



City of Sunnyvale

Notice and Agenda

Planning Commission

Monday, November 28, 2022

7:00 PM

Telepresence Meeting: City Web Stream |
Comcast Channel 15 | AT&T Channel 99

Special Meeting: Study Session - Canceled | Public Hearing - 7:00 PM

Meeting Online Link: <https://sunnyvale-ca-gov.zoom.us/j/91827390357>

Special Teleconference Notice

Because of the COVID-19 emergency and the health orders issued by Santa Clara County and the State of California, this meeting of the Sunnyvale Planning Commission will take place by teleconference, as allowed by Government Code Subdivision 54953(e) and Resolution No. 1089-21 (reaffirmed November 1, 2022).

Public Participation

- *Teleconference participation: You may provide audio public comment by connecting to the teleconference meeting online or by telephone. Use the Raise Hand feature to request to speak (*9 on a telephone):*

Meeting Online Link: <https://sunnyvale-ca-gov.zoom.us/j/91827390357>

*Meeting call-in telephone number: 833-548-0276 | Meeting ID: 918 2739 0357
(*9 to request to speak | *6 to unmute/mute)*

- *Watch the Planning Commission meeting at <http://youtube.com/SunnyvaleMeetings> or on television over Comcast Channel 15, AT&T Channel 99*
- *Submit written comments to the Planning Commission no later than 4 hours prior to the meeting start to planningcommission@sunnyvale.ca.gov or by mail to: Sunnyvale Planning Division, 456 W. Olive Avenue, Sunnyvale, CA 94086-3707*
- *Review recordings of this meeting and past meetings at <https://sunnyvaleca.legistar.com/calendar.aspx> or <http://youtube.com/SunnyvaleMeetings>*

Accessibility/Americans with Disability Act (ADA) Notice

Pursuant to the Americans with Disabilities Act (ADA), if you need special assistance to provide public comment, or for other special assistance; please contact the City at least 48 hours prior to enable the City to make reasonable arrangements to ensure accessibility to this meeting. The Planning Division may be reached at 408-730-7440 or at planning@sunnyvale.ca.gov (28 CFR 35.160 (b) (1)).

STUDY SESSION CANCELED

7 P.M. PLANNING COMMISSION MEETING

CALL TO ORDER

Call to Order via teleconference.

ROLL CALL

ORAL COMMUNICATIONS

This category provides an opportunity for members of the public to address the Planning Commission on items not listed on the agenda and is limited to 15 minutes (may be extended or continued after the public hearings/general business section of the agenda at the discretion of the Chair) with a maximum of up to three minutes per speaker. Please note the Brown Act (Open Meeting Law) does not allow the Planning Commission to take action on an item not listed on the agenda. If you wish to address the Planning Commission, please refer to the notice at the beginning of this agenda. Individuals are limited to one appearance during this section.

CONSENT CALENDAR

All matters listed on the consent calendar are considered to be routine and will be acted upon by one motion. There will be no separate discussion of these items. If a member of the public would like a consent calendar item pulled and discussed separately, please refer to the notice at the beginning of this agenda.

1. [22-1106](#) Approve Planning Commission Meeting Minutes of November 14, 2022

Recommendation: Approve Planning Commission Meeting Minutes of November 14, 2022 as submitted.

PUBLIC HEARINGS/GENERAL BUSINESS

If you wish to speak to a public hearing/general business item, please refer to

notice at the beginning of this agenda. Each speaker is limited to a maximum of three minutes. For land-use items, applicants are limited to a maximum of 10 minutes for opening comments and 5 minutes for closing comments.

2. [22-0994](#) Forward a Recommendation to the City Council to Adopt an Ordinance to Amend Chapter 19.50 of Title 19 of the Sunnyvale Municipal Code to Allow Modifications of Legal Non-Conforming Single-Family and Two-Family Dwelling Uses in Non-Residential Zoning Districts (Study Issue 21-01) and Find that the Action is Exempt from the California Environmental Quality Act Pursuant to Guidelines Section 15061(b)(3) (Planning File Number 2022-7591)

Recommendation: Alternative 1: Introduce an Ordinance (Attachment 3 to the report) to amend Chapter 19.50 (Nonconforming Buildings and Uses) of Title 19 (Zoning) of the Sunnyvale Municipal Code to allow modifications of legal non-conforming single-family and two-family dwelling uses in non-residential zoning districts and find that the project is exempt from the California Environmental Quality Act pursuant to California Environmental Quality Act Guidelines Section 15061(b)(3).

3. [22-1033](#) Forward a Recommendation to Adopt an Urgency Interim Ordinance and Introduce an Ordinance Amending Titles 16 (Buildings and Construction) and 19 (Zoning) of the Sunnyvale Municipal Code related to new State Legislation on Accessory Dwelling Units, Parking Minimums, and Large Family Child Care Homes and Find that the Action is Exempt from the California Environmental Quality Act pursuant to CEQA Guidelines Sections 15061(b)(3), 15378(b)(5), Public Resources Codes Section 21080.17 and Health & Safety Code Section 1597.45(d) (Planning File Number 2022-7711).

Recommendation: Forward to City Council recommended Alternatives 1, 2 and 3:

1.a) Adopt the Urgency Interim Ordinance (Attachment 2 to this report) Amending Title 19 (Zoning) of the Sunnyvale Municipal Code related to New State Legislation on Accessory Dwelling Units; 1.b) Introduce the Ordinance (Attachment 3 to this report) Amending Titles 16 (Building and Construction) and 19 (Zoning) of the Sunnyvale Municipal Code related to New State Legislation on Accessory Dwelling Units; and 1.c) Find that these actions are exempt from CEQA pursuant to CEQA Guidelines Sections 15061(b)(3), 15378(b)(5), Public Resources Codes Section 21080.17 and Health & Safety Code Section 1597.45(d).

2.a) Adopt the Urgency Interim Ordinance (Attachment 4 to this report) Amending Title 19 (Zoning) of the Sunnyvale Municipal Code related to New State Legislation on Parking Minimums; 2.b) Introduce the Ordinance (Attachment 5 to this report) Amending Title 19 (Zoning) of the Sunnyvale Municipal Code related to New State Legislation on Parking Minimums; and 2.c) Find that these actions are exempt from CEQA pursuant to CEQA Guidelines Sections 15061(b)(3), 15378(b)(5), Public Resources Codes Section 21080.17 and Health & Safety Code Section 1597.45(d).

3. Introduce the Ordinance (Attachment 6 to this report) Amending Title 19 (Zoning) related to Large Family Child Care Homes and find that the action is exempt from CEQA pursuant to CEQA Guidelines Sections 15061(b)(3), 15378(b)(5), Public Resources Codes Section 21080.17 and Health & Safety Code Section 1597.45(d).

STANDING ITEM: CONSIDERATION OF POTENTIAL STUDY ISSUES

NON-AGENDA ITEMS AND COMMENTS

-Commissioner Comments

-Staff Comments

ADJOURNMENT

Notice to the Public:

Any agenda related writings or documents on this agenda distributed to members of the Planning Commission are available by contacting the Planning Division at 408-730-7440 or planning@sunnyvale.ca.gov. Agendas and associated reports are also available at sunnyvaleca.legistar.com/calendar.aspx 72 hours before the meeting.

Planning a presentation for a Planning Commission meeting?

To help you prepare and deliver your public comments, please review the "Making Public Comments During City Council or Planning Commission Meetings" document available on the City website.

PLEASE TAKE NOTICE that if you file a lawsuit challenging any final decision on any public hearing item listed in this agenda, the issues in the lawsuit may be limited to the issues which were raised at the public hearing or presented in writing to the City at or before the public hearing.

PLEASE TAKE FURTHER NOTICE that Code of Civil Procedure section 1094.6 imposes a 90-day deadline for the filing of any lawsuit challenging final action on an agenda item which is subject to Code of Civil Procedure section 1094.5.