

ORDINANCE NO. 2891-09

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SUNNYVALE AMENDING SECTION 19.12.200 ("S") OF CHAPTER 19.12 (DEFINITIONS) AND CERTAIN SECTIONS OF CHAPTER 19.44 (SIGNS) OF TITLE 19 (ZONING) OF THE SUNNYVALE MUNICIPAL CODE PERTAINING TO SIGNS AND STREET ADDRESS NUMBERS

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

SECTION 1. SECTION 19.12.200 AMENDED. Section 19.12.200 of Chapter 19.12 (Definitions) of Title 19 (Zoning) of the Sunnyvale Municipal Code is amended to read as follows:

19.12.200. "S"

(1) - (6) [Text unchanged]

(7) "Sign" means any structure, object, device, display or advertising artwork, situated outdoors or in a window which is used entirely or in part to advertise, display, direct or attract attention to an object, person, institution, organization, business, product, service, event or location by any means, including words, letters, figures, design, symbols, fixtures, colors, illumination or projected images. Decorative artwork is not considered to be a sign. Types of signs are detailed in Chapter 19.44.

(a) "Sign area" means the number of square feet of the smallest geometric shape (circle, oval, rectangle, triangle, or combination thereof) within which a sign face can be enclosed. In determining the area of a sign which has more than one face, the total sign area shall be the sum of the sign area of all sign faces. Logos are included in calculation of sign area. Address numbers as required by 19.44.020 and 19.44.110 are not included in calculation of sign area. For ground signs at multi-tenant centers, up to 15 square feet may be exempted from the calculation of sign area for display of the center's name.

(b) - (e) [Text unchanged]

(8) - (26) [Text unchanged]

SECTION 2. SECTION 19.44.020 AMENDED. Section 19.44.020 of Chapter 19.44 (Signs) of Title 19 (Zoning) of the Sunnyvale Municipal Code is amended to read as follows:

19.44.020. Types of signs and related regulations.

(1) Address Sign. The official street address of a building or part thereof, consisting of numbers alone or numbers and the street name. Address signs in conformance with Section 19.44.110 are required for each ground sign established pursuant to Section 19.44.140(c) and may also be required on buildings. Address signs with copy height no less than six inches and no greater than two feet are exempt from the regulations set forth in this chapter. In addition, address signs shall be included on any ground sign where modifications are made that result in an increase in the number of tenants plus center name or the addition of the center name pursuant to the exemption provided under "sign area" in 19.44.200 "S".

(2) - (17) [Text unchanged.]

(18) Corner Vision Triangle or Driveway Vision Triangle Sign. Any sign displayed within the corner vision triangle as defined in Section 19.12.040 or the driveway vision triangle as defined within Section 19.12.050. A sign within a vision triangle is prohibited if the sign is:

- (a) Greater than three feet in height; or
- (b) A temporary commercial sign.

(19) – (72) [Text unchanged.]

SECTION 3. SECTION 19.44.110 AMENDED. Section 19.44.110 of Chapter 19.44 (Signs) of Title 19 (Zoning) of the Sunnyvale Municipal Code is amended to read as follows:

19.44.110. General requirements for signs.

(a) Sign Face Complexity—Items of Information.

(1) A syllable of a word, an abbreviation, an abstract symbol, or a number when used to convey a message on a sign is considered to be an item of information. When counting items of information for internet/Web addresses. The prefix such as "www." shall be considered one item of information, the suffix such as ".com" or ".net" shall be considered one item of information, and the remainder of the address shall be counted according to the number of syllables. When counting items of information for telephone numbers, each digit shall be considered one item of information.

(2) All commercial signs shall be allowed to display fundamental business identification, such as business name, use and one logo. In order to limit the complexity of signs, a total of ten items of information per sign face shall not be exceeded when signs are displaying related but nonessential information in addition to the fundamental business identification. The provisions of this section shall not apply to window signs, information signs, readerboard signs, noncommercial signs, address signs, fuel price signs, temporary signs, traffic directional signs, grand opening signs or other signs exempt from the sign approval procedure. The director of community development may authorize exceptions from the limitation contained herein, upon his or her determination that the following conditions exist:

(i) The sign proposing to exceed the limitation complies with all otherwise applicable provisions of this chapter;

(ii) The sign as proposed is essential to effecting the fundamental business identification purpose of such signs, and that unless such an exception is granted, the applicant will suffer undue harm; and

(iii) When counting items of information in a language other than English, the following methods shall be used:

(a) Roman (“English”) alphabet: each syllable in the language shall be counted as an item of information, together with each number and each abstract symbols.

(b) Non-Roman alphabet: each character of the alphabet, or the number of syllables in the language, shall be counted as an item of information, together each number and each abstract symbol, whichever method is the less restrictive.

(iv) Signs identifying multiple uses may exceed the foregoing limitation, provided that each portion of such a sign allotted to a particular use, or to identification of a multiuse center, does not individually exceed such limitation.

(b) Address Sign Required. Each ground sign established pursuant to Section 19.44.140 shall incorporate the official street address of all uses on the property. If a ground sign has not been established, addresses shall be displayed on the building. The street address may consist of numbers alone or numbers and the street name. Where the street name includes a direction such as East or West, the direction of at least the first letter thereof shall be displayed after the address number even if the full street name is not displayed. The copy height of address signs shall be no less than six inches and no more than two feet. Address signs in conformance with Section 19.44.020 shall not be included in calculations of sign area. Address numbers on a ground sign shall be located at a minimum height of 4 feet and a maximum height of 15 feet, unless otherwise approved by the director of community development as part of a sign permit approval.

(c) Center Name. For ground signs at multi-tenant centers, the center name shall not be included in the calculation of sign area up to a maximum of 15 square feet.

(d) Illumination of Signs. The color and thickness of glass, plastic or other translucent materials used in construction of all signs, as well as the brightness of bulbs or other illumination elements, shall be designed in such a manner so as to avoid excessive illumination and glare. Shedding significant quantities of light onto adjacent properties shall be considered excessive illumination.

(e) Design Criteria. All commercial signs established and maintained pursuant to the terms of any sign approval issued hereunder, except temporary signs, shall conform in materials, construction and appearance to the following design criteria, in addition to all other applicable provisions of this chapter:

(1) - (4) [Text unchanged.]

(f) Location of Signs On-Site. The following regulations shall govern placement of signs on the affected site:

(1) - (5) [Text unchanged.]

(6) No sign structure shall exceed three feet in height within a corner vision triangle or driveway vision triangle.

(7) - (10) [Text unchanged.]

(g) Construction and Maintenance of Signs. Each sign established and maintained shall comply in all material respects with the terms of Title 16. All electric wiring raceways, conductors, conduit, transformers and other utilities, equipment, braces and fixtures appurtenant to signs shall be concealed in a manner consistent with Title 16 and other requirements of this code. All electrical, gas or other utility service wires, pipes, conduits and other pertinent fixtures serving signs detached from buildings shall be placed underground. Each sign shall be maintained in a safe, unbroken and structurally sound manner. Damaged or missing sign faces shall be repaired or replaced. Each sign structure that shall become abandoned, and each commercial sign and its supporting structure that shall become obsolete, shall be removed within ninety days of written notice from the city directing that it shall be so removed.

SECTION 4. TABLE 19.44.140(a) AMENDED. Table 19.44.140(a) of Section 19.44.140 (Sign Regulations) of Chapter 19.44 (Signs) of Title 19 (Zoning) of the Sunnyvale Municipal Code is amended to read as follows:

TABLE 19.44.140(a)
Number and Types of Signs Allowed¹

<i>I. NONRESIDENTIAL USE—ONE BUSINESS ON A SITE</i>			
(A) Main Identification Sign		(B) Secondary Wall Sign	(C) Additional Ground Sign
Number of Street Frontages	Number and Types of Signs Allowed	One adjacent to each public entrance (other than the main entrance), or one adjacent to the main entrance of a building which is identified by a ground sign only.	If the ground sign option is selected, a second ground sign is allowed along any street frontage measuring 300 feet or greater. ²
One	One ground sign or one wall sign, or one ground and one wall sign for major tenants.		
Two or more (and the streets are contiguous)	One wall sign per street frontage, or one ground sign instead of one of the wall signs (the ground sign must be visible to two streets or located on a frontage with no wall sign).		
Two or more (and the frontages are not contiguous)	One ground or wall sign per street frontage, or both ground and wall sign on each frontage for major tenants.		

<i>II. NONRESIDENTIAL USE—TWO OR MORE BUSINESSES ON A SITE</i>		
(A) Ground Sign	(B) Wall Sign	(C) Secondary Wall Sign
Number. Allow each site to display one ground sign per street frontage. Allow a second ground sign along any street frontage measuring 300 feet or greater. ²	Tenant Identification. Allow one wall sign per main public entrance, and per each different building elevation of the tenant space that faces a street (i.e., is parallel to a street and not separated from it by another site or structure). Wall signs are not permitted for rear elevations that face residential streets.	Allow one sign adjacent to each secondary entrance to a building.
Tenant and Center Identification. In industrial zones, allow each ground sign to identify all tenants and/or the center name. In other zones, allow each ground sign to identify a maximum of four tenants and/or the center name.	Center Identification. If a multiple-tenant center has no ground sign, allow one wall sign per street frontage to identify the center name.	

<i>III. RESIDENTIAL USE</i>
One ground or wall sign per street frontage.

¹ Signs located above the ground floor in a multiple-floor building have special requirements. (See Section 19.44.020(38).)

² A second ground sign along El Camino Real, when allowed, may not exceed 15 feet in height.

SECTION 5. TABLE 19.44.140(c) AMENDED. Table 19.44.140(c) of Section 19.44.140 (Sign Regulations) of Chapter 19.44 (Signs) of Title 19 (Zoning) of the Sunnyvale Municipal Code is amended to read as follows:

TABLE 19.44.140(c)
Ground Sign Regulations

<i>I. NONRESIDENTIAL USE IN A NONRESIDENTIAL ZONING DISTRICT</i>			
(A) Sign Area and Setback Distance:			
If Information on the Ground Sign Will Consist Of:	The Maximum Sign Area¹ Is:		Minimum Setback Distance Behind the Public Right-of-Way Is:
	Signs Adjacent to El Camino Real in the Precise Plan for El Camino Real	All other ground signs	
One tenant name and/or a center name, or an address only	50 s.f. per sign face (100 s.f. total sign area)	40 s.f. per sign face (80 s.f. total sign area)	1 ft.
	-OR- 60 s.f. per sign face (120 s.f. total sign area)	50 s.f. per sign face (100 s.f. total sign area)	10 ft.
Two or more tenant names, with or without a center name	60 s.f. per sign face (120 s.f. total sign area)	50 s.f. per sign face (100 s.f. total sign area)	1 ft.
	-OR- 70 s.f. per sign face (140 s.f. total sign area)	60 s.f. per sign face (120 s.f. total sign area)	10 ft.
(B) Sign Height:	The maximum ground sign height is 10 ft., except for properties located within the El Camino Real Precise Plan which have a maximum ground sign height of 25 ft. for ground signs placed along El Camino Real. ²		
(C) Copy:	Minimum copy height is 4 inches. ³ Maximum copy height is 20 inches. See 19.44.110(b) for separate copy height requirements for address numbers.		

<i>II. NONRESIDENTIAL USE IN A RESIDENTIAL ZONING DISTRICT (including R-2(O) and R-4(O))</i>	
(A) Sign Area¹:	The minimum area can be one-half the area permitted above.
(B) Sign Height:	The maximum ground sign height is 5 ft.
(C) Setback Distance:	The same as permitted above.
(D) Copy:	Maximum copy height is 20 inches.
<i>III. RESIDENTIAL USE</i>	
(A) Sign Area¹:	
Zoning District	Maximum Sign Area
R-0, R-1, R-1.5 and R-1.7(PD) zones	Maximum 3 sq. ft. per sign face (6 sq. ft. total sign area)
R-2, R-3, R-4, R-5, R-MH, commercial, office and industrial zones	Maximum 2 sq. ft. per dwelling unit, or 32 sq. ft. total sign area, whichever is less (maximum 64 sq. ft. total sign area)

(B) Sign Height:	The maximum ground sign height is 5 ft. for all residential uses.
(C) Setback Distance:	Residential use ground signs may be placed up to, but shall not extend across any property line.
(D) Copy:	Maximum copy height is 1 ft.

- ¹ Logo height and length dimensions are counted in the ground sign area. Logo height and length dimensions are not regulated on ground signs but logos are counted in the ground sign area.
- ² A second ground sign along El Camino Real, when allowed, may not exceed 15 feet in height.
- ³ The director of community development may authorize copy heights less than 4 inches upon a finding that such height is essential to effecting the fundamental business identification purpose of the sign, and that unless an exception is granted, the applicant will suffer undue harm.

SECTION 6. CONSTITUTIONALITY; SEVERABILITY. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid by a court of competent jurisdiction, such decision 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 7. CLASS 1 AND CLASS 5 CEQA EXEMPTION. The City Council hereby determines that this action is exempt from California Environmental Quality Act provisions. A Class 1 and a Class 5 Categorical Exemption relieves this project and includes minor alterations in land use limitations which do not result in any change in land use or density.

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 newspaper for 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 _____, 2008, and adopted as an ordinance of the City of Sunnyvale at a regular meeting of the City Council held on _____, 2009, by the following vote:

AYES:
 NOES:
 ABSTAIN:
 ABSENT:

ATTEST:

APPROVED:

 City Clerk
 Date of Attestation:_____

 Mayor

SEAL

APPROVED AS TO FORM AND LEGALITY:

David E. Kahn, City Attorney