

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SUNNYVALE AMENDING CHAPTER 19.96 (HERITAGE PRESERVATION) OF TITLE 19 (ZONING) OF THE SUNNYVALE MUNICIPAL CODE TO ADD A NEW SECTION 19.96.170 RELATING TO IMPLEMENTATION OF SENATE BILL 79 (SB 79) TEMPORARILY EXCLUDING THE MURPHY STATION HERITAGE LANDMARK DISTRICT LOCATED AT THE 100 BLOCK OF SOUTH MURPHY AVENUE AND SURROUNDING PARCELS THAT MAKE UP THE HERITAGE LANDMARK DISTRICT, A HISTORIC RESOURCE ON THE LOCAL HISTORIC REGISTER, FROM APPLICABILITY OF SB 79 PROVISIONS, AND AMENDING THE ZONING MAP TO ADD A NOTE INDICATING THIS EXCLUSION

WHEREAS, Senate Bill 79 ("SB 79"), signed into law on October 10, 2025 and codified in Government Code Sections 65912.155 to 65912.162, will make a qualified transit-oriented housing development project, as defined, an allowed use on any site zoned for residential, mixed, or commercial development that is located within a specified distance of a transit oriented development stop, as defined, in urban transit counties with more than 15 passenger rail stations, which includes Santa Clara County, if the development complies with applicable requirements, as specified in the statute; and

WHEREAS, SB 79 is anticipated to affect development near 13 transit-oriented development stops within or adjacent to Sunnyvale; and

WHEREAS, SB 79 will apply effective July 1, 2026, unless a local agency adopts an ordinance or local transit-oriented development alternative plan deemed compliant by the California Department of Housing and Community Development ("HCD"); and

WHEREAS, SB 79 authorizes a local agency to defer the application of SB 79 for sites with a historic resource designated as of January 1, 2025 on a local register, until one year after adoption of the next housing element, by adopting an ordinance to exclude such sites; and

WHEREAS, the Murphy Station Heritage Landmark District, consisting of the 100 block of South Murphy Avenue and adjacent properties along Evelyn Avenue and Washington Avenue (as shown in Exhibit A attached hereto and incorporated herein) is a designated heritage landmark district and historic resource on the City of Sunnyvale ("City") Heritage Resources Inventory; and

WHEREAS, prior to January 1, 2025, the City Council designated the Murphy Station Heritage Landmark District as a local heritage landmark district (Resolution No. 222-81 adopted May 19, 1981) following preparation of the first Murphy Avenue Design Guidelines for the 100

block of South Murphy Avenue and adjacent properties. The District area is the location of the original downtown commercial district that developed after “Murphy Station” was established as a stop along the San Francisco and San Jose Railroad in the mid- to late-1800s. The District contains one- to two-story commercial buildings, with the earliest constructed around 1897, and most architectural styles represented dating from the 1920s and 1930s; and

WHEREAS, at the time of its designation in 1981, the Murphy Station Heritage Landmark District was described as the two-block area bounded by Washington Avenue, Frances Street, Evelyn Avenue and Sunnyvale Avenue, with South Murphy Avenue running through the middle of those blocks (collectively referred to as the “100 block of South Murphy Avenue”) and included those parcels shown in the adopted Design Guidelines and the newly created Commercial Historic zoning district; and

WHEREAS, the City’s Downtown Specific Plan identifies those sites within the Murphy Station Heritage Landmark District as zoned Downtown Specific Plan-2 with a Landmark District overlay (DSP-2/LD), as depicted in Exhibit A hereto; and

WHEREAS, the District is identified in the General Plan, Chapter 4 (Community Character) as the City’s only heritage commercial streetscape; and

WHEREAS, on _____, the Planning Commission of the City of Sunnyvale conducted a public hearing and recommended that the City Council adopt this ordinance; and

WHEREAS, on _____, the City submitted the proposed ordinance to HCD for review in accordance with the process set forth in SB 79; and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SUNNYVALE DOES ORDAIN AS FOLLOWS:

SECTION 1. FINDINGS AND DETERMINATIONS. The City Council hereby finds and declares that the above recitals are true and correct and are incorporated herein as findings. The City Council determines that the Murphy Station Heritage Landmark District, consisting of the properties shown on Exhibit A hereto, is a historic resource designated as of January 1, 2025 on the local register of historic resources of the City of Sunnyvale, and therefore qualifies for exclusion from SB 79 applicability pursuant to Government Code Section 65912.161(b)(1)(F).

SECTION 2. Section 19.96.170 ADDED. Chapter 19.96 (Heritage Preservation) of Title 19 (Zoning) of the Sunnyvale Municipal Code is hereby amended to add a new Section 19.96.170 to read as follows:

19.96.170. Murphy Station Heritage Landmark District, SB 79 Temporary Exclusion

In accordance with Government Code Section 65912.161(b)(1), the Murphy Station Heritage Landmark District, as a historic resource designated on the local register of the City of Sunnyvale prior to January 1, 2025, and all sites within the District's boundaries, shall be excluded from applicability of Government Code Section 65912.157, until one year following the adoption of the seventh revision of the housing element.

SECTION 3. ZONING MAP TEXT AMENDMENT. To implement the exclusions in Section 2, the City Council hereby authorizes a text amendment to the Zoning Map for the properties identified in Exhibit A as within the Murphy Station Heritage Landmark District the following note: "Properties within the Murphy Station Heritage Landmark District are not covered by Government Code Section 65912.157 (SB 79)."

SECTION 4. CEQA - EXEMPTION. The City Council finds, pursuant to Title 14 of the California Code of Regulations, Section 15061(b)(3), that this ordinance is exempt from the requirements of the California Environmental Quality Act (CEQA) in that it is not a project under CEQA and does not have the potential for causing a significant effect on the environment.

SECTION 5. SUBMITTAL TO HCD. The Director of Community Development is authorized and directed to submit a copy of the final ordinance to HCD within 60 days of adoption of the ordinance.

SECTION 6. CONSTITUTIONALITY; SEVERABILITY. If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid, such decision or decisions shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance, and each section, subsection, sentence, clause and phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared invalid.

SECTION 7. EFFECTIVE DATE. This ordinance shall be in full force and effect thirty (30) days from and after the date of its adoption.

SECTION 8. POSTING AND 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 The Sun, the official 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.

Introduced at a regular meeting of the City Council held on _____, and adopted as an ordinance of the City of Sunnyvale at a regular meeting of the City Council held on _____, by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:
RECUSAL:

ATTEST:

APPROVED:

DAVID CARNAHAN
City Clerk
Date of Attestation: _____

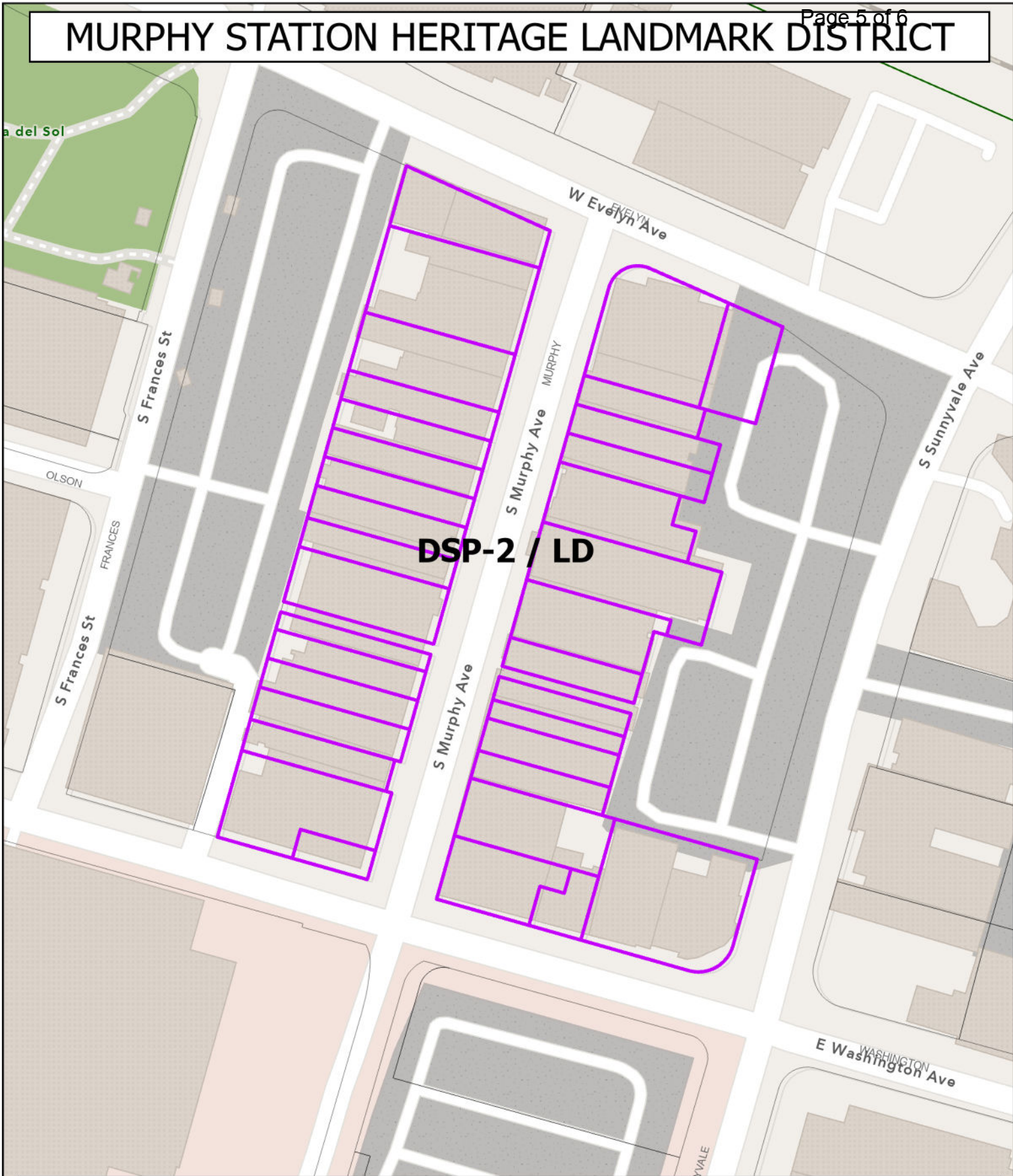
LARRY KLEIN
Mayor

(SEAL)

APPROVED AS TO FORM:

REBECCA L. MOON
City Attorney

MURPHY STATION HERITAGE LANDMARK DISTRICT



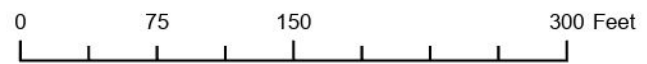
DSP-2 / LD



Sunnyvale

Legend
DSP-2/LD

Exhibit A



Murphy Station Heritage Landmark District

DSP-2/LD (Downtown Specific Plan – Block 2/Landmark District)

Address	APN
100 S Murphy Avenue	20906075
	20906076
101 S Murphy Avenue	20906022
111 S Murphy Avenue	20906077
118 S Murphy Avenue	20906070
121 S Murphy Avenue	20906003
124 S Murphy Avenue	20906038
130 S Murphy Avenue	20906037
133 S Murphy Avenue	20906004
135 S Murphy Avenue	20906005
139 S Murphy Avenue	20906006
140 S Murphy Avenue	20906081
141 S Murphy Avenue	20906007
146 S Murphy Avenue	20906034
151 S Murphy Avenue	20906008
152 S Murphy Avenue	20906079
155 S Murphy Avenue	20906009
159 S Murphy Avenue	20906010
160 S Murphy Avenue	20906059
165 S Murphy Avenue	20906011
168 S Murphy Avenue	20906031
171 S Murphy Avenue	20906012
172 S Murphy Avenue	20906030
175 S Murphy Avenue	20906013
176 S Murphy Avenue	20906029
181 S Murphy Avenue	20906014
182 S Murphy Avenue	20906028
187 S Murphy Avenue	20906080
188 S Murphy Avenue	20906027
192 S Murphy Avenue	20906026
195 S Murphy Avenue	20906016
199 S Murphy Avenue	20906017
141 E Washington Avenue	20906025
151 E Washington Avenue	20906072