a notice for the item was published in the newspaper.

##### BACKGROUND AND ANALYSIS

Pursuant to City Council's direction, the City Attorney's Office presented firearm safety legislation options to the City Council at an [October 11, 2022](#) study session. At the study session, Council directed staff to return with an ordinance that would require all firearm dealers within the City to obtain a license from the Mountain View Police Department (MVPD), to prohibit firearm dealers from operating within 250 feet of parks, schools, and day cares, and to prohibit firearm and ammunition retail as a home occupation. Currently, there are five firearm dealers within the City, with three of them operating as home occupations. Those three firearm dealers would be provided a one-year grace period before they must cease operations.

The ordinance before EPC tonight would effectuate Council's direction to prohibit firearm and ammunition sales as a home occupation by adding firearms and ammunition retailing to the list of prohibited home occupations in the City's Zoning Ordinance. Existing firearm dealers who operate from their homes will be given a grace period of one year to come into compliance with the licensing and locational requirements before they must cease operation.

## **NEXT STEPS**

The EPC recommendation on the proposed amendments, along with the licensing and locational requirements, including the provisions relating to the one-year grace period, will be presented to the City Council at a public hearing tentatively scheduled for September 12, 2023.

## **CONCLUSION**

Staff recommends that the EPC recommend Council adopt the proposed text amendments to prohibit firearms and ammunition retailing as home occupations.

## **ALTERNATIVES**

1. Recommend approval of the City Code Text Amendments with modifications.
2. Recommend disapproval of the City Code Text Amendments.

Prepared by:

Diana Fazely  
Assistant City Attorney

Approved by:

Jennifer Logue  
City Attorney

DF/6/ATY  
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Exhibit: 1. Draft Ordinance Amending Chapter 36 (Zoning)