

## ORDINANCE NO. 3123-17

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY  
OF SUNNYVALE TO ADD SECTION 19.16.025 OF TITLE  
19 (ZONING) OF THE SUNNYVALE MUNICIPAL CODE  
RELATING TO SPLIT-ZONE PARCELS**

WHEREAS, currently the Sunnyvale Municipal Code (“SMC”) contains a provision that describes how to determine the location of district boundary that splits a parcel or a subdivided lot in SMC Section 19.16.030; and

WHEREAS, this ordinance is meant to clarify and explicitly enable actions to designate a property with two or more zoning designations; and

WHEREAS, the City of Sunnyvale desires to amend certain sections of the Sunnyvale Municipal Code in Chapter 19.16 relating to split-zone parcels.

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

SECTION 1. Section 19.16.025 ADDED. Section 19.16.025 of Chapter 19.16 (Precise Zoning Plans – Zoning Districts – Zoning Maps) of Title 19 (Zoning) of the Sunnyvale Municipal Code is hereby added to read as follows:

**19.16.025. Split-zone parcels and applicable zoning regulations.**

A parcel or subdivided lot may be split-zoned with two or more zoning designations. When a parcel or subdivided lot contains two or more zoning designations, all applicable zoning regulations for each designation shall be applied separately for each portion of a parcel or subdivided lot which is split-zoned.

SECTION 2. 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 3. 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 4. EFFECTIVE DATE. This ordinance shall be in full force and effect thirty (30) days from and after the date of its adoption.

SECTION 5. 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 September 12, 2017, 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