

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

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SUNNYVALE REPEALING AND RE-ADOPTING CHAPTER 19.28 (DOWNTOWN SPECIFIC PLAN) OF TITLE 19 (ZONING) OF THE SUNNYVALE MUNICIPAL CODE AND MAKING RELATED CHANGES TO CHAPTER 13.08 (RIGHT-OF-WAY ENCROACHMENTS), CHAPTER 19.46 (PARKING) AND CHAPTER 19.82 (MISCELLANEOUS PLAN PERMIT) OF THE SUNNYVALE MUNICIPAL CODE.**

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

SECTION 1. CHAPTER 19.28 REPEALED. Chapter 19.28 (Downtown Specific Plan) of Title 19 (Zoning) of the Sunnyvale Municipal Code is hereby repealed in its entirety.

SECTION 2. CHAPTER 19.28 ADOPTED. Sunnyvale Municipal Code Chapter 19.28 is hereby adopted to read as set forth in Exhibit "A" attached and incorporated.

SECTION 3. SECTION 13.08.040 AMENDED. Section 13.08.040 of Chapter 13.08 (Right-of-Way Encroachments) is hereby amended to read as follows:

**13.08.040. Exceptions to permit requirement.**

No encroachment permit shall be required for any of the following:

(a) Any unenclosed use in the downtown specific plan (DSP) district, including outdoor dining, for which a special development permit or miscellaneous plan application approval has been issued pursuant to Chapter ~~19.30~~ 19.28 or ~~19.51~~ 19.82;

(b) – (j) [Text unchanged]

SECTION 4. SECTION 19.46 AMENDED. Sunnyvale Municipal Code Section 19.46.030 of Chapter 19.46 (Parking) is hereby amended to read as follows:

**19.46.030. Applicability.**

(a) [Text unchanged]

~~(b) — Exemption in the Parking District. Properties within the boundaries of a public parking district in DSP Block 2 are exempt from this chapter and subject to the requirements of the parking district.~~

~~(e)~~(b) [Text unchanged]  
~~(d)~~(c) [Text unchanged]

SECTION 5. SECTION 19.82.020 AMENDED. Sunnyvale Municipal Code Section 19.82.020 of Chapter 19.82 (Miscellaneous Plan Permit) is hereby amended to read as follows:

**19.82.020. When required.**

(a) General Reviews.

(1) – (13) [Text unchanged]

(14) Outdoor seating for existing restaurants (on premises), and in the DSP ~~subdistrict 2-zoning~~ district when such seating will be located in the public right-of-way (off-premises), and there will be no changes to the exterior of the building;

(15-25) [Text unchanged]

(b) – (k) [Text unchanged]

SECTION 6. CONSTITUTIONALITY, SEVERABILITY. If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held by a court of competent jurisdiction to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council of the City of Sunnyvale declares that it would have passed this ordinance and every section, subsection, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional.

SECTION 7. CEQA - The environmental effects of the proposed amendments to Chapter 19.28 and the Zoning District Map were analyzed in the Program Environmental Impact Report for the Downtown Specific Plan (SCH #2018052020) (EIR). The City Council reviewed the 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 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 EIR as to the environmental effects of the proposed amendment, together with the additional findings contained in the Resolution.

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 \_\_\_\_\_, 2020, and adopted as an ordinance of the City of Sunnyvale at a regular meeting of the City Council held on \_\_\_\_\_, 2020, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

RECUSAL:

ATTEST:

APPROVED:

\_\_\_\_\_  
City Clerk  
Date of Attestation: \_\_\_\_\_

\_\_\_\_\_  
Mayor

(SEAL)

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney

## EXHIBIT A

### Chapter 19.28.

#### DOWNTOWN SPECIFIC PLAN DISTRICT

- 19.28.010. Downtown Specific Plan District established.**
- 19.28.020. Purpose and findings.**
- 19.28.030. Compliance with the Downtown Specific Plan.**
- 19.28.040. Downtown Specific Plan regulations generally.**
- 19.28.050. Downtown Specific Plan blocks**
- 19.28.060. Single-family uses and structures.**
- 19.28.070. Permitted, conditionally permitted and prohibited uses in mixed use, commercial and office DSP blocks.**
- 19.28.080. Permitted, conditionally permitted or prohibited uses in residential DSP blocks.**
- 19.28.090. Block development criteria.**
- 19.28.100. Parking requirements.**
- 19.28.100. Subdivisions.**

#### **19.28.010. Downtown Specific Plan District established.**

A zoning district entitled “Downtown Specific Plan (DSP)” 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.

#### **19.28.020. Purpose and findings.**

- (a) It is the purpose of this chapter to support implementation of the DSP and:
  - (1) Create a vibrant and interesting city center which includes the concentration of many activities vital to sustaining the economic strength, regional prominence, and visual image of the city;
  - (2) Encourage high-quality, high-intensity development adjacent to public transportation corridors;
  - (3) Create employment and housing opportunities in a downtown setting and will provide a center for social interaction for residents of the city; and
  - (4) Support community goals and values by supporting development incentives for community benefits.
- (b) The city council makes the following findings that implementation of the downtown specific plan 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 district;
- (3) Conserve property values and maintain the historic architectural and cultural qualities of properties within the district; and
- (4) Protect the character and stability of adjacent residential neighborhoods.

**19.28.030. Compliance with the Downtown Specific Plan.**

The DSP is incorporated by this reference. The specific plan includes architectural and downtown design guidelines, site development standards and planned public parks and other facilities which will be implemented through zoning and subdivision regulations, development standards, design guidelines, public and private improvements and an economic development strategy. All planning related activities within the DSP shall comply with both the provisions of the Sunnyvale Municipal Code and the DSP.

**19.28.040. Downtown Specific Plan regulations generally.**

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

**19.28.050. Downtown Specific Plan blocks.**

The downtown specific plan district is divided into subdistricts, referred to as “blocks” to further refine development requirements within the DSP area, as set forth in the DSP document. The location and configuration of the blocks are shown in Figure 5-1 of the DSP and on the precise zoning plan.

**19.28.060. Single-family uses and structures.**

- (a) Single-family uses on existing, legally created lots may be maintained in all blocks.

- (b) Additions to or new construction of single-family dwellings on existing, legally created lots are subject to design review provisions in Chapter 19.80.
- (c) Single-family dwellings and accessory structures must comply with applicable development standards for the R-0 District.
- (d) Accessory dwelling units in conjunction with an existing or proposed single-family dwelling or an existing multifamily dwelling structure shall meet the provisions of Chapter 19.79.

**19.28.070. Permitted, conditionally permitted and prohibited uses in mixed use, commercial and office DSP blocks.**

- (a) Use Table. Table 19.28.070 sets forth those uses which are permitted, conditionally permitted, and prohibited in mixed use, commercial and office DSP blocks and the type of approval a use requires.
  - (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) Special Development Permit (SDP). A use shown with “SDP” requires approval of a special development permit, in accordance with the provisions of Chapter 19.90, Special Development Permit, whichever applies. If there is an existing valid use permit or special development permit, 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) Heritage Resources. Changes to any heritage resource or to a property within a heritage district may require a landmark alteration permit or resource alteration permit as set forth in Chapter 19.96.

**Table 19.28.070**  
**Permitted, Conditionally Permitted and Prohibited**  
**Uses in Mixed Use, Commercial and Office DSP Blocks**

<b>DSP MIXED USE, COMMERCIAL AND OFFICE BLOCKS</b>	<b>1</b>	<b>1a</b>	<b>2</b>	<b>3</b>	<b>7</b>	<b>13</b>	<b>18</b>	<b>20</b>	<b>21</b>	<b>22</b>
<b>1. Residential</b>										
<b>A.</b> Single-family dwelling and accessory buildings and uses developed on an existing, legally created lot per Section 19.28.060	N	N	N	N	N	SDP	N	SDP	N	N
<b>B.</b> Single room occupancy (SRO) facilities	N	SDP	N	N	SDP	SDP	SDP	SDP	N	N
<b>C.</b> Two-family dwelling (duplex)	N	N	N	N	N	SDP	N	SDP	N	N
<b>D.</b> Multiple-family dwellings (3 or more units, or more than 1 main building) and accessory buildings and uses	N	SDP	SDP	SDP	SDP	SDP	SDP	SDP	N	N
<b>E.</b> Boarding for less than 3 persons	N	P	P	P	P	P	P	P	N	N
<b>F.</b> Facilities caring for 6 or fewer persons, as declared by the state to be a residential use	N	P	P	P	P	P	P	P	N	N
<b>2. Education, Recreation and Places of Assembly</b>										
<b>A.</b> Education – Recreation and enrichment	SDP	SDP	SDP	SDP	SDP	SDP	SDP	SDP	N	SDP
<b>B.</b> Education – Primary and high school	N	N	N	N	N	N	N	N	N	N

<b>C. Education – Institution of higher learning</b>	N	N	N	N	N	N	N	N	N	N
<b>D. Recreational and athletic facilities</b>	SDP	SDP	SDP	SDP	SDP	SDP	SDP	SDP	N	SDP
<b>E. Places of assembly – Business serving</b>	SDP	SDP	SDP	SDP	SDP	N	N	SDP	N	SDP
<b>F. Places of assembly – Community serving</b>	N	N	N	N	N	N	N	N	N	N
<b>G. Parks and playgrounds</b>	SDP	SDP	SDP	SDP	SDP	SDP	SDP	SDP	N	N
<b>H. Entertainment establishments</b>	SDP	SDP	SDP	SDP	N	N	SDP	N	N	SDP
<b>I. Card rooms</b>	N	N	N	N	N	N	N	N	N	N
<b>3. Commercial Uses</b>										
<b>A. Assembly, compounding, manufacture or processing of merchandise or products, except such as are customarily incidental or essential to permitted use</b>	N	N	N	N	N	N	N	N	N	N
<b>B. Automobile service stations</b>	N	N	N	N	N	N	N	N	N	N
<b>C. Automobile vehicle-related parts sales, rentals, sales, repair or service uses</b>	N	N	N	N	N	N	N	N	N	N
<b>D. Child care/ adult day care center/ nursery schools</b>	SDP	SDP	SDP	SDP	SDP	SDP	SDP	SDP	N	SDP
<b>E. Drive-through businesses</b>	N	N	N	N	N	N	N	N	N	N
<b>F. Financial institutions such as banks and savings and loans</b>	MPP	MPP	MPP	MPP	MPP	MPP	MPP	MPP	N	MPP
<b>G. Hotels and motels</b>	SDP	SDP	N	SDP	SDP	SDP	SDP	N	N	SDP
<b>H. Medical clinic</b>	MPP	MPP	MPP	SDP	MPP	SDP	SDP	MPP	N	MPP
<b>I. Office: not located on ground floor</b>	P	P	P	P	P	P	P	P	N	P
<b>J. Office: ground floor dependent</b>	P	P	P	MPP	P	MPP	MPP	P	N	P



<b>K.</b> Office: non-ground floor dependent	P	P	MPP	SDP	MPP	SDP	SDP	MPP	N	P
<b>L.</b> Personal service	MPP	P	P	P	P	MPP	P	P	N	P
<b>M.</b> Package liquor retail sales, when not combined with another permitted use	N	SDP	N	SDP	SDP	N	SDP	N	N	N
<b>N.</b> Pawn broker shops	N	N	N	N	N	N	N	N	N	N
<b>O.</b> Bar or Nightclub	SDP	SDP	SDP	SDP	SDP	SDP	SDP	SDP	N	SDP
<b>P.</b> Repair shops for household appliances and wearing apparel	SDP	SDP	SDP	SDP	SDP	SDP	SDP	SDP	N	SDP
<b>Q.</b> Retail business, including take-out retail food establishments	P	P	P	P	P	SDP	P	SDP	MPP	P
<b>R.</b> Retail services such as laundry, repair shops, etc.	P	P	P	P	P	P	P	P	N	P
<b>S.</b> Restaurants and fast food restaurants that may have on sale beer and wine service	MPP	MPP	MPP	MPP	MPP	MPP	MPP	MPP	MPP	MPP
<b>T.</b> Restaurants and fast food restaurants that have on sale general alcoholic beverage service	SDP	SDP	SDP	SDP	SDP	SDP	SDP	SDP	N	SDP
<b>4. Accessory Uses</b>										
<b>A.</b> Retail commercial uses incidental to and in combination with residential uses in a mixed-use project	SDP	SDP	SDP	SDP	SDP	SDP	SDP	SDP	N	N
<b>B.</b> Outdoor dining in conjunction with an approved restaurant use	MPP	MPP	MPP	MPP	MPP	MPP	MPP	MPP	N	MPP
<b>C.</b> Accessory dwelling units	See Chapter 19.79	See Chapter 19.79	See Chapter 19.79	See Chapter 19.79	See Chapter 19.79	See Chapter 19.79	See Chapter 19.79	See Chapter 19.79	See Chapter 19.79	See Chapter 19.79
<b>5. Temporary Uses</b>										
<b>A.</b> Construction yard, subject to approval of director of public works	MPP	MPP	MPP	MPP	MPP	MPP	MPP	MPP	MPP	MPP

<b>6. Other Uses</b>										
<b>A.</b> Adult entertainment establishments (See Chapter 9.40)	N	N	N	N	N	N	N	N	N	N
<b>B.</b> Electric transmission substations	N	N	N	N	N	N	N	N	N	N
<b>C.</b> Massage establishments (See Chapter 9.41)	P	P	P	P	P	P	P	P	N	P
<b>D.</b> Parking structures	SDP	SDP	SDP	SDP	SDP	SDP	SDP	SDP	SDP	SDP
<b>E.</b> Public service buildings and accessory uses	SDP	SDP	SDP	SDP	SDP	SDP	SDP	SDP	SDP	SDP
<b>F.</b> Public transportation facilities	SDP	SDP	SDP	SDP	SDP	SDP	SDP	SDP	SDP	SDP
<b>G.</b> Public utility buildings and service facilities	N	N	N	N	N	N	N	N	N	N
<b>H.</b> Recycling centers in convenience zones as required by Public Resources Code Section 14300 et seq.	N	N	N	SDP	SDP	SDP	SDP	N	N	N
<b>I.</b> Unenclosed uses other than outdoor dining	SDP	SDP	SDP	SDP	SDP	SDP	SDP	SDP	N	SDP
<b>J.</b> Sale or rental of motor vehicles of all kinds	N	N	N	N	N	N	N	N	N	N
<b>K.</b> Sale or rental of heavy equipment or machinery	N	N	N	N	N	N	N	N	N	N
<b>L.</b> Storage or parking of commercial, industrial or public utility vehicles	N <sup>1</sup>	N <sup>1</sup>	N <sup>1</sup>	N <sup>1</sup>	N <sup>1</sup>	N <sup>1</sup>	N <sup>1</sup>	N <sup>1</sup>	N	N <sup>1</sup>
<b>M.</b> Wholesale storage or warehousing of merchandise or products within a building	N	N	N	N	N	N	N	N	N	N

N. Any use which is obnoxious, offensive or creates a nuisance to persons in adjacent buildings or premises by reason of the emission of dust, fumes, glare, heat, liquids, noise, odor, smoke, steam, vibrations, or similar disturbances	N	N	N	N	N	N	N	N	N	N
O. Payday lending establishment	N	N	N	N	N	N	N	N	N	N

<sup>1</sup> Except that daytime and overnight parking of up to five commercial motor vehicles (of a type that are less than 10,000 pounds in gross vehicle weight with not more than two axles) that are owned or operated by the person(s), company or business which conducts the primary use is permitted, provided the vehicles are used for purposes of delivery, pick up or service to patrons of the primary use only, do not utilize on-site required parking and are not utilized for purposes of advertising.

**19.28.080. Permitted, conditionally permitted and prohibited uses in residential DSP blocks.**

- (a) Use Table. Table 19.28.080 sets forth those uses which are permitted, conditionally permitted, and prohibited in residential DSP blocks and the type of approval a use requires.
- (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) Special Development Permit (SDP). A use shown with “SDP” requires approval of a special development permit, in accordance with the provisions of Chapter 19.90, Special Development Permit, whichever applies. If there is an existing valid use permit or special development permit, 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) Heritage Resources. Changes to any heritage resource or to a property within a heritage district may require a landmark alteration permit or resource alteration permit as set forth in Chapter 19.96.

**Table 19.28.080**  
**Permitted, Conditionally Permitted and Prohibited Uses in Residential DSP Blocks**

<b>DSP RESIDENTIAL BLOCKS</b>	<b>4, 5, 14, 15, 16, 23</b>	<b>6</b>	<b>8, 9, 10, 11, 12, 17</b>	<b>8a</b>	<b>8b, 9a</b>
<b>1. Residential</b>					
<b>A.</b> Single-family dwelling on an existing, legally created lot per Section 19.28.060	P	P	P	P	P
<b>B.</b> Single room occupancy (SRO) facilities	SDP	N	N	N	N
<b>C.</b> Two-family dwelling (duplex)	N	N	P	N	N
<b>D.</b> Multiple-family dwellings (3 or more units, or more than 1 main dwelling)	SDP	SDP	SDP	SDP	SDP
<b>E.</b> Boarding and lodging for less than 3 persons	P	P	P	P	P
<b>F.</b> Facilities caring for 6 or fewer persons, as declared by the state to be a residential use	P	P	P	P	P
<b>G.</b> Residential mobilehome park site	N	N	N	N	N
<b>2. Education, Recreation, and Places of Assembly</b>					
<b>A.</b> Parks and playgrounds	SDP	SDP	SDP	SDP	SDP
<b>B.</b> Education – Recreation and enrichment	N	N	N	N	N
<b>C.</b> Education – Primary and high school	N	N	N	N	N
<b>D.</b> Education – Institution of higher learning	N	N	N	N	N
<b>E.</b> Recreational and athletic facilities	N	N	N	N	N
<b>F.</b> Places of assembly – Business serving	N	N	N	N	N
<b>G.</b> Places of assembly – Community serving	SDP	SDP	SDP	SDP	SDP
<b>H.</b> Card rooms	N	N	N	N	N
<b>3. Commercial Uses</b>					
<b>A.</b> Child care/adult day care center/nursery schools	SDP	SDP	SDP	SDP	SDP
<b>B.</b> Hotels or motels	SDP	N	N	N	N
<b>C.</b> Rest homes	SDP	SDP	SDP	SDP	SDP
<b>4. Accessory Uses</b>					
<b>A.</b> Accessory dwelling units	See Chapter 19.79	See Chapter 19.79	See Chapter 19.79	See Chapter 19.79	See Chapter 19.79

<b>B. Accessory structures</b>	See Chapter 19.40	See Chapter 19.40	See Chapter 19.40	See Chapter 19.40	See Chapter 19.40
<b>C. Commercial and personal service uses incidental to and in combination with residential uses</b>	SDP	SDP	SDP	SDP	SDP
<b>D. Storage or parking of commercial, industrial or public utility vehicles, except for the purpose of loading or unloading</b>	N	N	N	N	N
<b>5. Temporary Uses</b>					
<b>A. Residential sales office for new development</b>	MPP	MPP	MPP	MPP	MPP
<b>B. Construction yard, subject to approval of director of public works</b>	MPP	MPP	MPP	MPP	MPP
<b>6. Other Uses</b>					
<b>A. Office: administrative, professional and medical</b>	SDP	SDP	SDP	SDP	SDP
<b>B. Adult entertainment establishments (See Chapter 9.40)</b>	N	N	N	N	N
<b>C. Electric transmission substations</b>	N	N	N	N	N
<b>D. Massage establishments (See Chapter 9.41)</b>	P	P	P	P	P
<b>E. Medical clinic</b>	N	N	SDP	SDP	N
<b>F. Public service buildings and accessory uses</b>	SDP	SDP	SDP	SDP	SDP
<b>G. Public utility buildings and service facilities</b>	N	N	N	N	N
<b>H. Recycling centers</b>	SDP	N	N	N	N
<b>I. Storage of materials, supplies or equipment for nonresidential purposes</b>	N	N	N	N	N
<b>J. Sale or rental of heavy equipment or machinery commonly used for agricultural, construction, industrial, mining, transportation or building service purposes</b>	N	N	N	N	N
<b>K. Any use which is obnoxious or offensive or creates a nuisance</b>	N	N	N	N	N
<b>L. Automobile or other independent motor vehicle-related uses, including but not limited to, auto parts sales and auto rentals, sales, repair and services use</b>	N	N	N	N	N

#### **19.28.090. Block development criteria.**

Each lot in each block shall conform to applicable provisions for frontage, interior side and rear setbacks, as set forth in Tables 19.28.090(a) through (e). Development projects must also comply with block-specific site development standards in the DSP document and other applicable provisions of the Sunnyvale Municipal Code including required facilities in Chapter 19.38. Additional development potential and building height are possible through the use of local and state density bonus programs or through provision of community benefits, identified in Section 5.1.3 of the DSP. For blocks where the allowable lot coverage is indicated as “Per SDP” means that lot coverage shall be evaluated on a project-by-project basis through the special development permit process. Covered porches, stoops, and stairways may extend up to six feet into any required front yard.

**Table 19.28.090(a)**  
**Development Standards for Commercial Core**  
**District Block 18**

	<b>Block 18</b>
<b>Land Use Designation</b>	Downtown Mixed Use
<b>Minimum lot size</b>	Per SDP
<b>Maximum lot coverage</b>	Per SDP
<b>Maximum height</b>	As provided in the DSP document
<b>Minimum Front Setbacks</b>	
Mathilda Ave.	0 ft.
McKinley Ave.	0 ft.
Taaffe St.	0 ft.
Sunnyvale Ave.	0 ft.
Iowa Ave.	0 ft.
<b>Minimum Interior Setbacks</b>	
Side	0 ft.
Rear	0 ft.
<b>Minimum landscaped area</b>	All areas not devoted to driveways and access zones
<b>Minimum useable open space</b>	50 sq. ft./unit

**Table 19.28.090(b)**  
**Development Standards for North of Washington**  
**District Blocks 1, 1a, 2, 3, 21 and 22**

	Block 1	Block 1a	Block 2	Block 21	Block 22
Land Use Designation	Office	Downtown Mixed Use	Commercial Heritage Landmark District	Transit center	Office
Minimum lot size	0.50 ac.	0.30 ac.	No minimum	No minimum	0.75 ac.
Maximum lot coverage	Per SDP	Per SDP	Per SDP	Per SDP	Per SDP
Maximum height	As provided in the DSP document				
Minimum Front Setback					
Mathilda Ave. and Mathilda Pl.	0 ft.	N/A	N/A	N/A	N/A
Washington Ave.	0 ft.	0 ft.	0 ft.	N/A	N/A
Olson Way	N/A	0 ft.	N/A	N/A	N/A
Taaffe St.	N/A	0 ft.	N/A	N/A	N/A
Evelyn Ave.	0 ft.	N/A	0 ft.	0 ft.	0 ft.
Aries Way	0 ft.	0 ft.	N/A	N/A	N/A
Sunnyvale Ave.	N/A	N/A	0 ft.	N/A	0 ft.
Altair Way	0 ft.	0 ft.	N/A	N/A	N/A
Carroll St.	N/A	N/A	N/A	N/A	N/A
Frances St.	0 ft.	0 ft.	0 ft.	N/A	N/A
Murphv Ave.	N/A	N/A	0 ft.	N/A	N/A

<b>Minimum Interior Setbacks</b>					
Side	0 ft.	0 ft.	0 ft.	0 ft.	0 ft.
Rear	0 ft.	0 ft.	0 ft.	0 ft.	0 ft.
<b>Minimum landscaped area</b>	All areas not devoted to driveways and surface access zones	All areas not devoted to driveways and surface access zones	None	All areas not devoted to driveways and access zones	All areas not devoted to driveways and access zones
<b>Minimum useable open space</b>	N/A	50 sq. ft./unit	N/A	N/A	N/A

**Table 19.28.090(c)**  
**Development Standards for Sunnyvale/Carroll**  
**District Blocks 3, 4, 5, 6, 7 and 23**

	Block 3	Block 4	Block 5	Block 6	Block 7	Block 23
Land Use Designation	Commercial	Downtown Very High Density Residential	Downtown Very High Density residential	High Density and Medium Density Residential	Downtown Mixed Use	Downtown Very High Density Residential
Minimum lot size	No minimum	0.5 ac.	0.25 ac.	0.25 ac.	No minimum	0.50 ac.
Maximum lot coverage	Per SDP	Per SDP	Per SDP	60%	60%	45%
Maximum height	As provided in the DSP document					
Minimum Front Setback						
Washington Ave.	0 ft.	12 ft.	N/A	12 ft.	12 ft.	N/A
Sunnyvale Ave.	0 ft.	N/A	N/A	N/A	N/A	18 ft.
Evelyn Ave.	0 ft.	18 ft.	18 ft.	N/A	N/A	18 ft.
Bayview Ave.	N/A	12 ft.	12 ft.	N/A	N/A	N/A
Carroll Ave.	0 ft.	12 ft.	N/A	12 ft.	12 ft.	N/A
McKinley Ave.	N/A	N/A	13 ft.	N/A	12	N/A
Minimum Interior Setbacks						
Side	0 ft.	6 ft.	6 ft.	6 ft.	0 ft.	6 ft.
Rear	0 ft.	20 ft.	20 ft.	20 ft.	0 ft.	20 ft.
Minimum landscaped area	All areas not devoted to driveways and access zones	Minimum 20% of lot area	Minimum 20% of lot area	Minimum 20% of lot area	All areas not devoted to driveways and access zones.	Minimum 20% of lot area
Minimum useable open space	N/A	50 sq. ft./unit	50 sq. ft./unit	50 sq. ft./unit	50 sq. ft./unit for residential uses	50 sq. ft./unit

**Table 19.28.090(d)**  
**Development Standards for South of Iowa**  
**District Blocks 8, 8a, 8b, 9, 9a, 10, 11, 13, and 20**

	Blocks 8a, 9, 10, 11 and 12	Block 8, 9a	Blocks 8b	Block 13	Block 20
Land Use Designation	Low-Medium Density Residential	Medium Density Residential	Low Density Residential	Office and service retail and low-medium density residential	Office and High Density Residential
Minimum project size	0.25 ac.	0.14 ac.	0.30 ac	0.4 ac.	No Minimum
Minimum lot size	2,600 sq. ft.	N/A	N/A	N/A	N/A
Maximum lot coverage	60%	60% (Block 8) 40% (Block 9a)	40%	Per SDP	60% max
Maximum height	As provided in the DSP document				
Minimum Front Setbacks					
Mathilda Ave.	N/A	N/A	N/A	0 ft.	0 ft.
McKinley Ave.	13 ft.	13 ft.	13 ft.	N/A	N/A
Carroll Ave.	15 ft.	N/A	15 ft.	N/A	N/A
Iowa Ave.	13 ft.	N/A	13 ft.	0 ft.	N/A
Sunnyvale Ave.	18 ft.	18 ft.	N/A	N/A	N/A
Taaffe St.	18 ft.	N/A	N/A	10 ft.	N/A
Frances St.	18 ft.	N/A	N/A	N/A	N/A
Murphy Ave.	18 ft.	N/A	N/A	N/A	N/A
Olive Ave.	13 ft.	N/A	13 ft.	10 ft.	10 ft.
El Camino Real	N/A	N/A	N/A	N/A	30 ft.
Minimum Interior Setbacks					
Side	4 ft.	4 ft.	4 ft.	0 ft.	6 ft.
Rear	20 ft.	20 ft.	20 ft.	0 ft.	20 ft.
Minimum landscaped area	20% of lot area	20% of lot area	20% of lot area	All areas not devoted to driveways and surface access zones	All areas not devoted to driveways and access zones
Minimum useable open space	500 sq. ft./unit	500 sq. ft./unit	500 sq. ft./unit	500 sq. ft./unit	380 sq. ft./unit



**Table 19.28.090(e)**  
**Development Standards for West of Mathilda**  
**District Blocks 14, 15, 16, and 17**

	Blocks 14, 15 and 16	Block 17
Land Use Designation	Downtown Very High Density Residential	Low Medium Density Residential
Minimum lot area	0.75 acre	8,000 sq. ft.
Maximum lot coverage	Per SDP	40%
Maximum height	As provided in the DSP document	
Minimum Front Setbacks		
Mathilda	0 ft.	12 ft.
McKinley Ave.	10 ft.	N/A
Iowa Ave.	10 ft.	10 ft.
Charles Ave.	10 ft.	10 ft.
Washington Ave.	10 ft.	10 ft.
Evelyn Ave.	N/A	18 ft.
Olive Ave.	10 ft.	N/A
Minimum Interior Setbacks		
Side	6 ft.	4 ft.
Rear	10 ft.	20 ft.
Minimum landscaped area	Minimum 20% of lot area	Minimum 20% of lot area
Minimum useable open space	50 sq. ft./unit	500 sq. ft./unit

**19.28.100. Parking requirements.**

- (a) Vehicle Parking Standards. Vehicle parking requirements are listed in Table 19.28.100(a).
  - (1) Other provisions. Refer to Chapter 19.46 for definitions; parking space dimensions and lot design; adjustments to parking requirements; parking management plans and tools; and any uses not listed.
  - (2) Calculating required parking. When calculating required parking, any portion of a parking space shall be rounded up to the next whole number.
  - (3) Parking Management Plan. New developments require a parking management plan in accordance with Section 19.46.160.
- (b) Shared Parking. Shared parking may be allowed for differing uses and is encouraged for trip reduction programs such as car sharing and other transportation demand management programs. Parking analysis will be evaluated with the application submittals for the special development permit, and a shared parking agreement or a parking management plan may be required.
- (c) For projects within the Parking District. All non-residential development projects within the boundaries of a parking district (created by the action of the city council) shall prepare a parking analysis to determine how the required parking will be provided. The

analysis shall include parking provided by the parking district, parking provided onsite, and parking provided in other locations. Residential uses shall provide assigned parking for residents onsite.

- (d) **Special Provisions for the Downtown Specific Plan.** The following criteria shall apply within the boundary of the DSP.
- (1) **Tandem Parking.** Tandem parking may be provided for a multiple-family residential use up to 100% of the units. Each set of tandem spaces must be assigned to the same unit. Required unassigned spaces shall not be provided as tandem parking.
  - (2) **Minimum Unassigned Parking for Multiple-family Uses.** When two assigned spaces are provided for a multiple-family residential unit (including tandem parking) the number of unassigned spaces may be reduced by twenty-five percent (25%) for each unit with more than one assigned space.
  - (3) **Senior and Affordable Housing.** The provisions of Section 19.46.080 shall apply within the boundary of the DSP.
- (e) **Loading Spaces.** Loading spaces shall conform with the provisions of Chapter 19.46.
- (f) **Bicycle Parking Standards.** Bicycle parking requirements shall comply with the Santa Clara Valley Transportation Authority (VTA) Guidelines. Reductions or deviations from these requirements may be determined as part of the project review on a case-by-case basis in accordance with the DSP and implementing regulations. Except that the minimum number of Class II bike spaces in any location should be 2 (4-bicycle capacity).

**Table 19.28.100(a)**  
**Vehicular Parking Standards**

<b>Land Use</b>	<b>Minimum Number of Parking Spaces Required</b>	<b>Other Provisions</b>
Single-Family Residential	1 assigned and covered per unit + 1 uncovered per unit	None
Multiple-Family Residential Studio or 1 Bedroom	1 assigned and covered per unit + 0.5 unassigned per unit	Assigned spaces may not be compact. Up to ten percent of the total number of unassigned parking spaces may be compact in parking lots of ten or more spaces.
Multiple-Family Residential 2-Bedroom	1 assigned and covered per unit + 0.7 unassigned per unit	
Multiple-Family Residential 3-Bedroom and larger	1 assigned and covered per unit + 1 unassigned per unit	
Office	2 per 1,000 sq. ft.	Maximum 4 per 1,000 sq. ft.
Retail (freestanding)	4 per 1,000 sq. ft.	Maximum 5 per 1,000 sq. ft.
Retail (mixed use)	2 per 1,000 sq. ft.	
Medical Clinic	3.3 per 1,000 sq.ft.	
Restaurant without Bar (freestanding)	9 per 1,000 sq. ft.	

Land Use	Minimum Number of Parking Spaces Required	Other Provisions
Bar or Restaurant with Full Bar (freestanding)	13 per 1,000 sq. ft.	
Assembly/Theater	1 per 3 seats	
Hotel	0.8 spaces per hotel room	Parking management plan required
Any Use within the Parking District	Parking requirements consistent with Section 19.28.100 (c)	

#### **19.28.110. Subdivisions.**

All subdivisions and parcel maps shall comply with the minimum subdivision regulations, standards and improvements as set forth in Title 18, with the following special considerations:

- (a) Minimum lot area shall conform to the requirements in Table 19.28.090.
- (b) Remnant parcels which do not meet minimum lot area requirements shall not be created be created. A parcelization plan for a block shall be submitted to the director of community development as part of the special development permit review process.
- (c) Whenever a subdivision or merger of land or a map is required to be filed in connection with a project within the DSP district, no building permit shall be issued for the project unless and until all of the requirements, including recordation, related to final subdivision or parcel maps have been met, unless otherwise approved, in writing, by the director of community development.