

ORDINANCE NO. 4.19

AN ORDINANCE APPROVING A ZONING TEXT AMENDMENT TO THE  
R4 (HIGH-DENSITY) SECTION OF THE ZONING ORDINANCE

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

Section 1. Council Findings. An application was received from Prometheus Real Estate Group for a Zoning Text Amendment to the Development Standards of the R4 (High-Density) Residential Zoning Designation;

On April 3, 2019, the Environmental Planning Commission held a duly noticed public hearing and reviewed all project materials, staff reports, public testimony, and environmental review on said Zoning Text Amendment and adopted a resolution recommending City Council approval of the Zoning Text Amendment;

The City Council finds and determines, at a duly noticed public hearing on April 30, 2019, that the following Zoning Text Amendment is consistent with the High-Density Land Use Designation of the General Plan of the City of Mountain View based upon the following findings made pursuant to Section 36.52.60 of the City Code:

a. The Zoning Text Amendment is consistent with the General Plan because the project implements the goals and policies of the High-Density Residential Land Use Designation, including providing a project with a density of 79.97 dwelling units per acre and with a maximum of five stories, in conformance with the General Plan Land Use Designation requirements of a maximum of 80 dwelling units per acre and a maximum of five stories; an appropriate building setback from the public right-of-way and interior property lines; all parking provided within parking structures that are located below the buildings; and a residential use which is compatible with the surrounding uses, provides high-density residential use near transit uses, and provides convenient vehicular, bicycle, and pedestrian access with the adjacent public street system; and

b. The Zoning Text Amendment will not be detrimental to the public interest, health, safety, convenience, or welfare of the City as the resulting R4 (High-Density) District and the proposed project promotes development that is of desirable character, and the project will be consistent with the goals and policies included in the General Plan, and the design of the proposed buildings and residential use is compatible with the surrounding residential developments; and

c. 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 and anticipated land use development, including new residential buildings, associated parking structures, and on-site amenities, as an environmental analysis has been completed which has identified any upgrades or improvements needed to utilities, infrastructure, or the project site to accommodate the increased development, and the use and development are consistent with other residential development in the area in terms of building massing, scale, and building locations; and

d. The proposed project complies with the California Environmental Quality Act because an Environmental Impact Report (EIR) has been prepared and circulated for public comment for the required 45 days, which ended November 26, 2018. Staff received five comment letters on the Draft EIR and has provided a response to these comments in the Final EIR document. All significant impacts of the project have been mitigated to less-than-significant with the incorporation of mitigation measures and standard City conditions of approval, and a Mitigation, Monitoring, and Reporting Program will be adopted; and

e. The following Zoning Map Amendment is in conformity with the procedures set forth in Chapter 36, Article XVI, Division 13, of the Mountain View City Code whereby the City may amend the City’s Zoning Ordinance.

Section 2. Zoning Text Change. Chapter 36, Article IV, Division 6, Section 36.12.10, of the Mountain View City Code is hereby amended to read as follows:

**“SEC. 36.12.10. - R4 zone development standards.**

The following are minimum standards for development within the R4 zoning district. In addition to the following requirements, multi-family buildings in the R4 zone will also be reviewed in the context of the R4 standards and guidelines. See Sec. 36.16 for small-lot, single-family developments; Sec. 36.16.10 for townhouse developments; and Sec. 36.16.20 for rowhouse developments.

**R4 ZONE DEVELOPMENT STANDARDS**

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| <b>Criteria</b> | <p><b>Primary Criteria</b> required for sites that apply for R4 zoning: (1) cannot be contiguous with R1 or R2 zones; (2) minimum site size of at least 1 acre; and (3) allowed across the street from R1 zones, only when the street right-of-way is between 80 ft. to 135 ft. in width.</p> <p><b>Secondary Criteria</b> to be considered for sites that apply for R4 zoning: See R4 guidelines.</p> |
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| <b>Dwelling Unit Types</b> | The following standards apply to multi-family housing. Standards for small-lot, single-family developments, townhouse developments, and rowhouse developments are listed separately in Sec. 36.16, 36.16.10, and 36.16.20, respectively. The R1 standards (Sec. 36.10.25) apply when there is only one single-family dwelling on a lot, and the R2 standards (Section 36.10.50) apply when there is a duplex or two detached single-family dwellings on a lot. |  |
| <b>Lot Area</b>            | Project area – 1-acre minimum. Individual lots in small-lot, single-family, townhouse and rowhouse developments approved through a PUD permit may be smaller.  |  |
| <b>Lot Width</b>           | 160 ft. minimum.   |  |
| <b>Lot Frontage</b>        | As provided above for lot width, except that lots on cul-de-sacs or curved portions of streets may have a minimum frontage of 35 ft.   |  |
| <b>Density</b>             | 80 units per acre maximum.   |  |
| <b>Floor Area Ratio</b>    | 1.40 maximum for projects that are equal to or under 40 units per acre;<br>1.95 maximum for projects between 41 and 50 units per acre; or<br>2.30 maximum for projects that are between 51 and 60 units per acre.  |  |
| <b>Setbacks</b>            | See Sec. 36.12.35 for setbacks applicable to accessory structures, Sec. 36.14.75 for exceptions to required setbacks for properties subject to R1 or R2 development standards.   |  |
|                            | <b>Front</b>   | 15 ft. minimum.  |
|                            | <b>Side</b>  | 1 to 2 stories – 10 ft. minimum; 3 stories – 15 ft. minimum.   |
|                            | <b>Street Side</b>   | 15 ft. minimum.  |
|                            | <b>Rear</b>  | 15 ft. minimum.  |
| <b>Height Limits</b>       | See Sec. 36.08.30 for exceptions to height limits.   |  |
|                            | Maximum building height (to ridge): 62 ft.; and<br>Maximum wall height: 52 ft.   |  |
|                            | Under certain circumstances subject to design review (see R4 guidelines): Maximum building height (to ridge): 70 ft.; and<br>Maximum wall height: 60 ft.   |  |
|                            | <b>Across the street from R1 zones</b>   | 40 ft. maximum wall height at the facade, with upper floors set back 10 ft. from the facade;<br>Maximum wall height of 52 ft.; and<br>Maximum building height (to ridge) of 62 ft. |

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| <b>Open Area</b>        | 30% of site, minimum.  |  |
|                         | <b>Private Open Space</b>  | Average of 40 sq. ft. per unit;<br>Minimum area shall be 40 sq. ft., where provided. |
| <b>Personal Storage</b> | Minimum of 80 sq. ft. enclosed and secured storage area for bulky personal effects (such as recreational equipment). |  |
| <b>Parking</b>          | See Article X (Parking and Loading).   |  |
| <b>Signs</b>            | See Article XII (Signs)."  |  |

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

Section 4. 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. 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 30th day of April 2019, and thereafter adopted at the Regular Meeting of said Council, duly held on the 14th day of May 2019, by the following roll call vote:

AYES: Councilmembers Clark, Hicks, Kamei, McAlister, Ramirez, Vice Mayor Abe-Koga, and Mayor Matichak

NOES: None

ABSENT: None

NOT VOTING: None

ATTEST:

APPROVED:

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LISA NATUSCH  
CITY CLERK

\_\_\_\_\_  
LISA MATICHAK  
MAYOR

Date of Attestation: \_\_\_\_\_

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 14th day of May 2019, by the foregoing vote, and was published in the *San Jose Post Record* by reference on the 10th day of May 2019, and posted in three prominent places in said City.

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City Clerk  
City of Mountain View

JR/3/ORD  
839-04-30-19o-1