ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SUNNYVALE REPEALING AND RE-ADOPTING CHAPTER 19.29 (MOFFETT PARK SPECIFIC PLAN DISTRICT) OF TITLE 19 (ZONING) OF THE SUNNYVALE MUNICIPAL CODE, AMENDING THE ZONING DISTRICTS MAP AND REZONING PROPERTY WITHIN THE MOFFETT PARK SPECIFIC PLAN DISTRICT, ADDING CHAPTERS 3.56 (MOFFETT PARK SPECIFIC PLAN TRANSPORTATION IMPACT FEE) AND MAKING OTHER AMENDMENTS TO TITLE 19 (ZONING) OF THE SUNNYVALE MUNICIPAL CODE TO IMPLEMENT THE MOFFETT PARK SPECIFIC PLAN.

THE CITY COUNCIL OF THE CITY OF SUNNYVALE FINDS AND DECLARES AS FOLLOWS:

SECTION 1. CHAPTER 19.29 REPEALED AND RE-ADOPTED. Chapter 19.29 (Moffett Park Specific Plan District) of Title 19 (Zoning) of the Sunnyvale Municipal Code is hereby repealed and re-adopted to read as shown in Exhibit "A" attached hereto and incorporated by reference.

SECTION 2. AMENDMENT OF PRECISE ZONING PLAN—MOFFETT PARK SPECIFIC PLAN DISTRICT. The Precise Zoning Plan, Zoning Districts Map, City of Sunnyvale (Section 19.16.050 of the Sunnyvale Municipal Code) hereby is amended to re-zone certain properties within the Moffett Park Specific Plan District, which properties are currently zoned MPI, MPT, and MPC. New zoning designations will be MP-AC, MP-R, MP-MU, MP-O1, MP-O2, MP-E1, MP-E2, MP-E3, MP-H, MP-PF, and ECD. The locations of the properties are shown on the scale drawings and tables attached as Exhibit "B" attached hereto and incorporated by reference.

SECTION 3. SECTION 19.12.020 AMENDED. Section 19.12.020 ("A") of Chapter 19.12 (Definitions) of Title 19 (Zoning) of the Sunnyvale Municipal Code is hereby amended to read as follows:

19.12.020. "A"

(1) - (9) [Text unchanged]

(10) "Animal hospital" means an establishment where animals or pets are given medical or surgical treatment by a licensed veterinarian and are cared for during the time of such treatment. Boarding of treated animals shall be limited to short-term boarding and shall be only incidental to such hospital use. Other commonly used term for this use includes veterinary clinics.

(11) "Animal boarding" means a premise where pet animals owned by another person are temporarily boarded for pay, trade, barter, commission, or remuneration of any sort;

provided, however, this definition shall not apply to zoos or to animal hospitals operated by licensed veterinarians.

- (12) "Animal grooming service" means any place or establishment, public or private, where animals are bathed, clipped, or combed for the purpose of enhancing their aesthetic value or health and for which a fee is charged.
- (13) "Animal shelter" means a facility used to house or contain stray, homeless, abandoned, or unwanted animals and that is owned, operated, or maintained by a public body, an established humane society, animal welfare society, society for the prevention of cruelty to animals, or other nonprofit organization devoted to the welfare, protection, and humane treatment of animals.
- (10) (19) [Renumbered; text unchanged]
- <u>"Auto sales or rental" "Automobile dealership"</u> means any use of a building or property for which the display, sales, lease, or rental of new or used automobiles, trucks, vans, trailers or recreational vehicles, and may include warranty repair work or repair services. For properties with three or fewer vehicles in inventory, see "Automobile showroom".
- (25) "Automobile showroom" means any use of a building for the display, sales, lease, or rental of new or used automobiles, trucks, vans, trailers or recreational vehicles, with a maximum of three vehicles available in inventory outside the showroom and does not include any repair work or services."

SECTION 4. SECTION 19.12.030 AMENDED. Section 19.12.030 ("B") of Chapter 19.12 (Definitions) of Title 19 (Zoning) of the Sunnyvale Municipal Code is hereby amended to read as follows:

19.12.040. "B"

- (1) (6) [Text unchanged]
- (7) "Bonus Floor Area Ratio Development" describes non-residential developments that exceed the allowed Base FAR.
- (7) (15) [Renumbered, text unchanged]

SECTION 5. SECTION 19.12.040 AMENDED. Section 19.12.040 ("C") of Chapter 19.12 (Definitions) of Title 19 (Zoning) of the Sunnyvale Municipal Code is hereby amended to read as follows:

19.12.040. "C"

(1) - (16) [Text unchanged]

(17) "Creation space" means floor area designed for and leased to production, distribution, repair businesses, art or crafting, clean manufacturing, construction industries, start-up spaces, or spaces for other similar creation space.

SECTION 6. SECTION 19.12.060 AMENDED. Section 19.12.060 ("E") of Chapter 19.12 (Definitions) of Title 19 (Zoning) of the Sunnyvale Municipal Code is hereby amended to read as follows:

19.12.060. "E"

- (1) "Ecological or environmental enhancements" means on-site or off-site improvements related to ecological enhancement or environmental stewardship.
- (1) (3) [Renumbered, text unchanged]
- (4) "Electric vehicle charging facility" means a facility with a cluster of component assemblies designed specifically to charge batteries within electric vehicles. This facility should also support charging other two-wheeled electric vehicles, including but not limited to electric scooters and electric bicycles.
- (4) (10) [Renumbered; text unchanged]

SECTION 7. SECTION 19.12.100 AMENDED. Section 19.12.100 ("I") of Chapter 19.12 (Definitions) of Title 19 (Zoning) of the Sunnyvale Municipal Code is hereby amended to read as follows:

19.12.100. "I"

- (1) (3) [Text unchanged]
- (4) "Innovation space" means floor area for small businesses, start-ups, and accelerators.
- (4) [Renumbered; text unchanged]

SECTION 8. SECTION 19.12.150 AMENDED. Section 19.12.150 ("N") of Chapter 19.12 (Definitions) of Title 19 (Zoning) of the Sunnyvale Municipal Code is hereby amended to read as follows:

19.12.150. "N"

- (1) "Neighborhood-serving office and community uses" means uses that provide space for non-profit office, personal service offices, medical clinics, medical offices, childcare, adult daycare, yoga/dance studios, education businesses, or other similar uses to support neighborhood residents, employees, and visitors.
- (2) "Neighborhood-serving retail and commercial uses" means retail and commercial uses provide goods or services to neighborhood residents, employees, and visitors.
- (1) (8) [Renumbered; text unchanged]

SECTION 9. SECTION 19.12.190 AMENDED. Section 19.12.190 ("R") of Chapter 19.12 (Definitions) of Title 19 (Zoning) of the Sunnyvale Municipal Code is hereby amended to read as follows:

19.12.190. "R"

- (1) (11) [Text unchanged]
- (12) "Residential Density, Minimum" means the minimum density (dwelling units per acre) for new residential development.
- (12) (20) [Renumbered; text unchanged]

SECTION 10. SECTION 19.12.200 AMENDED. Section 19.12.200 ("S") of Chapter 19.12 (Definitions) of Title 19 (Zoning) of the Sunnyvale Municipal Code is hereby amended to read as follows:

19.12.200. "S"

- (1) "Sales, retail" means the selling of new or used merchandise, not intended for resale.
 - (a) "Sales, Medium-format retail" means retail includes spaces for tenants such as grocery stores, pharmacies, hardware stores, or other retailers that require larger retail shells typically ranging from 15,000 to 40,000 square feet.
- (2) (30) [Text unchanged]

<u>SECTION 11.</u> SECTION 19.16.020 AMENDED. Section 19.16.020 (Zoning districts—Creation) of Chapter 19.16 (Precise Zoning Plans—Zoning Districts—Zoning Maps) of Title 19 (Zoning) of the Sunnyvale Municipal Code is hereby amended to read as follows:

19.16.020. Zoning districts—Creation.

In order to carry out the purposes and provisions of this title, the city of Sunnyvale and the Sunnyvale planning area are divided into zoning districts designated as follows:

[Existing text unchanged except as follows]

MP	Moffett Park Specific Plan District Moffett Park Subdistricts
	1
MP-I	-General Industrial
MP-TOD	Transit Oriented Development
MP-C	-Commercial
MP-AC	Activity Center
MP-R	Residential
MP-MU	Mixed Use
MP-O1	Office 1
MP-O2	Office 2

MP-E1	Mixed Employment 1
MP-E2	Mixed Employment 2
MP-E3	Mixed Employment 3
MP-H	Hospitality
MP-PF	Public Facilities
ECD	Ecological Combining District

<u>SECTION 12.</u> SECTION 19.90.010 AMENDED. Section 19.90.010 (Purpose) of Chapter 19.90 (Special Development Permits) of Title 19 (Zoning) of the Sunnyvale Municipal Code is hereby amended to read as follows:

19.90.010 Purpose.

A special development permit is required to implement the provisions of certain zoning and combining districts for any development or use where the zoning district includes:

(1) - (6) [Text unchanged]

(7) Moffett Park Specific Plan and associated combining zoning districts.

[Remaining text unchanged]

<u>SECTION 13.</u> CHAPTER 3.56 ADDED. Chapter 3.56 (Moffett Park Specific Plan Transportation Impact Fee) of Title 3 (Revenue and Finance) of the Sunnyvale Municipal Code is hereby added to read as follows:

CHAPTER 3.56. MOFFETT PARK SPECIFIC PLAN TRANSPORTATION IMPACT FEE.

3.56.010. Findings and Purpose

3.56.020. Definitions

3.56.030. Application

3.56.040. Transportation Impact Fee calculation and payment.

3.56.010. Findings and Purpose.

On July 11, 2023, the city council adopted the Moffett Park Specific Plan in order to increase the development capacity of the Moffett Park Specific Plan District. It is the intent and purpose of the city council in adopting this chapter to provide in part for the major traffic improvements that will be necessary as a result of development within the Moffett Park Specific Plan District through the adoption of a fee to be charged to development in the manner specified by the Moffett Park Specific Plan Update Transportation Impact Fee Nexus Study that was accepted by the city council on July 11, 2023. Based on the Moffett Park Specific Plan Update Transportation Impact Fee Nexus Study, the city council finds that there is an essential nexus and reasonable relationship between development within the Moffett Park Plan District and the need for the specified transportation improvements.

3.56.020. **Definitions.**

- (a) "Moffett Park Specific Plan District" means the project area within the limits of the City of Sunnyvale as specified and depicted in the Moffett Park Specific Plan adopted by the city council on July 11, 2023.
- (b) "MPSP" means the Moffett Park Specific Plan.

3.56.030. Application.

This chapter establishes the requirements for the MPSP transportation impact fee for development approved on or after July 24, 2023. The MPSP transportation impact fee is limited to providing funding in the amounts and for those improvements specified in the MPSP Transportation Impact Fee Nexus Study. Nothing in this chapter shall restrict the ability of the city to require dedication of land, payment of fees or construction of improvements for needs other than, or in addition to, the improvements specified in the MPSP Transportation Impact Fee Nexus Study.

3.54.040. Transportation impact fee calculation and payment.

- a. Commencing September 22, 2023, the MPSP transportation impact fee is hereby imposed on development within the MPSP district.
- b. The amount of the fee shall be established by resolution of the city council and shall be increased by the Engineering News-Record (ENR) Construction Cost Index for San Francisco urban area, published by the McGraw Hill, on July 1 of every year. In addition, the amount of the fee may be periodically adjusted by the city council to reflect the current status and cost of improvements identified in the MPSP Transportation Impact Fee Nexus Study.
- c. The fee shall be calculated at the time of complete building permit application submittal and shall be paid in full to the city before any building permit is issued.
- d. The fee shall be deposited in a fund designated solely for the MPSP transportation improvements and shall be reviewed annually in order to make any findings required by state law.

<u>SECTION 14.</u> CEQA-ENVIRONMENTAL IMPACT REPORT. The environmental effects of the proposed Moffett Park Specific Plan were analyzed in the program Environmental Impact Report for the Moffett Park Specific Plan (SCH #2021080338) (EIR). The City Council

reviewed the EIR and found that it reflects the independent judgment of the City Council and its staff and is an adequate and extensive assessment of the environmental impacts of the proposed amendments. The City Council certified the EIR as having been prepared in compliance with the requirements of the California Environmental Quality Act ("CEQA"), made necessary findings, adopted a statement of overriding considerations, and adopted a Mitigation Monitoring and Reporting Program (Resolution No. _____). The City Council incorporates by this reference the findings contained in the EIR as to the environmental effects of the proposed amendment, together with the additional findings contained in the Resolution.

<u>SECTION 15.</u> EFFECTIVE DATE. This ordinance shall be in full force and effect on September 22, 2023.

<u>SECTION 16.</u> PUBLICATION. The City Clerk is directed to cause copies of this ordinance to be posted in three (3) prominent places in the City of Sunnyvale and to cause publication once in <u>The Sun</u>, the official newspaper for publication of legal notices of the City of Sunnyvale, of a notice setting forth the date of adoption, the title of this ordinance, and a list of places where copies of this ordinance are posted, within fifteen (15) days after adoption of this ordinance.

2023, by the following vote:		•
AYES: NOES: ABSTAIN: ABSENT: RECUSAL:		
ATTEST:	APPROVED:	
City Clerk Date of Attestation:	Mayor	
(SEAL)		
APPROVED AS TO FORM:		
City Attorney		

Introduced at a regular meeting of the City Council held on July 11, 2023, and adopted as an ordinance of the City of Sunnyvale at a regular meeting of the City Council held on July 24,

EXHIBIT A

Chapter 19.29. Moffett Park Specific Plan District

19.29.010. Moffett Park Specific Plan District Established.

19.29.020. Purpose

19.29.030. Applicability

19.29.040. **Definitions**

19.29.050. Zoning and Combining Zoning Districts

19.29.060. Permitted development types and uses.

Table 19.29.060

19.29.070. Office and residential intensity and density.

19.29.080. Neighborhood-serving uses.

19.29.090. Innovation and Creation space.

19.29.100. Development reserve, transfer of development rights, access, permit duration.

19.29.110. Moffett Park Specific Plan Site Development Standards.

19.29.120. Transportation Demand Management and parking requirements.

19.29.030. Landscaping and Open Space Requirements.

Table 19.29.130

Chapter 19.29. Moffett Park Specific Plan District

19.29.010. Moffett Park Specific Plan District Established.

A Moffett Park Specific Plan (MPSP) district (with associated zoning districts and combining zoning district contained in this chapter) is established as shown on the official precise zoning plan, zoning district map, city of Sunnyvale, on file in the office of the city clerk and incorporated by reference.

19.29.020. Purpose

- (a) The MPSP districts are established to implement the MPSP, which is incorporated herein by reference. The MPSP is a comprehensive, long-term planning document for the MPSP area. It includes land use districts and programs; site design, building design, and ecological development standards; open space and urban ecology types, standards, and guidelines; complete street standards; parking and transportation demand management requirements; and infrastructure and utility enhancement; among other components.
- (b) The purpose of MPSP is to establish a well-connected ecological innovation district with a diverse mix of uses, including but not limited to residential, office, and commercial uses, that serves as a model of resilience, climate protection, equity, and economic opportunity. To achieve the vision for an ecological innovation district, the Guiding Principles offer more specific direction regarding how strategies and activities within Moffett Park can be implemented over time:
 - (1) Maintain Moffett Park as an integral part of Sunnyvale;

- (2) Establish Moffett Park as a model community through its commitment to comprehensively addressing resilience, climate protection, and equity in all activities;
- (3) Evolve Moffett Park into a vibrant and inclusive community where all people can thrive;
- (4) Maintain and strengthen Moffett Park as a diverse economic engine that supports economic prosperity for all;
- (5) Create a connected, accessible district that prioritizes the movement of people over vehicles to reduce climate pollution and to support a healthy community;
- (6) Cultivate dynamic and connected public spaces that accommodate the physical and social needs of all users;
- (7) Create a healthy, resilient, and biodiverse environment; and
- (8) Integrate innovative and emerging technologies in the district to support community-wide goals.
- (c) The council finds that the MPSP will:
 - (1) Protect and promote the public health, safety, peace, comfort, and general welfare:
 - (2) Establish the procedure for adoption of the orderly physical development of the MPSP district by defining development procedures and requirements to obtain the objectives of the MPSP;
 - (3) Promote the city's goals of smart growth and sustainable development;
 - (4) Diversify and strengthen the commercial and residential opportunities and fiscal health of the city.

19.29.030. Applicability

- (a) The regulations contained in this chapter shall apply in the MPSP district, in conjunction with the standards, guidelines, and plans contained in the MPSP document.
- (b) Whenever this chapter or the MPSP document does not provide specific standards and/or procedures for the review, approval, and/or administration of development projects within the MPSP district or for appeals concerning approvals or administration of development projects, the provisions of the Sunnyvale Municipal Code shall apply.
- (c) In the event of any conflict between the provisions of this chapter and the provisions of the Sunnyvale Municipal Code, the provisions of this chapter shall prevail.
- (d) The owner or occupant of land or buildings used for any purpose in the MPSP district shall provide the facilities as required by and which conform with the regulations set forth in this chapter; provided however, that buildings, structures, or uses lawfully constructed or established prior to the effective date of this chapter that do not comply with the provisions hereof shall be deemed legally nonconforming in accordance with the provisions of Chapter 19.50.

19.29.040. **Definitions**

- (a) "Development Reserve" means the allowed net new office, Research & Development, and industrial floor area studied under the environmental impact report. Bonus FAR Developments are eligible to apply for bonus floor area allocation from the Development Reserve.
 - (1) "Base FAR reserve" means the net new office, Research & Development, and industrial floor area for existing parcels to meet their Base FAR.
 - (2) "Neighborhood reserve" means the net new office, Research & Development, and industrial floor area distributed by neighborhood for Bonus FAR Development.
 - (3) "Small project reserve" means the portion of net new office, R+D, and industrial floor area less for non-residential projects less than 150,000 square feet.

(b) Floor Area

- (1) "Base Floor Area Ratio" means the maximum allowed non-residential intensity for a parcel without the addition of Bonus FAR.
- (2) "Bonus Floor Area Ratio" means the allowed office and Research & Development intensity for a parcel if development meets Bonus FAR development standards, including community benefits, on net new floor area.
- (3) "Total Floor Area Ratio Maximum" means the maximum density for a parcel inclusive of office and Research & Development floor area, commercial and retail areas, residential floor area, and Transfer of Development Rights floor area from sending parcels.

19.29.050. Zoning and Combining Zoning Districts

The MPSP establishes the following zoning and combining zoning districts:

- (a) Moffett Park Activity Center (MP-AC) District. The MP-AC district is a vibrant, mixed-use place that allows for a mix of office, residential, and commercial uses. The district accommodates neighborhood-serving commercial uses, community services, and entertainment in ground floor storefronts facing public streets, parks, and open space.
- (b) Moffett Park Residential (MP-R) District. The MP-R district allows for very high-density housing.
- (c) Moffett Park Mixed-Use (MP-MU) District. The MP-MU district allows standalone residential, standalone office, or a mixed-use development.
- (d) Moffett Park Office 1 (MP-O1) District. The MP-O1 district provides for the potential densification of existing office campuses in the West Mathilda and Discovery Neighborhoods with corporate and professional office uses and does not

- permit residential development. MP-O1 may be combined with the Moffett Park ecological combining district (ECD) as provided for in Chapter 19.26.
- (e) Moffett Park Office 2 (MP-O2) District. The MP-O2 district provides for higher-intensity corporate and professional office uses in proximity to the MP-AC, MP-R, MP-MU, and high-quality transit and does not permit residential development.
- (f) Moffett Park Mixed Employment 1 (MP-E1) District. The MP-E1 district allows for a mix of uses, including corporate and professional office light industrial, and other non-residential uses in an urban pattern with integrated open space. It does not permit residential development.
- (g) Moffett Park Mixed Employment 2 (MP-E2) District. The MP-E2 district allows for a mix of office, Research & Development, and industrial uses and does not permit residential development.
- (h) Moffett Park Mixed Employment 3 (MP-E3) District. The MP-E3 district allows for a mix of office, R&D, and light industrial and does not permit residential development. MP-E3 shall be combined with the Moffett Park ECD as provided for in Chapter 19.26.
- (i) Moffett Park Hospitality (MP-H) District. The district allows for hotel and hospitality uses and does not permit residential development.
- (j) Moffett Park Public Facilities (MP-PF) District. The public facilities district allows for governmental, public utility, and educational buildings and facilities, and other uses compatible with the public character of the district and does not permit residential development.
- (k) Moffett Park Ecological Combining District (ECD). The ecological combining district preserves, expands, and enhances the ecological value of the existing and potential green space and biological resources located within the northwest corner of the Moffett Park Specific Plan area, and provides opportunities for public access and passive recreation.

19.29.060. Permitted development types and uses.

- (a) Development Types and Use Tables. Tables 19.29.060A and 19.29.060B set forth the development types and uses, respectively, that are permitted, conditionally permitted, and prohibited in the Moffett Park zoning districts.
 - (1) Permitted (P)
 - (2) Special Development Permit (SDP)
 - (3) Miscellaneous Plan Permit (MPP)
 - (4) Not permitted (N)

- (b) Ecological Combining Zoning District. New commercial, industrial, office, and residential uses shall not be allowed in the ECD.
- (c) Neighborhood-Serving Uses. Neighborhood-serving uses are listed under Section 19.29.070.
- (d) Innovation and Creation Space. Innovation and Creation space uses are listed under Section 19.29.080.

Table 19.29.060
Permitted, Conditionally Permitted, and Prohibited Uses in MPSP Districts

Use	MP- O1, MP- O2	MP- E1	MP- E2	MP- E3	МР-Н	MP- AC	MP- MU	MP-R	MP- PF
Office									
Professional or medical office, not located on the ground floor	Р	Р	Р	Р	SDP	MPP	MPP	N	N
Professional or medical offices, located on the ground floor less than 1,000 square feet	P	P	Р	P	SDP	MPP	MPP	N	N
Professional or medical office, located on the ground floor greater than 1,000 square feet	MPP	MPP	MPP	MPP	SDP	SDP	MPP	N	N
Ground floor dependent office less than 1,000 square feet	Р	Р	Р	Р	N	MPP	MPP	N	P
Ground floor dependent office greater than 1,000 square feet	MPP	MPP	MPP	MPP	N	MPP	MPP	N	MPP
Administrative office, not located on the ground floor	Р	Р	Р	Р	SDP	MPP	MPP	N	N
Administrative office, located on the ground floor greater than 1,000 square feet	Р	Р	Р	Р	SDP	MPP	MPP	N	N

Administrative	P	P	P	P	SDP	SDP	SDP	N	N
office, located on the									
ground floor greater									
than 1,000 square									
feet									
Research and									
development office									
Medical clinic	MPP	MPP	MPP	N	SDP	MPP	MPP	N	N
Industrial, Manufactor				11	SDI	1,111	1,111	11	11
Electronic data	N	SDP	MPP	MPP	N	N	SDP	N	N
storage and data	11	301	IVIII	IVIII	11	11	SDI	14	11
server farms									
	CDD	P	P	P	NI	CDD	CDD	NT	NI
Manufacture,	SDP	P	P	P	N	SDP	SDP	N	N
processing, repair,									
compounding,									
packaging, assembly									
or treatment plants or									
facilities for									
equipment, materials									
or products,									
including production									
bakeries and food									
processing activities.									
(Non-hazardous									
materials)									
Printers, copiers, and	SDP	SDP	SDP	SDP	N	N	N	N	N
engravers using	551	551			11	1,	1,	11	1
chemical processes									
Wholesale or	MPP	MPP	MPP	MPP	N	N	N	N	N
commercial storage	1711 1	IVIII	IVIII	IVIII	11	11	11	14	11
_									
or warehousing of merchandise or									
products within a									
building.									
Hazardous materials	P	P	P	P	N	N	N	N	N
storage as defined in									
Titles 20 and 21 of									
the Municipal Code									
Hazardous materials	MPP	MPP	MPP	MPP	N	N	N	N	N
storage facilities									
which meet the									
criteria of Section									
19.22.060 of the									
Zoning Code									
Hazardous materials	SDP	SDP	SDP	SDP	N	N	N	N	N
storage facilities					- '	_ ,	- '	- '	_ ,
which do not meet									
the criteria of Section									
19.22.060 of the									
Zoning Code	<u> </u>	<u> </u>							

Hazardous wastes	SDP	SDP	SDP	SDP	N	N	N	N	N
management facilities which meet									
the criteria of Section									
19.22.070 of the									
Zoning Code									
Automotive									
Automobile service station	N	MPP	P	SDP	SDP	N	N	N	N
Electric vehicle charging facility	MPP	MPP	MPP	MPP	MPP	MPP	MPP	MPP	MPP
Auto Dealership	N	N	N	N	N	N	N	N	N
Auto broker for 3 or fewer vehicles on site	MPP	N	N	N	N	N	N	N	N
Sale or rental of utility trailer, heavy equipment, or machinery	N	SDP	SDP	SDP	N	N	N	N	N
Automobile repair and service	N	N	N	N	N	N	N	N	N
Car wash facility	N	SDP	SDP	SDP	N	SDP	N	N	N
Auto service if incidental to other permitted uses	N	MPP	MPP	MPP	N	N	N	N	N
Commercial, Retail a	nd Servi	ces	I.		I		I		I
Retail sales and services, excluding uses listed individually below	Р	Р	MPP	Р	Р	Р	Р	MPP	N
Retail sales and retail services, if incidental to other permitted uses	P	P	MPP	P	P	P	P	P	N
Financial Institution	P	N	N	N	MPP	P	P	N	N
Financial Institution with drive-through	N	N	N	N	N	N	N	N	N
Shopping Center	N	MPP	MPP	P	P	P	P	MPP	N
Automotive Showrooms	N	N	N	N	N	SDP	SDP	N	N
Retail sales with drive-through	N	N	N	N	N	N	N	N	N
Liquor store, within 200 feet of public schools	N	N	N	N	N	N	N	N	N
Liquor store, outside 200 feet of public schools	Р	Р	N	N	N	Р	P	N	N

Animal hospital	SDP	SDP	N	SDP	N	SDP	SDP	N	N
Animal boarding	N	SDP	N	N	N	SDP	N	N	N
Animal grooming	SDP	SDP	SDP	N	N	MPP	MPP	N	N
service									
Animal shelter	N	SDP	SDP	SDP	N	N	N	N	N
Personal service	P	P	N	N	P	P	P	P	N
Service Commercial	P	P	MPP	N	P	P	P	N	N
Childcare centers, business-sponsored	SDP	SDP	N	N	N	SDP	SDP	N	N
Childcare centers, 30 or fewer children	MPP	MPP	N	N	N	MPP	MPP	MPP	N
Childcare centers, more than 30 children	SDP	SDP	N	N	N	SDP	SDP	SDP	N
Payday Lending Establishment (refer to the section re: payday lending)	N	N	N	N	N	N	N	N	N
Massage Establishment, subject to provisions of SMC Chapter 9.41	Р	P	N	N	Р	Р	Р	N	N
Adult Business, subject to provisions of SMC Chapter 9.40	N	N	N	N	N	Р	N	N	N
Restaurants, Eating a	nd Drin	king Esta	ablishme	nts					
Restaurant, without beer and wine	MPP	MPP	MPP	MPP	MPP	MPP	SDP	SDP	N
Restaurant, with beer and wine	MPP	MPP	MPP	MPP	MPP	MPP	SDP	SDP	N
Restaurant, with general liquor	SDP	SDP	SDP	SDP	SDP	SDP	SDP	SDP	N
Restaurant, with drive-through	N	N	N	N	N	N	N	N	N
Restaurant, Take-out only	MPP	MPP	MPP	MPP	N	MPP	MPP	SDP	N
Nightclub, bar, or entertainment establishment	SDP	SDP	SDP	SDP	SDP	SDP	SDP	N	N
Education, Recreation	n and Pla	aces of A	ssembly						
Education – recreation and enrichment	N	N	N	N	N	MPP	MPP	MPP	SDP
Education – primary, middle, and high school	N	N	N	N	N	N	N	SDP	SDP

Education – institution of higher learning	N	N	N	N	N	SDP	SDP	N	SDP
Recreational and athletic facility	SDP	N	N	N	N	SDP	SDP	N	SDP
Place of assembly – business serving	SDP	N	N	N	N	SDP	SDP	N	SDP
Place of assembly – community serving	N	N	N	N	N	SDP	SDP	SDP	SDP
Cardroom	N	N	N	N	N	N	N	N	N
Residential, Boarding	and Lo	dging			I				
Single-family dwelling	N	N	N	N	N	N	N	N	N
Two-family dwelling	N	N	N	N	N	N	N	N	N
Multi-family dwelling	N	N	N	N	N	SDP	SDP	SDP	N
Mobile home park	N	N	N	N	N	N	N	N	N
Single-room occupancy (SRO) living unit facility	N	N	N	N	N	N	SDP	SDP	N
Single-room occupancy (SRO) residential hotel	N	N	N	N	N	N	SDP	SDP	N
Residential care facility, 6 or fewer residents	N	N	N	N	N	N	SDP	SDP	N
Hotel or motel	SDP	SDP	N	N	SDP	SDP	SDP	N	N
Security personnel or caretakers sleeping quarters in conjunction with a primary office or manufacturing type use	MPP	MPP	N	N	N	N	N	N	N
Emergency shelter	N	N	N	N	N	N	N	N	N
Accessory dwelling unit				See SM	IC Chapte	er 19.79			
Other									
Accessory structures, including emergency generators (non-hazardous materials)	Р	Р	Р	Р	P	Р	Р	Р	Р
Incidental and accessory outdoor storage, mechanical equipment per SMC 19.82	MPP	MPP	MPP	MPP	N	N	N	N	N

Incidental and	SDP	SDP	SDP	SDP	N	N	N	N	N
accessory outdoor storage, mechanical									
equipment per SMC									
19.88									
Electric distribution and transmission	N	SDP	SDP	SDP	N	N	N	N	SDP
substations									

^[1] Educational and recreational uses and places of assembly shall not be located in retail centers in a manner that disrupts the flow of pedestrians between retail establishments.

19.29.070. Office and residential intensity and density.

- (a) FAR and Density. Allowed FAR and residential density applicable for each zoning district are set forth in Table 2 of MPSP Section 4.4.
- (b) Site Master Plan. All developments shall submit a Site Master Plan. Site Master Plans shall identify horizontal development, streets, open spaces, district infrastructure, and allocation of vertical development per MPSP Section 10.3
- (c) Bonus and Maximum FAR for Non-Residential Development
 - (1) Additional FAR may be allowed to exceed Base FAR, up to the Bonus FAR Maximum, for developments that meet the following requirements:
 - (A) Development Agreement
 - (B) LEED BD+C Platinum and a whole building life cycle assessment
 - (C) On-site open space and improvement contribution
 - (D) Community benefit contribution
 - (2) Developments may also be allowed to exceed the Bonus FAR Maximum for the district through the Transfer of Development Rights (TDR) Program up to the Total FAR Maximum.
- (d) Density for Residential Development.
 - (1) Minimum Density. All new residential development in the MP-AC and MP-R zoning districts shall be built to at least the minimum density. There is no minimum density for the MP-MU district.
 - (2) Residential developments shall meet the following requirements:
 - (A) A minimum of 120 points on the GreenPoint Rated Checklist
 - (B) On-site open space and improvement contribution
- (e) Additional standards, requirements, and details for all development, Base and Bonus FAR for non-residential development, and residential development are set forth in the MPSP Section 4.4 (General Land Use).
- (f) Height. All development shall comply with the maximum height limits set forth in MPSP Section 5.3.

19.29.080. Neighborhood-serving uses.

- (a) Neighborhood Serving Uses Required. Neighborhood-serving uses shall be required per Figure 27 of MPSP Section 4.6.
 - (1) Neighborhood-Serving Retail and Commercial Uses. The following land uses are considered neighborhood-serving retail and commercial uses:
 - (A) Retail sales and retail services
 - (B) Financial Institution
 - (C) Shopping Center
 - (D) Automotive Showrooms
 - (E) Retail sales with drive-through
 - (F) Liquor store, within 200 feet of public schools
 - (G) Liquor store, outside 200 feet of public schools
 - (H) Animal hospital
 - (I) Animal boarding
 - (J) Animal grooming service
 - (K) Personal service
 - (L) Service Commercial
 - (M) Payday Lending Establishment
 - (N) Restaurant, without beer and wine
 - (O) Restaurant, with beer and wine
 - (P) Restaurant, with general liquor
 - (Q) Restaurant, Take-out only
 - (2) Neighborhood-Serving Office and Community Uses. The following land uses are considered neighborhood-serving office and community uses:
 - (A) Professional Office
 - (B) Medical office
 - (C) Ground floor dependent office less than 1,000 square feet
 - (D) Ground floor dependent office greater than 1,000 square feet
 - (E) Medical clinic

- (F) Personal service
- (G) Education recreation and enrichment
- (H) Childcare centers, business-sponsored
- (I) Childcare centers, 30 or fewer children
- (J) Childcare centers, more than 30 children
- (K) Public facility
- (L) Community center
- (b) Neighborhood-Serving Uses. The following neighborhood-serving uses shall comply the standards set forth in MPSP Section 4.6:
 - (1) Retail and commercial ground floors
 - (2) Medium format retail
 - (3) Neighborhood serving office and community uses
 - (4) Community center and library uses
- (c) Floor Area Exemption. Floor area of the neighborhood-serving uses shall be exempt from the gross floor area calculations, including allowed FAR, community benefit, or development reserve calculations.
- (d) Permit requirements are established in Table 19.29.050.

19.29.090. Innovation and Creation space.

- (a) Innovation and Creation Space. Innovation and Creation spaces are required for new office, research and development, and industrial development.
 - (1) Innovation Space. The following land uses are considered innovation space:
 - (A) Professional or medical office, not located on the ground floor
 - (B) Professional or medical offices, located on the ground floor less than 1,000 square feet
 - (C) Professional or medical office, located on the ground floor greater than 1,000 square feet
 - (D) Ground floor dependent office less than 1,000 square feet
 - (E) Ground floor dependent office greater than 1,000 square feet
 - (2) Creation Space. The following land uses are considered creation space:
 - (A) Manufacture, processing, repair, compounding, packaging, assembly or treatment plants or facilities for equipment, materials or products, including production bakeries and food processing activities. (Nonhazardous materials)

- (B) Research and development for start-ups and small businesses. See MPSP Section 4.7 for further clarification.
- (3) Space shall be provided as innovation, creation, or a combination of both.
- (4) A minimum of 7.5% of all net new office and research and development space shall be provided as innovation space.
- (5) A minimum of 5% of all net new office and research and development space shall be provided as creation space.
- (b) Space may be consolidated into one site or adjacent sites with a Site Master Plan.
- (c) Space shall comply with standards listed in MPSP Section 4.7.
- (d) Permit requirements are established in Table 19.29.050.

19.29.100. Development reserve, transfer of development rights, access, permit duration.

- (a) Development Reserve. Development projects may request additional square footage from the development reserve that exceeds the Base FAR of the site up to the Bonus FAR Maximum for the Land Use District as set forth in Table 2 of MPSP Section 4.4. The Development Reserve allocates Bonus FAR to each neighborhood in Moffett Park to ensure growth targets can be met across the site. The Development Reserve sets up a "small project reserve" for smaller development projects. Procedures for determining the amount of square footage in the pool and its availability are set forth in the MPSP.
- (b) Transfer of Development Rights (TDR). The MPSP allows transfer of non-residential development rights to incentivize the Specific Plan priorities related to open space, urban ecology, public school, publicly accessible open space, and community facility site acquisition, and residential development. Non-Residential Bonus FAR Maximums may be exceeded through the transfer of development rights from one parcel to another parcel within Moffett Park. The details, requirements, and process for obtaining additional TDR square footage are set forth in the MPSP.
 - (1) The MPSP establishes three TDR programs.
 - (A) Public schools, publicly accessible open spaces, and community facilities
 - (B) Residential development
 - (C) Moffett Park ecological combining district
 - (2) All the nonresidential floor area on a sending parcel may be transferred in its entirety, to a single receiving parcel, or in separate increments to several receiving parcels. Receiving parcels may receive floor area from multiple sending parcels. Individual receiving parcels may not exceed the Total FAR Maximum as set forth in Table 2 of MPSP Section 4.4.

- (c) TDR for ECD. The MPSP allows transfer of non-residential development rights to incentivize the Specific Plan priorities related to open space and urban ecology. The details, requirements, and process for obtaining additional TDR square footage are set forth in the MPSP.
 - (1) All the non-residential floor area and developable square footage up to the Base FAR on a sending parcel may be transferred in its entirety, to a single receiving parcel, or in separate increments to several receiving parcels. Receiving parcels may receive floor area from multiple sending parcels. Individuals receiving parcels may not exceed the Total FAR Maximum as set forth in Table 2 of MPSP Section 4.4.
 - (2) The ECD does not limit the gross parcel area for determining the amount of development permitted to be transferred.
 - (3) The property owner shall submit a Habitat Enhancement and Management Plan, developed by a qualified biologist, which includes habitat enhancements, a maintenance and management plan, and adherence to additional standards in the MPSP.

19.29.110. Moffett Park Specific Plan Site Development Standards.

- (a) Site Design. The MPSP established site design standards which regulate block design, building placement and setbacks, and lot coverage. These standards support the health and safety of future residents and employees by providing standards to ensure a walkable block structure and safe pedestrian experience, reduce vehicle miles traveled, contribute to climate mitigation efforts, minimize the heat island effect, and improve ecological resiliency. The details and requirements for the site design are set forth in the MPSP. The MPSP establishes standards for:
 - (1) Block structure
 - (2) Building setbacks
 - (3) Lot coverage and paving area
- (b) Building Design. The MPSP established site design standards which regulate various aspects of building design. The details and requirements for the building design are set forth in the MPSP. The MPSP establishes standards for:
 - (1) Building height and ground floor elevation
 - (2) Building massing
 - (3) Ground flood design and building entries
 - (4) Usable open space
 - (5) Parking facility design

- (6) Building elements and required facilities
- (c) Ecological Development Standards. To ensure development applicants meet a high standard of ecological design, the MPSP establishes requirements for landscape design, lighting, impervious coverage, tree canopy, perches, urban forestry, and bird safe design. The details and requirements are set forth in the MPSP.
- (d) Exceptions to Standards. New developments may be provided with flexibility in meeting design standards based on special site conditions and constraints. To be considered for an exception, applicants for new development must:
 - (1) Provide findings on how the new development project meets the goals, policies, and intent of the standard where the exception is requested; and
 - (2) Document constraints to meeting the standard. Exceptions from quantitative standards shall not deviate more than 10% plus or minus from the standard.
 - (3) Exceptions may apply to the following standards:
 - (A) 4.6 Neighborhood-Serving Uses
 - (B) 5.2.1 Block Structure
 - (C) 5.2.2 Building Setbacks
 - (D) 5.2.3 Lot Coverage and Paving Area
 - (E) 5.3.2 Building Massing
 - (F) 5.3.3 Ground Floor Design and Building Entries
 - (G) 5.3.5 Parking Facility Design
 - (H) 5.3.6 Building Elements and Required Facilities
 - (I) 6.6.3 Urban Forest
 - (J) 7.3 Complete Street Design Standards

19.29.120. Transportation Demand Management and parking requirements.

(a) Transportation Management Association (TMA) and Transportation Demand Management (TDM). All development in MPSP shall be required to participate in The MPSP establishes requirements for participation in a TMA and for preparation of a TDM plan to reduce single occupancy vehicle travel, minimize peak period vehicle trips, and minimize overall vehicle miles traveled by shifting trips to transit, biking, walking, scooting, or rideshare. All new residential projects with 10 or more units and new non-residential projects of 5,000 square feet or more shall be required to join the TMA and submit a TDM plan for each project site. The details and requirements for the TMA and TDM are set forth in the MPSP.

- (b) Maximum Parking Requirements. All new development shall adhere to the maximum parking requirements in Table 24 in MPSP Section 8.3.1. A project may exceed that maximum by up to 50% of the maximum ratio, provided that all of the additional spaces over the maximum shall be shared with the public at all times. Parking maximums for new development shall be phased in over time. The details and requirements for vehicle parking and loading are set forth in the MPSP.
- (c) Shared Parking. Shared parking may be allowed for different uses on the same property or across different properties to reduce the number of spaces provided as set forth in the MPSP. A shared parking management plan is required.
- (d) Carpool/Vanpool and Electric Vehicles. A minimum number of carpool/vanpool and electric vehicles shall be provided by new development as set forth in the MPSP.
- (e) Loading. Off-street freight and equipment loading spaces shall be provided for all development as set forth in the MPSP.
- (f) Bicycle Parking. All new development shall adhere to the bicycle parking, shower, and locker requirements in Table 28 of MPSP Section 8.5. The details and requirements for bicycle parking are set forth in the MPSP.

19.29.030. Landscaping and Open Space Requirements.

- (a) Applicability. Landscape and open space standards apply in connection with new construction, replacement, or expansion in floor area of any structure.
- (b) Specific Plan. Refer to Section 5.4 and Chapter 6 of MPSP for additional open space and landscaping standards and requirements.
- (c) Additional Requirements. Refer to Chapter 19.37 of the Municipal Code for additional landscaping, irrigation, and open space requirements not covered by this section.
- (d) Minimum Usable Open Space Dimensions. Each usable open space area shall have at least a twelve-foot dimension in any direction except for Private balconies must have a minimum of seven feet in any direction.

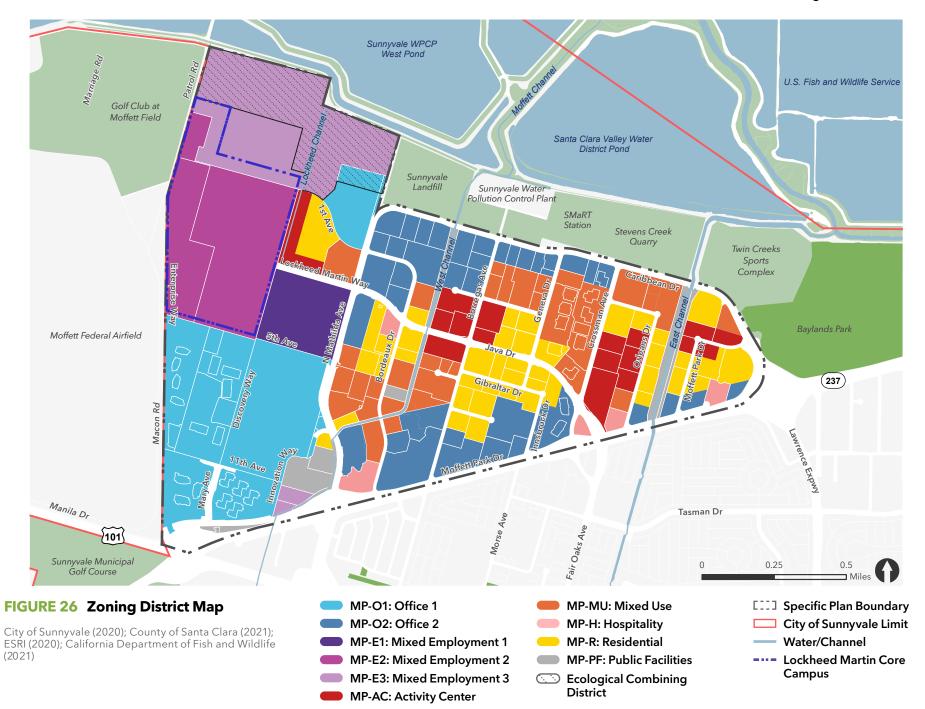
Table 19.29.130

Landscaping and Open Space Requirements

Zoning District	Usable Open Space	Other Landscaped Area	Surface Parking Lot Landscaped	Total Landscaped Area
			Area	
MP-R	50 sq.ft./unit	20% of lot area	20% of the	No less than
MP-AC, MP-	50 sq.ft./unit	12.5% of lot	parking lot	20% of lot area
MU		area	area, including	
MP-H			associated drive	
MP-O1, MP-O2		10% of lot area	aisles	
MP-E1, MPE-2,				
MP-E3, MP-PH				

(g)

EXHIBIT B



APN	Existing	Proposed
11036017	MPI	MP-PF
11037001	MPI	MP-R
11037003	MPI	MP-AC
11037004	MPI	MP-AC
11037005	MPI	MP-R
11037006	MPI	MP-R
11037007	MPI	MP-O2
11037011	MPC	MP-H
11037002	MPI	MP-MU
11037002	MPI	MP-AC
11037008	MPI	MP-R
11037008	MPI	MP-O2
11037014	MPI	MP-AC
11037014	MPI	MP-R
11037016	MPI	MP-O2
11037016	MPI	MP-R
11032011	MPI	MP-O2
11032020	MPT	MP-MU
11032021	MPT	MP-MU
11032022	MPT	MP-MU
11032023	MPT	MP-MU
11032024	MPT	MP-MU
11032025	MPT	MP-MU
11032027	MPT	MP-MU
11032028	MPT	MP-O2
11032031	MPT	MP-O2
11032032	MPT	MP-MU
11032033	MPT	MP-MU
11032034	MPT	MP-MU
11036002	MPT	MP-AC
11036003	MPT	MP-AC
11036004	MPI	MP-R
11036006	MPT	MP-AC
11036007	MPT	MP-AC
11036008	MPT	MP-MU
11036009	MPC	MP-H
11036011	MPI	MP-R
11036012	MPI	MP-R
11036013	MPI	MP-R
11036014	MPI	MP-MU
11036015	MPI	MP-MU
11036016	MPI	MP-PF
11036018	MPI	MP-R
11036019	MPT	MP-AC
11036020	MPT	MP-AC
11036021	MPT	MP-AC

APN	Existing	Proposed
11032036	MPT	MP-MU
11032036	MPT	MP-MU
11032036	MPT	MP-MU
11032037	MPT	MP-O2
11032037	MPT	MP-MU
11036010	MPI	MP-R
11036010	MPI	MP-O2
Common Area 1	MPT	MP-O1
Common Area 2	MPT	MP-O1
Common Area 3	MPT	MP-O1
11001041	MPT	MP-O1
11001042	MPT	MP-O1
11001043	MPT	MP-O1
11001044	MPT	MP-O1
11001047	MPT	MP-O1
11001048	MPT	MP-O1
11001049	MPT	MP-O1
11001050	MPT	MP-O1
11001051	MPT	MP-O1
11002068	MPT	MP-O1
11002071	MPT	MP-PF
11002072	MPT	MP-PF
11027004	MPT	MP-O1
11027028	MPT	MP-O1
11027029	MPT	MP-O1
11027035	MPT	MP-O1
11027039	MPI	MP-PF
11027040	MPI	MP-PF
11027041	MPI	MP-E3
11027042	MPI	MP-E3
11027047	MPI	MP-R
11027048	MPI	MP-PF
11045001	MPT	MP-O1
11045002	MPT	MP-O1
11045003	MPT	MP-O1
11045004	MPT	MP-O1
11045006	MPT	MP-O1
11045007	MPT	MP-O1
11045008	MPT	MP-O1
11045009	MPT	MP-O1
11057002	MPT	MP-O1
11057004	MPT	MP-O1
11057005	MPT	MP-O1
11057006	MPT	MP-O1
11057007	MPT	MP-O1
11026020	MPI	MP-O2

APN	Existing	Proposed
11026021	MPI	MP-O2
11026022	MPI	MP-O2
11026023	MPI	MP-O2
11026024	MPT	MP-MU
11026025	MPI	MP-O2
11026027	MPI	MP-O2
11026028	MPI	MP-02
11026029	MPT	MP-O2
11026030	MPT	MP-O2
11026031	MPT	MP-O2
11026033	MPT	MP-O2
11026040	MPT	MP-AC
11026042	MPT	MP-AC
11026044	MPT	MP-O2
11026047	MPT	MP-O2
11026048	MPT	MP-R
11026049	MPI	MP-PF
11026050	MPI	MP-O2
11026051	MPI	MP-O2
11026052	MPT	MP-AC
11026053	MPT	MP-AC
11033005	MPT	MP-AC
11033006	MPT	MP-R
11033007	MPT	MP-R
11033011	MPT	MP-MU
11033014	MPI	MP-O2
11033015	MPI	MP-O2
11033016	MPI	MP-O2
11033017	MPI	MP-O2
11033017	MPI	MP-O2
11033019	MPI	MP-O2
11033013	MPI	MP-MU
11033027	MPI	MP-MU
11033028	MPT	MP-R
	MPT	MP-R
11033032		
11033034	MPT	MP-AC
11033035	MPT	MP-R
11033036	MPT	MP-MU
11033037	MPT	MP-MU
11033038	MPI	MP-MU
Common Area 5	MPT	MP-O2
11025017	MPT	MP-R
11025027	MPT	MP-R
11025034	MPT	MP-R
11025035	MPT	MP-MU
11025036	MPT	MP-MU

ADN	Fulation -	Duonosad
APN	Existing	Proposed
11025037	MPT	MP-MU
11025038	MPT	MP-PF
11025040	MPT	MP-MU
11025042	MPT	MP-MU
11025044	MPT	MP-H
11025045	MPT	MP-R
11025046	MPT	MP-R
11025050	MPT	MP-R
11025052	MPT	MP-R
11025056	MPT	MP-MU
11025057	MPT	MP-MU
11025058	MPT	MP-MU
11025059	MPT	MP-PF
11027025	MPC	MP-H
11027046	MPT	MP-O2
11033002	MPT	MP-R
11033003	MPT	MP-R
11033030	MPT	MP-R
11033033	MPT	MP-R
11034001	MPT	MP-R
11034004	MPI	MP-O2
11034005	MPI	MP-O2
11034006	MPI	MP-O2
11034007	MPI	MP-O2
11034008	MPI	MP-R
11034009	MPI	MP-R
11034012	MPT	MP-R
11034013	MPT	MP-R
11034014	MPT	MP-R
11034015	MPT	MP-R
11034016	MPT	MP-R
11034017	MPT	MP-R
11034023	MPT	MP-H
11034024	MPT	MP-R
11034026	MPT	MP-O2
11034027	MPT	MP-O2
11034028	MPT	MP-O2
11035004	MPT	MP-MU
11035011	MPT	MP-AC
11035013	MPT	MP-MU
11035014	MPT	MP-MU
11035019	MPT	MP-O2
11035020	MPT	MP-O2
11035024	MPT	MP-O2
11035024	MPT	MP-O2
11035028	MPT	MP-O2
1100000	1711 1	1711 02

APN	Existing	Proposed
11035029	MPT	MP-O2
11035031	MPT	MP-MU
11025049	MPT	MP-R
11025049	MPT	MP-MU
11025051	MPT	MP-R
11025051	MPT	MP-O2
11027045	MPT	MP-MU
11027045	MPT	MP-O2
11035025	MPT	MP-MU
11035025	MPT	MP-O2
11035027	MPT	MP-MU
11035027	MPT	MP-O2
11035027	MPT	MP-MU
Common Area 4	MPT	MP-R
Common Area 4	MPT	MP-O2
11001026	MPI	MP-E3
11001045	MPI	MP-E3
11001046	MPI	MP-E3
11002015	MPI	MP-E3
11044001	MPI	MP-MU
11044004	MPI	MP-O1
11044008	MPI	MP-O1
11044007	MPI	MP-R
11044007	MPI	MP-AC
11001045	MPI	ECD