

DRAFT 1/6/2025 SSL

ORDINANCE NO. _____-25

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SUNNYVALE AMENDING THE PRECISE ZONING PLAN, ZONING DISTRICTS MAP, TO RE-ZONE CERTAIN PROPERTIES WITH LEGAL NONCONFORMING RESIDENTIAL USES AND LOCATED AT 411, 415 AND 421 CHARLES STREET, 433, 434, 437 AND 440 WAVERLY STREET, 572, 602, 656, 702 AND 798 WEST IOWA AVENUE, 428, 432 AND 435 FLORENCE STREET, AND 1301-1320 OXBOW COURT, FROM THE OFFICE/PLANNED DEVELOPMENT (O/PD) ZONING DISTRICT TO THE R-2 LOW MEDIUM DENSITY RESIDENTIAL / PLANNED DEVELOPMENT (R-2/PD) ZONING DISTRICT; TO RE-ZONE THOSE CERTAIN PROPERTIES LOCATED AT 260, 280, 286 AND 290 NORTH PASTORIA AVENUE FROM PEERY PARK SPECIFIC PLAN – MIXED INDUSTRY CORE (PPSP-MIC) TO THE R-0 LOW DENSITY RESIDENTIAL ZONING DISTRICT; AND TO RE-ZONE THAT CERTAIN PROPERTY AT 591 SOUTH MURPHY AVENUE FROM EL CAMINO REAL SPECIFIC PLAN - COMMERCIAL (ECR-C) TO THE R-2 LOW MEDIUM DENSITY RESIDENTIAL AND O OFFICE (R-2/O) ZONING DISTRICT

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

WHEREAS, the multiple properties on Charles Street, Waverly Street, West Iowa Avenue, Florence Street, Oxbow Court, North Pastoria Avenue, and Murphy Street that are the subject of this ordinance are all developed with a legal nonconforming single-family or two-family dwelling use, but are in nonresidential zoning districts; and

WHEREAS, ensuring consistency between the current use of a parcel and its General Plan land use designation and zoning district gives property owners the same development rights and opportunities as those available to neighboring properties with the same land use and zoning designations; and

WHEREAS, the City desires to rezone the subject properties so that the applicable zoning district aligns with the current residential use on the sites;

THE CITY COUNCIL OF THE CITY OF SUNNYVALE DOES ORDAIN AS FOLLOWS:

SECTION 1. AMENDMENT OF PRECISE ZONING PLAN. The Precise Zoning Plan, Zoning Districts Map, City of Sunnyvale (Section 19.16.050 of the Sunnyvale Municipal Code) is hereby amended to re-zone those certain properties described herein and in Exhibit A attached hereto, as follows:

- a. Re-zone the properties located at 411, 415 and 421 Charles Street, 433, 434, 437 and 440 Waverly Street, 572, 602, 656, 702 and 798 West Iowa Avenue, 428, 432 and 435 Florence Street, and 1301-1320 Oxbow Court from the Office/Planned Development (O/PD) zoning district to the R-2 Low Medium Density Residential/Planned Development (R-2/PD) zoning district; and
- b. Re-zone the properties located at 260, 280, 286 and 290 North Pastoria Avenue from Peery Park Specific Plan – Mixed Industry Core (PPSP-MIC) to the R-0 Low Density Residential zoning district; and
- c. Re-zone the property at 591 South Murphy Avenue from El Camino Real Specific Plan - Commercial (ECR-C) to the R-2 Low Medium Density and O Office (R-2/O) zoning district.

SECTION 2. CEQA–EXEMPTION. The proposed action is exempt from review under the California Environmental Quality Act (CEQA) because it can be seen with certainty that there is no possibility that the action will have a significant effect on the environment (CEQA Guidelines, Section 15061(b)(3)). The change in zoning designation is consistent with the existing residential uses on the site.

SECTION 3. EFFECTIVE DATE. This ordinance shall be in full force and effect thirty days after adoption.

SECTION 4. 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 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.

Introduced at a regular meeting of the City Council held on _____, 2025, and adopted as an ordinance of the City of Sunnyvale at a regular meeting of the City Council held on _____, 2025, 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

Legend

Zoning Districts

- Low Density Residential (R-0)
- Low Medium Density Residential (R-2)

Combining Districts

- Administrative-Professional Office (O)

Legend

Zoning Districts

 Low Density Residential (R-0)

 Low Medium Density Residential (R-2)

Combining Districts

 Administrative-Professional Office (O)