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## ORDINANCE NO. \_\_\_\_-14

**AN ORDINANCE OF THE CITY OF SUNNYVALE  
AMENDING CERTAIN SECTIONS OF SUNNYVALE  
MUNICIPAL CODE CHAPTER 19.44 (SIGN CODE)**

SECTION 1. Section 19.44.150 AMENDED. Section 19.44.150 of Chapter 19.44 (Sign Code) of Title 19 (Zoning) of the Sunnyvale Municipal Code is hereby amended to read as follows:

**19.44.150. General sign requirements.**

The following requirements apply to all signs. Adjustments to specific requirements may be granted in accordance with Section 19.44.230 (Exceptions to sign standards).

(a) [Text unchanged]

(b) Use of Property. Legal residential uses in nonresidential zoning districts shall be governed by the provisions of this chapter that apply to residential zoning districts. Legal nonresidential uses in residential zoning districts (other than home occupations) shall be governed by the provisions of this chapter that apply to nonresidential zoning districts. In the case of mixed-use parcels where both residential and nonresidential uses are allowed, the residential uses shall be subject to the provisions of this chapter that apply to residential zoning districts, and the nonresidential uses shall be subject to the provisions of this chapter that apply to nonresidential zoning districts.

(~~cb~~)-(i~~h~~) [Renumbered; text unchanged]

SECTION 2. Section 19.44.180 AMENDED. Section 19.44.180 of Chapter 19.44 (Sign Code) of Title 19 (Zoning) of the Sunnyvale Municipal Code is hereby amended to read as follows:

**19.44.180. Temporary signs—Nonresidential zoning districts.**

The following ~~regulations—requirements~~ apply to temporary signs in all nonresidential-zoning districts other than residential districts.

(a) [Text unchanged]

(b) Signs that Do Not Require a Permit. The following types of temporary signs are allowed without a permit.

(1)-(3) [Text unchanged]

(4) Portable Signs. Portable signs of up to eight square feet in area are allowed with the following restrictions:

(A) Sign is oriented to on-site vehicles and pedestrians;

(B) Only one portable sign is permitted per tenant space;

(C) Portable signs cannot exceed three and one-half feet in height measured from the ground immediately adjacent to the sign;

(D) Portable signs must be placed with a minimum three feet of clearance for pedestrian travel. ~~The sign is~~ Portable signs are prohibited in landscaping or parking areas;

(E) Portable signs ~~may~~ shall only be displayed when the establishment is open.

(F) Notwithstanding any other provision of this code, portable non-commercial signs may be placed in landscaped areas of nonresidential property during the pre-election period (ninety days prior to an election and ten days after an election) with the permission of the person who owns or controls the property. Such signs may be displayed whether the establishment is open or closed. Signs shall not be placed in the public right-of-way or on any parkway strip, traffic median, sidewalk, bicycle lane or other travel way or path, or attached to any tree, utility pole, light pole, fire hydrant, utility box, or traffic control device.

SECTION 3. Section 19.44.190 AMENDED. Section 19.44.190 of Chapter 19.44 (Sign Code) of Title 19 (Zoning) of the Sunnyvale Municipal Code is hereby amended to read as follows:

**19.44.190. Temporary signs—Residential zoning districts.**

The following requirements apply to temporary signs in residential zoning districts. ~~No permit is required for temporary signs that meet all of the following standards:—~~

~~(a) — General Requirements.~~

~~(1a) Commercial Messages. — Temporary signs with commercial messages are prohibited in residential zoning districts except as authorized by Section 19.44.050. Non-Commercial Message. — The sign does not display a commercial message.~~

~~(2b) Sign Area. — The total of all temporary signs on a single premises shall not exceed sixteen square feet in total sign area, except that during the pre-election period for (ninety days prior to an election and ten days after an election), the total area of all signs shall not exceed thirty-two feet in area. These limitations on total sign area do not apply to window signs.~~

~~(3c) Sign Height. Signs shall not project above any wall, fence, or other structure to which the sign is affixed. Temporary ground signs and portable signs shall not exceed three and one-half feet in height measured from the ground immediately adjacent to the sign.~~

~~(4d) Location. Signs shall not be placed on trees or in walkways, driveways, or other areas of the property used for vehicular or pedestrian travel. Temporary ground signs and portable signs may be placed in the public right-of-way subject to the following requirements:~~

~~(1) Signs are allowed only in that portion of the public right-of-way that is immediately adjacent to and contiguous with the private~~

property and not separated from the adjacent private property by a sidewalk, curb or other public improvement.

(2) Signs shall not be placed on any parkway strip, traffic median, sidewalk, bicycle lane or other travel way or path, or attached to any utility pole, light pole, fire hydrant, utility box, or traffic control device.

~~Signs shall not be placed on a traffic median, sidewalk, bicycle lane or other travel way or path, or attached to any utility pole, light pole, fire hydrant, utility box, or traffic control device. Temporary ground signs may only be placed in landscaped areas of the property, including landscaped areas of the public right-of-way on or adjoining the property.~~

~~(5e) —Permission of Owner. Signs shall not be placed in any location on private property without the permission of the owner or occupant of the property. In the case of signs that are allowed in the public right-of-way pursuant to this section, signs shall not be placed without the permission of the owner or occupant of the contiguous and adjacent private parcel.~~

~~(b) —Permits. No permit is required for temporary signs that meet the above standards~~

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 which has the potential for causing a significant effect on the environment.

SECTION 5. 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 6. EFFECTIVE DATE. This ordinance shall be in full force and effect thirty (30) days from and after the date of its adoption.

SECTION 7. 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 \_\_\_\_\_, 2014, and adopted as an ordinance of the City of Sunnyvale at a regular meeting of the City Council held on \_\_\_\_\_, 2014, by the following vote:

AYES:  
NOES:  
ABSTAIN:  
ABSENT:

ATTEST:

APPROVED:

\_\_\_\_\_  
City Clerk  
Date of Attestation: \_\_\_\_\_

\_\_\_\_\_  
Mayor

(SEAL)

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney