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ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SUNNYVALE TO AMEND SECTIONS 19.92.050 (GENERAL PLAN AMENDMENT PROCEEDINGS) AND 19.92.060 (ZONING AMENDMENT PROCEEDINGS) OF CHAPTER 19.92 (GENERAL PLAN AND ZONING AMENDMENTS) OF TITLE 19 (ZONING) OF THE SUNNYVALE MUNICIPAL CODE

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

SECTION 1. SECTION 19.92.050 AMENDED. Section 19.92.050 of Chapter 19.92 (General Plan and Zoning Amendments) of Title 19 (Zoning) of the Sunnyvale Municipal Code is hereby amended to read as follows:

Section 19.38.050. General plan amendment proceedings.

(a)-(b) [Text unchanged]

(c) Planning Commission Recommendation. Following a public hearing, the planning commission shall make a recommendation on the general plan amendment. A recommendation for approval shall be, by the affirmative vote of a majority of its members and based on Section 19.92.080 (Finding), ~~make a recommendation to the city council to approve or deny the general plan amendment. In the event of a tie vote that that cannot be resolved by any subsequent motion, the tie vote shall be deemed a recommendation for denial.~~

(d) [Text unchanged]

SECTION 2. SECTION 19.92.060 AMENDED. Section 19.92.060 of Chapter 19.92 (Zoning Amendment Proceedings) of Title 19 (Zoning) of the Sunnyvale Municipal Code is hereby amended to read as follows:

Section 19.38.050. Zoning amendment proceedings.

(a)-(b) [Text unchanged]

(c) Planning Commission Recommendation. Following a public hearing, the planning commission shall make a recommendation on the zoning amendment. A recommendation for approval shall be, by the affirmative vote of a majority of its members and based on Section 19.92.080 (Finding), ~~make a recommendation to the city council to approve or deny the zoning amendment. In~~

the event of a tie vote that cannot be resolved by any subsequent motion, the tie vote shall be deemed a recommendation for denial.

(d) [Text unchanged]

SECTION 3. 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 4. 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 5. EFFECTIVE DATE. This ordinance shall be in full force and effect thirty (30) days from and after the date of its adoption.

SECTION 6. 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 _____, 2017, and adopted as an ordinance of the City of Sunnyvale at a regular meeting of the City Council held on _____, 2017, by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:
RECUSAL:

ATTEST:

APPROVED:

KATHLEEN FRANCO SIMMONS

City Clerk

Date of Attestation: _____

GLENN HENDRICKS

Mayor

(SEAL)

APPROVED AS TO FORM:

REBECCA L. MOON

Sr. Assistant City Attorney