

ORDINANCE NO. 15.13

AN ORDINANCE AMENDING THE ZONING MAP FOR THE PROPERTIES AT
1941 AND 1951 COLONY STREET FROM THE
MM-40 (GENERAL INDUSTRIAL) DISTRICT TO THE
R3-2 (MULTIPLE-FAMILY RESIDENTIAL) DISTRICT

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

Section 1. Council Findings. Chapter 36 of the Mountain View City Code sets forth a procedure whereby the City may amend the City's Zoning Map.

Said Chapter 36 of the Mountain View City Code requires that both the City's Environmental Planning Commission and City Council hold a duly noticed public hearing before the City's Zoning Map is amended.

On September 18, 2013, the Environmental Planning Commission held a duly noticed Public Hearing and, thereafter, forwarded its recommendation to the City Council that the City's Zoning Map be amended to change the designation of the property located at 1941 and 1951 Colony Street from the MM-40 (General Industrial) District to the R3-2 (Multiple-Family Residential) District.

On November 19, 2013, having given notice as required by Chapter 36 of the Mountain View City Code, the City Council held a Public Hearing to consider said amendment of the City's Zoning Map.

The required findings for an amendment to the City's Zoning Map contained in Section A36.74.050 of the Mountain View City Code are being made as follows:

- a. The proposed amendment is consistent with the General Plan;
- b. The proposed amendment would not be detrimental to the public interest, health, safety, convenience, or welfare of the City;
- c. The proposed amendment is in compliance with the provisions of the California Environmental Quality Act (CEQA) because an Initial Study was prepared for the proposed project in conformance with CEQA. The analysis determined that all of the environmental impacts associated with the 1951 Colony Street residential project have been avoided or reduced to a less-than-significant level through the incorporation of mitigation measures into the project; and
- d. The site is physically suitable (including, but not limited to, access, provision of utilities, compatibility with adjoining land uses, and absence of physical constraints) for the requested zoning designation(s) and anticipated land use development(s).

Section 2. Zoning Change. The zoning designation for the property located at 1941 and 1951 Colony Street is hereby amended from the MM-40 (General Industrial) District to the R3-2 (Multiple-Family Residential) District, as more particularly described in Exhibit A, attached hereto and incorporated herein, and which shall be on file in the Office of the City Clerk.

Section 3. Effective Date. The provisions of this ordinance shall be effective thirty (30) days from and after the date of its adoption.

Section 4. Severability. If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be unconstitutional, such decision shall not affect the validity of the other remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared unconstitutional.

Section 5. Posting and Publication. Pursuant to Section 522 of the Mountain View City Charter, it is ordered that copies of the foregoing proposed ordinance be posted at least two (2) days prior to its adoption in three (3) prominent places in the City and that a single publication be made to the official newspaper of the City of a notice setting forth the title of the ordinance, the date of its introduction, and a list of the places where copies of the proposed ordinance are posted.

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The foregoing ordinance was regularly introduced at the Special Meeting of the City Council of the City of Mountain View, duly held on the 19th day of November, 2013, and thereafter adopted at the Regular Meeting of said Council, duly held on the 10th day of December, 2013, by the following roll call vote:

AYES: Councilmembers Abe-Koga, Bryant, Kasperzak, McAlister, Siegel,
Vice Mayor Clark, and Mayor Inks

NOES: None

ABSENT: None

NOT VOTING: None

ATTEST:

APPROVED:

LORRIE BREWER, MMC
CITY CLERK

JOHN M. INKS
MAYOR

I do hereby certify that the foregoing ordinance was passed and adopted by the City Council of the City of Mountain View at a Regular Meeting held on the 10th day of December, 2013, by the foregoing vote, and was published in the *San Jose Post Record* by reference on the 6th day of December, 2013, and posted in three prominent places in said City.

City Clerk
City of Mountain View

SW/5/ORD
818-11-19-13o-E