

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SUNNYVALE ADDING SECTION 19.27.040 (PEERY PARK SPECIFIC PLAN DISTRICT) TO TITLE 19 (ZONING) OF THE SUNNYVALE MUNICIPAL CODE, REZONING ENCINAL PARK FROM INDUSTRIAL AND SERVICE (MS) TO PUBLIC FACILITIES (PF), AND MAKING RELATED CHANGES TO OTHER SUNNYVALE MUNICIPAL CODE PROVISIONS TO IMPLEMENT THE PEERY PARK SPECIFIC PLAN

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

SECTION 1. SECTION 19.16.020 AMENDED. Section 19.16.020 (Zoning Districts-Creation) of Chapter 19.16 (Zoning Districts, Uses and Related Development Regulations) of Title 19 (Zoning) of the Sunnyvale Municipal Code is hereby amended to read as follows:

19.16.020. Zoning districts—Creation.

In order to carry out the purposes and provisions of this title, the city of Sunnyvale and the Sunnyvale planning area are divided into zoning districts designated as follows:

Symbol	Zoning District
R-0	Low Density Residential Zoning District
R-1	Low Density Residential Zoning District
R-1.5	Low Medium Density Residential Zoning District
R-1.7/PD	Low Medium Density Residential Zoning District
R-2	Low Medium Density Residential Zoning District
R-3	Medium Density Residential Zoning District
R-4	High Density Residential Zoning District
R-5	High Density Residential and Office Zoning District
R-MH	Residential-Mobile Home Zoning District
O	Administrative-Professional Office Zoning District
P-F	Public Facilities Zoning District
DSP	Downtown Specific Plan District
C-1	Neighborhood Business Zoning District
C-2	Highway Business Zoning District
C-3	Regional Business Zoning District
C-4	Service Commercial Zoning District
M-S	Industrial and Service Zoning District
M-3	General Industrial Zoning District
MP	Moffett Park Specific Plan District Moffett Park Subdistricts

Symbol	Zoning District
MP-I	General Industrial
MP-TOD	Transit Oriented Development
MP-C	Commercial
LSP	Lakeside Specific Plan District
PPD <u>PPSP</u>	Peery Park <u>Specific Plan</u> District

SECTION 2. SECTION 19.16.070 REPEALED. Section 19.16.070 (Peery Park District Review Process) of Chapter 19.16 (Zoning Districts, Uses and Related Development Regulations) of Title 19 (Zoning) of the Sunnyvale Municipal Code is hereby repealed in its entirety.

SECTION 3. SECTION 19.27.040 ADDED. Section 19.27.040 (Peery Park Specific Plan District) of Chapter 19.27 (Site and Project-Based Specific Plan Districts) of Title 19 (Zoning) is hereby added to read as follows:

19.27.040. Peery Park specific plan district.

A zoning district entitled the “Peery Park Specific Plan” district (PPSP) is established as shown on the official precise zoning plan, zoning district map, city of Sunnyvale, on file in the office of the city clerk and incorporated by reference. The PPSP zoning district implements the Peery Park specific plan, incorporated by reference, a copy of which is on file in the office of the city clerk.

SECTION 4. AMENDMENT OF PRECISE ZONING PLAN – PEERY PARK SPECIFIC PLAN DISTRICT. The Peery Park District as established on October 22, 2013, by Ordinance No. 3003-13, is hereby repealed and the Precise Zoning Plan, Zoning Districts Map, City of Sunnyvale (Section 19.16.050 of the Sunnyvale Municipal Code) is amended to include and re-zone certain property within the Peery Park Specific Plan District, which property is currently zoned MS/PPD (Industrial and Service-Peery Park District) and C1 (Neighborhood Business-Peery Park District). The location of the property is shown on the scale drawing attached as Exhibit “A.”

SECTION 5. AMENDMENT OF PRECISE ZONING PLAN – ENCINAL PARK. 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 the property known as Encinal Park located at 972 Corte Madera (Assessor’s Parcel No. 165-33-012) from MS (Industrial and Service) to PF (Public Facilities). The location of the property is set forth on the scale drawing attached as Exhibit “A.”

SECTION 6. CEQA. The environmental effects of the proposed amendment to the Precise Zoning Plan and Zoning District Map were analyzed in the Program Environmental Impact Report for the Peery Park Specific Plan (SCH#2015062013) (Program EIR). The City Council reviewed the Program EIR and found that it reflects the independent judgment of the City Council and its staff, and is an adequate and extensive assessment of the environmental impacts of the proposed amendment. The City Council certified the Program EIR as having been prepared in compliance with the requirements of the California Environmental Quality Act

(“CEQA”), made necessary findings, adopted a statement of overriding considerations, and adopted a Mitigation Monitoring and Reporting Program (Resolution No. ____). The City Council incorporates by this reference the findings contained in the Program EIR as to the environmental effects of the proposed amendment, together with the additional findings contained in this Resolution.

SECTION 7. 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 8. EFFECTIVE DATE. This ordinance shall be in full force and effect thirty (30) days from and after the date of its adoption.

SECTION 9. 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 _____, 2016, and adopted as an ordinance of the City of Sunnyvale at a regular meeting of the City Council held on _____, 2016, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

RECUSAL:

ATTEST:

APPROVED:

City Clerk
Date of Attestation: _____

Mayor

(SEAL)

APPROVED AS TO FORM:

City Attorney

City of Sunnyvale Zoning Map Peery Park

