DRAFT 5/14/15 RB

RESOLUTION NO. _____-15

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SUNNYVALE ADOPTING HOUSING IMPACT FEES FOR NONRESIDENTIAL DEVELOPMENTS FOR THE CREATION OF AFFORDABLE HOUSING

WHEREAS, to mitigate the impact of high-intensity industrial development on the need for affordable housing within its boundaries, in 1983 the City created housing mitigation fees for certain employment-generating high-intensity industrial development in the M-S and M-3 zoning districts in accordance with Sunnyvale Municipal Code section 19.22.035; and

WHEREAS, in 2009, Council directed staff to study the possible expansion and/or increase of the City's housing mitigation fee as part of the 2009-2014 Housing Element implementation plan in order to meet the diverse needs of Sunnyvale's households of all income levels and to meet the regional housing needs as required by state law; and

WHEREAS, the current shortage of affordable housing has caused many lower- and middle-wage workers to commute longer distances from less expensive areas resulting in increased traffic in the City, and has also caused local residents' housing costs to increase due to high levels of demand for existing housing resulting in a severe housing cost burden for many residents; and

WHEREAS, to further implement the affordable housing goals, objectives, policies and programs of the City's 2009-2014 Housing Element and those of the recently adopted 2015-2023 Housing Element update, and to ensure that the housing impact fees adopted hereunder do not exceed the actual affordable housing impacts attributable to the development projects to which the fees relate, the City has received and considered a report from Economic & Planning Systems, Inc. ("EPS") dated September 8, 2014, entitled "Housing Mitigation Nexus and Fee Study" (the "Nexus Study"); and

WHEREAS, the Nexus Study documented a reasonable relationship between the need for affordable housing and the deleterious impacts of new nonresidential development; and

WHEREAS, the Nexus Study demonstrated that to fully mitigate the impacts of new nonresidential development on the need for affordable housing, the maximum nexus-supported housing impact fees would be equivalent to $295 per square foot for retail & restaurants, $114 per square foot for office, industrial and research & development, and $76 per square foot for lodging developments (i.e., hotels and motels); and

WHEREAS, to ensure that nonresidential projects remain economically feasible, the adopted housing impact fees are lower than the amount needed to fully mitigate the impacts for each type of nonresidential development, as shown in the Nexus Study; and

WHEREAS, to encourage and support small business development, the adopted housing impact fees assessed on commercial, industrial and research & development projects shall be half the fee amount for the first 25,000 square feet; and

WHEREAS, after multiple community outreach meetings, Council study sessions and City commission meetings, the Council considered the Nexus Study and various staff reports at a public hearing on December 9, 2014, and directed staff to draft a Nonresidential Development Housing Impact Fees Ordinance and Resolution for Council adoption; and

WHEREAS, the Council desires to expand its existing housing impact fees for nonresidential development and to adopt the housing impact fees by resolution as authorized by section 19.75.030 of the Housing Impact Fees Ordinance, which fees do not exceed the justified fees needed to mitigate the actual affordable housing impacts attributable to the development projects to which the fees relate, as determined by the Nexus Study; and

WHEREAS, section 19.75.030 of the Housing Impact Fees Ordinance also allows the Council to adopt by resolution a standardized list of specific uses subject to the housing impact fees as well as uses exempt from the payment of housing impact fees, and the Council desires to do so; and

WHEREAS, the use of the Housing Impact Fees will be restricted to mitigating the affordable housing impacts of nonresidential developments and will be deposited into the City's Housing Mitigation Fund to be used for affordable housing programs and projects; and

WHEREAS, at least ten days prior to the date this resolution is being considered, data was made available to the public indicating the amount of cost, or estimated cost, required to provide the service for which the fee or service charge is levied and the revenue sources anticipated to provide the service, including general fund revenues in accordance with Government Code Section 66019; and

WHEREAS, no persons have requested notice of these fees in accordance with Government Code Section 66019; and

WHEREAS, notice of the hearing on the proposed fees was published twice in the manner set forth in section 6062a of the Government Code and was otherwise given in the manner required by law.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SUNNYVALE:

1. The Council hereby adopts the housing impact fees for nonresidential development projects shown on Exhibit “A”, attached hereto and incorporated by reference herein.

2. The Council hereby adopts the “Nonresidential Land Use Matrix” set forth in Exhibit “B”, attached hereto and incorporated by reference herein.

3. The Council further finds that all of the housing impact fees adopted pursuant to this Resolution do not exceed the actual affordable housing impacts of the development projects to which those housing impact fees relate, as further set forth in the Nexus Study.

4. The housing impact fees and land use matrix are adopted in conjunction with the Housing Impact Fee Ordinance and shall become effective 60 days from and after the date of adoption of this Resolution.

5. Staff shall return to the City Council within two years after adoption to reevaluate and possibly modify the housing impact fee.

Adopted by the City Council at a regular meeting held on _____, 2015, by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:
RECUSAL:

ATTEST:

_____
City Clerk
(SEAL)

APPROVED:

_____
Mayor

APPROVED AS TO FORM:

_____
City Attorney

EXHIBIT A

Housing Impact Fees for Nonresidential Development

Non-residential Development - industrial/office/research & development	$7.50 per net new sq. ft. for the first 25,000 sq.ft. $15.00 per net new sq. ft. after 25,000 sq. ft.
Nonresidential Development - retail/hotels/motels	$7.50 per net new sq. ft.
Pipeline Projects: (complete applications prior to effective date of ordinance)	$9.74 per sq. ft.

***All fees will be adjusted annually based on the Consumer Price Index for all urban consumers for the San Francisco-Oakland-San Jose area**

EXHIBIT B

LAND USES	HOUSING IMPACT FEE
A. RESIDENTIAL	
1. Single-family dwelling	RESIDENTIAL - NO FEE
2. Two-family dwelling	RESIDENTIAL - NO FEE
3. Multi-family dwellings	RESIDENTIAL - NO FEE
4. Mobilehome park	RESIDENTIAL - NO FEE
5. Single-room occupancy (SRO) facilities	RESIDENTIAL - NO FEE
6. Live/work unit	RESIDENTIAL - NO FEE
7. Residential care facility, 6 or fewer residents	RESIDENTIAL - NO FEE
8. Residential care facility, 7 or more residents	RESIDENTIAL - NO FEE
9. Boarding house	RESIDENTIAL - NO FEE
10. Emergency shelter	RESIDENTIAL - NO FEE
B. CHILD AND ADULT DAY CARE	
11. Child care center	EXEMPT
12. Adult day care center	EXEMPT
C. EDUCATION, RECREATION AND PLACES OF ASSEMBLY	
13. Education- primary and high school	EXEMPT
14. Education- institution of higher learning	EXEMPT
15. Education- recreation and enrichment	EXEMPT
16. Recreational and athletic facility	EXEMPT
17. Private nonprofit recreation *(need to rephrase)*	EXEMPT
18. Place of assembly -business serving	EXEMPT
19. Place of assembly-community serving*	EXEMPT
D. COMMERCIAL RETAIL AND SERVICE	
19. Retail sales (excluding types listed individually below	RETAIL/HOTEL/MOTEL
19a. With drive-through	RETAIL/HOTEL/MOTEL
20. Shopping center	RETAIL/HOTEL/MOTEL
21. Liquor store	RETAIL/HOTEL/MOTEL
22. Animal-related uses *(need to rephrase)*	RETAIL/HOTEL/MOTEL
23. Retail service, light	RETAIL/HOTEL/MOTEL
24. Retail service, heavy	RETAIL/HOTEL/MOTEL
25. Financial institution	RETAIL/HOTEL/MOTEL
25a. With drive through	RETAIL/HOTEL/MOTEL
26. Hotel	RETAIL/HOTEL/MOTEL
27. Gasoline station	RETAIL/HOTEL/MOTEL
28. Vehicle sales, retail or vehicle rental	RETAIL/HOTEL/MOTEL
29. Vehicle sales, wholesale or autobroker	RETAIL/HOTEL/MOTEL
30. Sale or rental of heavy equipment or machinery	RETAIL/HOTEL/MOTEL
31. Vehicle service and repair	RETAIL/HOTEL/MOTEL
32. Car wash	RETAIL/HOTEL/MOTEL
E. RESTAURANT AND ENTERTAINMENT	
33. Restaurant, with or without beer and wine	RETAIL/HOTEL/MOTEL
33a. With general liquor	RETAIL/HOTEL/MOTEL
33b. With drive-through	RETAIL/HOTEL/MOTEL
33c. With entertainment	RETAIL/HOTEL/MOTEL
34. Take-out only restaurant	RETAIL/HOTEL/MOTEL
35. Nightclub, bar or entertainment use	RETAIL/HOTEL/MOTEL
36. Adult business	RETAIL/HOTEL/MOTEL
F. INDUSTRIAL, MANUFACTURING AND WAREHOUSING	

37. Heavy industrial	OFFICE/INDUSTRIAL/R&D
38. Light industrial	OFFICE/INDUSTRIAL/R&D
39. Hazardous waste management facility	OFFICE/INDUSTRIAL/R&D
40. Warehousing or commercial storage	OFFICE/INDUSTRIAL/R&D
41. Distribution Center	OFFICE/INDUSTRIAL/R&D
42. Self storage	EXEMPT
G. OFFICE AND MEDICAL	
43. Professional office or medical office	OFFICE/INDUSTRIAL/R&D
44 .Corporate office or research and development office	OFFICE/INDUSTRIAL/R&D
45. R&D office of explosives or propellants	OFFICE/INDUSTRIAL/R&D
46. Medical clinic	OFFICE/INDUSTRIAL/R&D
47. Assisted Living	EXEMPT
48. Convalescent hospital	EXEMPT
49. Hospital	EXEMPT
H. AGRICULTURAL AND RESOURCE	
50. Agricultural use	EXEMPT
51. Salt evaporation pond	EXEMPT
I. PUBLIC	
52. Public use	EXEMPT
J. OTHER USES	
53. Stand-alone parking structures and surface lots	EXEMPT
**Includes community centers, places of worship, fraternal lodges, etc*	

DOWNTOWN SPECIFIC PLAN

LAND USES	HOUSING IMPACT FEE
Detailed Description of Allowable Development by Block	
A. RESIDENTIAL	
1. Single-family dwelling	RESIDENTIAL - NO FEE
2. Two-family dwelling	RESIDENTIAL - NO FEE
3. Multiple-family dwellings	RESIDENTIAL - NO FEE
4. Mobilehome park	RESIDENTIAL - NO FEE
5. Single room occupancy (SRO) facilities	RESIDENTIAL - NO FEE
6. Live/work unit	RESIDENTIAL - NO FEE
7. Shared living, small	RESIDENTIAL - NO FEE
8. Shared living, large	RESIDENTIAL - NO FEE
9. Emergency shelter	RESIDENTIAL - NO FEE
B. CHILD AND ADULT DAY CARE	
10. Child care center	EXEMPT
11. Adult day care center	EXEMPT
C. EDUCATION, RECREATION AND PLACES OF ASSEMBLY	
12. Education- primary and high school	EXEMPT
13. Education- institution of higher learning	EXEMPT
14. Education- recreation and enrichment	EXEMPT
15. Recreational and athletic facility	EXEMPT
16. Private nonprofit recreation	EXEMPT
17. Place of assembly -business serving	EXEMPT
18. Place of assembly-community serving*	EXEMPT
D. COMMERCIAL RETAIL AND SERVICE	
19. Retail sales (excluding types listed below)	RETAIL/HOTEL/MOTEL
19a. With drive-through	RETAIL/HOTEL/MOTEL
20. Shopping Center	RETAIL/HOTEL/MOTEL

21. Gasoline station	RETAIL/HOTEL/MOTEL
22. Liquor store	RETAIL/HOTEL/MOTEL
23. Vehicle sales or rental, retail	RETAIL/HOTEL/MOTEL
24. Autobroker or vehicle sales, wholesale	RETAIL/HOTEL/MOTEL
25. Sale or rental of heavy equipment or machinery	RETAIL/HOTEL/MOTEL
26. Animal-related Uses	RETAIL/HOTEL/MOTEL
27. Retail service use, light	RETAIL/HOTEL/MOTEL
28. Retail service use, heavy	RETAIL/HOTEL/MOTEL
29. Financial institution	RETAIL/HOTEL/MOTEL
29a. With drive through	RETAIL/HOTEL/MOTEL
30. Hotel	RETAIL/HOTEL/MOTEL
31. Vehicle service and repair	RETAIL/HOTEL/MOTEL
32. Car wash	RETAIL/HOTEL/MOTEL
E. RESTAURANT AND ENTERTAINMENT	
33. Restaurant, with or without beer and wine	RETAIL/HOTEL/MOTEL
33a. With general liquor or entertainment use	RETAIL/HOTEL/MOTEL
33b. With drive through	RETAIL/HOTEL/MOTEL
34. Take-out only restaurant	RETAIL/HOTEL/MOTEL
35. Nightclub, bar or entertainment use	RETAIL/HOTEL/MOTEL
36. Adult business	RETAIL/HOTEL/MOTEL
F. INDUSTRIAL, MANUFACTURING AND WAREHOUSING	
37. Heavy industrial	OFFICE/INDUSTRIAL/R&D
38. Light industrial	OFFICE/INDUSTRIAL/R&D
39. Hazardous waste management facility	OFFICE/INDUSTRIAL/R&D
40.Warehousing or commercial storage	OFFICE/INDUSTRIAL/R&D
41. Distribution center	OFFICE/INDUSTRIAL/R&D
42. Self storage	EXEMPT
G. OFFICE AND MEDICAL	

43. Professional office or medical office	OFFICE/INDUSTRIAL/R&D
44. Corporate office or research and development office	OFFICE/INDUSTRIAL/R&D
45. R&D office of explosives or propellants	OFFICE/INDUSTRIAL/R&D
46. Medical clinic	OFFICE/INDUSTRIAL/R&D
47. Convalescent hospital	EXEMPT
48. Hospital	EXEMPT
H. AGRICULTURAL AND RESOURCE-RELATED USES	
49. Agricultural use	EXEMPT
50. Salt evaporation pond	EXEMPT
I. PUBLIC USES	
51.Public use	EXEMPT
J. OTHER USES	
52. Stand-alone parking structures and surface lots	EXEMPT

**Includes community centers, places of worship, fraternal lodges, etc*

MOFFETT PARK SPECIFIC PLAN	
LAND USES	**HOUSING IMPACT FEE**
A. RESIDENTIAL	
1. Single-family dwelling	RESIDENTIAL - NO FEE
2. Two-family dwelling	RESIDENTIAL - NO FEE
3. Multiple-family dwellings	RESIDENTIAL - NO FEE
4. Mobilehome park	RESIDENTIAL - NO FEE
5. Single room occupancy (SRO) facilities	RESIDENTIAL - NO FEE
6. Live/work unit	RESIDENTIAL - NO FEE
7. Shared living, small	RESIDENTIAL - NO FEE
8. Shared living, large	RESIDENTIAL - NO FEE
9. Emergency shelter	RESIDENTIAL - NO FEE
B. CHILD AND ADULT DAY CARE	
10. Child care center	EXEMPT
11. Adult day care center	EXEMPT
C. EDUCATION, RECREATION AND PLACES OF ASSEMBLY	
12. Education- primary and high school	EXEMPT
13. Education- institution of higher learning	EXEMPT
14. Education- recreation and enrichment	EXEMPT
15. Recreational and athletic facility	EXEMPT
16. Private nonprofit recreation	EXEMPT
17. Place of assembly -business serving	EXEMPT
18. Place of assembly-community serving	EXEMPT
D. COMMERCIAL RETAIL AND SERVICE	
19. Retail sales, individual tenants space	RETAIL/HOTEL/MOTEL
19a. With drive-through	RETAIL/HOTEL/MOTEL
20. Retail sales, individual tenant space over	RETAIL/HOTEL/MOTEL
20a. With drive-through	RETAIL/HOTEL/MOTEL
21. Shopping Center	RETAIL/HOTEL/MOTEL
22. Gasoline station	RETAIL/HOTEL/MOTEL
23. Liquor store	RETAIL/HOTEL/MOTEL
24. Vehicle sales or rental, retail	RETAIL/HOTEL/MOTEL
25. Autobroker or vehicle sales, wholesale	RETAIL/HOTEL/MOTEL
26. Heavy machinery sales or rental	RETAIL/HOTEL/MOTEL
27. Animal-related Uses	RETAIL/HOTEL/MOTEL
28. Retail service - primarily serving business	RETAIL/HOTEL/MOTEL

29. Retail service not primarily serving	RETAIL/HOTEL/MOTEL
30. Financial institution	RETAIL/HOTEL/MOTEL
30a. With drive through	RETAIL/HOTEL/MOTEL
31. Hotel	RETAIL/HOTEL/MOTEL
32. Vehicle service and repair	
33. Car wash	
E. RESTAURANT AND ENTERTAINMENT	
34. Restaurant, with or without beer and wine	RETAIL/HOTEL/MOTEL
34a. With general liquor, entertainment	RETAIL/HOTEL/MOTEL
34b. With drive-through	RETAIL/HOTEL/MOTEL
35. Take-out only restaurant	RETAIL/HOTEL/MOTEL
36. Nightclub, bar or entertainment use	RETAIL/HOTEL/MOTEL
37. Adult business	RETAIL/HOTEL/MOTEL
F. INDUSTRIAL, MANUFACTURING AND WAREHOUSING	
38. Heavy industrial	OFFICE/INDUSTRIAL/R&D
39. Light industrial	OFFICE/INDUSTRIAL/R&D
40. Hazardous waste management facility	OFFICE/INDUSTRIAL/R&D
41. Warehousing or commercial storage	OFFICE/INDUSTRIAL/R&D
42. Distribution center	OFFICE/INDUSTRIAL/R&D
43. Self storage	EXEMPT
G. OFFICE AND MEDICAL	
44. Professional office	OFFICE/INDUSTRIAL/R&D
45. Medical office / medical clinic	OFFICE/INDUSTRIAL/R&D
46. Corporate office or research and	OFFICE/INDUSTRIAL/R&D
47. R&D office of explosives or propellants	OFFICE/INDUSTRIAL/R&D
48. Convalescent hospital	EXEMPT
49. Hospital	EXEMPT
H. AGRICULTURAL AND RESOURCE	
50. Agricultural use	EXEMPT
51. Salt evaporation pond	EXEMPT
I. PUBLIC USES	
52. Public uses	EXEMPT
J. OTHER USES	
53. Stand-alone parking structures and	EXEMPT

COMMERCIAL ZONING DISTRICTS	C-1	C-2	C-3	C-4	HOUSING IMPACT FEE
1. Retail Commercial					
A. Bakeries	P	P	P	P	RETAIL/HOTEL/MOTEL
B. Drive-through retail sales businesses, except restaurants	UP	UP	UP	N	RETAIL/HOTEL/MOTEL
C. Retail sales businesses	P	P	P	N	RETAIL/HOTEL/MOTEL
D. Outside display of merchandise or products in connection with a retail sales business	MPP	MPP	MPP	N	n.a.
E. Donation centers for used goods	MPP	MPP	MPP	MPP	RETAIL/HOTEL/MOTEL
F. Retail liquor stores within 200 feet of public schools	N	P	P	P	RETAIL/HOTEL/MOTEL
G. Retail liquor stores outside 200 feet of public schools	P	P	P	P	RETAIL/HOTEL/MOTEL
2. Service Commercial					
A. Bulk sale of building and construction materials, feed, fertilizers, soil conditioners and fuel (except motor vehicle fuel)	N	N	N	UP	OFFICE/INDUSTRIAL/R&D
B. Commercial storage	N	N	N	MPP	OFFICE/INDUSTRIAL/R&D
C. Crafts shops such as cabinetmakers, upholsterers, taxidermists, etc.	N	N	N	MPP	OFFICE/INDUSTRIAL/R&D
D. Custom fabricators	N	N	N	MPP	OFFICE/INDUSTRIAL/R&D
E. Livestock or poultry housing or sales	N	N	N	N	n.a.
F. Open or unenclosed storage ancillary to a permitted use (screened from public view)	P	P	P	P	n.a.
G. Outdoor storage of materials or supplies ancillary to a permitted use, not screened from public right-of-way	N	N	N	MPP	n.a.
H. Printers, copiers, and engravers using chemical processes	N	N	N	MPP	OFFICE/INDUSTRIAL/R&D
I. Repair shops for household appliances and apparel	P	P	P	P	OFFICE/INDUSTRIAL/R&D
J. Retail service uses such as copiers, locksmiths, and engravers not using chemical processes	P	P	P	P	OFFICE/INDUSTRIAL/R&D
K. Self storage “mini warehousing”	N	UP	UP	MPP	EXEMPT

L. Trailer, automobile, boat, motorcycle and truck services and repairs	N	UP	UP	MPP	RETAIL/HOTEL/MOTEL
3. Personal Service					
A. Child care centers with occupancy of 30 or fewer persons	MPP	UP	UP	UP	EXEMPT
B. Child care centers with occupancy of 31 or more persons	UP	UP	UP	UP	EXEMPT
C. Laundry, cleaning business, self-operated laundries, and dry cleaners	UP	UP	UP	MPP	RETAIL/HOTEL/MOTEL
D. Personal service businesses not otherwise specified	P	P	P	UP	RETAIL/HOTEL/MOTEL
4. Eating/Drinking Establishments					
A. Drive-through restaurants	UP	UP	N	N	RETAIL/HOTEL/MOTEL
B. Nightclubs and cocktail lounges, where alcoholic beverages are sold and consumed	UP	UP	P	N	RETAIL/HOTEL/MOTEL
C. Restaurants and fast food restaurants that may have on sale beer and wine alcohol beverage service	MPP	MPP	MPP	MPP	RETAIL/HOTEL/MOTEL
D. Restaurants and fast food restaurants that have on sale general alcoholic beverage service	UP	UP	UP	UP	RETAIL/HOTEL/MOTEL
5. Automotive					
A. Automotive service stations:	UP	UP	UP	UP	RETAIL/HOTEL/MOTEL
1. Retail sales of groceries at permitted stations	MPP	MPP	MPP	MPP	RETAIL/HOTEL/MOTEL
2. Retail sale of beer and wine at permitted stations	UP	UP	UP	UP	RETAIL/HOTEL/MOTEL
B. Car wash facilities	N	UP	UP	UP	RETAIL/HOTEL/MOTEL
C. Automobile/Vehicle repair	N	UP	UP	UP	RETAIL/HOTEL/MOTEL
D. Automotive broker for 3 or fewer vehicles on site	N	MPP	MPP	MPP	RETAIL/HOTEL/MOTEL
E. New or used vehicle sales	N	UP	UP	N	RETAIL/HOTEL/MOTEL
6. Education, Recreation, and Places of Assembly					
A. Education—Recreation and enrichment	MPP	MPP	MPP	N	EXEMPT
B. Education—Primary and high school	UP	UP	UP	N	EXEMPT
C. Education—Institution of higher learning	UP	UP	UP	N	EXEMPT

D. Recreational and athletic faciliites	UP	UP	UP	N	EXEMPT
E. Places of assembly—Business serving	UP	UP	UP	UP	EXEMPT
F. Places of assembly—Community serving	UP	UP	UP	N	EXEMPT
G. Cardrooms	N	N	N	N	n.a.
H. Entertainment establishments	UP	UP	UP	N	RETAIL/HOTEL/MOTEL
7. Office					
A. Ground floor dependent office less than 1,000 square feet	P	P	P	MPP	OFFICE/INDUSTRIAL/R&D
B. Ground floor dependent office greater than 1,000 square feet	MPP	MPP	MPP	UP	OFFICE/INDUSTRIAL/R&D
C. Office not located on the ground floor	P	P	P	P	OFFICE/INDUSTRIAL/R&D
D. Financial institutions	MPP	MPP	MPP	UP	RETAIL/HOTEL/MOTEL
E. Research and development office	N	N	N	N	OFFICE/INDUSTRIAL/R&D
F. Medical clinics	MPP	MPP	MPP	UP	OFFICE/INDUSTRIAL/R&D
8. Public Facilities					
A. Bus terminals and other public transportation facilities	UP	UP	UP	UP	EXEMPT
B. Public utility buildings and service facilities	UP	UP	UP	UP	EXEMPT
9. Residential/Boarding/Lodging					
A. Hotel or motel	N	UP	UP	N	RETAIL/HOTEL/MOTEL
B. Residential uses	UP	UP	UP	N	EXEMPT
C. Single room occupancy living facilities	N	UP	UP	N	EXEMPT
D. Single room occupancy residential hotels	N	UP	UP	N	EXEMPT
10. Other					
A. Any use which is obnoxious, offensive or creates a nuisance	N	N	N	N	n.a.
B. Adult business establishments	N	N	N	N	n.a.
C. Assembly, compounding, manufacture or processing of merchandise or products are customarily incidental or essential to permitted retail commercial and service uses	N	N	N	UP	OFFICE/INDUSTRIAL/R&D
D. Massage establishments	P	P	P	P	RETAIL/HOTEL/MOTEL

E. Recycling centers	UP	UP	UP	UP	OFFICE/INDUSTRIAL/R&D
F. Sale or rental of utility trailers, heavy equipment or machinery	N	N	N	UP	RETAIL/HOTEL/MOTEL
G. Storage or parking of commercial, industrial or public utility vehicles	N	N	N	N	n.a.
H. Wholesale storage or warehousing of merchandise or products within a building or premises	N	N	N	P UP	OFFICE/INDUSTRIAL/R&D
I. Facilities for storage of recreational vehicles	N	N	N	MPP	n.a.
J. Animal hospitals and clinics	UP	UP	UP	UP	RETAIL/HOTEL/MOTEL
K. Medical marijuana distribution facility	N	N	N	N	n.a.
L. Payday lending establishment	N	MPP	N	N	RETAIL/HOTEL/MOTEL

RESIDENTIAL ZONING DISTRICTS		R-0/R-1	R-1.5	R-1.7/PD	R-2	R-3	R-4	R-5	R-MH	HOUSING IMPACT FEE
1	***Residential***									
A.	Single-family dwellings	P	P	SDP	P	UP	UP	UP	P	EXEMPT
B.	Single room occupancy (SRO) facilities	N	N	N	N	N	UP	UP	N	EXEMPT
C.	Two-family dwelling (duplex)	N	UP	SDP	P	P	P	UP	P	EXEMPT
D.	Multiple-family dwellings (3 to 50 units)	N	N	N	P	P	P	P	P	EXEMPT
E.	Multiple-family dwellings (over 50 units)	N	N	N	UP	UP	UP	UP	UP	EXEMPT
F.	Boarding for less than 3 persons	P	P	P	P	P	P	P	P	EXEMPT
G.	Facilities caring for 6 or fewer persons, as declared by state to be residential use	P	P	SDP	P	UP	UP	UP	P	n.a.
H.	Residential mobilehome park site	N	N	N	N	N	N	N	P	EXEMPT
2	***Agricultural Uses***									
A.	Agricultural homes, buildings and uses	UP	UP	SDP	UP	UP	UP	UP	UP	EXEMPT
3	***Education, Recreation and Places of Assembly***									
A.	Education –Recreation and Enrichment	N	N	N	N	N	N	N	N	EXEMPT
B.	Education – Primary and High School	UP	UP	SDP	UP	UP	UP	UP	UP	EXEMPT
C.	Education – Institution of Higher Learning	N	N	N	N	N	N	N	N	EXEMPT
D.	Recreational and Athletic Facilities	N	N	N	N	N	N	N	N	EXEMPT
E.	Places of Assembly – Business Serving	N	N	N	N	N	N	N	N	EXEMPT
F.	Places of Assembly – Community Serving	UP	UP	SDP	UP	UP	UP	UP	UP	EXEMPT
G.	Private Parks, Playgrounds and Recreation (not open to general public)	UP	UP	SDP	UP	UP	UP	UP	UP	EXEMPT
H.	Public Parks and Playgrounds	P	P	P	P	P	P	P	P	EXEMPT
4	***Commercial Uses***									
A.	Child care/day care center/nursery schools	UP	UP	SDP	UP	UP	UP	UP	P	EXEMPT
B.	Cardrooms	N	N	N	N	N	N	N	N	n.a.
C.	Hotels or motels	N	N	N	N	N	N	UP	N	RETAIL/HOTEL/MOTEL
D.	Rest homes	UP	UP	N	UP	UP	UP	UP	N	EXEMPT
5	***Accessory Uses***									
A.	Accessory living units	MPP	N	N	MPP	N	N	N	N	EXEMPT
B.	Accessory structures	See Chapter 19.40	See Chapter 19.40	See Chapter 19.40	See Chapter 19.40	MPP	MPP	MPP	MPP	n.a.
C.	Retail, if incidental to other permitted uses and combined with residential use	N	N	N	N	UP	UP	UP	UP	RETAIL/HOTEL/MOTEL
D.	Storage or parking of commercial, industrial or public utility vehicles	N	N	N	N	N	N	N	N	n.a.
6	***Temporary Uses***									
A.	Residential sales office for new on-site housing development	MPP	MPP	MPP	MPP	MPP	MPP	MPP	MPP	n.a.
B.	Construction yard	MPP	MPP	MPP	MPP	MPP	MPP	MPP	MPP	n.a.
7	***Other Uses***									
A.	Administrative, professional and medical offices, and medical clinics	UP	UP	UP	UP	UP	UP	UP	N	OFFICE/INDUSTRIAL/R&D
B.	Adult business establishments	N	N	N	N	N	N	N	N	RETAIL/HOTEL/MOTEL
C.	Electric distribution substations	UP	UP	SDP	UP	UP	UP	UP	UP	n.a.
D.	Electric transmission substations	N	N	N	N	N	N	N	N	n.a.
E.	Massage establishments	N	N	N	N	N	N	N	N	n.a.
F.	Public service buildings and accessory uses	UP	UP	SDP	UP	UP	UP	UP	UP	EXEMPT
G.	Public utility buildings and service facilities	UP	UP	SDP	UP	UP	UP	UP	UP	EXEMPT
H.	Recycling centers	N	N	N	N	N	N	UP	N	n.a.
I.	Storage of materials, supplies or equipment used for nonresidential purposes	N	N	N	N	N	N	N	N	n.a.
J.	Storage of materials or equipment between the face of the main building and a street unless fully screened from view	N	N	N	N	N	N	N	N	n.a.
K.	Any use which is obnoxious, offensive or creates a nuisance	N	N	N	N	N	N	N	N	n.a.
L.	Automobile/vehicle repair	N	N	N	N	N	N	N	N	n.a.
M.	Manufacture of biodiesel fuel	N	N	N	N	N	N	N	N	n.a.
N.	Medical marijuana distribution facility	N	N	N	N	N	N	N	N	n.a.
O.	Payday lending establishment	N	N	N	N	N	N	N	N	n.a.

OFFICE AND PUBLIC FACILITIES ZONING DISTRICTS	O	P-F	HOUSING IMPACT FEE
1. Office/Care Facilities			
A. Administrative, professional, medical, and research and development offices	P	UP	OFFICE/INDUSTRIAL/R&D
B. Medical clinics	MPP	UP	OFFICE/INDUSTRIAL/R&D
C. Financial institutions such as banks and savings and loan associations	MPP	N	RETAIL/HOTEL/MOTEL
D. Hospitals	N	UP	EXEMPT
E. Rest homes and convalescent hospitals	UP	UP	EXEMPT
2. Public Facilities			
A. Buildings and facilities used by government agencies for government purposes	UP	P	EXEMPT
B. Buildings and facilities used by federal, state or local government agencies (except city of Sunnyvale), for nongovernmental purposes	UP	UP	EXEMPT
C. Public service buildings and accessory uses	UP	UP	EXEMPT
D. Public utility buildings and service facilities	UP	UP	EXEMPT
3. Personal Service			
A. Child care centers with occupancy of 30 or fewer persons	UP	MPP	EXEMPT
B. Child care centers with occupancy of 31 or more persons	UP	UP	EXEMPT
4. Education, Recreation and Places of Assembly			
A. Education – Recreation and Enrichment	N	UP	EXEMPT
B. Education – Primary and High School	N	UP	EXEMPT
C. Education – Institution of Higher Learning	UP	UP	EXEMPT
D. Recreational and Athletic Facilities	N	UP	EXEMPT
E. Places of Assembly – Business Serving	UP	UP	EXEMPT
F. Places of Assembly – Community Serving	UP	UP	EXEMPT
G. Cardrooms	N	N	n.a.
H. Private golf courses	N	UP	EXEMPT
5. Residential/Boarding/Lodging			
A. Residential uses	UP	UP	RETAIL/HOTEL/MOTEL
6. Other			
A. Adult business establishments	N	N	n.a.
B. Outside display of merchandise or products	N	N	n.a.
C. Electric distribution substations	N	UP	EXEMPT
D. Electric transmission substations	N	UP	EXEMPT
E. Massage establishments	P	P	RETAIL/HOTEL/MOTEL
F. Recycling centers	UP	UP	EXEMPT
G. Salt extraction	N	UP	EXEMPT
H. Storage or parking of commercial or industrial vehicles	N	N	n.a.
I. Storage or parking of public utility vehicles	N	N	n.a.
J. Storage of materials, supplies or equipment for commercial or industrial purposes	N	N	n.a.
K. Storage of materials, supplies or equipment for public utility purposes	N	N	n.a.
L. Storage, warehousing, handling, processing or assembling merchandise or products	N	N	n.a.
M. Medical marijuana distribution facility	N	N	n.a.
N. Payday lending establishment	N	N	n.a.