

DRAFT 2/24/2017 rum

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SUNNYVALE TO AMEND SECTIONS 19.12.130 (“L”) OF CHAPTER 19.12 (DEFINITIONS), 19.38.040 (INDIVIDUAL LOCKABLE STORAGE SPACE FOR MULTIPLE-FAMILY RESIDENTIAL) OF CHAPTER 19.38 (REQUIRED FACILITIES), AND SECTION 19.90.030 (PROCEDURES) OF CHAPTER 19.90 (SPECIAL DEVELOPMENT PERMITS) OF TITLE 19 (ZONING) OF THE SUNNYVALE MUNICIPAL CODE

WHEREAS, the City of Sunnyvale desires to amend certain sections of the Sunnyvale Municipal Code Sections 19.12.130 (“L”) and 19.38.040 (“Individual Lockable Storage Space for Multiple-Family Residential”) relating to lockable storage space for multi-family residential developments.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SUNNYVALE DOES ORDAIN AS FOLLOWS:

SECTION 1. SECTION 19.12.130 AMENDED. Section 19.12.130 of Chapter 19.12 (Definitions) of Title 19 (Zoning) of the Sunnyvale Municipal Code is hereby amended to read as follows:

**Section 19.12.130. “L.”**

(1) – (9) [Text Unchanged]

(10) “Lockable storage, Individual” means a required storage unit assigned to each dwelling unit within multi-family residential development which complies with regulations set forth in Section 19.38.040.

~~(1011)~~ – ~~(1617)~~ [Text unchanged; renumbered]

SECTION 2. SECTION 19.38.040 AMENDED. Section 19.38.040 of Chapter 19.38 (Required Facilities) of Title 19 (Zoning) of the Sunnyvale Municipal Code is hereby amended to read as follows:

**Section 19.38.040. Individual lockable storage space for multiple-family residential.**

(a) **Purpose.** The purposes of this Section are to:

(1) Protect the integrity of the City’s neighborhoods.

(2) Preserve and enhance the high-quality character of neighborhoods.

(3) Encourage residents to maintain clean neighborhoods by preventing unsightly accumulation of discarded materials and illegal dumping of furniture and other municipal solid waste.

- (4) Minimize unattractive elements which clutter the roadway.
- (b) **Applicability.** The provisions of this Section shall apply to all new multi-family residential development in all zoning districts.
- (c) **Required Storage.** A minimum of one individual lockable storage unit shall be provided for each dwelling unit which shall be separate, lockable, weatherproof, and provided to tenants without an additional cost.
- (d) **Size.** The minimum interior size of the storage space shall be as follows:
- (1) Two hundred cubic feet for studio and one bedroom units.
- (2) Three hundred cubic feet for all other units.
- (e) **Dimensions.** The storage space shall be at least eight feet in one direction and no less than three feet in any other direction. The maximum height shall not exceed ten feet.
- (f) **Location.** The storage space may be accessible from inside or outside the dwelling unit such as a patio, deck, balcony, interior or exterior hallway, interior room or separate structure. If storage space is attached to a bedroom it must be in addition to a bedroom closet. Required storage space shall not be located in an attic.
- (g) **Exceptions.** The decision maker may allow the storage space to be split between two locations under the following circumstances:
- (1) The combined space meets the minimum size requirements;
- (2) Each space is of sufficient size and dimensions to meet the purposes of this Section; and
- (3) If one or both spaces is an interior closet, sufficient additional closet space is provided for the occupants' needs of daily living.
- ~~A minimum of three hundred cubic feet (interior dimensions) of separate, lockable and weatherproof storage space shall be provided for each dwelling unit of a residential development consisting of three or more units and located in R-3, R-4, R-5, commercial or industrial zoning district. Each storage space shall be accessible from a patio, deck, hallway, the exterior of a dwelling unit, or via a separate structure. Attic area shall not be calculated as storage space. A two car garage meeting the minimum area and dimensions may satisfy the lockable storage requirement.~~

SECTION 3. SECTION 19.90.030 AMENDED. Section 19.90.030 of Chapter 19.90 (Special Development Permits) of Title 19 (Zoning) of the Sunnyvale Municipal Code is hereby amended to read as follows:

**Section 19.90.030. Procedures.**

- (a) [Text unchanged]
- (1) – (8) [Text unchanged]
- (9) Lockable storage space required by Section 19.38.040.
- (b) [Text unchanged]

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 \_\_\_\_\_, 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