



City of Sunnyvale

Agenda Item-No Attachments (PDF)

File #: 19-1162, Version: 1

REPORT TO COUNCIL

SUBJECT

Introduce an Ordinance Amending Chapters 19.20 (Commercial Zoning Districts), 19.22 (Industrial Zoning Districts), and 19.24 (Office and Public Facilities Zoning Districts) and Adopt a Resolution to Amend the Land Use and Transportation Element of the General Plan to Clarify the Allowance of Residential Uses in Non-Residential Zoning Districts and Find that the Action is Exempt from the California Environmental Quality Act

SUMMARY OF COMMISSION ACTION

The Planning Commission considered this item on October 28, 2019 and voted 6-0 to recommend to the City Council the staff recommendation in Alternative 1.

Staff gave a presentation and the Commissioners asked clarifying questions and voiced support for the ordinance changes. No members of the public made comments on the item.

PUBLIC CONTACT

Public contact was made by posting the Council agenda on the City's official-notice bulletin board outside City Hall, at the Sunnyvale Senior Center, Community Center and Department of Public Safety; and by making the agenda and report available at the Sunnyvale Public Library, the Office of the City Clerk and on the City's website.

ALTERNATIVES

1. Introduce an Ordinance Amending Chapters 19.20 (Commercial Zoning Districts), 19.22 (Industrial Zoning Districts), and 19.24 (Office and Public Facilities Zoning Districts) (Attachment 3 to this report) and Adopt a Resolution to Amend the Land Use and Transportation Element of the General Plan to Clarify the Allowance of Residential Uses in Non-Residential Zoning Districts (Attachment 2 to this report) and Find that the Action is Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b)(3) as it has no potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment.
2. Introduce an Ordinance and/or Amend the Land Use and Transportation Element of the General Plan with modifications and Find that the Action is Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b)(3) as it has no potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment.
3. Take no action and do not amend the Sunnyvale Municipal Code or the Land Use and Transportation Element of the General Plan.

STAFF RECOMMENDATION

Alternative 1: Introduce an Ordinance Amending Chapters 19.20 (Commercial Zoning Districts),

19.22 (Industrial Zoning Districts), and 19.24 (Office and Public Facilities Zoning Districts) (Attachment 3 to the report) and Adopt a Resolution to Amend the Land Use and Transportation Element of the General Plan to Clarify the Allowance of Residential Uses in Non-Residential Zoning Districts (Attachment 2 to the report) and Find that the Action is Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b)(3) as it has no potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment.

The housing crisis was mentioned as the impetus for the numerous recent State housing bills. The bills state that cities are not providing sufficient opportunity for housing. Unfortunately, many cities do not provide their fair share of residential opportunities. The City of Sunnyvale is clearly not one of those cities. As described in the Report to the Planning Commission (Attachment 1), the City is pursuing several approaches to increasing the housing number, most focused on transit locations. Given the very aggressive, yet balanced approach Sunnyvale is taking in providing more opportunities for housing, it is important to ensure each resident has opportunities to access retail, employment, worship and community gathering, and all types of commercial businesses in the City. One method of ensuring this is to protect the limited areas zoned for those uses is to clarify the zoning code for what is allowed in those areas.

The City will be better protected from the potential for residential development being established near incompatible uses or removing conveniently located retail/commercial and public facilities sites. Residential uses can still be considered by looking at the larger land use perspective through a General Plan Amendment or rezoning. The current Use Permit process may not allow the City to deny a project in some of the non-residential zoning districts. The modifications to the Sunnyvale Municipal Code also clarifies existing practices, and allowances for caretaker's units in non-residential zoning districts. Furthermore, the changes to the LUTE create consistency between the two documents and leave no loophole for a housing developer to propose a residential use in an area that may not be suitable for that use.

Prepared by: Amber Blizinski, Principal Planner

Reviewed by: Andrew Miner, Assistant Director, Community Development

Reviewed by: Trudi Ryan, Director, Community Development

Reviewed by: Teri Silva, Assistant City Manager

Approved by: Kent Steffens, City Manager

ATTACHMENTS

1. Report to Planning Commission 19-1093, October 28, 2019 (without attachments)
2. Resolution to Amend the Land Use and Transportation Element of the Sunnyvale General Plan
3. Draft Ordinance
4. Link to SB 330

Additional Attachments for Report to Council

5. Excerpt of Draft Minutes of the Planning Commission Meeting of October 28, 2019