



# COUNCIL REPORT

**DATE:** February 24, 2026  
**CATEGORY:** Public Hearing  
**DEPT.:** Community Development  
**TITLE:** **Small Business Streamlining and Other  
Minor Zoning Code Updates**

## **RECOMMENDATION**

Introduce an Ordinance of the City Council of the City of Mountain View Amending Chapter 36 (Zoning) of the Mountain View City Code to Implement the Economic Vitality Strategy by Streamlining Permit Processes for Certain Active, Small-Footprint Land Uses, Remove Change of Use Permit Requirements, and Reduce Minimum Parking Standards for Retail and Personal Service Uses; to Make Other Modifications, Clarifications, and Technical Corrections Throughout the Chapter to Align Land Uses in the Residential, Commercial, and Industrial Zones with Parking Standards and Definitions to Improve Consistency and Clarity; and to Modernize Definitions and Land Uses to Align with Current Business Trends; 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 March 10, 2026 (Attachment 1 to the Council report).

## **BACKGROUND**

City staff regularly reviews and updates Chapter 36 (Zoning) of the City Code (also referred to as the Zoning Code or Code) to improve clarity, consistency, and administration of zoning regulations, as well as to implement adopted City plans, strategies, or direction of the City Council. Unless amendments are tied to a specific regulatory update, a package of minor Zoning Code amendments is typically brought before the Environmental Planning Commission (EPC) and City Council every few years, with the last set of Code updates adopted in January 2024.

The enclosed set of proposed Zoning Code amendments is focused on:

- Implementing the adopted [Economic Vitality Strategy](#) by streamlining permit requirements for certain active, small-footprint land uses (retail, restaurants, indoor recreation and fitness centers, and personal services) in commercial zoning districts, reducing the minimum required parking for retail and personal service uses to align with other cities, and removing the Change of Use Permit requirement for nonresidential tenant spaces that change from one permitted use to another permitted use;

- Modernizing outdated land use terms and definitions, including introducing more inclusive land use terms (e.g., replace “churches” with “religious institutions” or replace “theaters” with “cultural institutions”) and aligning land use definitions with modern business trends;
- Improving consistency within the Zoning Code for land use terms and definitions and improving the organization and alignment of the Residential, Commercial, and Industrial Land Use tables with the Required Parking Standards table and definitions; and
- Updating the Industrial Land Use table to reflect modern land use terms, add current permitted or conditionally permitted land uses mentioned in other sections of the Zoning Code but not reflected in the table, and modifying permit requirements for certain existing land uses to reflect modern business trends.

**Adopting this package of Zoning Code amendments will allow the City to be more regionally competitive for certain local-serving land uses that are desired by the Mountain View community, improve definitions to align land uses with current retail/service market trends, reduce cost and time burdens on small businesses trying to locate in Mountain View, help to reduce vacancies in commercial areas, and, overall, make the Zoning Code easier to administer by City staff and easier to understand by the public with improved clarity and consistency.**

Staff has initiated these Code amendments to advance:

1. The [Fiscal Years 2025-27 Council Work Plan's](#) City Code Cleanup project, which directs staff to review and make periodic amendments to the City Code to remove contradictory, unenforceable, or otherwise outdated sections. This set of Code amendments includes cleanup of Code provisions, removal of outdated and contradictory (or inconsistent) language, and advances a more user-friendly Zoning Code.
2. The Economic Vitality Strategy by reducing or removing zoning barriers experienced by small businesses and commercial retail/service businesses within the current City Code, specifically parking and permit procedures. The specific actions that are implemented by these amendments are:
  - a. *Action 1B.7. Evaluate reducing or eliminating parking requirements or allowing shared parking with principal uses (for example office or residential) for small neighborhood serving uses in mixed-use development to increase the feasibility of providing such uses.*

The proposed amendments include: (1) a reduction in minimum parking required for retail and personal service uses to align with standards throughout the region, which would impact small neighborhood-serving uses in mixed-use developments and in

commercial and industrial zoning districts Citywide; and (2) waiving new or additional parking requirements for certain small-footprint businesses, including retail, restaurants, personal services, and indoor recreation and fitness centers in commercial zoning districts.

- b. *Action 4A.6. Evaluate City code changes that may provide flexibility when requiring use permits for a small and mid-sized business-related development that may not be able to meet parking requirements.*

The proposed amendments include the removal of: (1) a Change of Use Permit requirement when a nonresidential tenant space changes from one permitted use to another permitted use; and (2) a Conditional Use Permit for certain small-footprint land uses that meet specific objective standards. With both changes, a qualified business would no longer need to obtain a planning permit before applying for the necessary building permit and, instead, can submit directly for a building permit, reducing the overall cost, time, and permitting with the City.

- c. *Strategy 5D. Evaluate and adapt policies, regulations, and enforcement to avoid disproportionate or adverse impacts on small businesses.*

The proposed amendments represent changes to zoning regulations that address two of the largest barriers for small businesses to enter the Mountain View commercial market by streamlining permit procedures and reducing parking requirements.

### **Environmental Planning Commission Public Hearing**

On January 21, 2026, the EPC held a public hearing to review the proposed amendments, with a majority of Commissioners (6-1; Cranston no) recommending approval of the changes per staff's recommendation (see Attachment 2 — [EPC Staff Report dated January 21, 2026](#)). The Commissioner with the dissenting vote, while supportive of the streamlining provisions proposed, raised concerns that staff: (1) did not include more small-footprint business types for streamlining; and (2) did not undergo greater analysis of existing parking standards for those uses listed under the "Processing and Production" subsection (Pages 39 to 40 of Attachment 1), highlighting that the existing parking standard for a "printing and publishing" use is too high. At the meeting, staff expressed that this package of amendments should be viewed as an initial step in advancing changes in the Code that staff resources could deliver now. It is staff's intent to continue to bring forward regulatory changes over time that improve zoning processes and standards.

Two public comments were shared at the meeting from a shopping center property owner and the Chamber of Commerce, both in support of staff's recommended amendments and the benefits these amendments will have on future and existing business tenants. Overall,

Commissioners were supportive of the amendments and encouraged staff to continue with these types of cleanups and streamlining efforts in a timely manner, including carrying forward similar efforts into existing Precise Plans.

## **ANALYSIS**

### **Implementing the Economic Vitality Strategy**

There are three areas of proposed amendments addressing implementation of the Economic Vitality Strategy: (1) a new small-footprint business streamlining process for retail, restaurant, personal service, and indoor recreation and fitness centers; (2) a reduction in required parking for retail and personal service uses in commercial and industrial zoning districts; and (3) removal of the Change of Use Permit requirement for nonresidential tenant spaces that change from one permitted use to another permitted use. Each proposed change is discussed in detail below.

#### **1. Small-Footprint Business Streamlining**

##### Commercial Zoning Districts

The streamlining evaluated by staff for small-footprint businesses is focused exclusively on the City's commercial zoning districts and does not apply to Precise Plan areas, unless the Precise Plan specifically refers to the standards of a commercial zoning district. Each of the commercial zoning districts is shown in maps located in Attachment 3 (Maps of Commercial Zoning Districts) to this report and include the:

- ***Commercial-Neighborhood (CN) District***, which allows convenient shopping for surrounding neighborhoods, including retail and service uses (e.g., grocery stores, restaurants, beauty salons, etc.).
- ***Commercial-Office (CO) District***, which allows general business, medical, professional, real estate, and financial office uses.
- ***Commercial/Residential-Arterial (CRA) District***, which allows a broad range of commercial, office, and residential uses along major roadways, including hotels, retail, restaurants, offices, and housing.
- ***Commercial-Service (CS) District***, which allows for commercial services and industrial uses that serve residents and businesses, including automotive repair, retail, and wholesale businesses.

## Determining Thresholds and Standards

To determine how the City could have the greatest impact on streamlining procedures for small-footprint businesses, City staff evaluated planning use permits over the last five years and drew on staff's collective experience working with businesses to develop a procedural framework. Below is the evaluation process that led to the recommended approach.

### *Review of Use Permits*

Staff evaluated 95 use permits, which were comprised of Change of Use Permits, Conditional Use Permits, and Provisional Use Permits, approved by the City between 2020 and 2025. The following factors of each permit were evaluated:

- Type of land use;
- Square footage of the tenant space for the land use; and
- Conditions of approval placed on the permit.

The intent of this evaluation was to find common patterns to best inform City staff on: (1) the specific active, commercial retail/service land uses to consider streamlining; (2) the maximum tenant space size to consider; and (3) appropriate operational standards that could apply to these businesses (the latter is discussed under the Streamlined Framework section of this report). The following results were found:

- Active Uses. Thirty-seven percent (37%) of the use permits (35 of the 95 permits) were comprised of the following active land uses: retail (six permits), restaurant (10 permits), personal services (one permit), or indoor recreation and fitness centers (18 permits). Some of the other land uses represented among the use permits were office, research and development, schools, and child-care.
- Active Use Tenant Space Size. Eighty-six percent (86%) of the 35 use permits representing active commercial retail/service uses were for tenant spaces under 4,000 square feet (77% were for tenant spaces under 3,000 square feet). There were no permits with a tenant space between 4,000 to 5,000 square feet, and five permits were for spaces above 5,000 square feet. Table 1 summarizes the tenant space distribution for the 35 permits across the four active land use types.

**Table 1: Tenant Size Distribution of Approved Retail/Service Use Permits**

Tenant Space Size Threshold	Retail	Indoor Recreation and Fitness Centers	Personal Services	Restaurant	Total by Threshold (cumulative total below threshold)
≤ 3,000 sq. ft.	5	12	1	9	27 (27 total)
≤ 4,000 sq. ft.		2		1	3 (30 total)
≤ 5,000 sq. ft.	-	-	-	-	0 (30 total)
> 5,000 sq. ft.	1	4			5 (35 total)
<b>Total No. of Permits</b>	<b>6</b>	<b>18</b>	<b>1</b>	<b>10</b>	<b>35</b>

*City Staff's Experiences*

In addition to reviewing permit history, City staff drew on its collective experience from conversations with businesses, commercial brokers, and commercial property owners, input at recent community outreach events, and the history of code enforcement cases for the four types of active land uses. Key observations are as follows:

- Staff receives frequent public inquiries for new retail, restaurant, personal service, and indoor recreation and fitness center uses within commercial zoning districts and certain Precise Plans (El Camino, San Antonio, and Downtown). **This is an indication that these types of land uses are interested in locating in Mountain View.**
- Common challenges or reasons heard by staff for why these small-footprint land uses do not proceed with locating in a tenant space (within the City's zoning control) is due to permit review timelines and cost, the uncertainty of whether the use permit will be approved at a public hearing, and being able to provide some, but not all, of the required number of parking spaces. **This is an indication that the planning permit process is viewed as a barrier by small-business operators, brokers, and property owners.**
- Through feedback received from residents and business owners at community workshops and outreach events for the P(19) Downtown Precise Plan Update and Moffett Boulevard Precise Plan, staff has consistently heard there is a strong desire for more retail, restaurants, and active uses near housing, jobs, and community spaces. **This is an indication there is a strong community desire for more active local-serving retail and commercial service uses.**

- There have been few Zoning Code enforcement cases in the last 10 years related to the types of commercial retail/service land uses being considered. Of the violations that have occurred, they are related to: (1) unpermitted building improvements; (2) amplified sound; or (3) not obtaining proper County Health Department approvals (for restaurant uses only and not in the City's authority). Additionally, the Zoning Administrator has not had to hold a public hearing to modify the conditions of approval due to impactful operations or violations for any of the use permits issued over the last 10 years related to the four land uses referenced. **This is an indication the City generally does not have routine Zoning Code violation issues with these types of land uses.**

### *Business Considerations*

Besides zoning regulations and City permitting, it is important to remember that there are many factors that are considered by a business operator in selecting a location and tenant space. Some of these factors include:

- Customer demographics;
- Proximity to other complementary and/or competitive businesses;
- Access to the business location (e.g., major roadway, freeway, train, bike access, etc.);
- Volume of pedestrian foot traffic;
- Availability of parking and/or frequency of parking turnover;
- The extent of tenant space build-out needed;
- Storefront visibility; and
- Lease terms or costs.

While none of these factors are directly within the City's control, many of the land use, transportation, and regulatory planning procedures adopted by the City can indirectly impact these factors. Therefore, staff's intent with these zoning amendments is to adjust the regulatory zoning requirements within the City's authority to better support these types of businesses.

### Creating the Streamlined Framework

Based on the review of permit history and staff's experience, staff is recommending the following changes to the Zoning Code to implement a streamlined process:

- a. **Small-Footprint Land Uses and Size Threshold.** The following four land uses are proposed to be permitted uses in all commercial zoning districts, where they are currently listed as an allowable land use, when located in tenant spaces of 4,000 square feet or less (the definition of each land use is located on the referenced page of Attachment 1—Draft Ordinance Amending Chapter 36 (Zoning) of the City Code):
- Retail, general merchandise (Pages 75 to 77);
  - Restaurant (Page 75);
  - Personal services (Page 70); and
  - Indoor recreation and fitness centers (Pages 63 to 64).

Staff is referring to these land uses as “small-footprint land uses” based on size because the term “small business” can have many meanings.

*Associated Zoning Code Amendments:* Update the Commercial Land Use table to reflect the four land uses as “P” permitted when 4,000 square feet or less in size in commercial districts where the use is already allowed as permitted or conditionally permitted (Pages 8 to 15 of Attachment 1). Staff has also added a definition of “small-footprint land use” on Page 80 of Attachment 1.

- b. **Operational Standards.** In reviewing conditions of approval placed on past permits and standard City Code requirements for these types of land uses, staff developed a list of objective operational standards required to be met by the qualified business. These operational standards include:
- A maximum tenant space size;
  - Compliance with all City, state, and federal codes and laws;
  - Compliance with required accessible and electric vehicle charging parking spaces in the California Building Standards Code (Building Code);

- Utilizing designated loading/unloading locations for goods and materials deliveries and ensuring loading activities do not block required travelways, fire lanes, or public sidewalks;
- Providing adequate access to solid waste and recycling facilities in accordance with adopted City guidelines and, for restaurants, complying with sewer discharge requirements;
- No outdoor activities are allowed without separate permit approval, except outdoor dining is permitted for restaurants with an issued building permit;
- All noise must comply with the City's noise standards, and no exterior amplified sound is permitted; and
- Any changes or modifications to the business or property must be consistent with these provisions to continue to have a streamlined permit review process for any future permit.

*Associated Zoning Code Amendments:* Add a new subsection in the Commercial Zones section (Article V, Division 2) of Chapter 36 to list these specific operational standards (Pages 16 to 18 of Attachment 1). If the amendments are adopted, staff plans to develop a webpage where this information will be accessible with all relevant links to the referenced City requirements or guidelines.

- c. **Parking and Permit Exemptions.** If a business operator meets the qualifications and operational standards, staff is proposing that the business will be exempt from: (1) providing new or additional parking per the minimum parking required in the Zoning Code (NOTE: Parking required under the Building Code must still be provided as listed in the operational standards); and (2) applying for a Conditional Use Permit.

*Associated Zoning Code Amendments:* Add these exemptions as part of the new subsection in the Commercial Zone section on Page 15 of Attachment 1. In addition to the listed exemptions, staff has included a new subsection in the Parking and Loading section (Article X) of Chapter 36 to clarify that any qualifying small-footprint land use is exempt from meeting the minimum number of parking spaces required in the Zoning Code (Page 37 of Attachment 1). Staff is also proposing to add language that no planning permit is required for a qualifying small-footprint business under Article XVI (Zoning Ordinance Administration) of the City Code (Pages 48 to 49 of Attachment 1).

- d. **Enforcement.** If a business operator violates any of the provisions established in the streamlined framework or City Code, then the City can utilize the code enforcement procedures already established in the Zoning Code to address the violation(s).

Associated Zoning Code Amendments: Add a reference to the existing procedures for enforcement actions in Chapter 36 (Zoning) of the City Code (Pages 17 to 18 of Attachment 1).

With this proposed framework, qualified small-footprint businesses that meet the operational standards will no longer be required to obtain a planning use permit or be subject to additional parking requirements beyond the parking already provided on the property where the business is locating and parking required by the Building Code. Staff believes this framework is straightforward as it allows applicants to proceed directly to a building permit when in compliance with minimum standards. **Most importantly, by adjusting the regulatory levers under the City’s zoning authority (e.g., parking and permit streamlining), the City can help to support and attract highly desirable small businesses to Mountain View.**

## 2. Reduced Parking for Retail and Personal Service Land Uses

City staff surveyed the minimum parking requirements for retail and personal service land uses in 10 cities in Santa Clara and San Mateo counties. The survey included adjacent cities to Mountain View as well as comparable cities with a mix of commercial corridors and shopping centers (e.g., Redwood City, Burlingame, San Carlos, and San Mateo). As summarized in Table 2, **Mountain View has the highest parking requirement for both retail and personal service uses compared to the cities surveyed.** This places a burden on small businesses and puts Mountain View at a competitive disadvantage regionally.

**Table 2: Comparison of Retail and Personal Service Parking Standards**

City	Retail	Personal Service
<b>Mountain View</b>	1 space per 180 gross sq. ft.	1 space per 180 gross sq. ft.
<b>Palo Alto</b>	1 space per 200 gross sq. ft.	1 space per 200 sq. ft.
<b>Los Altos</b>	1 space per 200 net floor area	1 space per 200 sq. ft. of net floor area
<b>Redwood City</b>	1 space per 200 sq. ft.	1 space per 200 sq. ft.
<b>San Carlos</b>	<u>For Mixed-Use Districts:</u> 1 space per 400 sq. ft.  <u>All Other Districts:</u> 1 space per 300 sq. ft.	1 space per 300 sq. ft.
<b>Sunnyvale</b>	1 space per 250 sq. ft.	1 space per 250 sq. ft.
<b>Cupertino</b>	1 space per 250 sq. ft.	1 space per 250 sq. ft.

City	Retail	Personal Service
Santa Clara	1 space per 200 sq. ft.	1 space per 250 sq. ft.
Burlingame	1 space per 400 sq. ft.	1 space per 400 sq. ft.
San Mateo	0 to 20,000 sq. ft.: 1 space per 300 sq. ft.  Greater than 20,000 sq. ft.: 1 space per 225 sq. ft.	Not a listed land use.
Los Gatos	1 space per 235 gross sq. ft.	1 space per 235 gross sq. ft.
<b>Mountain View (Proposed)</b>	1 space per 250 gross sq. ft.	1 space per 250 gross sq. ft.

Understanding that the City has not comprehensively updated parking standards in many decades, staff does not believe there is sufficient justification for the City to maintain such high parking requirements for these types of land uses today. These parking standards were established in an era when most people were using a vehicle to visit commercial retail/service uses; now, with a more mixed-use environment along commercial corridors, there is less reliance on vehicles as the only method of travel for visiting these types of uses.

**To stay competitive in the retail market regionally, staff recommends updating the minimum parking standards for retail and personal service uses from one parking space per 180 square feet of tenant space to 250 square feet of tenant space.** This aligns with the average required parking in the 10 surveyed cities. If approved, this would affect the required minimum parking for all retail and personal service uses located in all commercial and industrial zoning districts citywide, where these uses are allowed, irrespective of whether they qualify as a small-footprint business. This change will impact parking standards in Precise Plan areas only if the Precise Plan refers to the Zoning Code parking standard.

*Associated Zoning Code Amendments:* Update the Required Parking Standards table to modify the minimum required parking for retail and personal service uses from one parking space per 180 square feet to 250 square feet (Pages 44 and 46 of Attachment 1).

**3. Removal of Change of Use Permits**

In the early 2000s, the City established a Change of Use permit requirement for nonresidential tenant spaces where the space was proposed to change from one permitted use to another permitted use. The intent of this permit process was to verify minimum parking requirements were met and solid waste facilities were compliant with the new use prior to submitting for a building permit. As building permits were processed in paper form at the time, this was considered a cost-saving measure to ensure certain minimum

requirements were addressed before a business invested in the cost of preparing building permit drawings and submitting a building permit.

As the regulatory environment has changed substantially in the last 20 years, City staff has found the Change of Use permit process to be: (1) an unnecessary step in the permitting process to address issues that are otherwise typically addressed during the building permit process; (2) frequently a confusing step for applicants, who often submit for a building permit first and then find out they need to apply for a Change of Use permit before the building permit can be issued; and (3) creates an unnecessary discretionary review (e.g., a process wherein the City can impose permit conditions) which should be a ministerial review (e.g., a zoning compliant use that is allowed without discretionary review). **For these reasons, staff is recommending removing the requirement for a Change of Use Permit from the Zoning Code entirely.** Doing this will help streamline the permit process for all commercial retail/service businesses citywide, irrespective of whether they qualify as a small-footprint land use, as they would not be required to obtain a planning permit if the land use is permitted in the given zoning district.

*Associated Zoning Code Amendments:* Remove reference to the Change of Use permit at the beginning of the Commercial Land Use table (Page 8 to 9 of Attachment 1) and the Industrial Land Use table (Page 18 of Attachment 1). Also, relocate reference in the Administration section (Article XVI, Division 2) of Chapter 36 so that the change from one permitted use to a different permitted use is exempt from the development review process and a planning permit (Page 47 to 49 of Attachment 1).

### **Other Minor Code Amendments**

In addition to implementing the Economic Vitality Strategy, the proposed Zoning Code amendments include a comprehensive set of minor cleanups to improve consistency and clarity and update existing land uses with modern business types and definitions. Attachment 4 (Summary Table of Proposed Amendments by Topic) summarizes each amendment in Attachment 1 by topic and location for easy reference since one update may require amendments in multiple sections of the Zoning Code. Below is a summary of the proposed changes.

1. **Residential, Commercial, and Industrial Land Use Table and Required Parking Standards Table Cleanups.** In reviewing the Land Use and Parking Standards tables throughout the Zoning code, staff has reorganized and updated the content to:
  - Adjust grammatical abbreviations and capitalizations to each table to be consistent;

- Add consistent subheader titles (e.g., “Education, Public Assembly, and Recreation”, “Processing and Production,” etc.) in each table and place them in alphabetical order;
  - Reorganize the listed land uses to be in alphabetical order under each subheader;
  - Add section references to other relevant code sections related to the given land use or associated definition, which are either missing or outdated;
  - Update the land use category name throughout the Code to either align with: (a) the existing land use name; or (b) the new land use name;
  - Update the legends under each Land Use table to align capitalizations, symbol references, and Code section references;
  - Update the land use standards sections below the Commercial and Industrial Land Use tables to align with changes to land use names or permit requirements made in the respective tables; and
  - Update references to the new land use terms in all other zoning districts and standards throughout the Code, including the Agricultural (A) zone (Article VIII, Division 1), the Public Facility (PF) zone (Article VIII, Division 2), the Flood Plain (F) zone (Article VIII, Division 3), and the Standards for Specific Land Uses (Article IX) of Chapter 36.
2. New or Combined Land Use Terms. Several of the land use terms in the Zoning Code are either overly specific, repetitive, or outdated. Staff evaluated the list of uses and either: (1) proposed a new land use for added clarity; or (2) combined multiple similar land uses into one land use term or renamed an existing land use to better align with modern business trends. For each proposed change, staff has provided a brief description of all associated changes in the Code related to that land use.
- a. New Land Uses. The following are proposed new land uses to be added:
- **Public Recreation.** To clearly identify that public recreation facilities are permitted in all zoning districts, staff has added the use as “P” permitted to the Residential, Commercial, and Industrial Land Use tables with a new definition: “An outdoor or indoor facility for recreational enjoyment by the public and operated by a public agency, which includes, but is not limited to, a public park or open space, community assembly, or a building or structure.” Staff proposes that public recreation uses require a parking study, which is the same as other recreational uses in the Zoning Code (e.g., “outdoor recreation” and certain

“indoor recreation and fitness centers”) (Pages 4, 10, 19, 27, 29, 32, 38, and 71 of Attachment 1).

- **Learning Center.** In the current Zoning Code, after-school tutoring-type uses are defined as a “school—specialized education and training,” which requires a parking study. Over the years, these tutoring businesses have functioned more like a recreational art or dance studio with a set schedule (e.g., hourly classes) rather than a traditional school, which typically has a half- or all-day schedule. As such, staff is proposing to remove the tutoring use from the definition of a specialized school and, instead, establish a new land use term (“learning center”). Staff is proposing the new land use to follow the same permit requirements as a “studio for dance, art, music, photography, martial arts, etc.” use in the commercial zoning districts (i.e., permitted in the CRA district and conditionally permitted in the CN and CS districts) as well as the same parking standards as a studio use. The proposed definition is: “An establishment intended for teaching learned skills in individual or small group settings for children or adults, including, but not limited to: tutoring, standardized test preparation, language classes, after-school programs, cooking classes, and similar uses” (Pages 10, 38, 64, and 78 of Attachment 1).
- **Laboratory.** There are multiple wet and dry laboratories located in industrial zoning districts, typically associated with research and development uses. For added clarity, staff is recommending the addition of a new “laboratory” use as a “P” permitted use in the industrial zoning districts (ML—Limited Industrial and MM—General Industrial). This new use would replace the currently listed use “experimental, film or testing laboratories” in the ML Zoning District but would be an added use in the MM Zoning District, where office research and development with laboratory space is allowable. Staff is recommending the use be permitted in both industrial zones as it is an appropriate type of business for the zones that typically have hazardous materials. Any business that operates with hazardous materials is required to obtain approvals by the City’s Fire Department during the building permit review process, which would continue with this proposed amendment. Additionally, staff is proposing a parking requirement consistent with the current “manufacturing and industrial, general” use. Lastly, staff is proposing to add a new definition: “A space, room or building equipped for scientific experiments or research, or for the manufacture of drugs or chemicals, which may be business-to-business sales or direct-mail to consumers” (Pages 19, 39, and 64 of Attachment 1).

- b. Combined and Renamed Land Uses. The following are proposed existing land uses to be renamed and/or combined:
- **Community Assembly.** A new land use name that combines the following existing land uses: “community center,” “membership organization facilities,” “meeting halls,” and “public halls.” Staff is proposing to retain the existing parking standard for these uses and add a new comprehensive definition: “A facility for public or private meetings, including clubs and lodges, community centers, civic and private auditoriums, union halls, and banquet or meeting halls for clubs and other membership organizations. This classification includes related ancillary facilities for use by members and attendees such as kitchens or outdoor cooking facilities, multi-purpose rooms, storage, and child-care facilities during events. It does not include “Indoor recreation and fitness centers,” “Outdoor recreation,” residential accommodations available to members, “Schools” and “Child-care centers,” all of which are separately defined” (Pages 4, 8, 19, 25, 26, 32, 38, 59, and 67 of Attachment 1).
  - **Cultural Institutions.** A new land use name that combines the following existing land uses: “theaters” and “library and museums.” Staff is proposing to retain the existing parking standards for these uses but group them together under the new land use name and add a new definition that reflects a broader range of cultural venues and businesses: “Public or nonprofit institutions engaged primarily in the display or preservation of the arts, history, or sciences that are open to the public on a regular basis. This classification includes, but is not limited to: performing arts centers for theater, music, dance, and events; buildings of an educational, charitable or philanthropic nature; auditoriums, exhibition and convention halls; libraries; museums; motion picture theaters; historical sites; aquariums; art galleries; and botanical gardens” (Pages 10, 27, 29, 31, 38, and 60 of Attachment 1).
  - **Restaurant.** An updated land use name that combines the following existing land uses for simplicity: “restaurants with or without beer and wine” and “restaurants, take-out.” No modifications are proposed to the existing parking standards. Staff is proposing a minor clarification regarding the allowance of beer and wine sales to the existing definition (Pages 12, 16 to 18, 44, and 75 of Attachment 1).
  - **Auto/Motor Vehicle Repair—Minor or Major.** An updated land use name that combines the following existing land uses for simplicity: “repair and maintenance—vehicle, major” and “repair and maintenance—vehicle, minor.” Staff retained the existing parking standards and grouped them under the new land use name, updated the name reference in various code sections, and

updated the existing definition to reflect the merging of minor and major repairs (Pages 13, 21, 45, 54, and 74 of Attachment 1).

- **Construction Yard and Equipment.** An updated land use name that combines the following existing similar land uses: “contractors equipment: storage, sales, or rental” and “electrical, plumbing, and carpenter shops.” Since no parking standard is currently listed, staff proposes to add a parking standard that combines the existing parking for “storage, accessory” uses and for “auto/motor vehicle, boat, and parts sales” as this use is a combination of these two types of similar uses. Additionally, staff updated the definition to combine the two existing definitions (Pages 13, 45, and 60 of Attachment 1).
- **Drive-In and Drive-Through Facilities.** An updated land use name that combines the following existing similar land uses: “drive-in and drive-through services” and “drive-in and drive-through sales.” As a result of combining these uses, staff updated references to this new use in various sections of the Code and updated the existing definition to reflect the new name and introduce modern business examples, including drive-through pharmacies and banks (Pages 13, 20, 33, 34, and 61 of Attachment 1).
- **Offices.** This land use retains the same land use name but combines the following existing similar land uses into one category: “offices” and “offices, administrative and executive.” The existing parking standards remain, but staff updated the definition to incorporate references to administrative and executive offices and high-tech software companies (Pages 14, 21, 26, 46, 68, and 69 of Attachment 1).
- **Personal Services.** Retains the same land use name but combines the following existing similar land uses: “personal services” and “repair and maintenance— consumer repair.” The parking standard for this use was updated (see the prior section of this report). Staff also updated the definition to include the combined uses, in addition to introducing updated business examples of this type of use, such as body art, day/health spas, intravenous hydration businesses, and massage (Pages 14, 37, 68, 70, 78, and 79 of Attachment 1).
- Manufacturing, light and manufacturing, heavy are new land use names that combine multiple existing land uses:
  - **Manufacturing, light** combines: “Assembly or packaging of previously prepared materials (e.g., cloth, plastic, paper, leather, precious or semiprecious metals/stones),” “Manufacture of electric and electronic instruments and devices (e.g., television, radio, and phonographic

equipment),” and “Primary production of wood, metal, or chemical products from raw materials or any use listed as a conditional use in the ML district” uses. These uses are proposed to be “P” permitted in both industrial zoning districts, which is a common zoning practice to allow lighter manufacturing industrial uses in all industrial zones.

- **Manufacturing, heavy** combines: “General manufacturing, including processing and assembly,” “Industrial controls, motors, and generators,” “Instruments for measurement, testing, analysis and control,” “Manufacture of electric and electronic instruments and devices (i.e., television, radio, and phonographic equipment),” “Optical instruments and lenses,” “Photographic equipment and supplies,” “Processing of products, assembly or creation of machinery, apparatus and supplies for the generation, storage, and transmission and use of electrical energy and related industries,” “Semiconductor fabrication,” and “Telephone apparatus.” These uses have the same existing permit requirements.

With these updates, staff added the existing “manufacturing and general industrial” parking standard to both newly listed uses and has included new definitions. A distinguishing difference between these newly defined land uses is the extent of production or manufacturing of products from raw materials (manufacturing, heavy) versus existing materials (manufacturing, light). This often translates to a difference in the type and scale of heavy machinery, the amount and type of hazardous materials, and the scale of production on-site (Pages 19, 39, and 66 of Attachment 1).

- **Religious Institutions.** This is a new land use term that replaces the existing “churches” use to be inclusive of all types of religions. No changes are proposed to the existing parking standard. The existing definition is proposed to be updated to reflect the new name, along with minor clarifying updates (Pages 4, 10, 19, 24, 27, 29, 38, 59, and 74 of Attachment 1).
- **Auto/Motor Vehicle, Boat, and Parts Sales.** This is an updated land use name for the existing “auto, mobile home, trailer, and boat sales” use to reflect the more common sales items but otherwise retains the existing parking standards and definition with some minor clarifying updates (Pages 12, 43 and 53 of Attachment 1).
- **Outdoor Retail Sales, Permanent.** This updates the land use name for the existing “outdoor merchandise and activities” use to mirror the naming convention to the existing “outdoor retail sales, temporary” and combines

similar existing land uses: “plant nursery” and “certified farmer’s markets.” Staff is also proposing to update other sections of the Code to reflect the new name and use the existing parking standard for “plant nurseries.” Staff also updated the existing definition to include reference to these combined uses (Pages 12, 20, 34, 43, 69, and 76 of Attachment 1).

- **Indoor Recreation and Fitness Centers.** This is an existing land use term that is proposed to be combined with the following existing land use with similar operations: “studios for dance, art, music, photography, martial arts, etc.” Staff grouped the existing parking standards for various recreational uses (“arcades,” “bowling alleys,” “dance halls,” “health/fitness clubs,” and “studios for dance, art, music, photography, martial arts, etc.”) under the existing land use name and updated the existing definition to remove outdated and overly specific references as well as introduce examples of modern business types, such as experiential or team building spaces and studios for the arts (Pages 10, 19, 27, 29, 32, 38, 63, and 81 of Attachment 1).
- **Auto/Motor Vehicle Storage.** This is an updated land use name to the existing land use “vehicle storage.” No parking standard currently exists, so staff is proposing to add a parking study requirement due to the varied nature of this type of use and the specific operations that may be associated with a given business. No modifications are proposed to the definition, other than reflecting the new land use name (Pages 13, 45, 54, 82, and 83 of Attachment 1).
- **Auto/Motor Vehicle Tow Yard.** This is an updated land use name replacing the existing land use “tow yard.” Staff is proposing to add a parking study requirement as no parking standard currently exists and business operations can vary widely. Staff also proposes to add the following new definition as no definition currently exists: “Service establishment where the primary function is the dispatching of tow trucks to motorists in need of a tow to a separate location. The facility provides space for the parking of the tow trucks and the private motor vehicles of the tow truck drivers. Also includes offices for the tow truck company and indoor accommodations for servicing (minor maintenance and repair) the tow trucks. Does not include the short-term storage of towed vehicles (see “Auto/motor vehicle storage”)” (Pages 13, 21, 35, 45, and 55 of Attachment 1).
- **Auto/Motor Vehicle Wrecking Yard.** This is an updated land use name replacing the existing land use “junk yard, auto wrecking yard, tow yard.” Since “tow yard” is a separately listed land use, staff proposes to remove references to tow yards from this land use and update the existing “scrap and dismantling yard” definition with the new land use name. No parking standard currently exists, so

staff is proposing to add a parking study requirement due to the varied nature of this type of use (Pages 21, 45, and 55 of Attachment 1).

3. Industrial Land Use Changes. Many of the land uses listed in the Industrial Land Use table are outdated, do not align with the land use terms listed elsewhere in the Code, or the allowed use is missing from the table. As a result, staff is proposing a number of cleanups to the table, including: (1) combining and renaming land uses (described in the prior section of this report); (2) recategorizing existing land uses to align with other land uses listed in the Code for consistency; and (3) adding land uses that are already allowable in the industrial zone(s) but are not currently listed in the table.
  - a. Recategorizing Existing Land Uses. The following are land uses that have been renamed to align with land use terms used elsewhere in the zoning code or staff is proposing changes to the permit requirements:
    - **“Indoor recreation and fitness centers, outdoor recreation”** and **“public recreation”** are proposed to be added to replace the existing land use “recreational, public or quasi-public.” The existing land use’s reference to “quasi-public” is unclear and often confusing to the public. As a result, staff is proposing to replace it with other listed land uses that equivalently represent privately operated commercial recreational use for public enjoyment or semipublic (e.g., membership-based) purposes (which is represented by the “indoor recreation and fitness centers” and “outdoor recreation” uses) and public recreational uses (which is represented by the “public recreation” use). The same permit requirements as required for the existing land use are retained with the new land use names (conditionally permitted in both industrial zones), and public recreation is listed as a permitted use, which was discussed earlier in this report (Page 19 of Attachment 1).
    - **“Schools—public”** and **“schools—specialized education and training”** each replace the existing land use “educational, public or quasi-public.” Again, the term “quasi-public” is unclear in this context. As a result, staff is proposing to replace the existing land use with an equivalent set of land uses used in other sections of the Zoning Code to meet the public use (which is the “schools—public” use) and the quasi-public use associated with specialized education (which is the “schools—specialized education and training” use). The same permit requirements for the existing land use are carried over to the replacement land uses (e.g., “CUP” in both industrial zoning districts), except for the specialized education use which is only allowed in the MM Zoning District based on existing regulations in the Zoning Code (Page 19 of Attachment 1).

- **Office, Research and Development.** Staff is not proposing any changes to this land use name but rather is recommending updating the permit requirements to allow it as a “P” permitted use in the MM Zoning District, where it currently requires a “CUP.” This change proposed by staff reflects the nature of business today, where these types of uses typically include components of lab or manufacturing space within their building which is suited for the heavier industrial zone (MM Zone) due to larger-building footprints, high-ceiling heights, and/or the use of hazardous materials. As such, staff is recommending this change to the permit requirements to best align with current business trends (Page 21 and 26 of Attachment 1).
  - **Transit Stations and Terminals.** Staff is proposing to replace the existing land use “railroad yards, freight stations, trucking and motor freight stations” with an existing land use name listed elsewhere in the Zoning Code: “transit stations and terminals.” Staff is also proposing to add a parking study requirement to the Parking Standards table, as no parking requirement currently exists, and the parking needs vary greatly depending on the transit service and station. No modifications are proposed to the existing definition (Pages 20 and 40 of Attachment 1).
  - **“Pipelines and utility lines” and “public utility facilities”** are proposed to replace the existing land use “public and quasi-public utility and services” to align with existing land use names in the Zoning Code. Staff is also proposing to add a parking study requirement for “public utility facilities” to the Parking Standards table, as no parking requirement currently exists, and the type of facilities can vary greatly. No changes are proposed to the existing definitions for these uses (Page 20 and 40 of Attachment 1).
- b. Existing or New Land Uses Not Currently Listed. The following are land uses that are not currently listed in the Industrial Land Use table but are allowable based on other sections of the Code or are new land use terms that better reflect current conditions in the industrial zoning district:
- **“Accessory retail uses”** are currently allowed as “P” permitted in both industrial zoning districts per Chapter 36, Article IX, Division 2 (Accessory retail uses) of the City Code but are not listed in the Industrial Land Use table. Staff is recommending adding the land use to the Industrial Land Use table for clarity (Page 20 of Attachment 1).
  - **“Outdoor retail sales, permanent”** is not currently listed, but staff recommends it to be allowed when associated with a conditionally approved retail use in the industrial district. As such, staff is proposing to list the land use as a “CUP”

conditionally permitted use in both industrial zoning districts to match the permit requirements for “retail, general merchandise” uses (Page 20 of Attachment 1).

- **“Shopping center, warehouse retail”** is a new land use proposed by staff to better reflect the existing retail centers in the MM Zoning District – the Rengstorff Center and Charleston Plaza. Warehouse retail is a conditionally permitted use in both industrial zoning districts. These existing properties obtained Conditional Use Permits for their warehouse retail centers decades ago. However, while these sites are comprised of warehouse retail stores, they also contain neighborhood-serving retail and commercial service uses (e.g., restaurants, smaller retail, personal services, etc.). In staff’s opinion, these sites operate most similarly to a “shopping center” in that they are comprised of a mix of compatible retail and commercial service uses. To better reflect these uses, staff is proposing to introduce a new “shopping center, warehouse retail” land use that is a “CUP” conditionally permitted use in the MM zone. Additionally, staff is proposing to add a new parking requirement, which is the same as the “shopping center” parking standard and aligns with the parking approved for each of the original Conditional Use Permits for each of the properties. Lastly, staff is proposing a new definition that mirrors the components of the existing “shopping center” definition but includes a requirement to maintain a majority footprint of warehouse retail and aligns the minimum land area size to the size of the existing centers (Pages 21, 44, and 79 of Attachment 1). Adding this new land use term will provide much-needed clarity as to these two existing shopping centers and provide improved administration by City staff, the public, and the businesses located in these centers for the mix of warehouse retail and commercial retail/service uses allowed.
- **“Storage, accessory”** is currently listed as “storage” but is intended to be “storage, accessory” based on the existing definition in the Code. Any business that is predominantly storage would otherwise be considered a “personal storage facility” or a “warehouse” use, both of which are separately listed in the Industrial Land Use table. Therefore, staff is proposing to list this use as a “P” permitted in both the ML and MM Zoning Districts as it is frequently an ancillary use to a business. No changes are proposed to the existing definition. Staff is proposing to update the existing parking standard to reflect the new land use name (Pages 21 and 47 of Attachment 1).
- **“Recycling facilities—vending machines, small collection, and large collection”** are existing land uses conditionally allowed with a “CUP” in both industrial zoning districts per Article IX, Division 13 (Recycling Facilities) of Chapter 36

(Zoning) but are not currently listed in the land use table. Staff recommends listing the use for clarity and consistency in the Code. No changes are proposed to the existing definition or parking standards (Page 20 in Attachment 1).

4. Changes to Required Parking Standards Table. Staff has reorganized and updated the Required Parking Standards table to best align with new land use names and, in some cases, has combined multiple parking standards under a single land use name, reflecting the newly combined land uses (Pages 37 to 47 of Attachment 1). While these changes give the appearance that parking standards are repetitively listed in the table, based on the City's online code publisher, it is best to individually list each land use and its associated parking standard to ensure the best match with searching functions and best visual appearance when viewed on various screen sizes.

Aside from proposed changes to the retail and personal service parking requirements discussed previously, staff is not proposing any changes to established parking standards or how existing parking standards are applied to certain land uses. However, to better align parking standards to the listed land uses, staff has: (1) added standards for any new land uses; and (2) added standards for any existing land uses that are not currently listed in the table. In some cases, this means listing the existing parking standard historically applied to the given land use. Since prior sections of this report have already discussed new parking standards for some of these land uses, the list below represents only those changes that have not been previously described.

- **“Child-care facilities, large-family and small-family”** require no parking based on existing standards located in Chapter 36, Article IX, Division 5 (Child day-care facilities) of the City Code, so staff recommends adding this clarification to the table (Page 37 of Attachment 1).
- **“Outdoor recreation”** uses the same parking standard as the existing “tennis/racquetball courts,” and, as a result, staff is proposing to align the land use term with the existing parking standard (Page 38 in Attachment 1).
- **“Concrete-mixing and asphalt-mixing yards”; “food products”; “furniture and fixtures”; “laundry and dry-cleaning plants”; “pharmaceuticals, compounding pharmacy”; “printing and publishing”; and “warehousing and distribution”** align with the existing parking standards for “manufacturing and industrial, general” uses. These are existing land uses that do not currently have a listed parking standard but are in the industrial zoning districts and subject to that existing parking standard. Therefore, staff is recommending to clearly delineate the standards for each of the land uses for improved clarity (Page 39 to 40 of Attachment 1).

- **“Hydrogen fueling station”** is an existing use with no parking standard but aligns with the parking standard for an existing “service station” use. As such, staff is proposing to separately list the existing parking standard for added clarity (Page 40 of Attachment 1).
  - **“Public safety facilities”** is an existing land use with no parking standard listed. Staff is proposing to add a parking study requirement as parking requirements may vary greatly depending on the type of facility (Page 40 of Attachment 1).
  - **“Emergency shelter”**; **“efficiency studios”**; **“home occupations, cottage food operations, and microenterprise home kitchen operations”**; and **“junior accessory dwelling units”** are existing land uses with no parking standards listed. Staff is recommending to carry the required parking standards listed in other Code sections into the parking table for clarity, including [Article IX, Division 10](#) (Emergency shelters), [Article IX, Division 9](#) (Efficiency studios), and [Article IX, Division 11](#) (Home occupations, cottage food operations, and microenterprise home kitchen operations), and [Section 36.12.90](#) (Provisions applicable to junior accessory dwelling units) of the City Code (Pages 41 and 47 of Attachment 1).
  - **“Bars”** is an existing land use currently subject to the parking standards for “restaurants, cafés, bars, other eating/drinking places.” Staff is recommending to separately list the parking standard for bars to align with the existing “restaurants—table service” and “restaurant—outdoor seating” (Page 43 of Attachment 1).
  - **“Cannabis business, nonstorefront retail”**; **“liquor store”** and **“significant tobacco retailers”** are existing land uses with no listed parking standards. These uses operate as retail uses, which is the parking standard historically applied. Therefore, staff is recommending the same parking standard as the existing “retail, general merchandise” use (Pages 43 and 44 of Attachment 1).
5. Changes to Definitions. Staff is proposing new definitions for new land use terms or updates to existing definitions to ensure they match the referenced land use or to meet current business trends (Pages 51 to 83 of Attachment 1). Since prior sections of this report have already discussed updates to definitions for some land use terms, the list below represents only those changes that have not been previously described.
- a. New Definitions. The following are new definitions for existing land uses where no definitions currently exist:
- **“Data center”** is proposed to be defined as: “A building that primarily contains computing and data storage systems and equipment” (Page 60 of Attachment 1).

- **“Storage, outdoor”** is proposed to be defined as: “The storage of various materials outside of a building or structure, either as an accessory or principal use” (Page 81 of Attachment 1).
- b. Updated Definitions. The following are existing definitions that have been updated to reflect a new land use term, the combination of multiple land uses, modern business examples, or are obsolete:
- **“Business services”** is proposed to be updated to reflect a new land use name from the existing name “business support services” and modern examples or terms for the type of businesses it encompasses (Page 56 to 57 of Attachment 1).
  - **“Fuel and ice dealers”** is proposed to be deleted as a definition and land use from the Commercial Land Use table since this type of use no longer exists. The current version of this business is either a “retail, general merchandise” use or a “service station” use (Pages 12 and 63 of Attachment 1).
  - **“Medical services”** use is proposed to be updated to remove “massage” and add “physical therapy” to align with modern business trends. “Massage” has been relocated to the definition for “personal services” (Page 66 of Attachment 1).
  - **“Outdoor recreation”** includes minor updates to simplify the definition (Page 69 of Attachment 1).
  - **“Parking lot or area, public”** is proposed to be updated to align with the land use term in the Residential and Commercial Land Use tables (Pages 4, 13, and 70 of Attachment 1).
  - **“Retail, general merchandise”** is an updated definition to combine multiple existing retail uses into the existing definition, including “grocery store,” “secondhand stores,” “furniture, furnishings, and home equipment stores,” as well as modern business examples. Additionally, per [Assembly Bill 2632](#), which became effective January 1, 2025, cities are prohibited from treating a thrift store (referred to as “secondhand stores” and “pawn shops” in the City Code) any differently than a nonthrift retail store for purposes of zoning or permitting. As a result, staff has incorporated “secondhand stores” and “pawn shops” into the definition (Pages 75 to 77 of Attachment 1).
  - **“Rooming and boarding house or lodging house”** has been updated to reflect a new name for the existing land use “boarding or lodging house” to better align with the existing Land Use tables (Page 77 of Attachment 1).

- **“Schools—public”** and **“schools—private”** are proposed to be updated to simplify the definitions and clarify that they include all educational levels (or types) of schooling (Pages 77 to 78 of Attachment 1).
  - **“Shopping center”** is proposed to be updated to add a clarifying list of land uses permitted in a shopping center to provide better guidance on compatible uses and ease administration. Additionally, staff has added a sentence at the end of the definition that clarifies any use not listed in the definition must refer to the specific zoning land use table for permit requirements (Pages 78 to 79 of Attachment 1).
6. Changes to Permit Requirements. Due to combining existing land use terms, there are numerous land uses where the proposed updates have altered the allowable zoning districts in which a current land use is allowed (“P”) or conditionally allowed (“CUP”). Attachment 5 (Summary Table of Permit Requirement Modifications) to this report includes summary tables that compare the different permit requirements across the existing land use(s) that have been combined, showing where changes would occur. These tables are shown by commercial and industrial districts. Below is a brief list of the deviations.
- **Community assembly.** The existing “membership organizations and meeting halls” use will be conditionally permitted in the CN zone, where it is not currently permitted.
  - **Cultural institutions.** The existing “theaters” use will be conditionally permitted in the CN and CO Zoning Districts, where the use is not currently permitted.
  - **Indoor recreation and fitness centers.** The existing “studios for dance, art, music, photography, martial arts, etc.” use will be conditionally permitted in the CO Zoning District, where it is not currently permitted.
  - **Retail, general merchandise.** The existing “furniture, furnishings, and home equipment stores” use will be permitted in the CN district, where it is currently not permitted, and “second-hand stores” will be permitted in the CN Zoning District, where it currently not permitted, and the CRA zone, where it currently is conditionally permitted with a CUP.
  - **Auto/motor vehicle repair—minor or major.** The existing “repair and maintenance—vehicle, major repair” use will be conditionally permitted in the CRA zone, where it is currently not permitted.
  - **Outdoor retail sales permanent.** The existing “plant nursery” use will require a CUP in the CS Zoning District, where it currently is a permitted use, and “certified farmer’s

markets” would be conditionally permitted in the CS district, where it is currently not permitted.

Staff feels comfortable with these alterations in permit requirements as most uses will have greater locations to operate within the City than current zoning regulations allow. One of the existing uses, “plant nursery,” would now require a Conditional Use Permit process in a commercial zone where it is currently permitted. However, this change in permit requirements aligns a “plant nursery” with requirements applied to other outdoor retail uses and would not impact any existing businesses in the City.

### **Summary of Other Minor Code Amendments**

With this package of cleanups, the Zoning Code will have improved consistency of referenced land uses throughout the Chapter, old or outdated land uses and Code section references will be removed, and updates to definitions, land use names, and categories will better align with modern business trends and uses. **All these changes will simplify and improve the administration of the City’s Zoning Code by staff and the readability of the Code by the public.**

### **BUSINESS COMMUNITY OUTREACH**

In fall 2025, City staff discussed the proposed amendments with various members of the business community to verify the type of amendments would have meaningful improvements. Staff met one-on-one with commercial real estate brokers, property owners, and land use consultants; shared with the development community at a meeting in December 2025; and presented to the Chamber of Commerce’s business improvement group in December 2025.

The unanimous feedback City staff received was that the proposed amendments are a positive improvement to support the retail/services business community and, specifically, that:

- Simplifying permit procedures and eliminating additional or new parking requirements are meaningful ways the City can make it easier to attract and fill vacant tenant spaces;
- The proposed tenant size threshold of 4,000 square feet or less for small-footprint businesses is appropriate and would assist a diversity of tenant spaces located along commercial corridors, in neighborhood shopping centers, and in existing multi-tenant buildings along Old Middlefield Way and Moffett Boulevard;
- Updating the land use definitions or adding new land uses and definitions to meet modern business trends in the marketplace will make it easier to fill vacant tenant spaces with added clarity and transparency; and

- The City should expand these streamlining improvements in certain Precise Plan areas, such as El Camino Real, Downtown, and San Antonio, to ensure businesses in those areas receive the same benefits.

### **ENVIRONMENTAL REVIEW**

The proposed text amendments to Chapter 36 (Zoning) of the City Code are not a project under the California Environmental Quality Act (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.

### **FISCAL IMPACT**

The proposed streamlining provisions for small-footprint businesses are expected to result in a minor reduction in Development Services Fund revenue due to fewer planning permits being required. The associated revenue reduction is estimated at approximately \$65,000 annually, which is not expected to have a material impact on operations.

### **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](http://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 amendments to Chapter 36 (Zoning) of the City Code will increase consistency and organization of land use terms throughout the Chapter, will modernize terms and definitions to reflect modern business trends, increase inclusivity of outdated terms, reduce parking standards for retail and personal service uses, and introduce permit streamlining for certain active, small-footprint businesses highly desired by the Mountain View community. If introduced by Council, a second reading of the Ordinance is tentatively scheduled for March 10, 2026.

## **ALTERNATIVES**

1. Introduce the proposed zoning text amendments with modifications.
2. Request additional information from staff and continue the item.
3. Do not introduce the proposed zoning text amendments and retain the existing code language.

## **PUBLIC NOTICING**

This agenda is advertised on Channel 26, and the agenda and this report appears on the City's website. A newspaper notice has been circulated for this meeting. Email notification of this meeting was distributed to the Chamber of Commerce, developers, and interested commercial brokers.

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- Attachments:
1. Draft Ordinance Amending Chapter 36 (Zoning) of the City Code
  2. [EPC Staff Report dated January 21, 2026](#)
  3. Maps of Commercial Zoning Districts
  4. Summary Table of Proposed Amendments by Topic
  5. Summary Table of Permit Requirement Modifications