

DRAFT 11/9/2016

MCT

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SUNNYVALE ADDING CHAPTER 19.35 (LAWRENCE STATION AREA SPECIFIC PLAN DISTRICT) TO TITLE 19 (ZONING) OF THE SUNNYVALE MUNICIPAL CODE, REZONING CERTAIN PROPERTY WITHIN THE LAWRENCE STATION AREA PLAN DISTRICT FROM INDUSTRIAL AND SERVICE DISTRICT (MS) TO (PF), AND AMENDING SUNNYVALE MUNICIPAL CODE TABLE 19.54.080 (TELECOMMUNICATIONS FACILITIES PERMITS) AND SECTION 19.90.010 (SPECIAL DEVELOPMENT PERMIT) TO IMPLEMENT THE LAWRENCE STATION AREA 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
MP-I	General Industrial
MP-TOD	Transit Oriented Development
MP-C	Commercial
LSP	Lakeside Specific Plan District
PPSP	Peery Park Specific Plan District
<u>LSAP</u>	<u>Lawrence Station Area Specific Plan District</u>
<u>MDX-I</u>	<u>Flexible Mixed Use I Zoning District</u>
<u>MDX II</u>	<u>Flexible Mixed Use II Zoning District</u>
<u>MDX-III</u>	<u>Flexible Mixed Use II Zoning District</u>
<u>M-S/LSAP</u>	<u>Lawrence Station Industrial and Service Zoning District</u>

SECTION 2. CHAPTER 19.35 ADDED. Chapter 19.35 (Lawrence Station Area Specific Plan District) of Title 19 (Zoning) is hereby added to read as follows:

Chapter 19.35

LAWRENCE STATION AREA SPECIFIC PLAN DISTRICT

- 19.35.010. Lawrence Station Area Specific Plan District Established**
- 19.35.020. Incorporation of Lawrence Station Area Plan, Purpose, and Findings.**
- 19.35.030. LSAP Regulations Generally**
- 19.35.040. LSAP District Zones**
- 19.35.050. Permitted, conditionally permitted, and prohibited uses.**
- 19.35.060. LSAP Density and Height Requirements.**
- 19.35.070. LSAP Setback and Parcel Size Requirements.**
- 19.35.080. Parking Standards**
- 19.35.090. Landscape and Open Space Standards**
- 19.35.100. Conflicts.**

19.35.010. Lawrence Station Area Specific Plan District Established

A zoning district entitled the “Lawrence Station Area Plan” (LSAP) District 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.

19.35.020. Incorporation of Lawrence Station Area Plan, Purpose, and Findings.

(a) The LSAP District is established to implement the Lawrence Station Area Specific Plan, which is incorporated herein by reference. The Lawrence Station Area Specific Plan is a comprehensive, long term planning document for the LSAP area, and includes architectural and design guidelines, site development standards, public facility improvement plans, and an environmental mitigation and monitoring program to be implemented through zoning and subdivision regulations, development standards, and public and private improvements.

(b) The purpose of the LSAP is to encourage high-quality, higher-intensity development adjacent to public transportation corridors as a means of reducing single-occupancy vehicle commuting and associated traffic congestion and negative air quality impacts, and to create intensity incentives for developers who utilize sustainable development techniques.

(c) The Council finds that the LSAP will:

(1) Protect and promote the public health, safety, peace, comfort and general welfare;

(2) Establish the procedure for adoption of the orderly physical development of the LSAP District by defining development procedures and requirements to obtain the objectives of the LSAP.

(3) Promote the City's goals of smart growth and sustainable development.

(4) Diversify and strengthen the residential and economic opportunities and fiscal health of the city.

19.35.030. LSAP Regulations Generally

(a) The regulations contained in this chapter shall apply in the LSAP district, in conjunction with the standards, guidelines, and plans contained in the LSAP document.

(b) Whenever this chapter does not provide specific standards and/or procedures for the review, approval and/or administration of development projects within the LSAP district or for appeals concerning approvals or administration of development projects, the standards and procedures contained in this code shall apply.

(c) The owner or occupant of land or buildings used for any purpose in the LSAP district shall provide the facilities as required by and which conform with the regulations set forth in this chapter; provided however, that buildings, structures or uses lawfully constructed or established prior to the effective date of this chapter which do not comply with the provisions hereof shall be deemed legally nonconforming in accordance with the provisions of Chapter 19.50 (Nonconforming Buildings and Uses).

19.35.040 LSAP District Zones

The LSAP District contains a total of six zoning designations, including the four new zoning subdistricts specific to the LSAP summarized below to further refine development requirements within the LSAP area:

(a) Flexible Mixed-Use I (MXD-I) District. This district is the Transit Core, appropriate for uses that are a walk of approximately five minutes or less from the station. The highest minimum intensities of future development are allowed in this District. The highest priority for the area is mixed-use development including residential, office/research and development (R&D), and retail uses. Uses may be configured as vertical mixed-use, such as with retail under several floors of residential or office or as single-use buildings or parcels.

(b) Flexible Mixed-Use II (MXD-II) District. Required minimum densities for future development in this district are slightly lower than in MXD-I,

but maximum allowable intensities are equal to MXD-I. A mix of land uses, including office, R&D, and residential uses, are allowed and encouraged in this land use classification. Stand-alone retail uses are not allowed.

(c) Flexible Mixed-Use III (MXD-III) District. The Flexible Mixed-Use III applies to the existing Calstone/Peninsula Building Materials site. New development must respect the scale and character of the existing residential uses. Allowable maximum densities are slightly lower than MXD-I and MXD-II. A mix of land uses, including office and residential uses, are allowed and encouraged in this land use classification. Retail development, as part of mixed-use, is allowed and encouraged along the Willow Avenue frontage.

(d) Office/Retail (O-R) District. Residential development is discouraged in the O-R district. Local-serving retail services and office/R&D uses are appropriate here and encouraged.

19.35.050 Permitted, conditionally permitted, and prohibited uses.

(a) Use Table. Table 19.35.050A sets forth those uses which are permitted, conditionally permitted, or prohibited in each of the LSAP districts. The symbols correspond to the use permit procedures described in Chapter 19.90 (Special Development Permits).

(1) Permitted (P). A use shown with “P” in the table is allowed subject to compliance with all applicable provisions of this title. If the proposed use includes new construction, changes to the exterior of a building or other site modification, design review is required in accordance with the provisions of Chapter 19.80, Design Review.

(2) Miscellaneous Plan Permit (MPP). A use shown with “MPP” in the table requires the approval of a miscellaneous plan permit, in accordance with the provisions of Chapter 19.82, Miscellaneous Plan Permit. If there is an existing valid miscellaneous plan permit for the use, and no new construction or expansion is proposed, then such use may be conducted without requiring another miscellaneous plan permit.

(3) Use Permit and Special Development Permit (UP and SDP). A use shown with “UP” or “SDP” requires approval of a use permit or special development permit, in accordance with the provisions of Chapter 19.88, Use Permit, or Chapter 19.90, Special Development Permit, whichever applies. If there is an existing valid use permit or special development permit for the use, and no new construction or expansion is proposed, then such use may be conducted without requiring another use permit or special development permit.

(4) Not Permitted. (N). A use shown with “N” in the table is prohibited.

(b) Compliance. It is a violation of this chapter to:

(1) Engage in a use that is conditional without complying with the imposed conditions;

(2) Engage in a prohibited use;

(3) Engage in a use requiring a miscellaneous plan permit, use permit or special development permit without obtaining the required permit.

(c) Requirements for construction. All uses permitted under this section that require no new construction or additions or changes to the exterior of the building may be conducted within existing enclosed buildings. Major changes to the exterior of a building for either approved or permitted uses, new construction, site improvements, or additions to an existing building (other than a single-family home) shall require a plan review permit as set forth in Section 19.90.020 Minor changes to the exterior of a building for either approved or permitted uses may be approved by the director of community development through a Miscellaneous Plan Permit (MPP) as set forth in Chapter 19.90.020.

TABLE 19.35.050
Permitted, Conditionally Permitted, and Prohibited Uses
In LSAP Districts

Use	Lawrence Station Area Plan Subdistrict ¹			
	MXD-I	MXD-II	MXD-III	O-R
1. RESIDENTIAL				
A. Single-family dwelling	N	N	N	N
B. Two-family dwelling	N	N	N	N
C. Multi-family dwelling (3 or more units, or more than 1 main building) and accessory buildings and uses	MPP	MPP	MPP	N
D. Mobile home park	N	N	N	N
E. Single-room occupancy facilities	SDP	SDP	SDP	N
F. Live/work unit	SDP	SDP	SDP	N
G. Residential care facility, 6 or fewer residents	P	P	P	N
H. Emergency shelter	N	N	N	N
2. CHILD AND ADULT DAY CARE				
A. Child care center (when residential uses present on site)	SDP	SDP	SDP	SDP
B. Business-sponsored child care center	SDP	SDP	SDP	SDP
C. Adult day care center	SDP	SDP	SDP	SDP
3. EDUCATION, RECREATION, AND PLACES OF ASSEMBLY				
A. Education - primary middle and high school	N	N	N	SDP
B. Education - institution of higher learning	N	N	N	SDP
C. Education - recreation and enrichment	SDP	SDP	SDP	SDP
D. Recreational and athletic facility	SDP	SDP	SDP	SDP
E. Place of assembly -business serving	SDP	SDP	SDP	SDP

F. Place of assembly -community serving	SDP	SDP	SDP	SDP
4. COMMERCIAL, RETAIL, AND SERVICE				
A. Retail sales (excluding uses listed individually below)	MPP	MPP	MPP	MPP
B. Incidental retail sales and retail service	MPP	MPP	MPP	MPP
C. Retail sales with drive-through	N	N	N	MPP
D. Shopping center	N	N	N	SDP
E. Liquor store	MPP	MPP	MPP	MPP
F. Animal hospitals, clinics and boarding	SDP	SDP	SDP	SDP
G. Retail service	MPP	MPP	MPP	MPP
H. Financial institution	P	P	P	P
I. Financial institution with drive-through	N	N	N	N
J. Hotel	SDP	SDP	SDP	SDP
K. Automobile service station	N	N	N	N
L. Automobile service station with retail sale of groceries at permitted stations	N	N	N	N
M. Vehicle sales or rental, retail	N	N	N	N
N. Auto broker or vehicle sales, wholesale	N	N	N	N
O. Sale or rental of heavy equipment or machinery	N	N	N	N
P. Vehicle service and repair	N	N	MPP	N
Q. Car wash	N	N	MPP	MPP
R. Service commercial	MPP	N	MPP	MPP
S. Payday lending	N	N	MPP	P
T. Card room	N	N	C	N
U. Massage establishment	MPP	N	MPP	N
V. Adult business	N	N	SDP	N
5. RESTAURANTS				
A. Restaurant, with or without beer and wine	MPP	N	MPP	MPP
B. Restaurant with general liquor	MPP	N	MPP	MPP
C. Restaurant with drive-through	N	N	N	A
D. Restaurant with entertainment	MPP	N	MPP	AN
E. Take-out only restaurant	MPP	N	A	A
F. Nightclub, bar, or entertainment use	C	N	C	N
6. INDUSTRIAL, MANUFACTURING, AND WAREHOUSING				
A. Manufacture, repair, compounding,	MPP	MPP	MPP	N

packaging, assembly, or facilities for equipment, materials or products				
B. Hazardous materials storage as defined in Titles 20 (above ground) and 21 (underground)- Ancillary to permitted use on site	N	MPP	MPP	SDP
C. Hazardous wastes management facilities which meet the criteria outlined in Section 19.22.070	N	N	N	N
D. Auto wrecking, junk, salvage, scrap metal or waste material storage yards	N	N	N	N
E. Warehousing	SDP	SDP	SDP	SDP
F. Self-storage (mini-warehouse)	N	N	N	N
7. OFFICE AND MEDICAL				
A. Professional or medical office	P	P	P	P
B. Corporate office or research and development office	P	P	P	P
C. Medical clinic	MPP	MPP	MPP	MPP
D. Convalescent hospital	SDP	SDP	SDP	SDP
E. Hospital	SDP	SDP	SDP	SDP
8. AGRICULTURAL AND RESOURCE-RELATED				
A. Agricultural use	N	N	N	N
B. Salt evaporation pond	N	N	N	N
9. PUBLIC				
A. Public use	P	P	P	P
10. OTHER				
A. Medical marijuana distribution facility	N	N	N	N
B. Stand-alone parking structures and surface lots	SDP	SDP	SDP	SDP
C. Off-site stadium event parking	MPP	MPP	MPP	N

¹ R-5 and M-S/LSAP uses in the LSAP shall be the same as shown for R-5 in Table 19.18.030 and for M-S (M-S/LSAP) in Table 19.22.030.

19.35.060 LSAP Density and Height Requirements.

(a) Allowable Density. Density limits for residential units and nonresidential FARs are listed in Table 9.35.070 for each LSAP zoning district.

(1) Minimum density is the minimum allowable density and size a project can be in the zoning district. All projects shall meet the minimum density.

(2) Maximum density is the maximum allowable density and size a project can be in the zoning districts without incorporating features that will qualify it for incentive density.

(3) Maximum density with incentives is the maximum density that can be achieved using the incentive-based program described in the Specific

Plan. A list of activities eligible for this incentive program and calculation of such incentives shall be adopted and amended from time to time by resolution of the City Council.

(b) Allowable Height. Height limits for residential units and nonresidential FARs are listed in Table 9.35.060 for each LSAP zoning district. Height limits may be subject to applicable design criteria described in the Plan, including but not limited to upper-story stepback requirements.

Table 19.35.060
Allowable Density and Height Limits
In LSAP Districts¹

District	Name	Use	Density/FAR			Height (feet)	
			Min	Max (with no incentive)	Max (with Incentive)	Min	Max
MXD-1	Flexible	Residential (du/acre)	36	45	68	70	85
	Mixed-Use I	Office/R&D/ Industrial (FAR)	35%	45%	150%		
MXD-II	Flexible	Residential	24	36	68	70	85
	Mixed-Use I	Office/R&D/ Industrial (FAR)	35%	45%	150%		
MXD-III	Flexible	Residential	24	36	54	35	55
	Mixed-Use III	Office/R&D/ Industrial (FAR)	35%	45%	N/A		
O-R	Office/Retail	Residential	N/A	N/A	N/A	35	55

		Office/R&D/ Industrial	035%	45%	150%		
		Retail stand- alone	N/A	N/A	25%		
M-S/LSAP	Industrial and Service, LSAP	Office/R&D/ Industrial	N/A	35%	50%		75

¹Density and height standards in the R-5 district within the LSAP shall be the same as those required pursuant to Chapter 19.18.

(c) Development cap. Development in the LSAP District shall be further subject to a total density limit on each use type in a zoning district, which shall be adopted, periodically reviewed, and amended from time to time by resolution of the City Council, to ensure a balance of use types as development occurs in the LSAP District.

19.35.070. LSAP Setback and Parcel Size Requirements.

Development in the LSAP District shall conform to applicable minimum and maximum setbacks provisions set forth in Table 19.35.070 Setbacks. Requirements are only applicable by adjacency to listed streets and therefore allowable setback may vary within each district zone.

**TABLE 19.35.070
Setback and Parcel Size Requirements
In LSAP Districts**

	MXD-I	MXD-II	MXD-III	O-R	M-S/ LSAP
Parcel Size					
Minimum lot size	22,500	22,500	22,500	None	22,500
Minimum lot width	200'	200'	200'	100'	100'
Front Yard Setbacks					
Kifer Road	15'	15'	N/A	N/A	15'
Sonora Court *	35'	35'	N/A	N/A	N/A
San Zeno Way	15'	N/A	N/A	N/A	N/A
Aster Drive	N/A	N/A	15'	N/A	N/A
Willow Street	N/A	N/A	10'	10'	N/A
Reed Avenue	N/A	N/A	N/A	15'	N/A
Loop Road	10'	10'	N/A	N/A	N/A
Internal streets	10'	10'	10'	10'	15'
Calabazas Creek	N/A	10'	N/A	N/A	15'

Side Yard Setback					
Minimum	10'	10'	10'	None	10'
Minimum adjacent to residential	20'	20'	20'	None	20'
Rear Yard Setback					
Minimum	10'	10'	10'	None	None

*Dependent on location of existing redwood trees

¹Density and height standards in the R-5 and M-S/LSAP districts within the LSAP shall be the same as those required pursuant to Chapters 19.18 (R-5) and 19.22(M-S).

19.35.080. Parking Standards

(a) **Vehicle Parking Standards.** Vehicle parking requirements are listed in Table 19.35.080 for each LSAP zoning district. Parking locations, types, and criteria for parking reductions will be determined as part of the project review a case-by-case basis in accordance with the LSAP plan and implementing regulations.

Table 19.35.080A
Off-Street Vehicle Parking Space Requirements

Land Use Category	LSAP Parking Requirement	
Residential	Minimum (per unit)	Maximum (per unit)
Studio and one-bedroom	1	1.5
Two bedroom	1.25	2
Three + bedrooms	1.7	2
Senior housing	Multiply bedroom requirement by 0.5%	
Affordable housing (deed restriction)	Multiply bedroom requirement by 0.5%	
Office, R&D, and Industrial	Minimum (per 1,000 SF)	Maximum (per 1,000 SF)
Office	2.75	4
R&D	2	3.2
Industrial	2	2.5
General Retail and Restaurants	Minimum (per 1,000 SF)	Maximum (per 1,000 SF)
Retail- Freestanding	4	5
Retail- Part of Mixed use	2	4
Restaurants- Freestanding	9	13
Restaurants- Part of Mixed Use	4	7

(b) **Bicycle Parking.** Bicycle parking requirements are listed in Table 19.35.080B for each LSAP zoning district. Reductions or deviations from LSAP bicycle parking requirements may be determined as part of the project review a case-by-case basis in accordance with the LSAP plan and implementing regulations.

Table 19.35.080B
LSAP Bicycle Parking Requirements

Use	Required Number of Bicycle Parking Spaces
Residential	Minimum total 4 spaces for all residential developments
1. General, multi-dwelling	1 Class I per 4 units + 1 Class II per 15 units
2. Low-income housing, multi-dwelling	1 Class I per 3 units + 1 Class II per 15 units
3. Senior housing, multi-dwelling	1 Class I per 20 units + 1 Class II per 15 units
Retail	1 Class I per 30 employees + 1 Class II per 6,000 sq. ft.
Office/Industrial/R&D	1 Class I per 75% of 6,000 sq. ft. + 1 Class II per 25% of 6,000 sq. ft.
Mixed-Use	Mixed uses shall provide bicycle parking for the residential and nonresidential uses in the proportions required by this section.

Note: The minimum number of Class II bike spaces in any location should be 2 (4-bicycle capacity).

19.35.090. Landscape and Open Space Standards

Landscape and open space standards apply whenever landscaping is installed on any unlandscaped lot or in connection with new construction, replacement, or expansion in floor area of any structure in the LSAP area. Refer to Table 19.35.090 for standards specific to LSAP and Chapter 19.37 of the Municipal Code for additional landscaping, irrigation, and open space requirements not covered by this Section.

TABLE 19.35.090
LSAP Landscape and Open Space Standards³

	MXD-I	MXD-II	MXD-III	O-R	M-S/ LSAP
Usable open Space- Residential ^{1,2}	50 sf/unit	50 sf/unit	50 sf/unit	N/A	N/A
Landscaped Area	20%	20%	20%	20%	20%
Surface Parking Lot Landscaped Area	20%	20%	20%	20%	20%
Total Landscaped Area	No less than 20%				

¹ Usable open space may be considered for front yard areas if appropriate to the street character.

² Balconies with a minimum of 6 feet in any dimension and a total of 50 square feet qualify as usable open space.

³ Landscape standards for R-5 and M-S/LSAP areas within the LSAP district shall be the same as otherwise required under Title 19 in R-5 and M-S zones.

19.35.100. Conflicts.

In the event of any conflict between the provisions of the Lawrence Station Area Specific Plan and the provisions of the Sunnyvale Municipal Code, the provisions of the Lawrence Station Area Specific Plan Downtown Code shall prevail. However, with regard to topics that the LSAP or this Chapter does not address, the provisions of the Sunnyvale Municipal Code shall prevail.

SECTION 3. TABLE 19.54.080 AMENDED. Table 19.54.080 (Telecommunication facilities permits) of Chapter 19.54 (Wireless Telecommunication Facilities) of Title 19 (Zoning) is hereby amended to read as follows:

Table 19.54.080
Telecommunications Facilities Permits

Zoning Districts	Exemptions	Miscellaneous Plan Permits	Minor Use Permits	Major Use Permits
Residential, Public Facilities, Commercial and Office R-0 R-1 R-1.5 R-1.7 R-2 R-3 R-4 R-5 RMH C-1 C-2 C-3 C-4 O PF DSP LSP <u>PPSP</u> <u>MXD-I</u> <u>MXD-II</u> <u>MXD-III</u> <u>O-R</u>	For all properties: (1) DBS, MMDS or TVBS antennas, provided that: (a) Antenna has diameter of 39" or less. (b) Antenna is mounted on mast less than 12' high. (c) Antenna is not located in a historic district or on a historic building. (d) To the extent feasible, the antenna location is not readily visible from public right-of-way. (e) Amateur radio antennas not exceeding maximum building height limits of zoning district by 25'.	For properties with residential uses: Receive-only parabolic dishes or antenna > 39" in diameter. For properties with nonresidential uses: (1) Ground mounted antenna up to 15' high and 6" in diameter. (2) Façade mounted antenna not readily visible and no projection more than 18" from façade. (3) Roof mounted antenna or antennas mounted on an existing electrical transmission tower that are not readily visible and do not extend above the structure ridgeline.	For properties with nonresidential uses: (1) Façade mounted antennas extending above structure ridgeline or projecting more than 18" from building façade. (2) Roof mounted antennas or antennas mounted on an existing electrical transmission tower which extend up to 15' above the structure ridgeline. (3) Any facility or equipment which, when installed, would result in 2 or more telecommunications facilities at the same property.	For properties with nonresidential uses: (1) Satellite earth stations. (2) New freestanding facilities including monopoles, lattice towers and other towers up to a maximum of 65' in height. (3) Any facility located in the required side or front yard setbacks. Such facilities must meet design standards. (4) Facilities not otherwise enumerated.

Industrial MS M3 MP-TOD MP-C MP-I <u>M-S/LSAP</u>	Same as for Residential and Public Facilities	(1) Receive-only parabolic dishes or antennas greater than 39" in diameter. (2) Ground mounted antennas not exceeding 15' in height and 6" in diameter. (3) Façade mounted antennas extending above the structure ridgeline or projecting more than 18" from the building façade. (4) Roof mounted antennas or antennas mounted on an existing electrical transmission tower extending up to 15' above the structure ridgeline. (5) Any facility or equipment which, when installed, would result in 2 or more telecommunication s facilities at the same property. (6) Monopoles, lattice towers or other towers up to 65', if located more than 1,000' from the right-of-way of a freeway, expressway or arterial street. (7) Antennas mounted on an existing electrical transmission tower.	(1) Roof mounted antennas or antennas mounted on an existing electrical transmission tower extending more than 15' above the structure ridgeline. (2) Monopoles, lattice towers or other towers > 65' but < 90' high, and located more than 1,000' from the right-of-way of a freeway, expressway or arterial street.	(1) Satellite earth stations. (2) Monopoles, lattice towers or other towers > 65' but < 90' high, which is located less than 1,000' from the right-of-way of a freeway, expressway or arterial street. (3) Monopoles, lattice towers or other towers > 90' high. (4) Facilities or equipment located in the front or side yard setbacks of properties not in residential use. (5) Freestanding facilities include towers, lattice towers and monopoles which will be located within 1,000' of another freestanding facility. (6) Facilities not otherwise enumerated.
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SECTION 4. SECTION 19.90.010 AMENDED. Section 19.90.010 (Purpose) of Chapter 19.90 (Special Development Permits) of Title 19 (Zoning) is hereby amended to read as follows:

19.90.010. Purpose.

A special development permit is required to implement the provisions of certain combining districts for any development or use where the underlying zoning district is combined with the: PD planned development; ECR precise plan for El Camino Real; DSP downtown specific plan; HH heritage housing; LSAP Lawrence Station Area Specific Plan; or ITR industrial to residential combining districts. When a use has been approved by a special development permit, no separate use permit is required. The provisions of this chapter identify and prescribe specific procedures and requirements for the filing, processing and consideration of a special development permit application. These provisions shall be used in conjunction with the general requirements and procedures identified in Chapter 19.98 including requirements and procedures for applications, fees, notification, appeals, conditions of approval, modifications, expiration, extensions, revocation and infractions.

SECTION 5. AMENDMENT OF PRECISE ZONING PLAN- LAWRENCE STATION AREA SPECIFIC PLAN DISTRICT. The Precise Zoning Plan, Zoning Districts Map, City of Sunnyvale (Section 19.16.050 of the Sunnyvale Municipal Code) hereby is amended to include and re-zone certain property within the Lawrence Station Area Specific Plan District, which property is currently zoned MS and MS/ITR. The location of the property is shown on the scale drawing attached as Exhibit “A.”

SECTION 6. CEQA–ENVIRONMENTAL IMPACT REPORT. 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 Lawrence Station Area Specific Plan (SCH# 2013082030) (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 the Resolution.

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. 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 _____, 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:

City Clerk
Date of Attestation: _____

Mayor

(SEAL)

APPROVED AS TO FORM:

City Attorney



City of Sunnyvale Zoning Map

Lawrence Station Area Plan

