

CITY OF MOUNTAIN VIEW
ENVIRONMENTAL PLANNING COMMISSION
RESOLUTION NO.
SERIES 2017

A RESOLUTION RECOMMENDING THAT THE CITY COUNCIL ADOPT AN ORDINANCE REPEALING AND REPLACING ARTICLE IV, DIVISION 10 RELATING TO ACCESSORY DWELLING UNIT; AMENDING CHAPTER 36; AND AMENDMENTS OF ARTICLE III, DIVISION 2, SECTION 36.06.50; ARTICLE IV, DIVISION 2; ARTICLE IV, DIVISION 10; ARTICLE X, DIVISION 3, SECTION 36.32.50; AND ARTICLE XVII, DIVISION 2, SECTIONS 36.60.05 AND 36.60.09 (CHAPTER 36 OF THE CITY CODE) TO ACHIEVE CONSISTENCY WITH CALIFORNIA SENATE BILL 1069 (WEICKOWSKI) AND ASSEMBLY BILL 2299 (BLOOM) PERTAINING TO THE CONSTRUCTION OF ACCESSORY DWELLING UNITS.

WHEREAS, the Environmental Planning Commission held a public hearing on March 1, 2017 on said zoning text amendments pursuant to Section 36.52.55 of the City Code;

NOW, THEREFORE, BE IT RESOLVED by the Environmental Planning Commission of the City of Mountain View:

1. That the Environmental Planning Commission hereby recommends the City Council adopt a new Accessory Dwelling Unit Ordinance and approve a Zoning Text Amendment pursuant to the following required findings in Section 36.52.60 of the City Code:

a. The proposed ordinance and text amendment is consistent with the General Plan because it encourages residential developments serving a broad range of diverse households and incomes (Policy LUD 3.5); the proposed amendments align with the Housing Element Goal to review and identify development standards that constrain the development of housing production (Goal No. 4) and implements the Housing Element program to evaluate the options, benefits, and impacts of modifying the Municipal Code (Chapter 36, Article XII, Section A36.12.040) to remove constraints that may limit the construction of second units (Program 4.3); and

b. The proposed ordinance and text amendment will not be detrimental to the public interest, health, safety, convenience, or welfare of the City because the proposed amendments in the development standards are minor and will provide public benefit by facilitating diverse housing production; and

c. The proposed ordinance and text amendment is internally consistent with Chapter 36 of the Mountain View City Code; and

d. The proposed project complies with the California Environmental Quality Act (CEQA) because the proposed amendment is categorically exempt under CEQA pursuant to Section 15282(h) (“Other Statutory Exemptions: Second Units”).

2. That the current Companion Unit Ordinance is repealed and replaced with the new Accessory Dwelling Unit Ordinance (Article IV, Division 10 of Chapter 36) and is recommended for approval and incorporated herein by reference in Attachment A.

3. That the Amendments to Article III, Division 2, Section 36.06.50; Article IV, Division 2; Article IV, Division 10; Article X, Division 3, Section 36.32.50; and Article XVII, Division 2, Sections 36.60.05 and 36.60.09 (Chapter 36 of the City Code) is recommended for approval and incorporated herein by reference in Attachment B.

DP/7/CDD
807-03-01-17epcr-E

Attachment: A. Accessory Dwelling Unit Ordinance
B. Other Miscellaneous Zoning Text Amendments

DIVISION 10. - ~~COMPANION UNITS~~ ACCESSORY DWELLING UNITS

SEC. 36.12.60. - ~~Companion units~~ Accessory Dwelling Units.

Where allowed by Section 36.10.05 (Land Uses and Permit Requirements by Residential Zone), this section establishes standards for accessory dwelling~~companion~~ units, also known as secondary dwelling units or companion units.

(Ord. No. 18.13, § 1, 12/10/13)

SEC. 36.12.65. - Legislative findings.

In compliance with Senate Bill 1069 enacted in 2016 which amended Government Code §§ 65582.1, 65583.1, 65589.4, 65852.150, 65852.2, and 66412.2, Government Code § 65852.2(a)(4), the city finds that accessory dwelling ~~companion~~ units are consistent with the allowable density and with the general plan and zoning designation provided the units are located on properties in the R1 zoning district.

(Ord. No. 18.13, § 1, 12/10/13)

SEC. 36.12.70. - Development standards.

An accessory dwelling ~~companion~~ unit may be allowed on a lot occupied with a single-family dwelling unit in the R1 zoning district in addition to a primary dwelling, subject to the following requirements:

- a. **Primary dwelling required.** The site shall be developed with one (1) detached single-family dwelling;
- b. **Accessory Dwelling ~~Companion~~ unit appearance.** The design of the unit shall conform in general to the design of the primary dwelling; and
- c. **Site layout and design standards.** The location and design of an accessory dwelling ~~companion~~ unit shall comply with the following requirements:

ACCESSORY DWELLING COMPANION UNIT REQUIREMENTS

Minimum lot area	No minimum lot size requirement .	
Gross floor area	<u>Minimum: 150 square feet of habitable floor area.</u> <u>Maximum:</u> 700 sq. ft. of habitable floor area, maximum , and 200 sq. ft. for a garage, maximum, provided the total floor area for the lot does not exceed the maximums in Sec. 36.10.25.	
Location of unit	Attached to a principal structure	Basement, ground level or above the garage with no internal access to the primary dwelling.
	Detached unit	Rear half of lot.
	Above a detached garage	Rear half of lot.
Site coverage, detached rear-yard units	30% of the rear yard, maximum, including any other accessory structures, and projections of the primary dwelling.	
Setbacks	Side	1-story detached structure: 5 ft. minimum, 12 ft. total.
		1-story attached (<u>including</u> basement): Comply with required setbacks of the <u>primary dwelling unit</u> . See Sec. 36.10.25.
		2-story over attached or detached garage: <u>Comply with required 2-story setbacks of the primary dwelling unit. See Sec. 36.10.25. See Sec. 36.10.25 for second-story setbacks.</u>
		<u>Conversion of an existing (legal conforming) accessory structure into an accessory dwelling unit shall meet the minimum setbacks required for fire safety.</u>
	Rear	1-story detached: 10 ft. minimum.
		1-story attached (<u>including</u> basement): comply with required setbacks of the <u>primary dwelling unit</u> . See Sec. 36.10.25.

		<p>2-story over attached or detached garage: <u>Comply with required 2- story setbacks of the primary dwelling unit. See Sec. 36.10.25. See Sec. 36.10.25 for second-story setbacks.</u></p> <p><u>Conversion of an existing (legal conforming) accessory structure into an accessory dwelling unit shall meet the minimum setbacks required for fire safety.</u></p>
	Interior	10 ft. minimum, from primary dwelling or other structure, if detached.
Height limit		1-story detached: 16 ft. maximum building height and 9 ft. at top of wall plate.
		1-story attached: See Sec. 36.10.25 for height limits for principal structures.
		2-story (over garage): 28 ft. maximum building height and 22 ft. at top of wall plate.
Parking	Required Spaces	<u>1 space per unit (covered or uncovered), which can be provided as tandem parking in an existing driveway. No additional parking is required if the accessory dwelling unit meets provision of Sec 36.12.75.1 space per unit, which can be covered or uncovered.</u>
	Shared Parking	A driveway, garage or carport may be shared with the primary dwelling unit if the <u>accessory dwelling unit companion unit</u> has direct, unobstructed (or shared) access to the parking space(s).
	<u>Conversion of an existing garage or a carport into an Accessory Dwelling Unit</u>	<u>The replacement parking spaces may be located in any configuration on the same lot as the accessory dwelling unit, including, but not limited to, as covered spaces, uncovered spaces or tandem spaces, or by the use of mechanical automobile parking lifts.</u>

Section 36.12.75. Parking Exceptions.

No parking space is required for Accessory Dwelling Units if any of the following conditions are met:

- a. The unit is located within one-half mile of public transit.
- b. The unit is located within an architecturally and historically significant historic district.
- c. The unit is part of the existing primary dwelling unit or an existing accessory structure.
- d. On-street parking permits are required but not offered to the occupant of the Accessory Dwelling Unit.
- e. There is a car share vehicle parking space located within one block of the Accessory Dwelling Unit.

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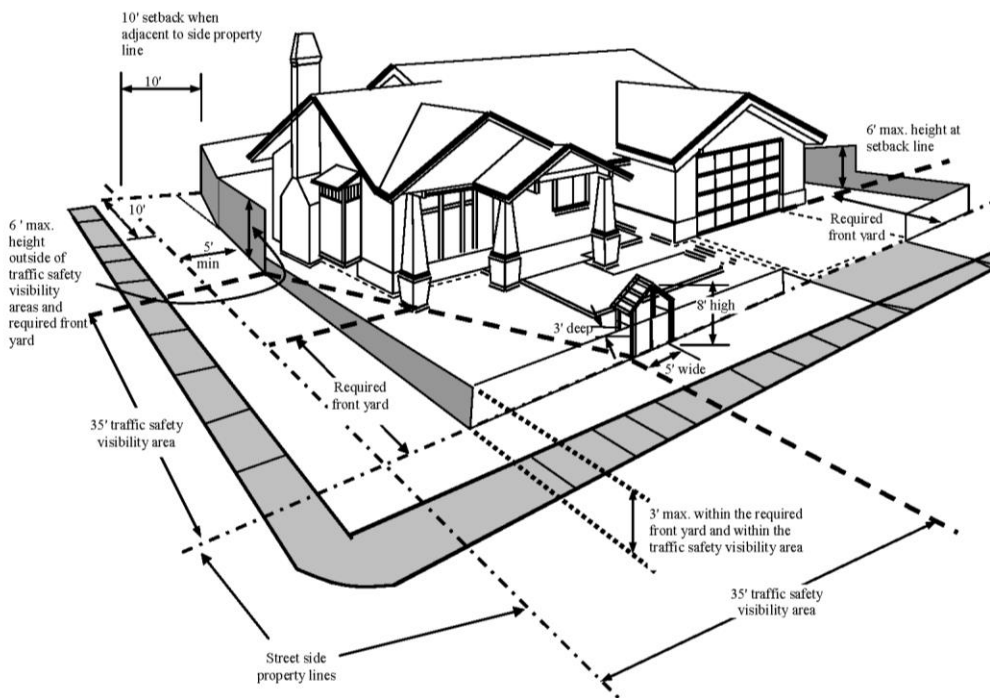
SEC. 36.06.50. - Exemptions from zoning permit requirements.

The zoning permit requirements of this chapter do not apply to the following activities, land uses and structures, which are permitted in all zoning districts.

- a. **Accessory structures with less than one hundred twenty (120) square feet in floor area.** One-story detached structures used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed one hundred twenty (120) square feet, and the structure is not required to have building or grading permits by Chapter 8 (Buildings) of the City Code. However, the floor area shall count toward the allowed floor area for the parcel and the structure(s) shall comply with Sec. 36.12.35.
- b. **Decks, paths and driveways.** Decks, platforms, on-site paths and driveways that are not required to have building or grading permits by Chapter 8 (Buildings) of the City Code, and are not over eighteen (18) inches above natural grade and not over any basement or story below.
- c. **Fences—R1 and R2 zoning districts.** The following types of fences in the R1 and R2 zoning districts are exempt from zoning permit requirements. Allowed fence heights and locations are illustrated in Figure 36.06-1 (Fence and Wall Standards).
 1. **Interior lots.** Fences up to three (3) feet in height when located within the required front yard, or up to six (6) feet in height located on rear or side property lines outside the required front yard, and entry features over front yard gates (e.g., open-latticed arbors and trellises) not exceeding eight (8) feet in height, three (3) feet in depth or five (5) feet in width, when located within the required front yard.
 2. **Corner lots.**
 - (a) Fences up to three (3) feet in height within the required front yard and traffic safety visibility areas—front and side (or rear). The front traffic safety visibility area is formed by measuring thirty five (35) feet from the intersection of the street side property line and the front property line of the corner parcel, along both property lines, and then connecting the two (2) points across the corner of the lot;
 - (b) Entry features over front yard gates (e.g., open-latticed arbors and trellises), not exceeding eight (8) feet in height, three (3) feet in depth or five (5) feet in width, when located within the required front yard but outside the traffic safety visibility areas; and

- (c) Fences up to six (6) feet in height located on rear and side property lines outside the required front yard and traffic safety visibility areas, and at least five (5) feet from the street side property line. Further, fences over three (3) feet in height adjacent to the side street property line shall be set back where the side street fence approaches an adjacent lot's front yard in order to create a side (or rear) triangular traffic safety visibility area for the adjacent lot at the side (or rear) of the corner parcel. This triangle is formed by measuring ten (10) feet from the intersection of the street side property line of the corner parcel and the side property line of the adjacent parcel, along both property lines, and then connecting the two (2) points across the corner parcel. See Figure 36.06-1.

Figure 36.06-1
FENCE AND WALL STANDARDS
(For Reference Only)



- d. **Governmental activities.** Activities of the city, state or an agency of the state, or the federal government on land owned or leased by a governmental agency.
- e. **Irrigation.** The installation of irrigation lines.

- f. **Interior remodeling.** Interior alterations that do not result in an increase in the gross floor area within the structure, or a change in the permitted use of the structure.
- g. **Repairs and maintenance.** Ordinary repairs and maintenance, if the work does not result in any change in the approved land use of the site or structure, or the addition to, enlargement or expansion of the structure, and if any exterior repairs employ the same materials and design as the original.
- h. **Retaining walls.** Retaining walls (retaining earth only) that result in grade changes of eighteen (18) inches or less and are not required by Chapter 8 of the City Code to have a grading permit.
- i. **School facilities.** Public school facilities, in compliance with Government Code § 53091, et seq., except where a site is proposed to be occupied exclusively by nonclassroom facilities.
- j. **Single- and two-family dwellings.** The construction of four (4) or fewer single-family dwellings or two (2) duplexes and the remodeling of single-family or duplexes in the R1 and R2 zoning districts, provided that the proposed development is in compliance with all applicable provisions of this chapter, except as provided in Sec. 36.10.30 (Development Review Required, R1 Zone), 36.10.55 (Development Review Required, R2 Zone) and 36.10.80 (Development Review Required, R3 Zone).
- k. **Solar collectors.** The addition of solar collection systems to the roofs of existing structures, provided that the collectors are located on ground level and screened from ground level public view or, if roof-mounted, are mounted at approximately the same angle as the roof. Solar collectors must comply with the height limitations of the zoning district in which they are located.
- l. **Spas, hot tubs and fish ponds.** Spas, hot tubs, ponds, etc., that do not exceed one hundred twenty (120) square feet in total surface area, including related equipment, contain more than two thousand (2,000) gallons of water, or exceed three (3) feet in depth.
- m. **Utilities.** The erection, construction, alteration or maintenance by a public utility, public agency or private company determined by the city to fulfill a public function of underground or overhead utilities (i.e., water, gas, electric, telecommunication, supply or disposal systems, including wires, mains, drains, sewers, pipes, conduits, cables, fire-alarm boxes, police call boxes, traffic signals, hydrants, etc.), but not including occupiable or storage structures, shall be permitted in any zoning district, provided that the route

of any electrical transmission line(s) having the potential of fifty thousand (50,000) volts or more shall be subject to council review and approval prior to acquisition of rights-of-way.

- n. **Antenna, communication facilities.** Communication facilities and antenna, as defined in Sec. 36.60.03, are allowed in all zoning districts subject to a development review permit (Sec. 36.44.45) and shall comply with the development standards for the applicable district, except that they are prohibited on any R1 or R2 zoned property used primarily for a single-family residence. This section shall apply to any facility proposed within a city zoning district, including the city's rights-of-way. All of the aspects enumerated in Government Code §65850.6(b) (which include, but are not limited to, aesthetics, design, height, location, bulk and size) will be considered given the facts and circumstances of each proposed facility and its compatibility with the neighborhood and adjacent uses.

- o. **Accessory Dwelling Units.** Development of an accessory dwelling unit, as defined in Sec 36.60.05, requires review for compliance with this Chapter-Sec. 36.12.60 prior to submittal of a building permit for the creation of an accessory dwelling unit. All applications for accessory dwelling units that meet and comply with all applicable provisions of this chapter shall be approved without discretionary review or a hearing within one-hundred twenty (120) days after receipt of a substantially complete building permit application. The application shall be denied if the proposed accessory dwelling unit does not comply with all applicable requirements of this Chapter or it may be conditionally approved subject to conditions that will bring the proposed secondary dwelling unit into compliance with this Chapter.

Conversion of an accessory structure/garage or other living space to an accessory dwelling unit shall meet all adopted building codes for residential occupancy. Such conversions shall also require a ministerial review or a hearing within one-hundred twenty (120) days after receipt of a substantially complete application.

(Ord. No. 18.13, § 1, 12/10/13)

DIVISION 2. - LAND USES

SEC. 36.10.05. - Residential zone land uses and permit requirements.

The uses of land allowed by this chapter in each residential 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 where required and parking requirements, and subject to obtaining any building permit or other permit required by the City Code (“P” uses on the tables).
- b. Allowed subject to approval of a conditional use permit (“CUP”) (Sec. 36.48).
- c. Allowed subject to approval of a temporary use permit (“TUP”) (Sec. 36.46).
- d. Allowed subject to approval of a planned unit development permit (“PUD”) (Sec. 36.46.70).
- e. Allowed subject to approval of a mobile home park permit (“MHPP”) (Sec. 36.48.35).

Land uses that are not listed on the table for a particular zoning district are not allowed in that district, except where otherwise provided by Sec. 36.06.40 (Determination of Allowable Land Uses), or Sec. 36.06.50 (Exemptions from Zoning Permit Requirements).

LAND USES AND PERMIT REQUIREMENTS BY RESIDENTIAL DISTRICT

NOTE: Where the last column on the following tables (“See Section”) includes a section number, the regulations in the referenced section apply to the use and/or a specific definition; however, provisions in other sections may apply as well.

LAND USE	PERMIT REQUIREMENTS BY ZONE					
	R1	R2	R3	RMH	R4	SEE SECTION
RESIDENTIAL						
<u>Accessory Dwelling Unit</u> Companion Unit	P					36.12.60
Duplexes		P	P		P	36.10.40
Home Occupations	P	P	P	P	P	36.28.75
Mobile Home Parks				MHPP		36.12.15
Manufactured Housing	P	P	P	P	P	36.12.30

Mobile Home, Single	P	P	P	P	P	36.12.30
Multiple-Family Housing		CUP	P		P	For R3 District: 36.10.60 and For R4 District: 36.12
Accessory Uses and Structures	P	P	P	P	P	36.12.35
Residential Care Home, 7+ clients	CUP	CUP	CUP	CUP	CUP	
Residential Care Home, 0–6 clients	P	P	P	P	P	
Rooming and Boarding Houses	CUP	CUP	CUP	CUP	CUP	
Rooming and Boarding, 2 persons maximum	P	P	P	P	P	36.10.85
Senior Care Facility	CUP	CUP	CUP		CUP	
Senior Congregate Care Housing		CUP	CUP		CUP	
Single-Family Housing	P	P	P	P	P	36.10.10
Small-Lot Single-Family Housing		PUD	PUD		PUD	36.16
Supportive Housing	P	P	P	P	P	
Transitional Housing	P	P	P	P	P	
Townhouses		PUD	PUD		PUD	36.16.10
Rowhouses		PUD	PUD		PUD	36.16.20
Uses Not Named But Similar to Listed Uses	CUP	CUP	CUP	CUP	CUP	
AGRICULTURAL						
Crop Production	P	P	P	P	P	
Small Animal Keeping	P	P	P	P	P	36.12.55.g
RECREATION, EDUCATION, ASSEMBLY						
Churches	CUP	CUP	CUP	CUP	CUP	
Community Centers	CUP	CUP	CUP	CUP	CUP	
Child-Care Centers	CUP	CUP	CUP	CUP	CUP	36.28.20
Child Day Care, Large Family	CUP	CUP	CUP	CUP	CUP	36.28.20

Child Day Care, Small Family	P	P	P	P	P	36.28.20
Membership Organization Facilities			CUP	CUP	CUP	
Recreational Vehicle (RV) Parks				CUP		
Schools, Public and Private	CUP	CUP	CUP	CUP	CUP	
SERVICES						
Cemeteries, Columbariums (with Church)	CUP	CUP	CUP	CUP	CUP	36.28.15
Medical Services, Extended Care			CUP	CUP	CUP	
Offices, Property Management		CUP	P	P	P	
Offices, Temporary Real Estate	TUP	TUP	TUP	TUP	TUP	36.46
Parking Lots, Not Accessory to Residential	CUP	CUP	CUP	CUP	CUP	
Pipelines and Utility Lines	P	P	P	P	P	
Public Utility or Safety Facilities	CUP	CUP	CUP	CUP	CUP	
Temporary Uses	TUP	TUP	TUP	TUP	TUP	36.46

KEY TO PERMIT REQUIREMENTS		See Section
Permitted Use, Zoning Compliance Required (Development Review may also be required)	P	36.44 and 36.44.45
Conditional Use, Conditional Use Permit Required	CUP	36.48
Planned Unit Development, PUD Permit Required	PUD	36.46.70
Temporary Use, Temporary Use Permit Required	TUP	36.46
Mobile Home Park, Mobile Home Park Permit Required	MHPP	36.48.35
Use Not Allowed		

(Ord. No. 18.13, § 1, 12/10/13)

DIVISION 3. - NUMBER OF PARKING SPACES REQUIRED

SEC. 36.32.50. - Required number of parking spaces.

Each land use shall provide the minimum number of off-street parking spaces required by this section.

- a. **Uses not listed.** Land uses not specifically listed by the following subsection B below shall provide parking as required by the zoning administrator. In determining appropriate off-street parking requirements, the zoning administrator shall use the requirements of subsection B below as a general guide in determining the minimum number of off-street parking spaces necessary to avoid undue interference with public use of streets and alleys.
- b. **Parking requirements by land use.** The following minimum number of parking spaces shall be provided for each use:

REQUIRED PARKING BY LAND USE

Land Use Type	Vehicle Spaces Required	Bicycle Spaces Required
Manufacturing and General Industrial		
Manufacturing and industrial, general	1 space for each 250 sq. ft. of gross floor area plus 1 space for each vehicle operated in connection with each on-site use	5 percent of vehicle spaces
Recycling facilities	Space shall be provided for the anticipated peak load of customers to circulate, park and deposit recyclable materials. If the facility is open to the public, an on-site parking area shall be provided for a minimum of 10 customers at any one time	None
	One employee parking space shall be provided on-site for each commercial vehicle operated by the processing center	5 percent of vehicle spaces
Recreation, Education, Public Assembly Uses		
Child day care		
Centers	1 space for each employee, plus 1 space for every 15 children for visitor parking and drop-off areas	2 percent of vehicle spaces
Large family care	1 space for each employee	

homes		
Churches, mortuaries	1 space for each 170 sq. ft. of gross floor area	5 percent of vehicle spaces for churches; 2 spaces for mortuaries
Indoor recreation and fitness centers		
Arcades	1 space for each 200 sq. ft. of gross floor area	5 percent of vehicle spaces
Bowling alleys	Parking study required	
Dance halls	Parking study required	None
Health/fitness clubs	1 space for each 200 sq. ft. of gross floor area	5 percent of vehicle spaces
Libraries and museums	Parking study required	5 percent of vehicle spaces
Membership organizations	1 space for every 3.5 fixed seats	5 percent of vehicle spaces
Pool and billiard rooms	2.5 spaces for each table	5 percent of vehicle spaces
Schools	Parking study required	Parking study required
Studios for dance, art, etc.	1 space for each 2 students	5 percent of vehicle spaces
Tennis/racquetball courts	Parking study required	5 percent of vehicle spaces
Theaters and meeting halls	1 space for every 3.5 fixed seats	5 percent of vehicle spaces
Residential Uses		
<u>Accessory Dwelling Unit-Companion Unit</u> (See Section 36.12.60)	1 space per unit bedroom <u>except if compliant with SEC. 36.12.75.</u>	None

Multi-family dwellings	Studio unit	1.5 spaces per unit, 1 space shall be covered	1 space per unit (refer to Section 36.32.85.a.1)
	1-bedroom unit less than or equal to 650 square feet	1.5 spaces per unit; 1 space shall be covered	
	1-bedroom unit greater than 650 square feet	2 spaces per unit. 1 space shall be covered.	
	2-bedrooms or more	2 spaces per unit, 1 space shall be covered.	
	Guest	15 percent of the parking spaces required for the project shall be conveniently located for guest parking. The zoning administrator may increase the parking requirement to 2.3 spaces per unit if needed to ensure adequate guest spaces	1 space per 10 units
Rooming and boarding houses	Parking study required		Parking study required
Senior congregate care housing	1.15 spaces per unit; half the spaces shall be covered		2 percent of vehicle spaces
Senior care facility	Parking study required		Parking study required
Single-family housing and each dwelling unit in a duplex (See Section 36.10.15 - Single-Family; See Section 36.10.50 for unit in duplex)	2 spaces, 1 of which shall be covered		None

Single-room occupancies	1 space per dwelling unit; plus 1 for every nonresident employee. Reduction of up to 0.50 space per unit may be granted through the conditional use permit process		1 space per 10 units
Small-lot, single-family developments	2 spaces, one of which shall be covered, and 0.50 guest space per unit		None
Townhouse developments	Per unit	2 spaces, one shall be covered.	1 space per unit
	Guest	Guest parking shall equal in total an additional 0.6 space for each unit, for an aggregate ratio of 2.6 spaces for each unit.	
Rowhouse developments	Studio unit	1.5 spaces per unit, 1 space shall be covered.	1 space per unit
	1-bedroom or more	2 covered spaces.	
	Guest	Guest parking shall equal in total an additional 0.3 space for each unit.	
Retail Trade			
Auto, mobile home, vehicle and parts sale	1 space for each 450 sq. ft. of gross floor area for showroom and office, plus 1 space for each 2,000 sq. ft. of outdoor display area, plus 1 space for each 500 sq. ft. of gross floor area for vehicle repair, plus 1 space for each 300 sq. ft. of gross floor area for the parts department		5 percent of vehicle spaces
Furniture, furnishings and home equipment stores	1 space for each 600 sq. ft. of gross floor area		5 percent of vehicle spaces
Plant nurseries	Parking study required		Parking study required
Restaurants, cafés, bars, other eating/drinking places			

Take-out only	1 space for each 180 sq. ft. of gross floor area	
Fast food (counter service)	1 space for each 100 sq. ft.; minimum 25 spaces	5 percent of vehicle spaces
Table service	1 space for each 2.5 seats or 1 space for each 100 sq. ft. of gross floor area, whichever is greater	
Outdoor seating	1 space for each 2.5 seats	
Retail stores		
General merchandise	1 space for each 180 sq. ft. of gross floor area	5 percent of vehicle spaces
Warehouse retail	Parking study required	Parking study required
Service stations	1 space for each 180 sq. ft. of gross floor area	None
Shopping centers	1 space for each 250 sq. ft. of gross floor area	5 percent of vehicle spaces
Service uses		
Animal service establishment	1 space for each 200 sq. ft. of gross floor area	2 percent of vehicle spaces
Banks and financial services	1 space for each 300 sq. ft. of gross floor area, plus one space per ATM	5 percent of vehicle spaces
Hotels and motels	1 space for each guest room, plus 1 space for each 2 employees, plus as required for ancillary uses	2 percent of vehicle spaces
Medical services	Clinic, offices, labs, under 20,000 sq. ft.	1 space for each 150 sq. ft. of gross floor area
Clinics, offices, labs, greater than 20,000 square feet	1 space for each 225 sq. ft. of gross floor area	2 percent of vehicle spaces
Extended care	1 space for each 3 beds, plus 1 space for each employee	

Hospitals	1 space for each patient bed	
Offices, administrative, corporate, research and development	1 space for each 300 sq. ft. of gross floor area	5 percent of vehicle spaces
Personal services	1 space for each 180 sq. ft. of gross floor area	5 percent of vehicle spaces
Vehicle washing	Parking study required	None
Repair and maintenance – vehicle		
Lube-n-tune	2 spaces per service bay	None
Repair garage	5 spaces, plus 1 space for each 200 sq. ft. of gross floor area	None
Storage, personal storage facilities	1 space for each 2,000 sq. ft. of gross floor area plus 2 spaces for any resident manager	None
Warehousing and data centers	1 space for each 500 sq. ft. of gross floor area plus 1 space for each company vehicle	5 percent of vehicle spaces

(Ord. No. 18.13, § 1, 12/10/13)

SEC. 36.32.55. - Handicapped parking requirements.

Handicapped parking requirements are established by the state and are contained in the California Code of Regulations, Title 24. State law may be amended from time to time, so reference should be made directly to the California Code of Regulations for standards on the required number, dimensions and location of handicapped parking spaces, signage and related facilities. The community development department will provide information on current requirements and space design upon request.

(Ord. No. 18.13, § 1, 12/10/13)

SEC. 36.32.60. - Number of loading spaces required.

Unless modified/adjusted by the zoning administrator in compliance with Section 36.48 (Conditional Use Permits), off-street freight and equipment loading spaces shall be provided for all nonresidential uses. The following minimum number of loading spaces shall be provided for each use unless modified by the zoning administrator:

Table 36.32-1

TYPE OF LAND USE	Gross Floor Area	Loading Spaces Required
Commercial, industrial, institutional and service uses	10,000 to 30,000 square feet	1 space
	30,001 square feet and more	1 space per each additional 20,000 square feet

Requirements for uses not specifically listed shall be determined by the zoning administrator based upon the requirements for comparable uses and upon the particular characteristics of the proposed use, in compliance with Section 36.32.50 (Required Parking Spaces).

(Ord. No. 18.13, § 1, 12/10/13)

ARTICLE XVII. - DEFINITIONS

DIVISION 1. - PURPOSE

SEC. 36.60. - Purpose.

Unless the context otherwise requires, the following definitions shall be used in the interpretation and construction of the ordinance, and words used in the present tense include the future; the singular number shall include the plural, and the singular; the word "building" shall include the word "structure," the word "used" shall include arranged, designed, constructed, altered, converted, rented, leased, or intended to be used, and the word "shall" is mandatory and not directory.

(Ord. No. 18.13, § 1, 12/10/13)

DIVISION 2. - DEFINITIONS

SEC. 36.60.03. - Definitions of specialized terms and phrases.

SEC. 36.60.05. - Definitions - "A."

Administrative office. Offices and service facilities performing headquarters, regional or other organizational management and administrative services for firms and institutions.

Accessory dwelling unit. A secondary dwelling unit located on the same parcel of land as a primary dwelling unit which meets the requirements described in City Code Section 36.12.70 of this Chapter. An accessory dwelling unit can be constructed entirely within the existing and legally created space of a single-family home or accessory structure in the R-1 District. "Accessory Structures" are separately defined in this chapter. An accessory dwelling unit also includes the following:

(A) An efficiency unit, as defined in Section 17958.1 of Health and Safety Code.

(B) A manufactured home, as defined in Section 18007 of the Health and Safety Code.

Accessory retail uses. The retail sales of various products (including food) in a store or similar facility that is located within and an incidental part of a health-care, hotel, office or industrial complex for the purpose of serving employees or customers and is not visible from public streets. These uses include pharmacies, gift shops and food service establishments within hospitals; convenience stores and food service establishments within hotel, office and industrial complexes.

Accessory structure, open. An accessory structure with no building walls or features that effectively enclose space, that may contain a roof, such as trellises or arbors.

Accessory use or structure. A use or structure subordinate to the principal use of a building on the same lot and serving a purpose customarily incidental to the use of the principal building, including disaster storage containers when in conformance with the City of Mountain View Disaster Container Guidelines.

Adult entertainment establishment. "Adult entertainment establishment" means any facility or place of business primarily intended for the conduct, operation or transaction of activities intended for adult entertainment involving sexual matters such as, but not limited to, any adult bookstore, adult motion picture theater, adult cabaret or

adult theater or any business at which videos of adult movies or films are sold or rented constitute over twenty (20) percent of the titles offered or over twenty (20) percent of actual display area of the store whichever is greater, regardless of whether any other use is also conducted on the premises. For the purposes of this chapter, the definitions of "Adult entertainment enterprise," "Adult bookstore," "Adult motion picture theater," "Adult cabaret" and "Adult theater" contained in Section 26.52 shall govern.

Agent of owner. Any person who can show written authority that he/she is acting for the property owner.

Agriculture. The principal use of the land for farming, pasturage, horticulture, floriculture, viticulture, apiaries and animal husbandry, and the necessary accessory uses for storing produce; provided, however, that the operation of any such accessory use shall be incidental to that of normal agricultural activities and, provided further, that the above uses shall not include the commercial feeding of garbage or offal to swine or other animals.

Alley or lane. A public or private way not more than thirty (30) feet wide affording only secondary means of access to abutting property.

Animal service establishment. Any commercial business providing services and care to animals, including, but not limited to, pet day care, pet hotel, kennel, veterinary clinic, animal hospital, and pet grooming. Does not include retail pet stores (see "Retail stores, general merchandise") and exempts private animal kennels in accordance with Chapter 5 of the City Code.

Antennas, communications facilities. Public, commercial and private electromagnetic and photoelectrical transmission, broadcast, repeater and receiving stations for radio, television, telegraph, telephone, cellular telephone and data network communications, including commercial earth stations for satellite-based communications. Includes antennas, towers, commercial satellite dish antennas and equipment buildings. Does not include:

a. Home television and radio receiving antennas, including noncommercial satellite dish antennas for home use, which are included under "Residential accessory uses."

b. Telephone, telegraph and cable television transmission facilities utilizing hard-wired or direct cable connections with no wireless component(s), which are included under "Pipelines and utility lines."

Apartment. A dwelling unit in a multi-family building.

Auto, mobile home, vehicle and parts sales. Retail establishments selling and/or renting new and used automobiles, boats, vans, campers, trucks, mobile homes, recreational and utility trailers, motorized farm equipment, motorcycles, golf carts, snowmobile and jet skis (except bicycles and mopeds, which are included under "Retail stores, general merchandise"). Also includes stores selling new automobile parts, tires and accessories (does not include tire recapping establishments, which are found under "Repair and maintenance – vehicle"), as well as businesses dealing in used automobiles exclusively. May include an open lot for display of vehicles only. Does not include businesses dealing exclusively in used parts, which are included under "Recycling – scrap and dismantling yards." Includes repair shops only when part of a dealership selling new vehicles on the same site. Does not include "Service stations," which are separately defined.

Automatic teller machine (ATM). A machine used by bank and financial service patrons for conducting transactions, including deposits, withdrawals and fund transfers, without contact with financial institution personnel. The machines may be located at or within banks, or in other locations, in compliance with this chapter.

Automobile repair, major. All repair and servicing or maintenance work not provided for under "Automotive repair, minor," including, but not limited to, general repair, rebuilding or reconditioning of: (a) major vehicle components, such as engines, transmissions and differentials; (b) nonpassenger vehicles, motor homes or trailers and trucks exceeding one and one-half (1½) ton capacity; or (c) body frame or fender components, including collision services, upholstery or painting or operations, including an open flame or welding.

Automobile repair, minor. The general servicing and maintenance of passenger cars and trucks not exceeding one and one-half (1½) ton capacity. Such servicing may include, but is not limited to: (a) engine computer diagnosis and the repair or replacement of parts and gaskets external to the basic block, such as intake and exhaust manifolds, carburetors and water pumps; (b) the repair or replacement of worn or defective brake parts, clutch parts, mufflers, exhaust system parts, wheel bearings, shock absorbers, tires, batteries, spark plugs, air conditioning, electrical system and other accessible minor parts; and (c) maintenance work such as the changing or supplementing of vehicle fluids and the adjustment of mechanical components while on the vehicle. "Automotive repair, minor" shall not include any of the activities listed as "Automotive repair, major."

Automobile wrecking. The dismantling or disassembling of motor vehicles or trailers; or the storage, sale or dumping of dismantled, partially dismantled, obsolete or wrecked vehicles, or their parts.

(Ord. No. 18.13, § 1, 12/10/13)

SEC. 36.60.09. - Definitions - "C."

Camp car. A vehicle with or without motive power that is designed or used for human habitation.

Camper. A structure intended for human habitation that is designed to be carried in the cargo space of a separate motor vehicle when in use.

Cemeteries, columbariums and mortuaries. Internment establishments engaged in subdividing property into cemetery lots and offering burial plots or air space for sale. Includes animal cemeteries; cemetery, mausoleum, crematorium and columbarium operations; and full-service funeral parlors, whether accessory to or separate from a cemetery or columbarium.

Child-care centers. A commercial or nonprofit facility that provides care and supervision of minor children for periods of less than twenty-four (24) hours. This includes infant centers, preschools, sick-child centers and school-age child-care facilities but does not include small- and large-family child-care homes. Child-care centers may be operated in conjunction with a school or church facility or as an independent land use.

Child-care facilities. A facility that provides care and supervision of minor children for periods of less than twenty-four (24) hours. Child-care facilities include small-family child-care homes, large-family child-care homes and child-care centers. Child-care facilities are required to be licensed by the California State Department of Social Services.

a. **Small-family child-care home.** A child-care facility located in a residence where an occupant of the residence provides care and supervision for up to six (6) children for periods of less than twenty-four (24) hours per day. Children under the age of ten (10) years who reside at the residence are counted in the six (6) children maximum for small-family child-care homes.

b. **Large-family child-care home.** A child-care facility located in a residence where an occupant of the residence provides care and supervision of seven (7) to fourteen (14) children for periods of less than twenty-four (24) hours. Children under the age of ten (10) years who reside in the residence are included in the number of children served by the large-family child-care home.

Churches. Religious organization facilities operated for worship or promotion of religious activities, including churches and religious Sunday-type schools; and accessory uses on the same site, such as living quarters for ministers and staff, and child

day-care facilities where authorized by the same type of land use permit required for the church itself. Other establishments maintained by religious organizations, such as full-time educational institutions, hospitals and other potentially related operations (such as a recreational camp), are classified according to their respective activities.

City council. The city council of the City of Mountain View, California.

Commercial coach. A vehicle, other than motor vehicle, designed or used for human habitation, or human occupancy for industrial, professional or commercial purposes, for carrying persons and property on its own structure, and for being drawn by a motor vehicle.

Commission or planning commission. The environmental planning commission of the City of Mountain View, California.

Community center. Multi-purpose meeting, banquet and recreational facilities typically consisting of one (1) or more meeting or multi-purpose rooms, kitchen and/or outdoor barbecue facilities, that are available for use by various groups for such activities as meetings, parties, receptions, dances, etc.

Community development director. The director of the community development department of the City of Mountain View.

Community service organization. Any organization, group, society, corporation, institution or other entity, organized solely for religious, charitable, educational, scientific or literary purposes, no part of the net earning of which benefits any private stockholder or individual.

~~**Companion unit.** A secondary dwelling unit located on the same parcel of land as a primary dwelling unit which meets the requirements and development standards for a companion unit as described in City Code Section 36.12.70. "Accessory Structures" are separately defined in this chapter.~~

Construction contractors (contractors yard). Storage yard operated by, or on behalf of, a contractor licensed by the State of California for storage of large equipment, vehicles or other materials commonly used in the individual contractor's type of business; storage of scrap materials used for repair and maintenance of contractor's own equipment; and buildings or structures for uses such as offices and repair facilities.

Convalescent hospital. See "Medical services – extended care."

Cottage food operation. An operation as defined in Health and Safety Code § 113758, and as may be amended, which maintains a valid business license with the City

of Mountain View and is registered and/or permitted by the County of Santa Clara Department of Environmental Health.

Court. An open unoccupied space, other than a yard, on the same lot with a building or group of buildings.

Crop and tree farming. The use of land for horticultural uses.

(Ord. No. 18.13, § 1, 12/10/13; Ord. No. 9.16, § 3, 6/14/16)

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