

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MOUNTAIN VIEW
AMENDING CHAPTER 36 (ZONING) OF THE CITY CODE
TO IMPLEMENT SUBTASK (G) OF HOUSING ELEMENT PROGRAM 1.1, INCLUDING
UPDATES TO ARTICLE V (COMMERCIAL ZONES) TO ALLOW GENERAL PLAN MIXED-USE
VILLAGE CENTER LAND USES IN THE CO (COMMERCIAL-OFFICE) ZONING DISTRICT, AND TO
MAKE OTHER CLARIFYING AND CONFORMING CHANGES, SUCH AS MODIFYING AND
REORGANIZING STANDARDS IN DIVISION 23 (GENERAL PLAN MIXED-USE VILLAGE CENTER
DEVELOPMENTS) OF ARTICLE IX (STANDARDS FOR SPECIFIC LAND USES) TO BE CONSISTENT
WITH THE CO ZONING DISTRICT AND THE EVANDALE PRECISE PLAN, AND REQUIRING
AVIGATION EASEMENTS PURSUANT TO THE MOFFETT FEDERAL AIRFIELD COMPREHENSIVE
LAND USE PLAN, AS RECOMMENDED BY THE ENVIRONMENTAL PLANNING COMMISSION

WHEREAS, on April 11, 2023, the City Council adopted the City of Mountain View's Sixth Cycle Housing Element, which provides a policy framework and implementation plan for addressing housing needs in Mountain View over the 2023 to 2031 Housing Element planning period; and

WHEREAS, the 2023-2031 Housing Element includes Program 1.1, subtask (g), to ensure Chapter 36 (Zoning) of the City Code and the General Plan for all sites are consistent with the Housing Element site inventory and pipeline projects. Specifically, Program 1.1(g) of the Housing Element identifies various properties to be rezoned to increase maximum allowed residential densities to support additional housing opportunities, especially in high-opportunity areas, by December 31, 2025; and

WHEREAS, the City seeks to update Chapter 36 (Zoning) of the City Code to implement Housing Element Program 1.1(g) and to make other clarifying changes; and

WHEREAS, the City has complied with the procedures and requirements set forth in Government Code Section 65853 et seq. and Section 36.52.40 et seq. (Zoning amendments) of the City Code; and

WHEREAS, the Environmental Planning Commission held a duly noticed public hearing on November 5, 2025 and recommended that the City Council adopt the text amendments to Chapter 36 (Zoning) of the City Code to implement subtask (g) of Housing Element Program 1.1, including updates to Article V (Commercial Zones) to allow general plan mixed-use village center land uses in the CO (Commercial-Office) Zoning District, and modifying and reorganizing standards in Division 23 (General Plan Mixed-Use Village Center Developments) of Article IX (Standards for Specific Land Uses) to be consistent with the CO(Commercial-Office) Zoning District and the Evandale Precise Plan, and to require avigation easements pursuant to the Moffett Federal Airfield Comprehensive Land Use Plan; and

WHEREAS, the City Council held a duly noticed public hearing on December 16, 2025 on this Ordinance and received and considered all information, documents, and comments presented at said hearing regarding amendment(s) to Chapter 36, including the recommendation from the Environmental Planning Commission, the City Council report, and project materials; now, therefore,

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

SECTION 1. Findings. The City Council hereby makes the findings for text amendments to Chapter 36 (Zoning) pursuant to Section 36.52.70 (Findings) of the City Code:

a. **The proposed amendment(s) is consistent with the General Plan.** The proposed amendments are consistent with the General Plan because the project implements subtask (g) of Program 1.1 in the Sixth Cycle 2023-2031 Housing Element. The amendments are also consistent with the General Plan map amendments, creating additional mixed-use village center opportunities that are approved concurrently with this action, because the amendments make mixed-use projects possible at 777 Cuesta Drive, 1702-1704 Miramonte Avenue, 677-699 Calderon Avenue, and the Leong Drive/Evandale Avenue area;

b. **The proposed amendment(s) would not be detrimental to the public interest, health, safety, convenience, or welfare of the city.** The proposed amendments would not be detrimental to the public interest, health, safety, convenience, or welfare of the community because these amendments implement subtask (g) of Program 1.1 identified in the Sixth Cycle Housing Element, which furthers the City's housing goals by creating more opportunity for residential development in areas that are near services and goods;

c. **The proposed amendment(s) is internally consistent with Chapter 36 of the Mountain View City Code.** The proposed amendments and reorganization are intended to create internal consistency within Chapter 36 (Zoning) of the Mountain View City Code, as they modify the purpose of commercial zones to align with allowed land uses, specifically with general plan mixed-use village center land uses. Additionally, amendments are proposed to ensure the allowed land uses in the General Plan mixed-use village center land use designation are consistent with the underlying zoning district (i.e., allowing office uses in the commercial-office zoning districts); and

d. **The proposed amendment(s) is in compliance with the provisions of the California Environmental Quality Act (CEQA).** The proposed amendments to Chapter 36 (Zoning) of the City Code fall within the scope of the City's Housing Element Update Program Environmental Impact Report (State Clearinghouse No. 2022020129) (Housing Element EIR), which the City Council certified on January 24, 2023, in compliance with the provisions of the California Environmental Quality Act (CEQA), Public Resources Code Section 21000 et seq., and the Guidelines for Implementation of the California Environmental Quality Act (14 Cal. Code Regs. Section 15000 et seq.) (CEQA Guidelines). Pursuant to CEQA Guidelines Section 15168, a project can be covered

by the Program EIR if the subsequent activity is determined to be in the scope of the prior EIR and no new or more severe impacts not previously analyzed in the Program EIR are identified. The proposed amendments are within the scope of the Housing Element EIR as it studied environmental effects associated with increasing residential capacity on the identified sites and densities in Program 1.1(g). The amendments would not result in new significant environmental effects or a substantial increase in the severity of previously identified impacts, as determined in the Program EIR Conformance Analysis. In addition, pursuant to CEQA Guidelines Sections 15162 and 15163, none of the circumstances necessitating further CEQA review or preparation of a new EIR are present with respect to the Housing Element EIR. Adoption of amendments to the General Plan, City Code, and Precise Plans to implement the policies and goals of the Housing Element of the General Plan would not require major revisions to the Housing Element EIR due to new significant impacts or due to a substantial increase in the severity of the significant environmental effects. There have been no substantial changes with respect to the circumstances under which the project would be undertaken that would require major revisions of the Housing Element EIR due to new or substantially increased significant environmental effects. Further, there has been no discovery of new information of substantial importance that would trigger or require major revisions of the Housing Element EIR due to new or substantially increased significant environmental effects. Therefore, no further environmental review with respect to the Housing Element EIR is required under CEQA .

SECTION 2. Chapter 36 (Zoning), Article III (General Regulations, Special Provisions, Exceptions and Interpretations), Division 1 (General), of the Mountain View City Code is hereby amended to add a new Section 36.06.28 (“Avigation Easements”) as set forth below. Section titles are shown in **bold** font, additions are shown in **red underline** font, and deletions are shown by ~~strikeout~~ font. Provisions that are not shown in underline or strikethrough font are not changed.

SEC. 36.06.28 - Avigation easements.

Projects proposing any action that would either permit or result in the development or construction of a land use considered to be conditionally compatible with aircraft noise of CNEL 65 dB or greater, as mapped in the Moffett Federal Airfield Comprehensive Land Use Plan (“CLUP”), shall include the grant of an avigation easement to the U.S. Government and the County of Santa Clara prior to issuance of a building permit(s) for any proposed buildings or structures, consistent with the CLUP.

SECTION 3. Chapter 36 (Zoning), Article V (Commercial Zones), Division 1 (Purpose) and Division 2 (Land Uses), of the Mountain View City Code is hereby amended to add, delete, or modify its provisions as set forth below. Section titles are shown in **bold** font, additions are shown in **red underline** font, and deletions are shown by ~~strikeout~~ font. Provisions that are not shown in underline or strikethrough font are not changed.

DIVISION 1. **PURPOSE**

SEC. 36.18. - Purpose.

This ~~s~~Section provides regulations applicable to development and new land uses in the commercial zoning districts established by ~~Section~~ 36.04 (Zoning ~~D~~istricts ~~E~~stablished). The purposes of the individual commercial zoning districts are as follows:

- a. **CN (Commercial-Neighborhood) district.** The CN zoning district provides convenient shopping for surrounding residential neighborhoods, including retail and service uses that members of the public can obtain from the business (e.g., grocery stores, cleaners, restaurants, beauty salons, tax preparation and similar and related compatible uses). The CN zoning district is not intended for uses that may attract traffic from outside the local area. The CN zoning district is consistent with the neighborhood commercial land use designation of the general plan. [Mixed-use districts are also consistent, where the general plan allows mixed-use \(residential and commercial\) development.](#)
- b. **CS (Commercial-Service) district.** The CS zoning district allows service commercial and industrial uses that serve local residents and businesses. These uses include automotive repair, retail and wholesale businesses, carpentry shops, veterinary clinics and similar and related compatible uses. The CS zoning district is consistent with the general commercial land use designation of the general plan. [Mixed-use districts are also consistent, where the general plan allows mixed-use \(residential and commercial\) development.](#)
- c. **CO (Commercial-Office) district.** The CO zoning district permits general business offices, medical, professional, real estate, financial and other offices and similar and related compatible uses. The CO zoning district is consistent with the office land use designation [and neighborhood mixed-use land use designation](#) of the general plan. [Mixed-use districts are also consistent, where the general plan allows mixed-use \(residential and commercial\) development.](#)
- d. **CRA (Commercial/Residential-Arterial) district.** The CRA zoning district permits a broad range of commercial, office and residential uses located along the city's major arterials. Businesses in this district are intended to serve the local population as well as providing goods to visitors from outside the city. This zoning district is intended for hotels and motels, retail stores, restaurants, offices, housing, and similar and related compatible uses. The CRA zoning district is consistent with the mixed-use corridor and general mixed-use land use designations of the general plan.

DIVISION 2. LAND USES

SEC. 36.18.05. - Commercial zone land use permit requirements.

The uses of land allowed by this Chapter in each commercial 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 ~~Section~~ 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") (~~Section~~ 36.48).
- c. Allowed subject to approval of a temporary use permit ("TUP") (~~Section~~ 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 ~~Section~~ 36.52.35 (Zoning ~~A~~amendments). These uses cannot be named as similar uses as determined by the zoning administrator through the conditional use permit process or ~~Section~~ 36.58.30 (Procedures for ~~I~~nterpretation).
- e. Land uses that are not listed on the tables are not allowed, except where otherwise provided by ~~Section~~ 36.06.40 (Determination of ~~A~~llowable ~~L~~and ~~U~~ses) or ~~Section~~ 36.06.50 (Exemptions from ~~Z~~oning ~~P~~ermit ~~R~~equirements).

LAND USES AND PERMIT REQUIREMENTS BY COMMERCIAL DISTRICT

NOTE 1: Where the last column on the following tables ("See Section") includes a section number, there are specific regulations and/or a specific definition in the referenced section that apply to 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				
	CN	CS	CO	CRA	SEE SECTION
MANUFACTURING AND PROCESSING					
Food products		P			36.60.15
Furniture and fixtures		P			
Laundry and dry-cleaning plants		P			
Printing and publishing		P			
Recycling—reverse vending machines	CUP	CUP	CUP	CUP	36.60.39
Recycling—small collection facility	CUP	CUP	CUP	CUP	36.60.39
Wholesaling and distribution		P			36.60.49
RECREATION, EDUCATION, PUBLIC ASSEMBLY					
Adult entertainment establishments				CUP	36.28.10
Child day-care facilities	CUP	CUP	CUP	CUP	36.28.20
Child day-care, large family				P	36.28.20
Child day-care, small family				P	36.28.20
Churches	CUP		CUP	P	
Community centers	CUP		CUP	CUP	
Indoor recreation and fitness centers	CUP	CUP		P	
Libraries and museums	CUP		CUP	CUP	
Membership organization facilities and meeting halls			CUP	CUP	
Outdoor commercial recreation				CUP	
Pool and billiard rooms				CUP	
Public schools	CUP	CUP	CUP	CUP	
Private schools	CUP		CUP	CUP	

Schools—specialized education and training	CUP	CUP	CUP	CUP	
Studios for dance, art, music, photography, martial arts, etc.	CUP	CUP	CUP	P	
Theaters				CUP	
RESIDENTIAL					
Accessory dwelling unit	P	P	P	P	36.18.50, 36.12.60, <u>36.12.85, 36.30.113</u>
Efficiency studios				CUP	36.28.40
Emergency shelters	CUP	CUP	CUP	CUP	36.28.60
General plan mixed-use village center (only where identified in the general plan)	CUP	CUP	<u>CUP</u>		36.30.110, 36.30.115
Home occupations, cottage food operations, microenterprise home kitchen operations				P	36.28.75
Low-barrier navigation center	P	P	CUP	P	36.28.60
Mobile home parks				MHPP	36.12.15
Multi-family housing, townhouses, rowhouses or mixed-use commercial/housing				CUP	36.18.50
Residential accessory use structures				P	36.12.35
Residential care home	P	P		P	
Safe parking	CUP	CUP	CUP	CUP	36.32 and Chapter 19
RETAIL TRADE					
Accessory retail uses	P	P	P	P	36.28.05
Auto, mobile home, trailer and boat sales		P		CUP	36.30.25
Bars and drinking places		CUP		CUP	

Building material stores (not including concrete)		P		CUP	
Certified farmer's markets				CUP	
Drive-in and drive-through sales	CUP	CUP		CUP	36.28.30
Fuel and ice dealers		P		CUP	
Furniture, furnishings and home equipment stores		CUP		P	
Grocery stores	P	CUP		P	
Liquor stores	CUP			P	
Outdoor merchandise and activities		CUP		CUP	36.28.95
Outdoor retail sales, temporary	TUP	TUP	TUP	TUP	36.46
Restaurants serving liquor, with entertainment				CUP	
Restaurants serving liquor, without entertainment	CUP	CUP		P	
Restaurants with or without beer and wine	P	CUP		P	
Restaurants, take-out	P	CUP		P	
Retail stores, general merchandise	P	CUP		P	36.60.39
Second-hand stores		CUP		CUP	
Shopping centers	P			CUP	36.60.41
Significant tobacco retailer				CUP	36.30.20 and 36.30.30
Warehouse retail stores		CUP			36.30.40
SERVICES					
Animal service establishments	CUP	CUP	CUP	CUP	36.30.35

Automatic teller machines (ATMs)	P	P	P	P	
Banks and financial services	P		P	P	
Business support services		P		P	36.60.07
Cannabis business, nonstorefront retail		CUP			36.30.55, 36.60.03 and Chapter 9
Cemeteries, columbariums and mortuaries			CUP	P	36.28.15
Commercial parking lots		CUP		CUP	
Contractors equipment: storage, sales or rental		P			
Drive-in and drive-through services	CUP	CUP	CUP	CUP	36.28.30
Hotels and motels				CUP	36.18.50
<u>Plant nursery</u>		P		CUP	
MEDICAL SERVICES					
Medical services— <3,000 square feet	P		P	P	36.60.29
Medical services— 3,000 to 20,000 square feet	CUP		P	P	36.60.29
Medical services— 20,000 square feet			CUP	CUP	36.60.29
Medical services— hospitals and extended care			CUP	CUP	36.60.29
OFFICES					
Offices	CUP	P	P	P	CN District: 36.18.15 b CS District: 36.18.20
<u>Offices,</u> <u>A</u> administrative and executive			P	P	
<u>Offices, R</u> esearch and development/ <u>(including</u> light testing and assembly <u>)</u>		P		CUP	CS District: 36.18.20 CRA District: 36.18.25
Personal services	P	CUP		P	36.60.35

<u>Plant nursery</u>		<u>P</u>		<u>CUP</u>	
Public safety and utility facilities	CUP	P	CUP	CUP	
Repair and maintenance—consumer products	P	P		P	36.60.39
Repair and maintenance—vehicle, major work		P			36.30.25, 36.60.39 and Chapter 39
Repair and maintenance—vehicle, minor work		P		CUP	36.30.25, 36.60.39 and Chapter 39
Service stations	CUP	CUP		CUP	36.30.15
Storage, accessory	P	P	P	P	36.60.41
Tow yards		CUP			
Electrical, plumbing and carpenter shops		P			
Warehousing		P			
TRANSPORTATION AND COMMUNICATIONS					
Hydrogen fueling station	P	P	P	P	36.30.120
Pipelines and utility lines	P	P	P	P	
Transit stations and terminals		CUP		CUP	
Vehicle storage		P			36.60.47
OTHER USES					
Other uses not named but similar to listed uses as determined by the zoning administrator	CUP	CUP	CUP	CUP	36.18.05 d

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 Article XVII for definitions of land uses		

SECTION 4. Chapter 36 (Zoning), Article IX (Standards for Specific Land Uses), Division 23 (General Plan Mixed-Use Village Center Developments), of the Mountain View City Code is hereby amended to add, delete, or modify its provisions as set forth below. Section titles are shown in **bold** font, additions are shown in **red underline** font, and deletions are shown by **strikethrough** font. Provisions that are not shown in underline or strikethrough font are not changed.

DIVISION 23.
GENERAL PLAN MIXED-USE VILLAGE CENTER DEVELOPMENTS

SEC. 36.30.110. - General plan mixed-use village centers—Purpose and applicability.

General plan mixed-use village centers implement general plan goals and policies to encourage walkable centers with a mix of accessible retail and other uses in key areas. They shall include neighborhood-serving commercial uses, public plazas and walkable and accessible connections to surrounding neighborhoods.

~~In the CN and CS zones~~ **Where general plan mixed-use village center is listed as a conditionally permitted use**, residential development is only allowed as part of a **general plan** mixed-use **village center** development in compliance with the standards of this Division and only on properties with a ~~G~~**general P**lan land use designation allowing residential uses, such as neighborhood mixed-use, general mixed-use or mixed-use corridor.

SEC. 36.30.113. - General plan mixed-use village center—Special land use standards.

a. **Allowed residential uses.** Only multi-family residential uses are allowed. Other uses are also allowed if typically allowed with multi-family development, including residential accessory uses and structures, supportive and transitional housing, small- and large-family day care, home occupations, residential care homes and rooming and boarding. The permit requirements of the R4 zone shall apply. Single-family homes, townhouses, rowhouses and any other residential use with individual private garages are prohibited.

b. **Accessory dwelling units.** Accessory dwelling units shall be permitted and shall comply with the provisions of Sec. 36.12.85. Accessory dwelling units are not allowed to occupy neighborhood commercial floor area required under this Division.

c. **Allowed land uses in ground-floor commercial spaces.** Per the CN zoning district in Sec. 36.18.05.

d. **Additional permitted land uses in the CO zoning district.** In addition to the CN zoning district uses, administrative and executive offices are permitted in the CO zoning district.

SEC. 36.30.115. - General plan mixed-use village center development standards.

All general plan mixed-use village centers shall be designed and constructed in compliance with the requirements of the following provisions:

Allowed Residential Uses	Only multi family residential uses (including condominiums) are allowed. Other uses are also allowed if typically allowed with multi family development, including accessory dwelling units, junior accessory dwelling units, residential accessory uses and structures, supportive and transitional housing, small and large family day care, home occupations, residential care homes and rooming and boarding. The permit requirements of the R4 zone shall apply. Single family homes, townhouses, rowhouses and any other residential use with individual private garages are prohibited.
Neighborhood Commercial Floor Area	0.25 FAR, minimum, except this total can be reallocated among lots in a single village center through the development review process with the approval of all affected property owners.
Allowed Uses	Per the CN zoning district in Sec. 36.18.05.
Ground-Floor Building Frontage (Storefront)	75% minimum of the building frontage facing the village center's adjacent street with the highest average daily vehicle trips (other than Central Expressway) shall be neighborhood commercial storefront. Neighborhood commercial storefront is prohibited on streets <u>with a right-of-way width</u> less than <u>60</u> 70 feet wide opposite R1 and R2 zones.
Tenant Space to Accommodate Grocery Store	<p>To ensure neighborhood access to daily goods, no existing tenant space of at least 15,000 square feet shall be reduced or demolished unless replaced with a tenant space of at least 15,000 square feet or unless the village center already contains a full-service grocery store or vacant tenant space of at least 15,000 square feet. As used in this Section, the term "existing tenant space" also includes any building area previously used as a single-tenant space.</p> <p>Over such tenant spaces, buildings shall be allowed 5 feet of additional height in addition to any other height allowances.</p>

Maximum Density and FAR	<p>Maximum floor area ratio (FAR) as identified by the general plan land use designation.</p> <p>Any building area provided to meet the required minimum neighborhood commercial floor area and its required minimum parking and loading will not reduce residential floor area allowed by this Section.</p>	
Height Limits	<p>See Sec. 36.08.30 for exceptions to height limits.</p> <p>Where the general plan allows greater than 1.6 FAR: 65 foot maximum.</p> <p>Where the general plan allows greater than 1.2 FAR and less than or equal to 1.6 FAR: 55 foot maximum.</p> <p>Where the general plan allows less than or equal to 1.2 FAR: 45 foot maximum.</p> <p>Wall plates at each floor of a building shall not be higher than the distance to an adjacent residentially zoned property.</p>	
Setbacks	Street	<p>15 foot minimum.</p> <p>10 feet of landscaping in front of parking, including trees.</p>
	Rear and Sides	<p>Not adjacent to residential zoning districts: 15 feet minimum, except side setbacks may be 0 feet when creating continuous neighborhood commercial storefronts within a single center.</p> <p>Adjacent to residential zoning districts: 25 feet minimum, including at least 5 feet landscaping along the property line with adequate root zone for large-canopy trees.</p>
Open Area	<p>30% of lot area, minimum. Portions of the lot with only nonresidential uses and associated parking may be excluded from the required open area calculation. If excluded from this calculation, nonresidential development areas on a lot shall provide landscape/open area, consistent with the underlying CN, <u>CO</u> or CS zoning district, including applicable parking area landscaping requirements per Sec. 36.32.80.</p>	
Publicly Accessible Open Space	<p>At least one publicly accessible open space shall be provided, with a cumulative area equal to 5% of project lot area (minimum). Publicly accessible open space shall count toward compliance with the overall open area standard.</p>	
	Location	<p>Shall be adjacent to a public street. Projects are encouraged to locate publicly accessible open spaces adjacent to other sites in the same general plan village center to allow for expansion of public spaces over time.</p>

	Minimum Dimensions	25 feet in all dimensions, minimum, except where the project lot area results in publicly accessible open space areas of less than 625 square feet.
	Dedication	The right of the public to access and use the open space shall be recorded against the property by an easement, covenant or restrictions subject to review and approval by the city attorney, and such right shall run with the land for the life of the development.
Personal Storage	A minimum of 164 cubic feet of personal storage shall be provided for each dwelling unit and shall be designed appropriately to accommodate a range of bulky items.	
Parking	<p>Use multi-family and shopping center parking standards, except projects are encouraged to reduce parking by providing shared parking between residential and commercial uses (see Sec. 36.32.70).</p> <p>Along public streets and publicly accessible open spaces, parking structures shall be wrapped with neighborhood commercial tenant spaces or residential units.</p>	
Circulation	<p>Developments shall maintain or establish mutual pedestrian access and shared parking within village centers.</p> <p>Developments shall establish new direct and publicly accessible pedestrian connections between neighborhood commercial uses, publicly accessible open spaces and surrounding neighborhoods. An exception may be granted if the zoning administrator determines the required connections are not feasible or meaningful (for example, if only backyards are adjacent to the site or if public streets already provide direct access).</p>	
Exceptions	<p>Exceptions to the following standards will be allowed if the standard would physically prevent the construction of the residential floor area allowed in the general plan: up to half the required minimum neighborhood commercial floor area and ground-floor building frontage (storefront), height limits, rear and side setbacks (not adjacent to residential zoning districts), open area and/or personal storage. To be granted the exception, the project applicant shall provide reasonable documentation of the project's physical constraints to demonstrate the need for the exception. Any reduction in development standards shall be no greater than what is reasonably necessary to physically construct the residential floor area, together with other mandatory components of the project as required by this Division.</p>	

SECTION 5. Severability. 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 6. Publication. Pursuant to Section 522 of the Mountain View City Charter, it is ordered that copies of the foregoing proposed 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 7. Effective Date. Pursuant to Section 519 of the Mountain View City Charter, this Ordinance shall be effective thirty (30) days from and after the date of its adoption.

CDD/KP-11-05-250