

ORDINANCE NO. 2876-08

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SUNNYVALE AMENDING SECTION 19.44.020 (TYPES OF SIGNS AND RELATED REGULATIONS) AND SECTION 19.44.120 (TEMPORARY COMMERCIAL SIGNS) OF CHAPTER 19.44 (SIGNS) OF TITLE 19 (ZONING) OF THE SUNNYVALE MUNICIPAL CODE PERTAINING TO SIGNS

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

SECTION 1. SECTION 19.44.020 AMENDED. Section 19.44.020 of Chapter 19.44 (Signs) of Title 19 (Zoning) of the Sunnyvale Municipal Code is hereby amended to read, as follows:

19.44.020. Types of signs and related regulations.

(1) – (10) [text unchanged.]

(11) Bounce Houses. A "bounce house" is a large inflatable structure which, when filled with air, provides a good surface for bouncing. Bounce houses are typically covered structures, and often their design incorporates a whimsical theme, such as a castle, car, dragon, etc. and shall be regulated as "Temporary Commercial Signs".

(11) – (33) [Renumber (12) – (34), consecutively; text unchanged.]

(35) Large Inflatable Object. An object that is inflated with air and exceeds fourteen inches in any dimension when inflated. Large inflatable objects do not include "bounce houses."

(35) – (71) [Renumber (36) – (72), consecutively; text unchanged.]

SECTION 2. SECTION 19.44.120 AMENDED. Section 19.44.120 of Chapter 19.44 (Signs) of Title 19 (Zoning) of the Sunnyvale Municipal Code is hereby amended to read, as follows:

19.44.120. Temporary commercial signs.

A temporary commercial sign is not permitted on property zoned exclusively for residential use. On any commercially zoned lot or any lot in any nonresidential zone for which a discretionary zoning permit has been issued for a commercial use, a temporary commercial sign may be permitted subject to the following:

(a) – (b) [text unchanged]

(c) Duration. A temporary sign permit is valid for nine consecutive days, or in the event of a grand opening, for sixteen consecutive days. More than one temporary sign permit may be issued simultaneously, provided that signs are not displayed for more than thirty consecutive days or more than sixty days per calendar year. Permanent unenclosed uses may display temporary signage for not more than eighty days per calendar year.

(d) – (e) [text unchanged]

(f) Specific Regulations According to Type.

(1) – (3) [text unchanged]

(4) Large Inflatable Objects. Large inflatable objects are allowed only for grand openings for a maximum of sixteen consecutive days.

(5) Bounce Houses. In commercial zones or with permitted commercial uses in nonresidential zones, a bounce house may be displayed without a permit provided that:

(A) The height of the bounce house does not exceed the height of the building in front of which it is displayed;

(B) There is only one bounce house displayed per business entity;
and

(C) The bounce house is displayed only between the hours of 12:01 a.m. and 11:59 p.m. on Saturday and/or Sunday or federal holidays or is allowed for a grand opening for a maximum of 16 consecutive days. Display of a bounce house on weekdays requires a temporary commercial sign permit.

(g) – (i) [text unchanged]

SECTION 3. 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 4. 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. The Council therefore directs that the Planning Division may file a Notice of Exemption with the Santa Clara County Clerk in accordance with the Sunnyvale Guidelines for the implementation of CEQA adopted by Resolution No. 118-04.

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 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 on September 30, 2008, and adopted as an ordinance of the City of Sunnyvale at a regular meeting of the City Council held on October 7, 2008, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:

APPROVED:

City Clerk
SEAL

Mayor

APPROVED AS TO FORM AND LEGALITY:

David E. Kahn, City Attorney